



## **Han-Cheol KANG**

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Han-Cheol Kang is an attorney in Kim & Chang's Corporate Compliance, Anti-Corruption & Internal Investigations Practice. He has extensive experience in the area of digital forensic and e-discovery. His practice also focuses primarily on the health industry, encompassing the pharmaceuticals, medical device, foods, cosmetics, animal health products, and public health care sectors.

Mr. Kang has advised some of the largest multinational companies in the world including global pharmaceutical, medical device, food, and cosmetic companies on a broad range of regulatory, drug pricing and reimbursement, compliance, and competition law issues. His extensive experience also includes labor and employment, mergers and acquisitions, joint ventures, and licensing and distribution within the health industry.

In particular, he has advised global pharmaceutical, medical device and bio-technology companies on antitrust and maximum reimbursement price issues, and has represented multiple global pharmaceutical companies before the Korean regulators such as the Prosecutors' Office and the Korea Fair Trade Commission on various anti-kickback and unfair trade cases. He also defended his client companies before the Korean courts against the government's compulsory reduction of the maximum reimbursement price of their major products.

Before joining Kim & Chang, Mr. Kang served as a judge advocate in the Republic of Korea Air Force and was a member of the ROKAF Aerospace Law Research Committee. He served as a visiting attorney at Allen & Gledhill LLP, Singapore in 2013 and served on the Innovation Type Pharmaceutical Company Certification Committee in 2012.

Mr. Kang's most recent publications include: Study on Legitimacy of Regulation on Pharmaceutical Company's Health Campaign (The Journal of Regulation Studies Vol.22, No.1, 2013.6), Study on Institutional Review Board's Roles in Regulating Illegal Rebate (Human Right and Justice Vol.434, 2013.6), and Expanded Access Program under Pharmaceutical Affairs Act (Korean Journal of Medicine and Law Vol.21, No.1, 2013.6). For his accomplishments, Mr. Kang has received the Korea Air Force Chief of Staff/ Decoration for Outstanding Legal Research (2006), Minister of Commerce, Industry and Energy Citation/ Decoration for Outstanding Legal Research (2005), and Korea Air Force Chief of Staff Citation/Decoration for Outstanding Legal Service (2004).

Mr. Kang was named in Asian Legal Review's "40 under 40" list in 2015 and was recognized among the "40 of the brightest young legal minds in the region." The publication ranked only three practitioners in Korea, of which Mr. Kang was the only corporate compliance and health law expert. Also, Mr. Kang was included in the seven finalists for the Asia Legal Award 2017 and 2018 in the field of corporate compliance. Mr. Kang received LL.M. degrees from Cornell Law School in 2013 and from Seoul National University in 2007. He received his LL.B. from the Seoul National University College of Law in 2002. He has also been studying health economics at LSHTM, University of London since 2013. He attended the Judicial Research and Training Institute of the Supreme Court of Korea in 2002. He was admitted to the Korean bar in 2004 and New York State bar in 2015.

## Education

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University of London, LSHTM (M.S.P.H., 2018)  
School of Law, Seoul National University (J.S.D. Candidate, 2015)  
Cornell Law School (LL.M., 2013)  
The Wharton School Executive Program: Making an Impact as a Global Health Leader (2013)  
Graduate School of Law, Seoul National University (LL.M., 2007)  
Judicial Research and Training Institute of the Supreme Court of Korea (2004)  
College of Law, Seoul National University (LL.B., 2002)

## Experience

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Allen Gledhill LLP, Singapore (2013)  
The Innovation Type Pharmaceutical Company Certification Committee, Ministry of Health and Welfare (MOHW) (2012)  
Kim & Chang (2007-Present)  
Member, ROKAF Aerospace Law Research Committee (2004-2007)  
Judge Advocate, Republic of Korea Air Force (2004-2007)

## Admissions

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Admitted to bar, Korea, 2004; New York, 2015

## Publications/Activities

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Study on Legitimacy of Regulation on Pharmaceutical Company's Health Campaign (The Journal of Regulation Studies Vol.22, No.1, 2013.6.)  
Study on Institutional Review Board's Roles in Regulating Illegal Rebate (Human Right and Justice Vol.434, 2013.6.)  
Expanded Access Program under Pharmaceutical Affairs Act (Korean Journal of Medicine and Law Vol.21, No.1, 2013.6.)  
Review of Medical Necessity as Requirement for Claim of Medical Service Fees Arising from "Arbitrary Uninsured Medical Benefits" (The Justice Vol.135, 2013.4.)  
Necessities and Required Measures to Amend the KPMA's Promotion Code (Korean Journal of Medical Ethics Vol.16, No.1, 2013.4.)  
Overseas Legal Systems to Enhance Transparency in Healthcare Industries and Those Implications in South Korea - Focusing the United States' Sunshine Act and Japanese Transparency Guideline (Lawyers Association Journal Vol.62, No.4, 2013.4.)  
Use of Corporate Integrity Agreement in United States and Its Implications in South Korea - Focusing on Health Care Industry (InHa Law Review Vol.16, No.1, 2013.3.)  
The Patient Protection and Affordable Care Act and the Principle of Private Autonomy in Medicine (Hanyang Law Journal Vol.30, No.1, 2013.3.)  
Study on Discussion for Deregulation of Direct-to-Consumer Advertising of Ethical Drugs - Focusing on Cases of the United States, Canada and the European Union (Yonsei Law Review Vol.23, No.1, 2013.3.)  
Legal Liability Arising from Off-Label Use Promotion of Drugs - Focusing on Critical Analysis of Introduction of the United States Control System such as Qui Tam Action (Ewha Law Review Vol.17, No.3, 2013.3.)  
Review of Legal and Political Legitimacy of Automatic Appointment - Regime of Medical Service Providers under National Health Insurance System (Journal of Law and Politics Research Vol.13, No.1, 2013.3.)  
Critical Consideration on Korean Supreme Court's Criteria for Separating Clinical Trials from Individual Medical Practices (Seoul Law Journal Vol.54, No.1, 2013.3.)  
Legal Definition of "Conducting the Business of Another Person" in the Commercial Bribery Provision Applied to Physicians (Korea Law Review Vol.68, 2013.3.)  
Legal Issues Relating to Group Purchasing Organizations in Medical Industry (Seoul Law Review Vol.20, No.3, 2013.2.)  
The Review of Legal Problems Arising from Financial Supports for Investigators Initiated Trials

(Korean Journal of Medicine and Law Vol.20, No.2, 2012.12.)

A Study of the Current Status and Future Development of the Regime of Security Interests in Aircraft  
(Master's Dissertation, Seoul National University, 2007)

An Analysis on the Legal Solution of Dispute caused by the Use of GMO Product (BIOSAFETY  
JOURNAL Vol.6, No.1, 2005)

A Legal Review of the Military Use and Control of Civil Satellite (AEROSPACE LAW JOURNAL Vol.20,  
No.2, 2005)

## Awards

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Awarded Korea Air Force Chief of Staff Citation/Decoration for Outstanding Legal Research (2006)

Awarded Minister of Commerce, Industry and Energy Citation/Decoration for Outstanding Legal  
Research (2005)

Awarded Korea Air Force Chief of Staff Citation/Decoration for Outstanding Legal Service (2004)

## Languages

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Korean and English

## Representative Work

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Major Legal Consultation and Advice in Pharmaceutical, Medical Devices, Food and Medical Service  
Sectors:

- Advised clients during Korea Fair Trade Commission's 1st, 2nd, and 3rd rounds of investigations into the pharmaceutical industry for unfair trade practices.
- Advised clients during Korea Fair Trade Commission's patent abuse investigations.
- Advised clients during illegal rebate investigations under the dual punishment system.
- Advised on establishing a global compliance standard of practice for multinational pharmaceutical companies.
- Advised on new drug listings.
- Advised on regulatory matters in connection to M&As.
- Advised on execution of licensing and distribution agreements.
- Advised on termination of co-promotional and distribution agreements.
- Advised clients on responses and defenses against administrative measures for violations of the Pharmaceutical Affairs Law and Medical Device Act.
- Advised on side effects in connection to clinical trials.
- Advised on the establishment of medical institutions.

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