

**COVINGTON**

COVINGTON & BURLING LLP

**COVINGTON**

科文顿·柏灵律师事务所

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# COVINGTON

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## 科文顿·柏灵律师事务所

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## FIRM OVERVIEW

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From our founding nearly 100 years ago in Washington, DC, Covington & Burling LLP has had a particular strength in substantive policy areas that profoundly impact business success. Our clients in China have found the senior government experience of many of our lawyers of particular advantage when they need critical analysis of international public policy, counseling and strategic advice in matters in the US, the EU, Asia, Africa or Latin America.

We strive to become a trusted strategic advisor to each client and to build a relationship measured in decades by working on small projects as well as the largest matters. We practice as one firm, holding closely to core values that start with a deep commitment to our clients and to the quality of our work on their behalf. We emphasize teamwork among our lawyers and other professionals, and we serve as an extension of our client's business team on all matters – from the routine to the potentially transformative.

Today, our clients in China and Greater China draw upon experts in our offices in Washington, London, Brussels. Covington attorneys and advisors have served at senior levels in more than 30 agencies in the US Government, including the Departments of Treasury, State, Commerce, Agriculture, Energy, Labor, Justice and Defense, at the White House, and in top-level staff positions on Capitol Hill. In Europe, our team is headed by a former leading member of the European Parliament and former Vice President of the EPP-ED, the EU Parliament's largest political group. We are active in many of the most challenging and sophisticated legislative issues in the European Union, working directly with the Commission at all levels, the Parliament and the Member States.

In addition to Covington's direct capabilities, our clients draw upon the expertise of McLarty Associates, the strategic consulting firm headed by former White House Chief of Staff and Special Envoy for the Americas Thomas F. McLarty; the opportunity and risk assessment capabilities and global perspective of Claude Smadja of Smadja & Associates; and the unparalleled grasp of Middle East laws, politics, culture, and economics of Malik Dahlan, Chief Attorney of Institution Quraysh for Law & Policy. These alliances expand and strengthen our ability to provide high quality legal services by offering access to the combined experience and expertise of lawyers, former diplomats, policy- and opinion-makers and intelligence analysts.

Our national and international clients look to us for advice and judgment on a broad array of legal issues.

- In the corporate, tax and benefits area, we take a multi-disciplinary approach, resulting in an ability to deliver innovative and creative solutions. Clients benefit from the collaboration of teams of lawyers having expertise in mergers and acquisitions, securities, finance, intellectual property, corporate governance, tax and benefits, bankruptcy and real estate.
- Our litigators handle civil and criminal cases throughout the United States, and our lawyers appear regularly in courts of the European Union. We handle arbitrations, agency proceedings, and matters before international tribunals. At the trial level, Covington litigators in recent years have prevailed in jury trials involving claims as diverse as employment discrimination, complex insurance disputes, patent validity and enforcement, antitrust and international commercial disputes.

## 律师事务所概述

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自近 100 年前在华盛顿哥伦比亚特区成立后，科文顿·柏灵律师事务所在对企业成功有深远影响的重大政策领域一直享有独特优势。我们的中国客户在需要有关国际公共政策的关键分析以及有关美国、欧盟、亚洲、非洲或拉丁美洲事宜的咨询和战略建议时，他们会发现我们许多拥有资深政府工作经验的律师具有特殊优势。

通过为各类项目提供法律服务，我们努力成为每位客户可信赖的战略顾问并与其建立长期合作关系。我们世界各地的代表处作为一个整体，秉承着我们的核心价值，一切为了客户，并致力于为客户提供优质服务。我们重视律师和其他专业人员之间的团队协作，并在所有事宜上把自己当做我们客户企业团队的一员。

现在，我们大中华区的客户可以利用我们华盛顿、伦敦和布鲁塞尔代表处的律师为其提供专业服务。科文顿律师和顾问曾在 30 多个美国政府机构担任过高级职位，包括财政部、国务院、商务部、农业部、能源部、劳工部、司法部、国防部、白宫和国会。在欧洲，我们的团队负责人曾担任欧洲议会的领导人和欧洲人民党与欧洲民主派（EPP-ED，欧洲议会的最大政治团体）的副主席。在许多最有挑战性和最复杂的欧盟立法问题中，我们都与各级委员会、议会和成员国合作并提供法律服务。

除科文顿的直接专业知识和经验外，我们的客户还可以得益于与科文顿有联盟关系的 **McLarty Associates** 的专长，**McLarty Associates** 作为一家战略咨询公司，由前白宫办公厅主任兼美洲事务特使 **Thomas F. McLarty** 领导；**Claude Smadja**（**Smadja & Associates** 战略咨询公司总裁）的机会和风险评估能力以及全球卓见；以及 **Malik Dahlan**（**Institution Quraysh for Law & Policy** 的首席律师）对中东法律、政治、文化和经济的独到见解。这种联盟关系提供了综合利用律师、前外交官、政策制定者、舆论制造者以及信息分析师的经验和专长的机会，从而扩大和增强了我们提供高质量法律服务的能力。

我们的国内外客户都希望我们在广泛的法律问题上提供建议与判断。

- 在公司法、税务和福利方面，我们可以从多领域的角度出发，提出具有创新和富有创意的解决方案。客户能够从拥有购并、证券、金融、知识产权、公司治理、税务和优惠、破产以及房地产等各个领域专业技能的律师团队的协作中受益。
- 我们的诉讼律师代理的民事和刑事案件遍及全美，并且经常出现在欧盟的法庭上。我们受理由国际法庭进行的仲裁、代理诉讼及事项。在审判方面，科文顿诉讼律师近年来在陪审团进行的涉及如雇佣歧视、复杂的保险纠纷、专利有效性和执行、反垄断和国际商业纠纷等众多领域的审判中胜诉。

- Our regulatory lawyers are recognized as experts in their fields and regularly combine their talents on behalf of the world's top financial institutions, pharmaceutical and life sciences companies, telecommunications and technology companies, utilities, railroads, sports leagues and consumer goods companies, among others.
- In the trade, antitrust and consumer protection areas, we advise on international trade matters, including trade policy, foreign trade controls, national security and international boundary and investment disputes, and we handle complex civil and criminal antitrust and consumer law matters, including treble-damage actions, class actions, multi-district litigation and internal investigations.
- Lawyers across the firm's offices regularly confront emerging legal and policy issues in such technology fields as satellite, cable, wireless and digital communications, software, information infrastructure, privacy, and data security. Our media lawyers advise on constitutional questions as well as commercial matters, including program production, content review, program rights and much more.

- 我们从事法律监管的律师被认为是其领域的专家，经常代表国际上顶尖的金融机构、制药和生命科学公司、电信和技术公司、水电公司、铁路、职业运动组织、消费品公司等机构施展才华。
- 在贸易、反垄断和消费者保护领域，我们为国际贸易事务提供法律建议，包括贸易政策、外贸管制、国家安全和国际领土及投资纠纷。我们还处理反垄断和贸易法方面复杂的民事和刑事案件，包括三倍损害赔偿诉讼、集团诉讼、多区域诉讼和内部调查。
- 我们各个办公室的律师经常应对一些技术领域新出现的法律和政策问题，如卫星、电缆、无线和数字通讯、软件、信息架构、隐私和数据安全等。我们的传媒律师对法律及商业事务提供法律意见，领域包括节目制作、内容审核、节目权利等等。

## CORPORATE/TRANSACTIONS

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Covington has one of the leading international corporate practices. Our clients range from large, multinational corporations to venture-backed companies and successful entrepreneurs, and from leading investment and commercial banks to private equity and venture firms and hedge funds. We concentrate in mergers & acquisitions, private equity, capital markets transactions and bankruptcy and reorganizations. We have particular expertise in the life science, technology, media, financial services and energy industries.

Covington's corporate practice combines its deep industry experience in the life science, technology, media, financial services and energy industries with its expertise in mergers and acquisitions, capital markets transactions, private equity and venture and other corporate disciplines. We represent many leading pharmaceutical and biotech companies in corporate transactions, as well as leading players in other industries where we have expertise.

### MERGERS & ACQUISITIONS

Our Mergers & Acquisitions practice represents Global 100 companies and private equity firms worldwide. In the last few years, we advised on over 100 M&A transactions valued at more than \$100 billion. Our experience covers the wide range of M&A activity, including public acquisitions and divestitures, "going private" transactions, proxy contests and unsolicited bids, spin-offs, acquisitions and divestitures of venture-backed and other private companies, private equity transactions, joint ventures and cross-border acquisitions, and divestitures.

- Representing Coty Inc. in purchasing Unilever's global fragrance business, and in selling its Yue-Sai Kan cosmetics business to L'Oreal.
- Representing The Goodyear Tire & Rubber Company in selling its worldwide Engineered Products Division to the Carlyle Group (private equity fund).
- Representing Kerr-McGee Corporation in its \$18 billion merger into Anadarko Petroleum.

### PRIVATE EQUITY

Covington's private equity practice includes representation of LBO sponsors and investors in fund formation and in secondary transactions as well as representing funds and management in buyout and other transactions worldwide. Our distinctive knowledge of key industries provides clients innovative, focused strategic guidance and value-oriented results.

- Represented a Private Equity Fund in its potential acquisitions of financial institutions in emerging markets, including in Vietnam and Colombia.
- Represented Kohlberg, Kravis & Roberts and TPG, as lead investors, in the regulatory legislative and certain debt aspects of their \$45 billion acquisition of TXU, a Dallas, TX-based utility company.

## 公司事务/交易

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科文顿拥有处于领先地位的国际公司业务部之一。我们的客户既有大型的跨国企业，也有创业投资支持的公司和成功的企业家，既有领先的投资和商业银行，也有私募股权和创业基金及对冲基金。我们的业务主要集中在并购、私募股权、资本市场交易及破产与重组。我们尤其擅长于生命科学、技术、传媒、金融服务和能源等行业。

科文顿的公司业务部综合了其在生命科学、技术、传媒、金融服务和能源行业的深厚经验以及其在并购、资本市场交易、私募股权和创业投资及其它企业领域的专长。我们既代理许多领先的制药和生物科技公司处理公司交易，也代理那些在我们拥有专长的其它行业处于领先地位的企业。

### 并购

我们的并购业务部为全球 100 强公司及世界各地的私募股权公司担任代理。最近几年，我们曾为 100 多宗、价值超过 1,000 亿美元的并购交易提供过咨询。我们的经验涵盖范围广泛的并购活动，包括公开收购和剥离、“公司私有化”交易、代理权争夺和无约束力竞标、分拆、创业投资公司和其它私营公司的收购和剥离、私募股权交易、合资企业和跨境收购与剥离。

我们为财富 100 强企业以及全球各地的私募公司提供并购方面的法律服务。在过去几年中，我们为 100 多个并购交易提供了法律咨询，总交易额超过 1000 亿美元。我们的经验覆盖广泛的并购行为，包括公开收购和资产剥离、“公司私有化”交易、代理权争夺、无约束力竞标、分拆、风险投资和其他私营公司的收购与剥离、私募股权交易、合资公司和跨境收购，以及资产剥离。

- 代理 Coty Inc.公司收购联合利华（Unilever）的全球香水业务以及将其羽西化妆品业务出售给欧莱雅（L’Oreal）。
- 代理固特异公司将其全球工程制品部出售给凯雷投资集团（Carlyle）（私募基金）。
- 代理科麦奇（Kerr-McGee）公司以 180 亿美元并入阿纳达科（Anadarko）石油天然气公司。

### 私募股权

科文顿的私募股权业务包括在全球范围内代理杠杆收购发起方和投资方进行基金组建和二手交易，以及代表基金和管理层参与收购和全球范围内的其它交易。我们对于主要行业独有的知识使我们能够为客户提供富有创新的、集中的策略指导和以价值为导向的结果。

- 代理一家私募股权基金处理对新兴市场（包括越南和哥伦比亚）金融机构的潜在收购。
- 代理 Kohlberg, Kravis & Roberts 和 TPG 处理其作为主要投资者以 450 亿美元收购德州达拉斯公用事业公司 TXU 过程中的监管、立法及某些债务方面事宜。

- Represented Charlesbank Capital Partners, LLC, in its acquisitions of Aurora Dairy Corporation; Zenith Products; Manufacturers Discount Furniture & Bedding, Inc.; the midstream gas assets of El Paso Corporation; and 80% of each of Titan Contracting and Leasing, Inc., Midwest Environmental, Inc., National Steel Erection, Inc., and Titan Fabricators, Inc., all previously owned by affiliates of Michael E. Horn; and in its dispositions of American Tire Distributors and GSI Holdings.
- Represented Perseus LLC in the acquisitions of Hagggar Corp., Relizon Company and Pinnacle Solutions; and in its disposition of Maritime Telecommunications Network.

## FINANCE

Covington's corporate finance practice advises clients in a full range of capital markets transactions and securities reporting and compliance matters. We represent issuers, underwriters, financial advisors and investors in capital markets and other transactions, including public and private issuances of equity and debt instruments and business combinations. We have advised on initial public offerings, spin-offs, tender offers, "going-private" transactions, proxy contests and issuer repurchase programs. We also assist our clients in SEC reporting, securities and stock exchange listing compliance, and related securities matters.

- Represented Hanesbrands Inc. in its \$2.4 billion spin-off from Sara Lee, Inc.
- Represented Baltic Oil Terminals PLC in its £31.4 million IPO on AIM
- Represented Abbott Laboratories in its \$3.2 billion cash tender offer for Kos Pharmaceuticals, Inc.
- Represented The Goodyear Tire & Rubber Company in several billion dollars in domestic and European bond, credit and securitization financings since our representation of Goodyear in a 2003 restructuring of more than \$3.0 billion of obligations
- Represented The Procter & Gamble Company, as special outside securities counsel, in its \$54 billion acquisition of The Gillette Company

- 代理 Charlesbank Capital Partners, LLC 进行下列收购交易：Aurora Dairy Corporation；Zenith Products；Manufacturers Discount Furniture & Bedding, Inc.；El Paso Corporation 的中游天然气资产；和原属于 Michael E. Horn 的各关联机构 — Titan Contracting and Leasing, Inc.、Midwest Environmental, Inc.、National Steel Erection, Inc. 和 Titan Fabricators, Inc. 各自 80% 的股权；及其对 American Tire Distributors and GSI Holdings 的处置。
- 代理 Perseus LLC 收购 Hagggar Corp.、Relizon Company 和 Pinnacle Solutions；以及出售 Maritime Telecommunications Network。

## 金融

科文顿的公司金融业务部为客户提供各种资本市场交易和证券报告及合规事务方面的咨询。我们代理发行人、承销商、财务顾问和投资者参与资本市场和其它交易，包括股票和债权票据的公开发行为和私募及业务兼并。我们提供有关首次公开发售、分拆、要约收购、“公司私有化”交易、代理权争夺和发行人回购计划方面的咨询服务。我们还在纽约证交所报告、证券和股票交易所上市合规及相关证券事务等方面为客户提供协助。

- 代理汉佰有限公司 (Hanesbrands Inc.) 完成价值达 24 亿美元的从 Sara Lee, Inc. 分拆出来的交易。
- 代理 Baltic Oil Terminals PLC 在 AIM 完成 3,140 万英镑的首次公开发售。
- 代理雅培制药有限公司 (Abbott Laboratories) 以 32 亿美元现金要约收购 Kos Pharmaceuticals, Inc.。
- 自我们于 2003 年代理固特异轮胎公司 (Goodyear Tire & Rubber Company) 重组了 30 多亿美元的债务以来，已代理该公司完成了数十亿美元的国内和欧洲债券、信贷和证券融资。
- 作为特别外部证券法律顾问代理宝洁公司 (The Procter & Gamble Company) 以 540 亿美元收购吉列公司 (The Gillette Company)

## CFIUS

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Covington advises US and foreign companies on all aspects of the US national security review process of foreign investment acquisitions administered by the Committee on Foreign Investment in the United States (“CFIUS”). Our practice covers transactional, regulatory, and policy and legislative matters related to CFIUS and special issues associated with acquisitions by government-owned companies or sovereign wealth funds. Covington attorneys have held senior positions in six of the twelve key CFIUS agencies, including in the White House, the Office of the U.S. Trade Representative, and the Departments of State, Commerce, Treasury and Justice. More recently, Covington lawyers have been at the forefront of shaping the new CFIUS regulations and recent CFIUS reform legislation. Our partners have testified before Congress more than a half dozen times on the CFIUS process and on sovereign wealth funds.

Covington has advised on the largest Chinese, Russian and Middle Eastern acquisitions ever undertaken in the United States, we represent a number of leading Asian, European, and Middle Eastern companies that regularly seek CFIUS approvals, and we have co-hosted informational events in Beijing with the China Industrial Overseas Development & Planning Association (CIODPA).

Our representations often involve high-stakes commercial investments that present myriad issues ranging from cutting-edge technology transfers to defense and homeland security contracting to novel compliance matters. Our work has included negotiating model national security agreements in various industry sectors; preparing special security agreements, proxy agreements and other corporate arrangements required to mitigate foreign ownership and control over sensitive information or classified contracts; counseling potential investors and conducting CFIUS-related due diligence; assisting in on-site inspections and examinations of client facilities by law enforcement and intelligence agencies; and drafting and implementing detailed compliance plans for clients following agreements with CFIUS. Covington is frequently called upon for the most complex, political and difficult CFIUS reviews; we have handled a number of second-stage investigations and have negotiated mitigation agreements that are among the most complex entered into by CFIUS.

Many of our representations also have public policy components or present political challenges that do not always involve CFIUS. We have worked with clients, including several of the world's largest Asian and Middle Eastern sovereign wealth funds, in the highest pressure environments to develop and implement political and public relations strategies that secure the clients' interests while preserving the confidentiality of, and achieving success in, the CFIUS process, the halls of Congress and the US media. We also have provided advice to various foreign governments on the development and implementation of national security review processes. We have been actively involved in the work of multilateral organizations, including the Organization for Economic Cooperation and Development and the International Monetary Fund.

### REPRESENTATIVE MATTERS

- IBM – Sale of its personal computer division to Lenovo.
- Carlyle Group – Sale of Landmark and Standard Aero to Dubai Aerospace Enterprise; and sale of The John Maneely Company to Novolipetsk Steel.
- SABIC and GE – Acquisition of GE Plastics business.
- Temasek – Investment in Merrill Lynch.

## 美国外国投资委员会 (CFIUS)

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科文顿可就美国外国投资委员会 (CFIUS) 对外国投资收购所实施之美国国家安全审查程序的所有方面为美国及外国公司提供咨询服务。我们的业务涵盖与 CFIUS 有关的交易、监管及政策与立法事务，以及与国有公司或主权财富基金所做之收购相关的特殊问题。科文顿的律师曾在 CFIUS 十二个主要机构中的六个机构担任过高级职务，这六个机构包括白宫、美国贸易特别代表办公室和美国国务院、商务部、财政部和司法部。最近，科文顿律师一直在积极参与制定 CFIUS 监管的新规则和 CFIUS 改革立法方面的最前沿的工作。我们的合伙人已就 CFIUS 审查程序和主权基金问题在国会作证六次以上。

科文顿曾就美国有史以来最大的中国、俄罗斯和中东收购活动提供咨询，并且为经常报请 CFIUS 审批的亚洲、欧洲和中东许多大公司提供代理。此外，2008 年 11 月，我们与中国产业海外发展和规划协会 (CIODPA) 在北京共同举办了“美国投资环境研讨会”。

我们的代理业务经常涉及高风险的商业投资，其错综复杂的问题从尖端科技转让到国防和国土安全工程承包再到新型的合规事务，应有尽有。我们的工作包括谈判各行业领域国家安全协议范本；准备为减少外国拥有和控制敏感信息或机密合同所必需的特殊的安全协议、代理协议及其它公司安排；为潜在投资者提供咨询并从事 CFIUS 相关之尽职调查；协助政府执法和情报机构 现场监督和检查客户设施；为客户遵守与 CFIUS 的协议起草和执行详细的合规计划。科文顿经常受聘处理最复杂、政治性最强和最困难的 CFIUS 审查事宜；我们处理过大量的第二阶段调查，并曾就 CFIUS 签订过的若干最为复杂的减低风险协议进行谈判。

我们的许多代理业务也包含并不总是涉及 CFIUS 的公共政策要素或政治挑战。我们还曾与客户（其中包括全球最大的亚洲和中东的主权财富基金）一起在最具压力的环境下制定与实施政治和公共关系策略，既确保了客户的利益又在 CFIUS 程序、美国国会和美国媒体中达成了目标并保护了它们的机密。我们还向各外国政府就制定和实施国家安全审查程序提供咨询。我们还积极参与了多边组织的工作，这些多边组织包括经济合作与发展组织和国际货币基金组织。

### 代表项目

- IBM – 将其个人电脑部门出售给联想。
- 凯雷投资集团 (Carlyle Group) – 将 Landmark 和 Standard Aero 出售给 Dubai Aerospace Enterprise；以及将 The John Maneely Company 出售给 Novolipetsk Steel。
- SABIC 和 GE – 收购 GE 塑料业务。
- 淡马锡 – 投资美林银行。

- BAE Systems – Acquisition of Armor Holdings.
- Kohlberg Kravis Roberts (KKR) – Sale of stake in Oncor Electric Delivery Company to Government Investment Corporation of Singapore and Borealis Infrastructure.
- Datascope – Sale of medical device business to Shenzhen Mindray Bio-Medical Electronics.
- Oregon Steel – Acquisition by Evraz (largest Russian investment in the United States).
- FastenTech – Acquisition by Doncasters Group (owned by Dubai International Capital).
- Global Crossing – Acquisition of Global Crossing by Singapore Technologies Telemedia (and an earlier phase involving Hutchison Whampoa).
- British Telecommunications plc – Acquisitions of Infonet Services Corporation, Counterpane Internet Security, International Network Services, and Comsat International.
- Check Point Software Technologies – Acquisition of NFR Security, Inc.; proposed acquisition of Sourcefire, Inc.
- Investment banks – Advice to several leading New York- and London-based investment banks on a number of transactions involving Exxon-Florio review.

- 英国 BAE 系统公司—收购 Armor Holdings。
- Kohlberg Kravis Roberts (KKR) — 将其持有的 Oncor Electric Delivery Company 的股份出售给新加坡政府投资公司和加拿大退休基金北方基础设施投资与管理公司（Borealis Infrastructure）。
- Datascope — 将其医疗设备业务出售给深圳迈瑞生物医疗电子股份有限公司。
- 美国俄勒冈钢铁 (Oregon Steel) — 被俄罗斯耶弗拉兹控股公司 (Evraz) 收购（俄罗斯在美国的最大投资）。
- FastenTech — 被英国顿卡斯特集团公司 (Doncasters Group) 收购（该英国公司为迪拜国际资本集团 (Dubai International Capital) 所有）。
- Global Crossing — 被新加坡科技电信媒体公司 (Singapore Technologies Telemedia) 收购（早期还涉及香港和记黄埔有限公司 (Hutchison Whampoa)）。
- 英国电信公司 (British Telecommunications plc) — 收购 Infonet Services Corporation、Counterpane Internet Security、International Network Services 和 Comsat International。
- Check Point Software Technologies — 收购 NFR Security, Inc.；拟议收购 Sourcefire, Inc.。
- 投资银行 — 就需要《埃克森 - 佛罗里奥法令》(Exon-Florio) 审查的一系列交易向纽约及伦敦的几家大投资银行提供咨询

## ENERGY

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Covington's energy practice consists of more than 30 attorneys with deep experience in regulatory and corporate energy matters. We represent investor-owned utilities, independent power producers, local distribution companies, natural gas pipelines, energy marketers and traders, oil and gas producers, wind producers, electric cooperatives, large end-users, financiers, project developers, institutional equity investors, a coalition of electric generators, transmitters, distributors, and consumers, and project advisory firms in a wide range of regulatory, corporate, and legislative energy matters.

### REGULATORY

Covington has extensive experience representing a range of clients before the Federal Energy Regulatory Commission (FERC), the Nuclear Regulatory Commission (NRC), the courts, Congress, and state legislatures on regulatory and related matters. Covington's clients include investor-owned utilities, independent power producers, energy marketers and traders, oil and gas producers, wind producers, local distribution companies, electric cooperatives, large customers and end-users, financiers, project developers, institutional equity investors, the national wind energy association, and a coalition of electric generators, transmitters, distributors, and consumers.

Our representations encompass: mergers and acquisitions, corporate reorganizations, asset acquisitions and transfers; industry restructuring, transmission, Regional Transmission Organizations and Independent System Operator matters; market power analyses and mitigation; nuclear matters; electricity rates; enforcement and compliance matters; retail choice and competition; natural gas rates and certificates; contract disputes; power and other energy transactions; affiliate transactions; hydroelectric licensing; administrative litigation; and dispute resolution.

### NUCLEAR

The former Chairman of the Nuclear Regulatory Commission, Dr. Richard Meserve, has rejoined the firm and brings extensive experience on nuclear matters. We can provide experienced counseling and advisory services in connection with nuclear matters arising at the state and federal level, including NRC procedures (governing site permits, certified designs, and consolidated licenses), NRC practice and licensing, legislative strategy, regulatory compliance, decommissioning, DOE programs bearing on the nuclear industry, the licensing of Yucca Mountain and related spent-fuel issues, terrorism-related requirements, and evolving risk-informed regulatory requirements.

### GOVERNMENT AFFAIRS

We handle energy legislative and government affairs at the federal and state levels for a range of entities and our work covers an array of cutting edge issues. We were heavily involved in passage of key provisions of the Energy Policy Act of 2005, and many of our lawyers have extensive experience working on Capitol Hill and in the executive branch. Our lawyers include the former Chief Counsel to Senator Dale Bumpers, then a senior member of the Senate Committee on Energy and Natural Resources, and a former Vice President of Legislative and Regulatory Policy at Constellation Energy Group who led the company's efforts to develop and coordinate legislative and regulatory policy at the federal and state levels.

## 能源

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科文顿拥有 30 多位能源行业律师，他们在能源行业的监管和公司事务方面均具有丰富的经验。我们代表民营电业公司、独立能源生产商、区域分销公司、天然气管道公司、能源销售商和交易商、石油和天然气生产商、风能生产商、电力协作组织、大型最终用户、融资机构、项目开发商、机构股权投资者、发电厂、传输商、分销商、和消费者联合体，以及项目顾问机构处理广泛的涉及能源监管、公司和立法的事宜。

### 监管

科文顿在代表各类客户与美国联邦能源监管委员会（FERC）、美国核管理委员会（NRC）、法庭、议会和州立法机构处理涉及监管及其他相关问题方面拥有广泛经验。科文顿的客户包括民营电业公司、独立能源生产商、能源销售商和交易商、石油和天然气生产商、风能生产商、区域分销公司、电力协作组织、大型客户和最终用户、融资机构、项目开发商、机构股权投资者、全美风能协会以及发电厂、传输商、分销商和消费者联合体。

我们所代理的业务包括：并购、企业重组、资产收购和转让；行业重组、传输、区域传输组织和独立系统运营商的相关事务；市场势力分析和降低；核能事务；电力收费标准；执法和合规事务；零售选择和竞争；天然气费率和证书；合同纠纷；电力和其它能源交易；联营单位交易；水力发电许可；行政诉讼；以及纠纷解决。

### 核能

美国核管理委员会的前主席 Richard Meserve 博士已重新加入科文顿，为处理核能事务带来丰富的经验。我们能够提供与州或联邦层面出现的核能事务有关的经验丰富的顾问和咨询服务，包括 NRC 程序（管辖选址批准、设计认证和综合性许可）、NRC 执业和许可、立法策略、监管合规、核设施除役、能源部计划对核能产业的影响，雅卡山核废物处置和相关的乏燃料问题的许可、反恐的相关需求，以及不断变化的风险指引监管需求。

### 政府事务

我们为一系列实体处理在州政府和联邦政府层面的能源立法和政府事务，而我们的相关工作包括一系列最前沿的问题。我们曾大量参与了 2005 年能源政策法案一些关键条款的批准过程，并且我们的许多律师都拥有丰富的议会和政府行政机构工作经验。我们的律师包括参议员 Dale Bumpers 的前首席法律顾问，Bumpers 先生当时担任参议院能源和自然资源委员会的高级委员；还有一位曾担任美国联合能源公司（Constellation Energy Group）负责立法和监管政策的副总裁，他当时负责该公司在州政府和联邦政府层面建立并协调立法和监管政策事务。

## CARBON MARKETS & CLIMATE CHANGE

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Covington's Carbon Markets & Climate Change Practice focuses on the business challenges and opportunities created by emerging climate change regimes (i.e., legal instruments aimed at countering the effects of increased concentrations of greenhouse gases (GHGs) in the Earth's atmosphere). In a carbon-constrained world, companies that are first movers in adopting cleaner energy technologies, or that can claim credit for reducing emissions of GHGs in their respective countries, will have a competitive edge. A new asset class, in the form of GHG emission credits, is being traded in domestic as well as global markets. Regulatory structures are being developed, with varying degrees of coordination at the local, state, federal and international levels, that will affect a great variety of industries: imposing burdens on some, and creating opportunities for others. Covington assists clients in evaluating, managing and planning for these diverse effects of climate change initiatives.

Our practice is led by Stuart Eizenstat (who, as Under Secretary of State, was the lead United States negotiator of the 1997 Kyoto Protocol) and Rubén Kraiem (a corporate and transactional lawyer with experience in emerging markets and more than a decade of involvement in the environmental community). It draws on experts in our energy, environmental, transactional, intellectual property, securities, trade and legislative practices. It covers the European Union, where an emissions trading scheme is already in effect, the United States, where regional and state initiatives are underway and federal policies are being developed, and Canada. Our practice focuses as well on Latin America and parts of Asia where, as the Clean Development Mechanism under the Kyoto Protocol is put into effect, a range of transactional opportunities will arise.

## 碳和气候变化

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科文顿的碳市场和气候变化业务关注的是新出现的气候变化机制（即旨在应对地球大气层中温室气体浓度升高带来的影响的法律工具）产生的商业挑战和机遇。在碳排放量受限的当今世界，那些首先采用清洁能源技术的公司或者对降低本国的温室气体排放作出贡献的公司将拥有竞争优势。一种新的资产类别，温室气体排放积分，已经在国内和国际市场上成为交易对象。相应的监管结构也正在制定，地方、州、联邦等各级政府和国际机构在其中发挥着不同程度的协调作用，这种变化将会对很多行业产生影响：加重一些行业的负担，同时为另一些行业创造机遇。科文顿协助客户评估、管理和规划因气候变化而发生的这些多元化的影响。

我们的该项业务由埃森斯塔特律师（Stuart Eizenstat）他在担任美国国务院副国务卿时曾经是参加 1997 年京都协议书的首席谈判官）和 Rubén Kraiem（公司法 and 交易 律师，对新兴市场有丰富的经验，参与环保事务已有十多年）负责。同时可以利用我们在能源、环境、交易、知识产权、证券、贸易和立法方面的专家力量。该业务包括欧盟（一个排放交易计划已经生效）、美国（地区性和州计划正在推进，而联邦政策正在制定过程中）和加拿大。我们的业务还集中在拉美和部分亚洲市场，随着京都协议书的清洁发展机制的生效，很多交易机会已经随之出现。

## ENVIRONMENTAL LAW/REACH

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Covington advises numerous companies that are affected by the European Union's sweeping environmental requirements, including those governing chemicals, electrical and electronic equipment, packaging, renewable energies, and greenhouse gas emission reductions. Our environmental team advises clients both on EU and pan-European matters, and we frequently serve as specialist advisors and policy advocates on specific initiatives presenting novel and complex environmental issues, often of national and international importance.

Covington has been especially active in advising companies with respect to the Registration, Evaluation, Authorization and Restriction of Chemicals (REACH) Regulation on chemicals. REACH imposes extensive requirements on chemicals and products containing them, including pre-registration, registration, notification of substances in articles, provision of information to customers, evaluation, prior authorization, and marketing and use restrictions. These requirements apply to both EU manufacturers and importers of substances in bulk and of products containing them that are produced outside the EU. They apply to both products in the form of mixtures (e.g., paints, detergents, cosmetics), and articles (i.e., objects such as electronics). Chemicals identified as "Substances of Very High Concern," and the products containing them are subject to particularly stringent requirements, including prior authorization obligations and restrictions, and their manufacturers will need to continuously defend their uses.

We provide legal and strategic REACH advice to manufacturers and importers of medicines, medical devices, tobacco, electrical and electronic equipment, printers and ink-cartridges, cosmetics, food and feeding stuffs, and a wide variety of other companies engaged in chemical downstream uses.

We are also active in defending particular substances against proposals in the EU to restrict or ban their usage. In addition, we advise manufacturers of electronic equipment on the requirements imposed by the EU WEEE, RoHS and EUP Directives and the laws implementing them at the national level in the EU Member States. We are active as well with respect to EU climate change legislation, in particular the current review of the Emission Allowance Trading System and the proposed adoption of renewable energies legislation.

### REPRESENTATIVE MATTERS

- Advising a leading EU trade association representing the paper sector on the proposed REACH Regulation, including its impact on their businesses, the interplay between REACH and waste management issues, and the extent to which REACH affects paper recycling.
- Regulatory and strategic advice to a large manufacturer of paper and consumer products on REACH pre-registration requirements, contractual arrangements with suppliers and customers, the appointment of only representatives, and the correct identification of substances.
- Regulatory advice to a large manufacturer of military equipment on the impact of REACH on aerospace equipment, military equipment, and possible national defense exemptions.

## 环境法/化学品的注册、评估、授权和限制（REACH）法案

科文顿为许多受到欧盟广泛环境要求影响的公司提供咨询服务，包括致力于化学品、电器及电子设备、包装、可再生能源、减少排放的公司。我们的环保小组为客户提供有关欧盟和泛欧服务项目的意见，我们以特殊顾问和政策倡导者身份所服务的项目常常牵涉新颖而又复杂环境问题的具体措施。这些问题通常在国内和国际上都具有重要性。

科文顿一直特别积极地为化学品公司提供有关化学品注册、评估、许可和限制（REACH）法案的咨询意见。REACH 对化学品和包含化学品的产品提出了广泛的要求，包括产品物质的预先注册、注册、通知、向顾客提供信息、评估、事先授权、销售和使用限制。这些要求既适用于欧盟制造商，同时也适用于批量进口这些物质和欧盟之外生产的包含该物质产品的进口商。它们适用于以混合物形式（例如油漆、洗涤剂、化妆品）以及物品形式（即物体，如电子）存在的产品。确定为“引起高度关注物质”的化学品，以及包含它们的产品都受到特别严格的要求，包括事先授权义务和限制，并且其制造商将需要不断地维护它们的用途。

我们为药品、医疗器械、烟草、电气和电子设备、打印机和喷墨墨盒、化妆品、食品和饲料制造商和进口商，以及其他涉及化学品下游用途的各类公司提供有关 REACH 的法律和战略意见。

我们也积极针对欧盟限制或禁止使用特定物质的提案为该等物质进行抗辩。此外，我们为电子设备制造商提供有关欧盟 WEEE、RoHS 和 EUP 指令要求以及在欧盟会员国按国家标准实施法律的咨询服务。我们也在积极响应欧盟气候变化法，特别是目前审查的排放配额贸易制度和建议通过可再生能源法律。

### 代表项目

- 为一代表造纸业的主要欧盟贸易协会提供有关 REACH 的提议法规，包括对其业务的影响、REACH 与废物管理问题之间的相互影响，以及 REACH 在何种程度上影响纸张的回收利用。
- 为一大型纸张和消费产品的制造商提供有关 REACH 预先注册要求、与供应商和消费者的合同安排、独家代表的委派以及正确识别物质的规管和战略咨询。
- 为一大型军用设备制造商提供监管咨询，涉及 REACH 对航空航天设备、军用设备以及国防豁免可能造成的影响。

- Regulatory advice to a large pharmaceutical company on the REACH requirements applicable to substances used in medicinal products and medical devices.
- Assistance in defending a flame retardant substance against proposed restrictions under the RoHS Directive on electrical and electronic equipment.
- Legal and advocacy advice to an environmental services company on revision of the EU's Emission Allowance Trading System and the Member States Effort Sharing Decision.
- Regulatory advice to a major manufacturer of semi-conductor equipment on applicable pan-European WEEE and RoHS requirements.

- 为一大型制药公司提供监管咨询，涉及适用于药品和医疗设备所使用之物质的 REACH 要求。
- 协助对违反电气和电子设备 RoHS 指令下的拟议限制的阻燃物质提出反对意见。
- 为一环境服务公司提供法律和宣传意见，涉及欧盟排放配额交易制度和成员国努力分享决策的修改。
- 为一主要半导体设备制造商提供规管咨询，涉及适用的泛欧 WEEE 和 RoHS 指令要求。

## INTERNATIONAL POLICY

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Covington advises a wide range of multinational companies, trade associations, and foreign governments on complex international public policy issues. Our representations draw upon our broad in-house legal expertise, as well as our attorneys' significant and varied government experience.

Our diverse experience allows us to represent clients effectively on complex international public policy matters that require advice and representation on issues being considered simultaneously by multiple US government agencies, Congress, and foreign governments.

We have a special international advisory unit within the firm – which our clients often refer to as our “Mini State Department” - to assist the management teams of emerging market companies in dealing with the heightened risk posed by uncertain business environments. Covington's task force of seasoned former diplomats, lawyers, and policy professionals helps clients navigate legal, political and economic risks in uncharted emerging and frontier markets in Asia, the Middle East, Africa, Latin America, as well as in the U.S. and Europe. The Covington Mini State Department operates out of offices in political and financial capitals: Washington, New York, San Francisco, Beijing, Brussels, and London. To enhance our reach and scope, we have formed close working relationships with a number of key resources: McLarty Associates, a global business consultancy in Washington; Institution Quraysh for Law & Policy (iQ), the leading Arabian Gulf law and policy firm; and Khaitan & Co., a premier Indian law firm. The multidisciplinary team collaborates with clients to solve problems in an efficient and effective manner.

Our team includes Tim Stratford, former Assistant U.S. Trade Representative, the former General Counsel for General Motors' China operations, former Minister-Counselor for Commercial Affairs at the U.S. Embassy in Beijing, and the former Chairman of the American Chamber of Commerce in China (2000-2001), Stuart Eizenstat, former U.S. Ambassador to the European Union and former Deputy Secretary of the Treasury; Michael Chertoff, the former US Secretary of the Department of Homeland Security, John Veroneau, the former Deputy United States Trade Representative (USTR), the General Counsel USTR, and as Assistant Secretary of Defense, Alan Larson, former U.S. Under Secretary of State for Economic, Business, and Agriculture Affairs; Dan Spiegel, President Clinton's Ambassador to the United Nations in Geneva, Special Assistant to Secretary of State Cyrus Vance and Christopher Roberts, former Director General for Trade Policy in the United Kingdom.

## REPRESENTATIVE MATTERS

- Providing the Government of the Republic of Cyprus with advice, counsel, and support on its relations with the U.S. Congress, the Executive Branch, and the media.
- Advising a leading chemicals company in its international efforts to remove discriminatory regulatory barriers threatening to keep its product from the market in the European Union, South Africa, India, and elsewhere.
- Representing foreign manufacturers before US government agencies in order to reduce US regulatory barriers and improve market access conditions in the United States.
- On behalf of a trade coalition, obtaining an exemption from the EU's Restriction of Hazardous Substances Directive for a key flame retardant product.
- Representing the Government of Argentina in its successful negotiations with the IMF and the US government for an \$8.5 billion loan package.
- Advising BP on economic, environmental and social issues related to its Caspian-region investments, including the BTC pipeline.

## 国际政策

科文顿为各类跨国公司、商贸协会和外国政府就复杂的国际公共政策问题提供咨询服务。我们既可以利用我们的律师之前担任公司法律顾问的广泛而精湛的专业技能，也可以借助我们的律师之前担任政府职务的重要而丰富的工作经验。

多样化的经验使得我们可以在复杂的国际公共政策事务上为我们的客户卓有成效地提供咨询建议，这些问题也是多个美国政府机构、国会和很多外国政府所共同关注的问题。

我们在事务所内有专门的国际顾问团队，我们的客户通常称之为“微型国务院”。该团队可以协助新兴市场公司的管理层处理不确定商业环境下面临的突出风险。科文顿有经验丰富的前外交官、律师和政策专家可以帮助客户驾驭在亚洲、中东、非洲、拉丁美洲以及美国和欧洲等地区的不熟悉的新兴和边境市场中潜藏的法律、政治和经济风险。科文顿“微型国务院”通过位于以下政治和金融中心的代表处提供咨询服务：华盛顿、纽约、旧金山、北京、布鲁塞尔和伦敦。为扩大业务范围，我们和许多重要资源达成了紧密合作关系：McLarty Associates，一家位于华盛顿的全球商业咨询公司；Institution Quraysh for Law & Policy (iQ)，一家领先的海湾地区法律和政策事务所；以及 Khaitan & Co.，一家顶尖的印度律师事务所。我们的多领域专长团队通过与客户通力合作可以为其提供快速高效的解决方案。

我们的团队成员包括 Tim Stratford（夏尊恩），前美国助理贸易代表。在入职美国贸易代表办公室之前，Stratford 先生还曾担任通用汽车公司中国运营部的总法律顾问，美国驻北京大使馆商务处的公使衔参赞，以及在华美国商会主席（2000-2001）；Stuart Eizenstat，前美国驻欧盟大使和前财政部副部长；Michael Chertoff，前美国国土安全部部长；John Veroneau，前美国副贸易代表（USTR），此前其还曾担任美国贸易代表办公室总法律顾问和国防部长助理；Alan Larson，负责经济、商务和农业事务的前美国副国务卿；Dan Spiegel，克林顿总统期间担任驻日内瓦联合国大使以及国务卿 Cyrus Vance 的特别助理；和 Christopher Roberts，前英国贸易政策秘书长。

### 代表项目

- 为塞浦路斯共和国政府提供咨询顾问服务，支持其与美国国会、政府行政机构和媒体的关系。
- 为一家主要的化学制品公司消除歧视性监管障碍所做的国际性努力提供咨询，这些监管政策可能会使其产品无法进入欧盟、南非、印度和其他国家。
- 代表外国制造商接洽美国政府机构，以降低美国的监管障碍，改善美国的市场准入条件。
- 代表一家贸易联合体，为一个关键阻燃产品获得欧盟危险物品限制指令的豁免。
- 代表阿根廷政府与国际货币基金组织和美国政府进行谈判，成功获得 85 亿美元的一揽子贷款。
- 为英国石油公司在里海地区投资（包括 BTC 管道）提供经济、环境和社会问题方面的咨询。

## IPR ENFORCEMENT

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Covington pioneered the concept of a coordinated global approach to protecting our clients' intellectual property rights almost 20 years ago. We have implemented programs for the enforcement and enhancement of IP rights in some 60 countries worldwide, and have built an extensive international network of local counsel, investigators and government contacts to accomplish our clients' goals.

Global Internet enforcement is a centerpiece of Covington's anti-piracy practice. Indeed, we believe that we are unique among law firms in the depth and global breadth of our expertise in Internet enforcement, monitoring and notice and takedown. We have been fighting Internet fraud for nearly a decade on behalf of some of the world's pre-eminent technology companies and largest intellectual property rights holders, including the Business Software Alliance, Microsoft, the National Football League, McGraw-Hill, Pfizer, Merck and numerous others. Our global Internet enforcement team includes attorneys experienced with the laws and the practical enforcement considerations applicable to dealing with Internet-based infringement and crime. Unlike other law firms, however, we also have an in-house team of multi-lingual Internet investigators with years of experience in conducting online monitoring, evidence gathering, and notice and takedown services directly for our clients, using advanced proprietary online forensic tools. This combination, typically achieved by pairing a law firm with a separate Internet monitoring vendor, enables us to offer a more efficient, comprehensive and effective response to the Internet-related challenges that our clients face.

As with other emerging markets, China is increasingly becoming a hub of Internet piracy. To address this challenge, Covington utilizes a crawler technology that has the ability to search across protocols and languages, rendering us fully capable of identifying Chinese language sites. Further, our system can easily generate takedown notices in English or Chinese. Because the system is programmed internally, we can make changes as and when new types of infringement are identified or in response to efforts by infringers to avoid detection.

Our attorneys have extensive expertise in crafting and executing effective strategies to protect trademarks and other IP in the Chinese marketplace. In addition, several of our senior China-based attorneys are, due to their practical experience serving in-house in the China operations of major US corporations, well positioned to assist with the strategic, structuring and transactional work required to establish and implement an effective China brand management strategy.

- Covington has assisted several leading financial institutions to detect phishing attacks, to identify their source, and to prevent their recurrence. As of February 2010, we had investigated over 14,000 phishing cases involving nearly 1,500 ISPs in over 90 countries, including in particular the United States, Russia and Asia. We have facilitated over 260 law enforcement cases in 25 countries.
- We have sent over 6,000 takedowns to ISPs and online service providers in the Chinese market and have a compliance rate of over 98%.

## 知识产权法的执行

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科文顿在几乎 20 年前就率先提出了用协调的全球视点的观点来保护我们客户的知识产权。我们已经在全球 60 多个国家开展知识产权的执法和改善项目，并且已经建立起了一个由当地顾问、调查人员和政府关系构成的广泛的国际网络，以达到我们客户的目标。

通过全球性互联网执行是科文顿反盗版业务的核心。的确，我们深信科文顿在因特网执行、监视、公告和网站内容删除方面所拥有之专业经验的深度和广度在众多律师事务所中独树一帜。我们代表一些世界著名的技术公司和最大的知识产权权利人同因特网欺诈行为斗争了已有十多年时间，其中包括商业软件联盟 (Business Software Alliance)、微软 (Microsoft)、全美橄榄球联盟 (National Football League)、麦格劳-希尔 (McGraw-Hill)、辉瑞 (Pfizer) 和默克 (Merck) 等多家公司。

我们全球因特网执法团队的律师在适用于处理基于因特网侵权和犯罪的法律和实际执法考虑方面经验丰富。但与其他律师事务所不同的是，我们还拥有一支具有多年经验的专职多语言因特网调查员团队，他们使用先进的专有网上侦查工具，为我们的客户直接提供网上监视、证据收集、公告和网站内容删除服务。这种通常需要律师事务所同另外一家因特网监视服务商配对才能实现的综合能力，使我们能够提供效率更高、更全面和更有效的方案来应对我们客户所面临的与因特网相关的挑战。

正如其他新兴市场一样，中国正日益成为因特网盗版的集散地。为应对这一挑战，科文顿运用了一种能够跨协议和语种进行搜索的爬虫技术，完全有能力识别中文网站。而且，我们的系统还能够轻松生成英文或中文的网站内容删除通告。因为该系统是内部编程开发的，所以我们能够在发现有新的侵权类型或者侵权者试图躲避侦测时，随时做出更改。

我们的律师在制定和执行保护中国市场的商标和其他知识产权的有效策略方面有广泛的专业知识。此外，我们中国的几位资深律师由于具有担任大型美国公司的中国业务法律顾问的实践经验，很擅长提供制定和执行有效的中国品牌管理战略所需的战略、组合和交易方面的法律服务。

- 科文顿曾帮助若干领先的金融机构侦测网络仿冒行为，确定网络仿冒源头并阻止网络仿冒的再发生。截至 2010 年 2 月，我们已经调查了涉及 90 多个国家的近 1,500 个网络服务提供商的 14,000 多个网络仿冒案件，特别是发生在美国、俄国和亚洲的案件。我们已经促成了超过 25 个国家 260 多个强制执行案件；
- 我们已经向中国市场的网络服务提供商和在线服务提供商发出了 6,000 多个网站内容删除通知，发出通知后的合规率达到 98% 以上。

## INTERNATIONAL TRADE & FCPA

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### TRADE CONTROLS

Covington has long been heavily engaged in assisting a broad range of clients with advisory and enforcement matters involving trade controls administered by the US and other governments. These include export controls to restrict dissemination of sensitive technologies and embargoes and other economic sanctions to combat terrorism and carry out US foreign policy (such as the sanctions affecting Iran, Sudan, North Korea, Myanmar (Burma), Syria, and Cuba). We provide advice and counsel to more than 75 US and non-US companies affected by these various measures. For example, we have advised numerous US and non-US companies on export licensing issues and trade compliance relating to business in and with China. We advise a major Asian trading company on regulatory compliance issues involved in the export of heavy machinery from the US, and we also advise a leading Asian oil services company on trade control matters.

### CUSTOMS

Covington has an active customs practice and advises clients on a wide range of customs matters, including marking, rule-of-origin determinations, tariffs, focused assessments, penalty investigations, and enforcement actions. We represent clients involved in investigations and administrative proceedings involving the classification and valuation of products imported into the US. The firm also has a vibrant European Union (EU) customs practice, managed from our Brussels and London offices. We advise clients on all aspects of EU customs law including classification, origins determination, and valuation, and represent them before EU agencies. As part of our extensive international tax practice, we have advised numerous companies on issues relating to transfer pricing.

### FCPA

Covington's unique command of the Foreign Corrupt Practices Act ("FCPA") dates back to the law's enactment in 1977, when Covington lawyers helped to draft the statute. For more than 30 years, Covington has advised clients in every aspect of the FCPA, from representing clients in government investigations to designing anti-corruption compliance programs. Covington has:

- conducted internal investigations in China for companies and organizations in a broad range of sectors;
- counseled clients on China-related investment transactions, including acquisitions, joint ventures, and private equity investments, and assisted with FCPA-related due diligence;
- designed and implemented anti-corruption compliance programs for numerous companies operating in China; and
- trained senior China-based management and key operating personnel.

## 国际贸易和《反海外腐败法》(FCPA)

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### 贸易管制

长期以来，科文顿一直在涉及美国及其它政府贸易管制的咨询及执行事务方面为众多客户提供大量的帮助。其中包括限制传播敏感技术的出口管制以及为打击恐怖主义和实施美国外交政策而采取的禁运和其它经济制裁（例如影响伊朗、苏丹、朝鲜、缅甸、叙利亚及古巴的制裁）。我们为受到这些不同措施影响的 75 家以上的美国及非美国公司提供咨询及建议。例如，我们曾为众多美国及非美国公司提供有关出口许可问题及涉华企业贸易合规方面的建议。我们为亚洲一家大型贸易公司提供涉及从美国出口重型机械的监管合规咨询，同时还为一家知名的亚洲石油服务公司提供有关贸易管制方面的建议。

### 海关

科文顿设有一个活跃的海关业务部，并为客户提供各种海关事务方面的咨询，其中包括标记、原产地规则认定、关税、重点评估、处罚调查以及执法行动。我们可在涉及进口到美国之产品的分类及估价问题的调查及行政程序中为客户提供代理服务。事务所还在布鲁塞尔及伦敦代表处的管理下，积极开展欧盟（European Union, EU）海关业务。我们可以就欧盟海关法的各个方面（包括分类、原产地认定以及估价）为客户提供法律服务，并代理客户与欧盟机构交涉。我们曾经在范围广泛的国际税务业务中为众多公司提供有关转让定价方面的咨询。

### 《反海外腐败法》

自 1977 年科文顿律师参与起草的《反海外腐败法》（Foreign Corrupt Practices Act, “FCPA”）颁布以来，科文顿就对其有了独特的把握。三十多年来，从代理客户应对政府调查到设计反腐败合规计划，科文顿曾就 FCPA 的各个方面为客户提供建议。我们曾经代理众多美国及非美国客户处理在中国出现的 FCPA 事务。科文顿曾经：

- 为众多领域的公司及机构在华进行内部调查；
- 为客户提供涉华投资交易（包括收购、合资及私募股权投资）的建议，并协助进行有关 FCPA 的审慎调查；
- 为在华经营的众多公司设计并实施反腐败合规计划；并且
- 培训高级驻华管理人员以及主要工作人员。

## PATENT LITIGATION

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Covington & Burling's Patent Litigation Practice has litigated cases in every significant patent jurisdiction in the United States, including the Eastern District of Texas, Delaware, California, New York, New Jersey, the Federal Circuit, and the International Trade Commission. The cases relate to disputes over a wide range of technologies, including chemical, biotech, pharmaceuticals, medical devices, computer and electronics, software and business methods, telecommunications, and financial services.

Our practice is built around top-notch trial lawyers who know how to prepare a case for trial and who have tried patent infringement and other important commercial cases to verdicts before judges and juries. We also draw on Covington's traditional strengths as one of the world's leading law firms, including its litigation, antitrust, FDA, communications, and technology practices.

We solve our clients' hardest litigation problems not just by winning at trial, but also by winning before trial through the use of dispositive motions and alternative dispute resolution. Our depth of experience and breadth of resources allows us to handle these matters in a cost-effective manner, with lean staffing and cross-office collaboration leading to efficient and complete coverage.

## SECTION 337 INVESTIGATIONS

Covington's attorneys have appeared in over 65 Section 337 cases spanning more than 20 years, including some of the largest and most high-profile matters to have come before the International Trade Commission (ITC). Our team also includes a former senior official from the Office of the United States Trade Representative, which reviews all ITC exclusion orders. This cumulative experience is critical in the setting of fast-paced, high-stakes litigation.

In addition to our track record of successfully litigating original investigations before the ITC, our attorneys routinely remain involved after an order issues and have significant experience in working with Customs and the ITC to maximize the prospects for achieving our clients' business objectives. Our ITC practice has co-hosted informational events in Beijing with the China Chamber of Commerce for Import & Export of Machinery & Electronic Products (CCCME).

## REPRESENTATIVE MATTERS

- Representation of respondents A-Data, Chipsbank, Afa Technologies, Power Quotient International (PQI), Skymedi, and Corsair in the ITC Section 337 Investigation Certain Flash Memory Controllers, Drives, Memory Cards and Media Players.
- Representation of Huawei Technologies:
  - a copyright, patent and trade secret suit brought by Cisco in the Eastern District of Texas relating to router software. Defeated preliminary injunction seeking worldwide ban on distributing product.
  - a patent infringement suit brought by QPSX Developments 5 Pty Ltd in the Eastern District of Texas directed towards network router queue buffering algorithms.
  - a declaratory judgment suit against Rates Technology in the Northern District of California with counterclaims alleging infringement of patents involving routing of communications over lowest cost routes.

## 专利诉讼

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科文顿·柏灵律师事务所的专利诉讼业务涉及美国每一个重要专利辖区的诉讼案件，包括德克萨斯州东部地区、特拉华州、加利福尼亚、纽约、新泽西、联邦巡回法庭和美国国际贸易委员会。我们处理的案例涉及广泛的技术领域，包括化工、生物技术、制药、医疗服务、计算机和电子、软件和商业方法、电信和金融服务。

我们的业务小组以顶尖的出庭律师为基础组成，他们了解如何准备庭审，并具有在法官和陪审团面前为知识产权的侵权和其他重要商业案例进行辩护的丰富经验。

我们还受益于科文顿作为世界领先的律师事务所在以下领域所具有的传统优势：诉讼、反垄断、食品和药品管理、通讯和科技。

我们不只是通过赢得庭审来为客户解决最棘手的诉讼问题，而且通过利用酌定动议和替代争议解决方案在审判之前就赢得官司。我们经验的深度和资源的广度使得我们可以事半功倍地为客户处理这些问题，以精干的队伍和各个办公室之间的合作实现高效和完整的解决方案。

### 337 条款调查

科文顿的律师在 20 多年间已经受理了 65 起按照美国关税法第 337 条款进行的调查，包括由美国国际贸易委员会（ITC）审理的一些最大最受人瞩目的案件。我们的团队还包括美国贸易代表办公室的前高级官员，该官员曾负责审查所有美国国际贸易委员会排除令。这种日积月累的经验在节奏快风险高的诉讼环境中非常关键。

除了我们在美国国际贸易委员会进行的初始调查成功诉讼的历史记录外，我们的律师在调查令下达后例行介入，并在同海关和美国国际贸易委员会合作以最大限度地实现客户的商业目标方面有着丰富的经验。2009 年，我们的美国国际贸易委员会业务小组与中国机电产品进出口商会（CCCME）在北京共同举办了“利用和保护知识产权”的研讨会。

### 代表项目

- 代表威刚科技、深圳芯邦、联盛半导体、劲永国际、擎泰科技及 Corsair（被告）处理有关某些闪存控制器、驱动器、存储卡和媒体播放器的美国国际贸易委员会 337 条款调查；
- 代表华为公司：
  - 处理思科向德州东区法院提起的有关路由器软件的版权、专利和商业秘密诉讼，推翻了对对方提出的禁止在全球销售该产品的初始禁令；
  - 处理 QPSX Developments 5 Pty Ltd 向德州东区法院提起的有关网络路由器排队缓冲算法的专利侵权诉讼；
  - 向加利福尼亚北区法院提出针对 Rates Technology 的确认之诉，并同时提出有关最低成本路由通讯的专利侵权反诉；

- Representation of Hewlett-Packard in:
  - a patent infringement suit brought by Acqis in the Eastern District of Texas involving eight patents concerning blade computer systems.
  - a patent infringement suit brought by Lochner Technologies in the Eastern District of Texas concerning modular computer systems.
- Representation of Juniper Networks in the successful Federal Circuit appeal, affirming the lower court judgment of non-infringement, of a suit brought by Toshiba in the District of Delaware regarding patents related to the transmission of data among network routers.
- Representation of Microsoft in:
  - a patent infringement suit brought by E-Pass Technologies in the Southern District of Texas relating to operating system software for mobile devices. We successfully obtained summary judgment of non-infringement, which was affirmed by the Federal Circuit.
  - a patent infringement suit brought by Peter Sklar in the Eastern District of Texas relating to cluster user interfaces in Windows XP software.
  - a patent infringement suit brought by Technology Patents in the District of Massachusetts involving international text message systems.
- Representation of Palm in a patent infringement case filed by Zoltar Satellite Systems in the Eastern District of Texas asserting that the use of GPS technology in order to locate a user after dialing 911 in an emergency infringed four patents. We successfully moved the court to transfer the action to the Northern District of California.
- Representation of Samsung in:
  - a patent infringement suit brought by AMD in the Northern District of California involving 13 patents related to various technologies including memory devices, process technology and microprocessors.
  - a patent infringement case brought by BTG International in the Eastern District of Texas involving multi-layer cell flash memory as well as in the related ITC Section 337 investigation Certain MLC Flash Memory Devices and Products Containing Same.
  - a patent infringement case brought by Saxon Innovations in the Eastern District of Texas involving microprocessors, encryption, and wireless communications in cell phones, televisions and a variety of other consumer electronics as well as in the related ITC Section 337 investigation Certain Electronic Devices, Including Handheld Wireless Communication Devices.
- Representation of respondent Seagate Technology in the Section 337 Investigation Certain Hard Disk Drives, Components Thereof, and Products Containing the Same.
- Representation of Thomson-Reuters Corporation and i-Deal LLC in post-trial motions and successful appeal to the Federal Circuit setting aside a \$38.5 million jury verdict, handled by a different firm, relating to municipal bond auction software.
- Representation of respondents UMC, ProMOS, Microchip, Micronas and Dongbu HiTek in the Section 337 Investigation Certain Semiconductor Integrated Circuits Using Tungsten Metallization and Products Containing Same.

- 代表惠普公司：
  - 处理 Acquis 向德州东区法院提起的有关刀锋电脑系统八项专利的专利侵权诉讼；
  - 处理 Lochner Technologies 向德州东区法院提起的有关模组化电脑系统的专利侵权诉讼；
- 在东芝向特拉华州法院提起的有关网络路由器之间的数据传输专利一案中，代表 Juniper Networks 向联邦巡回法院成功上诉，确认下级法院的非侵权判决；
- 代表微软公司：
  - 处理 E-Pass Technologies 向德州南区法院提起的有关移动设备操作系统软件的专利侵权诉讼。我们成功获得了非侵权简易判决，联邦巡回法院确认了该判决；
  - 处理 Peter Sklar 向德州东区法院提起的有关 Windows XP 软件集群用户界面的专利侵权诉讼；
  - 处理 Technology Patents 向马萨诸塞州地区法院提起的有关国际文本信息系统的专利侵权诉讼；
- 代表 Palm 处理 Zoltar Satellite Systems 向德州东区法院提起的专利侵权诉讼，对方主张在紧急状态下拨打 911 后使用全球定位技术（GPS）寻找用户侵犯了四项专利。我们成功使法院将此案移交至加利福尼亚北区法院处理；
- 代表三星公司：
  - 处理 AMD 向加利福尼亚北区法院提起的涉及包括存储设备、处理技术和微型处理器等在内的多项技术的十三个专利的专利侵权诉讼；
  - 处理 BTG International 向德州东区法院提起的有关 multi-layer cell 闪存的专利侵权诉讼，以及处理涉及特定 MLC 闪存设备和包含该设备的产品的美国国际贸易委员会 337 条款调查；
  - 处理 Saxon Innovations 向德州东区法院提起的有关手机、电视和多种其他消费性电子产品的微型处理器，加密和无线通信的专利侵权诉讼，以及处理涉及特定电子设备包括手提无线通信设备的相关美国国际贸易委员会 337 条款调查；
- 代表希捷科技公司（Seagate Technology）（被告）处理有关特定硬盘驱动器、驱动器部件以及含有此驱动器的产品的 337 条款调查；
- 代表 Thomson-Reuters Corporation 和 i-Deal LLC 处理有关一市政债券拍卖软件的审后动议，并成功地通过向联邦巡回法院上诉撤销了另外一家律师事务所代理的有关该市政债券拍卖软件的 3,850 万美元的陪审团判决；
- 代表 UMC、ProMOS、Microchip、Micronas 和 Dongbu HiTek (被告)处理有关某些使用钨金属化技术的半导体集成电路和含有该电路的产品的 337 条款调查。

## LIFE SCIENCES

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Covington's Beijing office plays a critical and growing role in the firm's global life sciences practice. China's explicit policies regarding life sciences (requiring development of both traditional Chinese and western medicine) and emphasis on quantifiable improvements in public health make China a challenging environment for life science businesses. In addition, China has an evolving legal system and rapidly developing regulatory structure. Thus, doing life sciences business in China requires extensive government relations capabilities as many transactions present matters of first impression.

Covington's extensive life sciences experience in the United States, the European Union, and Japan, combined with our understanding of the unique environment in China makes us uniquely suited to assist both western companies seeking to establish themselves in China as well as Chinese companies seeking to do business in the west. Clients involved in life sciences work in China include some of the major national and multi-national pharmaceutical companies as well as a wide array of biotechnology, medical device, and food companies, ranging from start-up ventures to industry leaders.

### REPRESENTATIVE MATTERS

- Assisted a major multi-national consumer products company develop strategies for the manufacture, distribution, and sale of over-the-counter drugs in the Chinese market.
- Advised a large European pharmaceutical manufacturer on drug registration, the process of gaining marketing approval, and use of trademarks in China.
- Assisting multiple clients on compliance issues associated with melamine levels of pet food imported from China.
- Participated in discussions with the Shanghai provincial food and drug regulatory authority regarding policies and procedures governing public access to information and regulatory transparency.
- Provided guidance to a multi-national health products company relating to Chinese labeling and trademark issues for pharmaceutical products.
- Participated with a US trade association, a multi-national health products company, and China's national food and drug regulatory authority, the SFDA, in an all-day workshop relating to regulation of biosimilars.
- Advise US biotechnology companies in connection with the negotiations of a corporate joint venture and related vaccine out-license with a Chinese life sciences companies.
- Assisted a US pharmaceutical company in responding to an enforcement letter from Hong Kong regulatory authorities relating to advertising and promotional practices for pharmaceutical products sold in Hong Kong.

## 生命科学

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科文顿北京代表处在本所全球生命科学业务领域起着关键性和愈加重要的作用。中国关于生命科学的明确政策（要求同时发展传统中药和西药）以及对公共健康领域可量化发展的重视，使得中国的生命科学业务环境充满挑战。此外，中国拥有不断进步的法律体系和快速发展的监管结构。因此，大量业务显示在中国从事生命科学业务需要深入的政府关系能力。

科文顿在美国、欧洲和日本生命科学领域丰富的经验，以及我们对中国独特环境的理解，使我们尤为适合协助西方公司进入中国，同时协助中国公司进入海外市场。我们在中国从事生命科学业务的客户包括一流的国内和跨国制药公司，以及各类小至新生企业，大至行业领袖的生物技术、医疗器械和食品公司。

### 代表项目

- 协助某一流跨国消费品公司发展其在中国市场的生产、经销和非处方药销售战略。
- 为某大型欧洲药品生产商在中国的药品注册，获得市场准入和商标使用方面提供咨询。
- 为多家客户就从中国进口的宠物饲料的三聚氰胺含量合规问题提供咨询。
- 参与上海市食品药品监督管理局关于制定公众获取信息和监管透明度的政策和程序的讨论。
- 为某跨国保健品公司在中国的药品商标和标签问题提供建议。
- 参加由美国行业协会，跨国保健品公司和中国国家食品药品监督管理局举办的关于生物仿效药法规的研讨会。
- 为多家美国生物技术公司与中国生命科学公司建立合资企业和疫苗许可使用问题的谈判提供咨询。
- 协助某美国制药公司处理香港监管机构关于其在中国销售药品的广告和促销措施的执行函。

## MEDIA, ENTERTAINMENT & SPORTS

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Covington's Beijing office is staffed to serve as the Asia hub of our media, entertainment and sports practices. Our Beijing office includes attorneys who are among the leading practitioners of media and entertainment law in Asia, and the office has the capability to provide comprehensive services with respect to media, entertainment and sports projects involving China, Japan, Hong Kong, Korea and other Asian regions.

Covington's China-based lawyers have deep expertise and experience in structuring and documenting film and television production projects and production services transactions in Asia, and particularly in Mainland China's highly regulated marketplace; film, television and music development, licensing, marketing, distribution and broadcasting transactions; and the formation of entities to engage in film, television, online, wireless and print media content creation and distribution. In connection with content creation arrangements, our lawyers also are often called upon to assist with marketing, promotional, sponsorship, ad agency, product placement, talent (on-camera, off-camera and sports and music talent) and talent spokesperson/endorsement agreements.

Other areas in which our lawyers have expertise are the construction and operation of cinemas; the negotiation and purchase of film and television libraries; the creation of branded retail businesses and entertainment-based consumer products; sports-related agreements such as stadium naming, the staging of exhibition games; network/online broadcast agreements; and live entertainment projects such as concerts and dance performances.

In addition, our China-based lawyers, working with lawyers in the firm's U.S. and European offices, have extensive expertise in the area of intellectual property protection and enforcement, including strategies and actions designed to prevent the piracy of on-line, wireless and broadcast content.

Due to the unique experience and linguistic capabilities of our staff, we can provide our services in English, Chinese and Japanese.

### REPRESENTATIVE CLIENTS OF OUR ASIA MEDIA/ENTERTAINMENT/SPORTS PRACTICE ARE AS FOLLOWS:

- Fox International Productions
- Disney Asia Productions
- Celestial Pictures of Hong Kong
- Motion Picture Association of America
- Thomson Reuters
- Business Software Alliance
- Microsoft
- Major League Baseball
- National Football League
- A number of leading individual producers and directors from the U.S., Asia, Europe and Mainland China, including Emmanuel Benbihy (producer of "Paris, Je T'Aime" and "New York, I Love You") and Rob Minkoff (director of "The Lion King" and "Stuart Little")
- Paramount Digital Entertainment Group
- Shanghai Expo 2010 (the USA National Pavilion)
- Star TV Group
- Ticketmaster
- Tiger 62 Media
- Warner Bros.
- The Weinstein Company

## 传媒/娱乐/体育

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科文顿北京代表处作为我们的传媒、娱乐和体育业务的亚洲中心进行了律师队伍配备。我们北京代表处的部分律师为亚洲传媒和娱乐法律领域的翘楚，且该代表处有能力为中国大陆、日本、香港、韩国及其它亚洲地区的传媒、娱乐和体育项目提供综合服务。

科文顿中国的律师在以下领域拥有丰富的专业知识和经验：亚洲尤其是中国大陆受高度监管的市场上的影视制作项目及制作服务交易的结构安排与文件准备；影视和音乐开发、许可、营销、发行和播出交易；以及从事电影、电视、在线、无线和平面媒体内容制作与发行的实体的组建。在内容制作安排方面，我们的律师也经常协助准备营销、宣传、赞助、广告代理、产品置入、演员（镜内、镜外演员和体育及音乐演员）和演员代言 / 支持协议。

我们的律师还在以下领域拥有专长：电影院的建设和运营；电影和电视库的谈判与购买；品牌零售业务和娱乐为基础的消费性产品的创立；体育相关（体育馆命名、表演赛举办等）协议；网络 / 在线播出协议的准备；以及现场娱乐项目（音乐会和舞蹈表演等）。

此外，我们中国的律师还经常与科文顿在美国和欧洲的代表处的律师的合作提供知识产权保护和执行领域的法律服务，包括旨在阻止在线、无线和播出内容的盗版的策略和诉讼。

由于我们律师的独特经验和语言能力，我们可以用英文、中文和日文提供法律服务。

### 我们在亚洲传媒/娱乐/体育业务领域的代表性客户包括：

- 福斯国际制作有限公司
- 华特迪士尼制作公司（亚洲）
- 天映娱乐有限公司
- 美国电影协会
- 汤森路透
- 商业软件联盟
- 微软
- 美国职业棒球大联盟
- 国家橄榄球大联盟
- 派拉蒙数字娱乐集团
- 2010 上海世博公司（美国国家馆）
- 星空传媒集团
- 特玛捷
- 62 老虎传媒
- 华纳兄弟
- 韦恩斯坦公司
- 若干美国、亚洲、欧洲和中国大陆的一流独立制片人和导演, 如 Emmanuel Benbihy（《巴黎，我爱你》和《纽约，我爱你》的制片人）和 Rob Minkoff（《狮子王》和《精灵鼠小弟》的导演）

#### REPRESENTATIVE PROJECTS INCLUDE:

- Advising clients such as Fox, Disney, Celestial Pictures and Star TV with respect to film and television projects in China.
- Advising Fox International Productions with respect to film co-productions in China.
- Advising Celestial Pictures with respect to business structuring and co-productions in China.
- Advising Warner Bros. in connection with film co-production and distribution and on corporate governance and operational issues relating to Warner China Film HG Corporation, the sole foreign-invested film studio in China.
- Advising Motion Picture Association of America in connection with evolving PRC policies in the film sector, and in relation to the 2009 WTO decision regarding market access to the PRC film sector for foreign companies.
- Advising various multinational clients with regard to PRC policies relating to the operation of online businesses by foreign-invested companies.
- Advising The Weinstein Company with respect to production, distribution, tax and related matters in China.
- Providing comprehensive advice with regard to the financing, sponsorship, government relations and construction, content development, sponsorship, management and operational arrangements for the USA National Pavilion at the 2010 Shanghai World Expo.
- Providing co-production, investment, distribution, product placement and cast, crew and production agreements for numerous film and television co-productions. Those that we have worked on that have recently been completed and successfully released in China and overseas include “Sophie’s Revenge” (Zhang Ziyi producing and starring), “Hot Summer Days” (Fox International Pictures) and “Karate Kid” (Sony and Will Smith producing; starring Jackie Chan and Jaden Smith). Previous projects include “The Painted Veil”, “Survivor” (Season 15), “The Warlords”, Director Ning Hao’s “Crazy Stone” and “Crazy Racer”. Projects in process include “Chinese Odyssey” (Rob Minkoff directing), “The Way of the Rat” (Shimon Arama producing) and “Shanghai, I Love You” (Emmanuel Benbihy producing).
- Assisting various multinational clients with the structuring and operation of effective China anti-piracy programs in the media, online and branded business sectors.
- Co-organizing and co-hosting the first “China 3D Summit”, which was held on July 16 and 17, 2010.

In addition to our transactional capabilities, our firm is involved in several high-level public policy and lobbying efforts in Asia, particularly in China, related to public and private management of film and television content; foreign investor participation in the region’s media, sports and communications sectors; enforcement of copyright and trademark laws; and public education in regard to the importance of cultural works and of copyrights. As a result, we possess a network of contacts among the region’s decision-makers and opinion leaders in the media, sports and communications sectors.

### 代表性项目包括：

- 为福斯、迪士尼、天映娱乐和星空传媒等客户提供有关在中国的电影和电视项目的法律咨询；
- 为福斯国际制作公司提供有关在中国的电影合拍项目的法律咨询；
- 为天映娱乐有限公司提供有关在中国的企业重组和合拍事宜的法律咨询；
- 为华纳兄弟提供有关电影合拍和发行以及有关中影华纳横店影视有限公司（中国唯一的外商投资电影制片厂）的公司治理和运营事宜的法律咨询；
- 为美国电影协会提供有关中国电影行业的政策变化方面的法律咨询，以及有关 2009 年 WTO 决定的法律咨询，该 WTO 决定针对外国公司在中国电影行业的市场准入问题；
- 为若干跨国公司客户提供涉及外商投资企业的在线业务运作的中国政策方面的法律咨询；
- 为韦恩斯坦公司提供有关在中国的制作、发行、税收和相关事宜的法律咨询；
- 提供有关 2010 年上海世界博览会的美国国家馆的融资、赞助、政府关系和建设、项目开发、管理和运营安排的法律咨询；
- 提供有关若干电影和电视合作的合拍、投资、发行、产品植入和演员、剧组以及制作协议的法律咨询。我们提供法律服务的、近期已经完成并成功地在国内外上映的电影包括《非常完美》（制片人和主演：章子怡）、《全城热恋》（福斯国际制作公司）和《小子难缠》（制片方：Sony、Will Smith；主演：成龙、Jaden Smith）。我们提供过法律服务的之前的影片包括《面纱》、《幸存者》（第 15 季）、《投名状》、宁浩导演的《疯狂的石头》和《疯狂的赛车》。我们提供法律服务的目前在制作中的影片包括《郑和》（Rob Minkoff 导演）、《鹰鼠同道》（Shimon Arama 制片）和《上海，我爱你》（Emmanuel Benbihy 制片）；
- 为若干跨国公司提供有关媒体、网络和品牌业务领域的中国反盗版项目的组织和运作方面的法律咨询；
- 联合组织和举办于 2010 年 7 月 16 日和 17 日召开的第一届“中国 3D 峰会”。

除了交易处理能力外，我们事务所还参与多项涉及以下方面的、在亚洲尤其是中国进行的高层公共政策和游说工作：影视内容公私管理；外国投资者在该地区传媒、体育和通信领域的投资；版权和商标法的执行；以及有关文化作品与版权的重要性的公共教育。因此我们与在亚洲地区传媒、体育和通信领域的政策制定者和舆论领袖保持良好的工作关系。

## HONORS & RANKINGS

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- *The American Lawyer* - "The A-List" (2009-2010)
  - Ranked in this listing of 20 elite US law firms based on financial performance, pro bono activity, associate satisfaction, and diversity
- *The American Lawyer* - "Litigation Department of the Year" (2010)
  - Selected as one of the "Honorable Mention" firms
- *The American Lawyer* - "Litigation Department of the Year" (2008)
  - Selected as one of the nation's top five litigation departments
- *Chambers Asia*, ranked as a leading firm in
  - China - Intellectual Property, Life Sciences, and TMT (2011)
  - China - Life Sciences and TMT (2010)
  - India for Overseas counsel, Corporate M&A (2010-2011)
- *Chambers Global* (2009-2011) - India - Overseas Counsel, Corporate Finance
- *Chambers Global* (2011) - China - International Trade
- *Chambers USA* (2011) - Award for Excellence in International Trade
- *Corporate Board Member* - "America's Best Corporate Law Firms" (2009)
  - Ranked in the top 20 firms nationally by corporate directors
  - Ranked in the top 20 firms nationally by general counsel
- *India Business Law Journal* - "Top Foreign Firms for India Work" (2009-2011)
- *Legal 500 Asia-Pacific* - India - Foreign Firms (2009-2011)
- *Legal 500 Asia Pacific* - Beijing - TMT - Foreign Firms (2009-2011)
- *The Lawyer* - "Top 30 International Firms" (2009)
  - Ranked in listing of top 30 international firms
- *Managing Intellectual Property* - "ITC Litigation Firm of the Year" (2010)
  - North American Award in Intellectual Property Litigation
- *The National Law Journal* - "Appellate Hot List" (2008-2009)
  - Named to this list of law firms with the top appellate practices in the country
- *The Practical Law Firm (PLC) - Life Sciences, Which Law Firm?* (2006-2009)
  - Leading: Commercial and Partnering firm, USA
  - Leading: Government Enforcement and Investigations firm, USA
  - Leading: Regulatory firm, Belgium, EU, and USA
  - Highly Recommended: Commercial & Partnering firm, England
  - Highly Recommended: Competition/Antitrust firm, EU
  - Highly Recommended: Product liability firm, England
  - Highly Recommended: Regulatory firm, England
  - Highly Recommended: Regulatory firm (Medical Devices), USA
  - Recommended: Corporate firm, England and USA
  - Recommended: Product Liability firm, USA
  - Recognized: Intellectual Property firm, USA

- *PLC Cross-border Super League (2005-2009)*
  - Ranked 1st in the Life Sciences Industry Super League
  - Ranked 1st in the Life Sciences Regulatory Super League
- *Vault UK Guide to the Top 100 Law Firms (2010)*
  - Recognized in nine out of 14 quality of life rankings
- *Vault Guide to the Top 100 Law Firms (2010)*
  - Ranked 4th for selectivity nationally
  - Ranked 9th by associates for prestige nationally
  - Ranked 12th by partners for prestige nationally

## 荣誉与排名

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- 《美国律师》 - “顶级律师事务所排名” (2009-2010)
  - 位居 20 家美国精英律师事务所之列，评选标准包括财务表现、法律援助活动、员工满意度和业务多样性等
- 《美国律师》 - “年度最佳诉讼部门”(2010)
  - 获得荣誉奖的事务所之一
- 《美国律师》 - “年度最佳诉讼部门”(2008-2010)
  - 全美 5 个最佳诉讼部门之一
- 《钱伯斯亚洲指南》
  - 中国：知识产权，生命科学以及科技、媒体和通信领域的一流事务所（2011）
  - 中国：生命科学以及科技、媒体和通信领域的一流事务所（2011）
  - 印度：公司并购领域的一流境外事务所（2010-2011）
- 《钱伯斯环球指南》- 印度 - 境外法律顾问，公司财务（2009-2011）
- 《钱伯斯环球指南》- 中国 - 国际贸易（2011）
- 《钱伯斯美国指南》- 国际贸易领域卓越成就奖项（2011）
- 《公司董事会成员》 - 美国最佳公司事务律师事务所 (2009)
  - 被公司董事评为全美 20 家顶级事务所之一
  - 被法律顾问评为全美 20 家顶级事务所之一
- 《印度商业法期刊》- 印度法律服务最佳外国事务所（2009-2011）
- 《亚太法律 500 强》 - 印度 - 外国事务所(2009-2011)
- 《亚太法律 500 强》 - 北京-科技、媒体和通信产业-外国事务所 (2009/2011)
- 《律师》 - 全球最佳 30 家律师事务所 (2009)
  - 位居全球最佳 30 家律师事务所之列
- 《知识产权管理》 - 年度最佳美国国际贸易委员会诉讼事务所（2010）
  - 知识产权诉讼北美奖项
- 《国家法律期刊》- 热门上诉事务所名单（2008-2009）
  - 因全国最佳上诉服务入围此名单
- *The Practical Law Firm (PLC) - 生命科学，最佳律师事务所?* (2006-2009)
  - 领先：商事和合伙事务所，美国
  - 领先：政府执法和调查事务所，美国
  - 领先：监管事务所，比利时、欧盟和美国
  - 高度推荐：商事和合伙事务所，英国
  - 高度推荐：竞争/反垄断事务所，欧盟
  - 高度推荐：产品责任事务所，英国
  - 高度推荐：监管事务所，英国

- 高度推荐：监管事务所（医疗服务），美国
- 推荐：公司事务事务所，英国和美国
- 推荐：产品责任事务所，美国
- 知名：知识产权事务所，美国
- 《PLC 跨境大联盟》(2005-2009)
  - 在生命科学行业大联盟中位列第一。
  - 在生命科学行业监管服务大联盟中位列第一。
- 《Vault 100 家顶级律师事务所英国指引》(2010)
  - 在 14 项生活质量指标中有 9 项名列前茅
- 《Vault 100 家顶级律师事务所指引》(2010)
  - 在招聘的严格性方面居全国第 4 位
  - 在律师的全国声望方面居全国第 9 位
  - 在合伙人的全国声望方面居全国第 12 位

**COVINGTON**  
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