



## Sanghoon SHIN

Senior Foreign Attorney

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Sanghoon SHIN, a foreign attorney (New York), passed the 40th Higher Civil Service Examination and began to work with the Korea Fair Trade Commission (KFTC) as a public official in February 1998. He worked at the KFTC (in International Cooperation Division, M&A Review Division and Institutional Improvement Planning Task Force), planning and implementing various cases/policies related to fair trade until April 2007. Since joining Bae, Kim & Lee LLC in April 2007, he has advised on various antitrust and consumer protection cases, such as merger filings, cartels, unfair trade practices, abuses of market-dominant position and unfair inter-affiliate supports. In particular, he has focused on providing antitrust-related legal services to foreign companies.

He served as a legal advisor (on fair trade issues) to Korea Creative Content Agency. He enjoys contributing to fair trade journals including Journal of Competition, and often gives lectures on fair trade at companies, law schools and graduate law departments.

## Representative Experience

- 2007-Present      Bae, Kim & Lee, LLC
- 2005-2007      Deputy Director, M&A Review Division, Korea Fair Trade Commission
- 2004-2005      Deputy Director, Institutional Improvement Planning Task Force, Korea Fair Trade Commission
- 1998-2001      Deputy Director, International Cooperation I Division, Korea Fair Trade Commission

### See More

- 2011      Legal Advisor, Korea Creative Content Agency

## Representative Matters

### Cartel

- A case involving bid-rigging on cross-currency swap among foreign banks (Represented HSBC)
- A case involving cartel among four banks relating to the cash withdrawal commission when using CD joint network (Obtained KFTC's decision of "no violation", Represented Kookmin Bank, Shinhan Bank and Hana Bank)
- A case involving international cartel on CRT glass (Represented Asahi Glass and Hankook Electric Glass)
- A case involving international cartel on TFT-LCD (Obtained KFTC's decision of "no violation", Represented Sharp)
- A case involving international cartel by multinational airline companies concerning air cargo freight commission rate (Represented Philippine Airlines, Emirates Airlines, Garuda Indonesia Airlines, and Polar Air Cargo)
- A case involving cartel among life insurance companies and property insurance companies concerning insurance premium rate (Represented LIG Insurance, Mirae Asset Life Insurance and ING Life Insurance)
- A case involving cartel among life insurance companies concerning insurance premium rate (Represented Daehan Life Insurance)
- A case involving cartel among petrochemical companies in relation to LDPE and LLDPE products (Represented SK)
- A case involving alleged international cartel on derivative financial products based on foreign exchange rates and interest rates (Case closed without finding violation, Represented Barclays)

## Business Combination

- A case involving merger filing concerning LG Uplus' acquisition of CJ Hello
- A case involving merger filing concerning Hoya's acquisition of Daemyung Optical (Obtained KFTC's clearance without remedies)
- A case involving merger review concerning BHP Billiton's business combination with Rio-Tinto (Represented five Japanese iron-manufacturing companies and opposed the acquisition)
- A case involving merger filing concerning the establishment of a JVC between CPP Investment Board Real Estate Holdings Inc., APG Strategic Real Estate Pool N.V. and ESR Cayman Limited
- A case involving merger filing concerning the establishment of a JVC between Mahindra & Mahindra Limited and Ford Motor International Holdings Limited
- A case involving merger filing concerning the establishment of a JVC between Porsche and Munich RE
- A case involving multi-jurisdictional merger filing concerning SK Global Chemical's establishment of JV with SABIC
- A case involving merger review concerning SK Telecom's acquisition of Hanaro Telecom (Represented KT and opposed the acquisition)
- A case involving merger filing concerning the establishment of a JVC between Sony Memory Media Solutions Corporation and Phison Electronics Corporation
- Toyota Motor's establishment of JV with Panasonic
- A case involving merger filing concerning Douzone Bizon's acquisition of Kicom
- A case involving merger filing concerning Lotte Hotel's acquisition of AK Duty-Free
- A case involving merger filing concerning stock acquisition of IONITY Holding GmbH & Co. KG by Hyundai Motor Company and Kia Motors

## Abuse of Dominance

- A case on Qualcomm's abuse of market-dominant position relating to standard essential patents in modem chips (Represented Apple as an interested third party)

## Unfair trading

- A case involving abuse of superior bargaining position by Apple against wireless communication carriers
- A case involving refusal to deal by Lotte Fine Chemical

## Corporate Group and Holding Company

- A case involving CJ Logistics' application for suspension of the regulation on holding company

## Unfair Subsidizing

- A case involving unfair inter-affiliate support by subx-scription of non-life insurance products (Represented LIG Insurance)

## Consumer Protection Law

- A case involving violation of Fair Adhesion Contract Act by Expedia and Hotels.com

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## Education

- 2004                      George Washington University Law School (J.D.)
- 1997                      Seoul National University (B.A.)

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## Selected Activities

### Publications

- Merger Control 2018 (Co-author, Thomson Reuters, 2017)
- South Korea, Private Antitrust Litigation Jurisdictional comparisons (Co-author, Sweet & Maxwell, 2013)
- Case Study on SKT's Acquisition of Hanaro Telecom, Economic Law Case Study Vol. 5 (Bobmunsa, 2008)
- Study on Merger Filing Review Procedures of Major Competition Authorities, LEG Working Paper (Co-author, Korea Fair Trade Mediation Agency, 2014)
- A Case Study on Antitrust Filing and Review System on M&As in Various Jurisdictions, Korean Forum on International Trade and Business Law Vol. 20 No. 2 (Korea International Trade Law Association, 2011)
- Study on Media Market Concentration and Regulation Policy (Focusing on U.S.), Committee for Survey of Concentration of Public Opinion (Co-author, Korea Press Foundation, 2010)

- Proving Anti-Competitiveness in the Supreme Court's Ruling on the Case of POSCO's Abuse of Market-Dominant Position, Journal of competition, pp. 2-12 (Co-author, Korea Fair Competition Federation, 2008)
- Legal Issues on the Restructuring to Holding Company System, Journal of competition Vol. 130 No. 7, pp. 32-38 (Korea Fair Competition Federation, 2007)

## Awards

- Chambers Asia-Pacific - Leading Individual (2019-2020, 2016-2017)
  - Who's Who Legal: Leading Practitioner - Competition (2017-2020)
  - Chambers Asia - Leading Individual (2018)
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## Qualifications

- 2005 New York
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## Practice Areas

- Antitrust & Competition
- Merger Filings
- Antitrust Investigations & Litigations
- Government Relations
- Technology, Media & Telecommunication
- E-Commerce
- Hong Kong
- Europe
- Internal Investigations