



Jason Chang

Of Counsel

jason.chang@dlapiper.com

San Francisco

Silicon Valley

T: +1 415 836 2519

Jason Chang is an international lawyer who advises clients on cross-border investigations, regulatory enforcement actions, and compliance involving the U.S. Foreign Corrupt Practices Act (FCPA), U.S. securities laws, and other aspects of U.S. law. Jason also acts as a trusted legal advisor to companies with significant US-China business and operations including in connection with cross-border commercial disputes as well as reviews of corporate compliance programs, policies, and internal controls. With respect to corporate transactions, Jason advises clients on corruption risks including conducting anti-corruption due diligence in connection with mergers, acquisitions, and joint ventures.

Having been based in China for over six years (2011-2017), Jason is fluent in Mandarin-Chinese and leads a cross-border team of attorneys who represent multinational companies facing complex cross-border legal challenges including inquiries and investigations by the U.S. Securities and Exchange Commission, U.S. Department of Justice, FINRA, and other U.S. regulatory bodies. Jason also advises his clients on cross-border litigation and e-discovery, securities litigation, US export controls and economic sanctions, CFIUS, FARA, data privacy and protection, trade secrets, and cross-border transfers of data.

Jason has represented companies across nearly every major industry and his clients include Fortune 500 multinational corporations as well as small and medium-sized enterprises.

LANGUAGES SPOKEN

- Chinese (Mandarin)
- English

EXPERIENCE

RELATED SERVICES

- Litigation, Arbitration and Investigations
- White Collar and Corporate Crime
- Global Governance and Compliance
- Investigations
- Class Actions
- Corporate and Securities Litigation

RELATED SECTORS

- Financial Services
- Energy and Natural Resources
- Life Sciences
- Consumer Goods, Food and Retail
- Technology

LANGUAGES SPOKEN

Chinese (Mandarin)
English

ANTI-BRIBERY AND ANTI-CORRUPTION

- Conducted multiple FCPA-related investigations on behalf of a Fortune 500 pharmaceutical company in the China, Japan, and Russian markets
- Conducted multiple FCPA due diligence reviews in support of mergers and acquisitions and other transactions; conducted various “deep dive” inquiries on specific targets, individuals, and assets
- Led and supported multiple investigations for a major multinational pharmaceutical company across the China market in connection with bribery and corruption-related inquiries and investigations by Chinese, US and UK authorities
- Conducted a multi-phase investigation into a major multinational pharmaceutical company’s global business practices in relation to various allegations made by an investigative journalist; coordinated global teams in various markets across Asia and Latin America.
- Represented a multinational medical devices manufacturer in connection with a global proactive FCPA risk assessment
- Represented a US-listed global medical technology devices company in connection with a global FCPA compliance review; focused specifically on sales and operations in the Asia- market
- Counsel to a US-listed biopharmaceutical solutions organization in connection with its China compliance program design, implementation, and enhancement
- Represented a major multinational media and advertising agency in its internal investigations into potential Chinese bribery concerns regarding one of its major state-owned enterprise customers
- Conducted an internal investigation into executive misconduct, financial accounting fraud and FCPA-related issues in connection with a major US multinational manufacturing company’s joint-venture in China
- Conducted an internal investigation into FCPA-related issues in connection with the Chinese subsidiary of a major Fortune 500 energy company

GLOBAL CORPORATE COMPLIANCE

- Designed and enhanced the compliance programs, codes of conduct, internal controls, and policies and procedures for 30+ Asian, North American, and European multinational companies across a variety of industries
- Counsel to a US-listed Asia-based insurance company in creating, designing, and strengthening the company’s corporate compliance program in response to an SEC settlement and appointment of corporate monitor
- Global external legal and compliance counsel to a major Asia-based cell phone and technology company advising on anti-bribery and anti-corruption, export controls and sanctions, data protection and data privacy, global labor and employment practices, CFIUS, and various commercial transactions and mergers and acquisitions.
- General US compliance and regulatory counsel to a Chinese artificial intelligence startup regarding anti-bribery, export controls, sanctions, trade secrets and IP protection.
- Advised a multinational hotel chain on ways to strengthen its policies, procedures and controls in China and Southeast Asian markets, particularly in relation to its joint venture partners and third-party vendor
- Advised a Chinese state-owned automobile manufacturer on its global compliance program initiatives including US, China and Southeast Asia regulatory compliance. Supported in-house legal team in developing and prioritizing its legal strategy and messaging with business executives
- Represented a multinational fast moving consumer goods company across mainland China, Taiwan, and Southeast Asia on regulatory compliance matters, due diligence reviews, employment termination, and antitrust concerns. Worked with legal, compliance, and audit teams to conduct compliance reviews, internal investigations, as well as revising and updating policies, procedures and controls across the region
- Represented a publicly-listed Chinese multinational technology company on a variety of global compliance and regulatory matters including inquiries by the Italian government, cross-border jurisdiction issues, and compliance matters in Poland
- Represented a Chinese state-owned technology group on its joint venture partnerships and outbound investments to the United States and elsewhere around the world. Focused primarily on overseas government and regulatory concerns
- Conducted compliance training to over 1,000+ employees from over a dozen companies on topics such as anti-bribery and anti-corruption, codes of conduct and ethical behavior, social risk and trafficking in the supply chain, fraud, corporate governance, US securities laws, investigations, and various local laws and company policies and procedures

US SECURITIES

- Represented numerous clients before the DOJ, SEC, FINRA, and various other agencies and self-regulatory organizations in connection with investigations, subpoenas, second requests, and inquiries
- Counsel to a Chinese cloud-based technology company in relation to an SEC investigation.
- Represented a US-listed Asia-based insurance company in connection with an internal investigation and voluntary disclosure to FINRA and the SEC regarding certain trading activity.
- Represented a US-listed Chinese mobile gaming company in connection with SEC inquiries and shareholder litigation and various cross-border corporate matters
- Counsel to a major Chinese electric vehicle startup company in connection with various US securities laws inquiries, training, and compliance initiatives
- Represented a US-listed Asian entertainment company in connection with SEC inquiries and general US-China legal matters
- Represented the Audit Committee of a US-listed Chinese automobile import trading company in connection with an internal investigation into various business and financial concerns
- Represented the CEO of a US-listed Chinese technology company in connection with an internal investigation conducted by the company's Special Committee
- Represented the Audit Committee of a US-listed life sciences company based in New Jersey in connection with an internal investigation into certain business and financial concerns
- Represented the Audit Committee of a Chinese technology company in connection with an internal investigation into certain data transfer issues

OTHER GLOBAL INVESTIGATIONS AND CRISIS MANAGEMENT

- **Social Engineering Scams:** Investigator and liaison with enforcement authorities around the world including Chinese public security bureaus, Hong Kong police, US Federal Bureau of Investigations, US Department of Homeland Security, International Criminal Police Organization (INTERPOL), and others in connection with several social engineering, cybercrime, and fraud/theft matters
- Represented a major technology company in connection with a multimillion-dollar fraud matter where the company was a victim of a network of sophisticated social engineering scammers. Successfully recovered millions in stolen funds around the world
- **Dawn Raids:** Advised companies on the drafting of operational protocols in response to unannounced government official visits
- Led a corporate takeover of a rogue subsidiary whose Chinese senior executives were identified as having committed financial and accounting fraud, stolen both physical and intellectual assets and built a competing factory on the side to steal the company's customers
- **Trade Secrets and Data:** Advised a US-listed Chinese technology gaming company on various US federal and state laws in connection with data protection and privacy and data transfer
- Advised companies on cross-border data transfer issues, particularly in connection with the handling of China-US data within the context of investigations, e-discovery and cross-border litigation
- Conducted a seven-country internal investigation on behalf of a major multinational food and beverage company in connection with potential trade secrets violations by a team of senior-level professionals located across the company's North America, Asia and Middle-East markets

CREDENTIALS

Professional Qualifications

- Attorney-at-law admitted with the State Bar of California
- Attorney-at-law admitted with the District of Columbia Bar

Prior Experience

Prior to joining DLA Piper, Jason was a Senior Legal Consultant at the Shanghai office of a large Chinese law firm focusing on cross-border transactions, outbound investments, and US litigation and regulatory matters affecting the Chinese government, state-owned enterprises, China-US joint ventures, and a variety of companies operating in China.

Jason began his practice in Washington, DC, where he spent two and a half years as a litigation and e-discovery attorney representing clients in regulatory investigations by the US Department of Justice, Securities Exchange Commission, Federal Trade Commission, Federal Communications Commission, Congress, and various other agencies and self-regulatory organizations.

Education

- Santa Clara University, School of Law, J.D., 2008
- University of California, Berkeley, Rhetoric and Asian Studies, B.A. 2003

INSIGHTS

Publications

US moves forward on enhanced securities regulations focusing on Chinese companies

17 August 2020

Latest developments in US efforts to address the financial risks posed by emerging market companies.

Chinese and other emerging market companies listed in the US face increased scrutiny from Congress and Nasdaq

27 May 2020

Within a span of two days, the US Senate, House and Nasdaq each took steps to safeguard investors in the US capital markets.

US securities regulators focus on China and emerging markets: Further risk and disclosure considerations are necessary

15 May 2020

Over recent years, many international and Chinese companies have listed on American stock exchanges. This provides such companies with the benefits of access to US and international capital markets, while also subjects to the jurisdiction of US securities regulators. Importantly, US regulators have recently made a rare and potentially significant announcement indicating that they are specifically increasing their focus on US-listed companies based in or with significant operations in China.

SEC Chairman announces roundtable on emerging markets and China

7 May 2020

This continuing focus on investor protection is consistent with other key regulatory initiatives.

US securities regulators focus on China and emerging markets: Further risk and disclosure considerations are necessary

4 May 2020

Key takeaways for China-based US-listed companies.

Coronavirus: Supplier due diligence for vetting Chinese medical suppliers for quality, safety, fair pricing and anti-corruption compliance

6 April 2020

Some key risks, and potential solutions to reduce cross-border operational risks.

When is an outbreak an act of God? Mitigating commercial and operational risks during the COVID-19 crisis (Global)

13 February 2020

A close look at a standard but often overlooked "act of God" or force majeure clause in contracts may provide some insight into options for mitigating commercial and operational risks during the ongoing health crisis.

- Author, A framework for enhanced due diligence of Chinese medical suppliers during Covid-19 emergency, *The FCPA Blog*, April 8, 2020
- Author, Digital 'red envelopes' are a risk this Chinese New Year , *The FCPA Blog*, February 8, 2019
- "China Regulatory Enforcement Quarterly - May 2016," May 6, 2016
- "China Regulatory Enforcement Quarterly - Q4 2015," February 17, 2016
- "China Regulatory Enforcement Quarterly - Q3 2015," November 18, 2015
- "China Regulatory Enforcement Quarterly - Q2 2015," August 10, 2015
- "China Regulatory Enforcement Quarterly," May 11, 2015
- "China Regulatory Enforcement Quarterly," January 19, 2015

Events

Previous

Force Majeure and US-China Contract Fulfillment Challenges

6 May 2020 | 7:00 - 8:00 PST

Webinar

- Speaker, "Asia State of the Union – Compliance Relations in Asia," Society of Corporate Compliance and Ethics, September 14, 2020
 - Panelist: "Mobility 2.0: The Quest for Supremacy," US China Series, July 23, 2020
 - China Business Law Podcast: Force Majeure and Contract Non-performance During the Coronavirus Crisis. February 26, 2020
 - Presentation to the Delegation of Entrepreneurs and Industrial Investors from the Sichuan Province of China on Entering the U.S. Market, Product Liability & Environmental Litigation and Global Compliance & Investigations. DLA Piper's Palo Alto office, December 19, 2019
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- Speaker: "West Coast Conference on FCPA Enforcement and Compliance," American Conference Institute, San Francisco (2019)
- Speaker: "Managing an Investigations Docket in Asia-Pacific: Key Regional Regulatory Issues and Top Tips for Conducting Cross-Border Investigations," SCCE's Compliance & Ethics Institute (2019)
- Speaker: "Risk Assessment, Detection and Investigations: Developments in Anti-Bribery and Anti-Corruption Compliance," American Conference Institute, ACI's FCPA High Risk Markets (2019)
- Speaker: "Managing an Investigations Docket in Asia: Key Regional Regulatory Issues and Top Tips for Conducting Cross-Border Investigations," Society of Corporate Compliance and Ethics (2019)
- Speaker: "Best Practices and Boundaries for Working With Chinese Companies and State-Owned Enterprises," BAC China Task Force (2019)
- Speaker: "While You Were Sleeping: Insights about the Realities of Ethics & Compliance in Asia with a Focus on Bribery and Corruption," Society of Corporate Compliance and Ethics (2018)
- Speaker: "U.S.-China Crossfire: How Taiwanese Companies Can Mitigate Legal Risks in an Uncertain Environment," Eiger Law (2018)
- Speaker: "Introduction to Bribery and Corruption Issues in China," Santa Clara University School of Law (2015)
- Speaker: "Critical Global Business Issues: When Theory Meets Practice -- Foreign Corrupt Practices Act Panel," Santa Clara University School of Law (2015)
- Speaker: "US-China Anti-Corruption Investigations," University of San Francisco School of Law (2014)
- Speaker: "US-China Cross-Border Investigations," Santa Clara University School of Law (2014)
- Speaker: "US-China Cross-Border Anti-Corruption Investigations," Warsaw - Beijing Forum Youth for Business (2014)
- Speaker: "Risk Management for International NGOs," ActionAid International, Hanoi, Vietnam (2014)
- Speaker: "The US-China Joint Venture Business Structure," W&H Law Firm, Shanghai (2013)
- Speaker: "CFIUS and Technology Transactions," W&H Law Firm, Shanghai (2011)