



Shanshan Xu

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Practice Areas

Arbitration, Business/Commercial, Financial Markets, Intellectual Property, International, International Arbitration, Securities

Shanshan Xu enjoys an excellent reputation as an arbitrator and mediator because of her vast experience in resolving complex commercial disputes and her efficiency, organization and outstanding communication skills. As an arbitrator, Ms. Xu is known for fairly allocating the liabilities and providing a convincing analysis. As a mediator, Ms. Xu is known for spotting key problems in the business relationship and facilitating consensus between parties. She demonstrates great passion, patience and business sensitivity, as well as a solid foundation and knowledge regarding the application of the law.

Ms. Xu is fluent in Mandarin and English.

ADR Experience and Qualifications

- Successfully mediated, arbitrated and litigated numerous multi-party commercial disputes involving Fortune 500 companies, listed companies, foreign enterprises and commercial banks in the areas of:
 - Foreign investment
 - Contract disputes
 - Customs and International Trade
 - Intellectual property
 - Taxation and tariff
 - Securities
 - Finance
- Recognized as an excellent arbitrator in the arbitration commissions of Shanghai, Zhuhai, Qingdao, Wuhan and Ningbo, and as a mediator in the Shanghai Commercial Mediation Center (SCMC), Shanghai International Arbitration Center, Ningbo Maritime Court and Shanghai Financial Dispute Mediation Center
- Frequently held arbitration and mediation seminars as vice-director of the International Trade Commission of the Shanghai Bar Association
- Involved in drafting arbitration guidance in the Shanghai Free-Trade Zone
- Interviewed by *Lawyer Monthly* regarding international arbitration
- Possesses exceptional negotiation and coordination skills; once introduced World Customs Organization (WCO) into an import dispute between a large enterprise and China customs, which helped the enterprise avoid a large cost after negotiating and communicating with the WCO and customs
- Invited by the National Bar Association to draft legal guidance for countries on One Belt, One Road and finished the legal guidance of investment and commercial activities in Ukraine as part of an official legal opinion recommended by the China government
- Completed advanced commercial mediation research classes held by SCMC and received a China commercial mediator qualification
- Frequently invited to give lectures regarding international trade, arbitration and mediation at forums and universities

Representative Matters

Business/Commercial

- Arbitrated a claim by a hotel chain against its franchisee arising out of contract breach concerning franchisee's obligations of operating the hotel by using pointed booking system and alleged infringement since franchisee added another brand to the hotel
- Mediated resolution of a ¥ 115-million loan contract dispute involving joint liability relating to four big companies and their complicated business operation arrangement
- Mediation of a dispute between two manufacturers arising out of a contract breach regarding whether buyer had received cargoes and whether buyer had made the payment, which needs to be decided based on evidence chain including contracts, manufacturing records, shipping records, invoices and online chat records.
- Arbitrated a dispute arising out of a service contract between two large companies involving failure of payment.
- Mediated a dispute between a world-famous aircraft manufacturer and an exhibition organizer concerning their respective obligations under the exhibition contract, which required the organizer to provide a high standard of services.
- Arbitration of international cross-claims regarding sales contract; buyer was accused of failure to make payment, while seller was accused of selling malfunctioning equipment.
- Arbitrated a dispute between two companies concerning payment collection by analyzing the credibility of a key piece of evidence: online chat records submitted by selling company.
- Arbitrated a series of disputes arising out of the breach of cooperation agreements between a webcast company and several hosts.
- Arbitrated a service contract dispute between two healthcare companies regarding complex medical care arrangements.

Finance

- Mediated a dispute arising out of the profit of a private-fund product between a bank and an investor; the investor claimed that her profit should be 5 percent of her investment, while the bank argued that the actual profit was 3.3 percent
- Mediation of a dispute arising out of third-party fraud between the victim and the bank; victim transferred funds to fraudster, including loans made by the fraudster under victim's title, and the bank never informed her about the loans
- Mediated resolution of a dispute between a victim of credit card identity theft and the bank that issued the credit card involving claims of distributing liabilities, because the crime happened abroad while the victim was in China
- Mediation of a dispute arising out of failure of fund redemption between an investor who needs the money immediately and a bank which was partly responsible for the failure.

Securities

- Represented 88 investors from all over the country against a large public company's false disclosure; won full compensation after negotiating with the director of the company.

Intellectual Property

- Mediated to resolution a dispute between two competing enterprises involving a claim of copyright infringement arising out of copying and distributing a handbook without authorization
- Participated in a famous trademark infringement cases which the claim for damages is up to 60 million.

Honors, Memberships and Professional Activities

- **Honors**
 - Shanghai Excellent Lawyer, 2015-2018
 - Customs and Excise Lawyer of the Year, China, 2017
 - Leading International Lawyer, National Bar Association

- China's Top 100 Business Lawyers, 2016
- Winner, Paper Competition, China Tax Law Forum – The Fourth China Tax Lawyer and Tax Accountant Forum, 2015
- Special Contribution Award for Legal Service, Changning District, 2015
- First prize in “Outstanding Pleadings,” Shanghai Lawyers’ Academic Competition, 2014
- Outstanding Lawyer, Changning District of SH, 2013–2016
- Outstanding Lawyer, Changning District of SH, 2009–2012
- Leading Figure of Shanghai Justice Administration System, 2012
- Top Ten Young Lawyer, Shanghai Bar Association, 2011
- **Memberships**
 - Member, Shanghai People's Political Consultative Conference Committee
 - Representative, National Lawyer Congress
 - Member, Leading International Lawyers Pool on One Belt, One Road, National Bar Association
 - Vice-Director, International Business Commission, National Bar Association
 - Member, Financial Securities and Exchange Commission, National Bar Association
 - Member, Tax Law Council of China Law Society
 - Director, Corporate Counsels, Public Lawyers and Foreign Attorneys Committee, Shanghai Bar Association
 - Vice-Director, International Trade Commission, Shanghai Bar Association
 - Citizens Supervisor, Shanghai People’s Procuratorate
 - Vice-Director, Legal Association Branch, Shanghai Overseas Returned Scholars Association
 - Member, Shareholding Expert Commission, China Securities Investor Service Center
 - Vice-President, Shanghai Changning District Legal Service Association
- **Professional Activities**
 - Mediator, Shanghai Commercial Mediation Center, Shanghai Financial Consumption Disputes Center and Ningbo Maritime Court
 - Published author in academic and practical legal areas
 - Speaker on a variety of ADR topics at universities and forums
 - Arbitrator, Shanghai International Arbitration Center, Shanghai, Wuhan, Qingdao, Ningbo and Zhuhai Arbitration Commissions
 - Organized international arbitration and mediation study meetings as vice-director of International Business Commission of the National Bar Association
 - Special researcher, Center for Intellectual Property Study of Fudan University
 - Adjunct professor and/or master tutor, Shanghai Jiao Tong University, East China University of Political Science and Law, Shanghai Lixin University of Commerce and University of International Business and Economics

Background and Education

- **Background**
 - Senior Partner, Hiways Law Firm, 2007–present
 - Partner/Associate, Richard Wang & Co., 2000–2007
 - Teacher, Department of Law, Shanghai Customs College, 1997–2004
- **Education**
 - EMBA, China Europe International Business School, 2014–2016
 - Juris Scientiae Doctor, International Economic Law, Fudan University, 2001–2008
 - LL.M., U.S. law, Boston University, 2006–2007
 - Bachelor of Law, Jiangxi University of Finance and Economics, 1993–1997