



## DU Yue (Yuki)

Senior Equity Partner

Offices Shanghai

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Language 中文、英文

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Practices International Trade and Customs Business Center、 International Projects Business Center

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### Practice Focus:

- International Trade and investment, including customs, free trade areas, export controls, and other cross-border regulatory regimes, set up WoFE and JV.
- Dispute resolution of cross-border trade or investment, including international commercial arbitration, mediation, litigation.

### Experience:

Du Yue, Member of Shanghai Law Association International Trade Business Research Committee, Mediator of CCPIT Shenzhen, mediator of CCPIT Jiaxing, compliance expert of CCPIT Suzhou. Deputy Director of DHH, expert at Hongkong law is the Master of International Economic Law graduated from the Chinese University of Hong Kong and also the extramural supervisor of the Chinese University of Hong Kong. She has actively worked in a famous U.S. consulting company, dealing with International trade compliance, cross-border transactions, international commercial arbitration.

With her solid PRC law and common law education background, Du Yue is particularly experienced in providing comprehensive and global legal solutions for clients in their global investment, financing and restructuring. Due

to her comprehensiveness, agility and professionalism, she has gained good reputation among clients.

As a partner, Du Yue has served many multi-national enterprises, including Fresenius Medical Care, AkzoNobel, Glencore, NOV, Lenovo, Magna, ON Semiconductor, SMC, Starwood, Angang Group, Higer, etc. She also has wide experience in International Arbitration in famous International Arbitration Institutions, including ICC Court of Arbitration, SIAC, HKIAC, CIETAC, SHIAC, SCIA, etc. Besides, she has published the book “ International Commercial Arbitration Practice ” in China Legal Publishing House, and has achieved many prizes and favorable comments from the clients.

#### Representative cases of International Arbitration:

- Engaged by the Respondent seller in an cross-border sales contract dispute with a Turkish enterprise at the ICC International Court of Arbitration in France, with a total amount of USD 12 million. Through the disclosure production process, we had a three-day trial in Paris and eventually won on both the claims and the counterclaims. The arbitration language is English.
- Engaged by two Respondents to respond to the German ship company's claim application at the London Maritime Arbitration Association (LMAA), with a claim amount exceeding USD 10 million. After more than two years of numerous rounds of documents and evidence exchange, the case was tried at the end of 2020 and our team had a 2-day court trial with the British QC appointed by the other party and eventually won the case, rejecting the other party's full arbitration request of more than 10 million US dollars and winning the case completely.
- Engaged by a leading coal enterprise in Shanghai in an international arbitration at the Singapore International Arbitration Centre (SIAC) as the Respondent buyer in an international sales contract dispute with a Singapore commodity trading company. The total amount of the series of cases was USD 5 million. Through jurisdictional objections and rules of anonymous agency, we successfully rejected the subsequent payment obligations.
- Engaged by the Malaysian company in the international arbitration at the Hong Kong International Arbitration Centre (HKIAC) as the Respondent shareholder company in an international equity investment agreement dispute, with a total amount of USD 30 million, and concluded the case through mediation. The arbitration language is English.
- Represented a large Suzhou bus manufacturing enterprise at the Hong Kong International Arbitration Centre (HKIAC) in international arbitration: acting as the agent of the bus manufacturer in a sales contract dispute to claim the goods against a distributor in Costa Rica, the arbitral tribunal fully supported a claim of 1.2 million US Dollars plus interest and all arbitration costs, and successfully applied for enforcement in Costa Rica. The language of arbitration is English.
- Represented a large state-owned enterprise at the Hong Kong International Arbitration Centre (HKIAC) in a charter

dispute: as the Respondent of a claim initiated by a Hong Kong shipping company (the applicant) claiming 1.7 million US Dollars. We successfully dragged the case into the procedural hearing stage, and after more than two years of document and evidence exchange, effectively rejected the applicant's claims. The language of arbitration is English.

- Represented a German exhibition company at the Shanghai International Arbitration Centre (SHIAC): acting as the Claimant builder in a dispute over the construction of a stand, against the largest advertising company in the UK, with a total claim of 2.5 million pounds. The arbitral tribunal eventually supported 80% of the claims.
- Represented an Italian head chemical company in international arbitration at China's CIETAC: acting as the seller of the applicant, claiming against a well-known import and export trading company in Guangdong, directly claiming against the state-owned enterprise, and the client was compensated with 1 million euros.
- Represented a certain communication group in Wuhan at the International Chamber of Commerce Arbitration Court (ICC): acting as the provider of engineering services to claim against a Russian enterprise, through the mediation process of the arbitration, directly resolving the case, allowing the customer to recover most of the funds. The language of arbitration is Russian.
- Represented a Changzhou high-speed rail accessory manufacturing group at the Malaysia International Arbitration Centre: acting as the manufacturer of the applicant, to arbitrate against the Malaysian high-speed rail procurement group, eventually obtaining most of the payment through mediation. The language of arbitration is English.
- Maritime claim cases: represented domestic enterprises to respond to domestic and foreign shipowners in maritime claim cases including maritime torts and guarantee letters filed in the domestic maritime court. The claim amount was more than 2.1 million US Dollars. In the case, the defendant's evidence was missing and the difficulty of defense was great. After several court hearings and negotiations, the case was settled with the other party, reducing losses for the parties involved by more than 400,000 US Dollars.

#### Representative cases of Compliance and Customs:

- Issued legal opinions on trade compliance for Lenovo Group
- Provide legal opinion on trade compliance for National Oilwell Varco High Co., Ltd.
- Provided Suzhou Higer with special legal services for overseas risk prevention and control
- Provided cross-border payment compliance physical examination legal services for Allinpay
- Provided perennial legal services for SMC
- Provided Intramirrior with legal service in cross-border E-commerce
- Provided import compliance services for German Paulaner
- Engaged by Autobox to invest and conduct export compliance in Sweden and Germany
- Counseled Magna Group for royalties tax compliance

- Provided tax-related customs legal services for Teijin Limited
- Provide perennial legal services for China Communications Construction
- Provide perennial legal services for China National Nuclear Corporation

#### Publications:

- International Commercial Arbitration Practice, China Legal Publishing House, August, 2017.
- Three Magic Weapons for International Arbitration, Fangyuan Jurisprudence Magazine, November, 2018.
- The Analysis of the Recognition and Enforcement of Foreign Arbitral Awards by Chinese Court from the Perspective of Big Data (Chinese and English version), International Journal of Law, No. 9, 2020.
- Recognition and Enforcement of International Arbitration Awards.
- Analysis and Risk Control Regarding Cross-Border Agent Disputes.

#### Awards:

- Extramural Supervisor of the Chinese University of Hong Kong
- Top Ten Prominent Youths in Shanghai Lujiazui Financial City
- ICC International Trade Finance Expert CITF
- Compliance expert of CCPIT Suzhou
- Mediator of CCPIT Shenzhen and CCPIT Jiaxing