

# LAWPLUS

လောလော (ဝဲ) မြန်မာ လီမိတက် LawPlus Myanmar Ltd.

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**PROFESSIONAL • PRACTICAL • PROMPT • PROACTIVE**

## OUR FIRM

LawPlus Myanmar Ltd., established in 2013, is a law firm operated by a team of Myanmar lawyers with support of the lawyers of LawPlus Ltd. of Thailand. The Firm has been operating in Thailand as LawPlus Ltd. since 2003. The main objective of the Firm is to provide local and multinational companies with top quality legal services in a timely manner at a reasonable cost.

Our Myanmar lawyers have in-depth knowledge and insight of the Myanmar legislation, economy, society, culture and practice. Our partners and lawyers at LawPlus Ltd. work closely with the Myanmar team to ensure that our advices and opinions are accurate and practical and that our services are responsive and add values to the client's businesses.

## OUR PRACTICES

Our specialized practice areas include foreign direct investment, corporate, merger and acquisition, commercial, intellectual property, banking, telecommunications, information and digital technology, employment, real property and dispute resolution.

## OUR CLIENTS

Some of our clients include:-

- Alpha Max Group Limited
- Amazon Corporate LLC
- American Foods Co., Ltd.
- Australian Wool Innovation Limited
- Barton & Guestier
- Big C Supercenter PCL
- Cargo-Partner Asia Pacific Limited
- CDE Company Limited
- CCI Corporation
- Chuan Huat International (S) Pte. Ltd.
- Cummins DKSH (Myanmar) Ltd.
- Eastern Foundation Co., Ltd.
- Facebook, Inc.
- FMTM Distribution Ltd.
- Golden TMH Telecom Co., Ltd.
- Hello Health Sayarwon Ltd.
- Hitachi Koki Co., Ltd.
- Jaymart Holding Co. Ltd.
- Jaymart PCL
- JTEKT Corporation
- JMT Network Services PCL
- Kasikornbank PCL
- Kyar Minn Hein Construction Co., Ltd.
- Labelux Group GmbH
- MHM Healthcare Ltd.
- Myanmar TML Ltd.
- Naga Nyinaung Real Estate Agency Co., Ltd.
- Nature's Way Products, LLC
- Norgine House
- Osotspa PCL
- Penkhun Co., Ltd.
- Pen K Inter Trading Co., Ltd.
- Pham Nguyen Confectionery
- PT Kalbe Genexine Biologics
- PT Sayap Mar Utama
- Roche Myanmar Co., Ltd.
- Schlumberger Logenco Inc.
- Scotch Whisky Association
- Sun-O International, Inc.
- Telenor ASA
- The Thai Silk Company Limited
- Thanakoon International Co., Ltd.
- Thai Nondestructive Testing PCL
- Tomey Corporation
- USG Boral Building Products Pte. Ltd.
- Union Pay International Co., Ltd.
- Vital Trading Co., Ltd.
- Toto Ltd.

## **OUR CREDENTIALS**

We have been actively advising, representing and handling legal matters for clients on their investments and business operations in Myanmar. The following are some representative transactions:-

### **BANKING AND FINANCE**

- Advising a Chinese credit and debit card company on establishing a branch in Myanmar;
- Advising clients on foreign exchange control regulations applicable to remittances and repatriations of cross-border loans and investment funds;
- Advising a Thai IT service and trading company on establishing a microfinance company with a local joint venture partner;
- Advising and assisting corporate clients on opening bank accounts and intercompany loans;
- Advising a Malaysian healthcare platform on opening a bank account with a local bank;
- Advising a multinational freight forwarding company and opening a bank account in Myanmar.

### **CORPORATE AND M&A**

- Setting up a services company for a Singapore petroleum support services company;
- Setting up a healthcare services company for a Hong Kong client;
- Setting up a joint venture company for Japanese automobile company for importation and distribution of automobiles in Myanmar;
- Setting up two subsidiaries in Myanmar for a Singaporean company;
- Preparing joint venture agreements and related agreements for a Thai conglomerate for establishing a beverage manufacturing plant and advising on setting up two joint venture companies with a leading Myanmar group of companies;
- Advising a Thai public company listed on the Market for Alternative Investments on a joint venture with a local partner on a power plant project in Shan State;
- Advising a Thai hospital on obtaining an MIC permit for operating hospital business in Myanmar;
- Advising a Japanese tobacco company on general corporate and commercial matters;
- Advising a Thai-Myanmar JV company on obtaining a wholesales license and a loan approval from authorities;
- Advising a Myanmar vehicle manufacturing company on vehicle sale contract;
- Conducting corporate due diligence and litigation searches for a Thai company.

### **REAL PROPERTY**

- Advising a subsidiary of a Singaporean company on real property law and preparing an office space lease agreement;
- Advising a Hong Kong company on real property law and handling purchases and leases of lands by Myanmar investment partners;
- Advising a Myanmar client on permanent residence and transfer ownership in immovable property;
- Conducting a land due diligence for a telecom tower project for a joint venture company between a Singaporean company and a Myanmar company in Myanmar;
- Conducting legal due diligence on shophouses in Basein and condominium units in Yangon for a Hong Kong investor.

### **INTELLECTUAL PROPERTY**

- Advising two Japanese companies on trademark infringements and actions to stop distribution and sale of infringing goods;
- Registering trademarks for a large number of multinational clients with head offices in Thailand, Japan and USA;
- Representing a Thai company on cancellation of an infringing trademark;
- Conducting trademark searches for a German company;
- Representing an industrial association in the UK on legal actions based on infringement of a trademark and collective mark;
- Advising a Singaporean company on transfer and license of copyright contents for distribution in Myanmar.

### **COMMERCIAL**

- Preparing cross-border sale and purchase agreements for a Myanmar company to import trucks and heavy equipment;
- Advising a Japanese department store on commercial and investment laws;
- Advising a company of a US company on US and EU Sanctions against persons and legal entities in Myanmar;
- Advising a US technology services company on oil and gas laws and regulations;
- Obtaining an export and import registration certificate for a subsidiary of a Singaporean company;
- Advising a Japanese ceramic sanitary ware product company on product standard law.

### **INFORMATION AND DIGITAL TECHNOLOGY**

- Advising a Singaporean company on laws and regulations on mobile banking;
- Representing 3 mobile phone and ISP companies on registering their trademarks and service marks for their services;
- Advising a Japanese company on laws applicable to acquisitions and sales of digital maps;
- Advising a US company on using State flag and symbol with their digital contents for global distribution;
- Advising a US ecommerce company on import of telecommunication and data center equipment and devices.

### **LITIGATION AND DISPUTE RESOLUTION**

- Representing a Myanmar client on claims for US\$1.9 Million damages under multiple sales and purchase contracts with a Chinese supplier;
- Representing a Japanese automobile trademark infringement parts company;
- Acting for an association in Europe of infringement of a geographical indications and collective mark;
- Assisting a Thai food manufacturing company on trademark dispute with a local distributor.

## OUR TEAM



**KOWIT SOMWAIYA**  
Senior Partner, Director

### EDUCATION

- Certificate of Instruction for Lawyers, Harvard Law School
- LL.M., University of Illinois at Urbana-Champaign
- LL.B., Thammasat University
- B.A. (Education-English), Ubon Ratchathani Rajbhat University

### PROFESSIONAL MEMBERSHIPS

- Lawyers Council of Thailand and Thai Bar Association
- Intellectual Property Association of Thailand (Director 2009-2016, Vice President 2017-2019)
- ASEAN Intellectual Property Association
- Asian Patent Attorneys Association (Co-Chair of the Emerging IP Rights Committee 2013-2015, Member of the Anti-Counterfeiting Committee (2016-2018))
- International Trademark Association (Chair of East Asia & Pacific Sub-Committee of Anti-Counterfeiting Committee 2014-2015, Chair of Harmonization of Trademark Law and Practice Committee 2016-2017, Co-Chair of the Global Advisory Council-Asia Pacific 2016-2017, Member of Global Advisory Council-Asia Pacific 2018-2019, Member of the Board of Directors 2018-2020)
- International Bar Association

### KEY QUALIFICATIONS

Kowit Somwaiya has over 30 years' experiences in laws on banking, corporate, foreign direct investment, merger and acquisition, intellectual property, IT, telecoms, dispute resolution and litigation. Before founding LawPlus Ltd. in 2003, he was the Managing Partner of the Bangkok Office of a leading UK law firm.

### ACCOLADES

- **"Recommended"** for corporate and M&A, Dispute Resolution and Intellectual Property. The Legal 500 Asia Pacific, 2019.
- **"One of Thailand's Top 100 Lawyers"** in the A-List. The Asia Business Journal, 2018
- **"Leading lawyer"** for Corporate and M&A and Intellectual Property. The AsiaLaw 2018.
- **"Leading lawyer"** for Patent Prosecution. WIPR Leader 2018.
- **"Leading lawyer"** for Trademarks and IT & Telecoms. The Asia IP Experts, 2017.
- **"Leading lawyer"** for Banking and Finance. The Legal 500 Asia Pacific (2003 through 2017).
- **"IP Star"** by the World IP Surveys of the Managing Intellectual Property (2017, 2018 and 2019).
- **"On-point, precise advice"** to a global clientele. WTR 1000, 2013.
- **"Knowledgeable and decisive partner"**. The Legal 500 Asia Pacific, 2012.
- **"Hardworking and commercial"**. The Legal 500 Asia Pacific, 2011.
- **"Intelligent lawyer, who engages with his clients"**. The Legal 500 Asia Pacific, 2010.
- **"Recommended" for corporate / M&A**. The PLC Which Lawyer? Yearbooks, 2008.
- **"Highly recommended"** for corporate/M&A. The PLC Cross-border Mergers and Acquisitions Handbook, 2007.
- **"Well-known"** IP practitioner. Asia IP Profiles, 2006.
- **"Leading lawyer"** for banking, general corporate practice, corporate governance, restructuring and insolvency. The AsiaLaw Leading Lawyers, 2005.
- **"Highly recommended company and corporate transaction practitioner"**. The Global Counsel 3000, 2004.



**PRASANTAYA BANTADTAN**

Managing Partner, Director

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**EDUCATION**

- LL.M., International Economic Law, University of Warwick
- LL.M., International Business Legal Studies, University of Exeter
- LL.B., Thammasat University

**PROFESSIONAL MEMBERSHIPS**

- Lawyers Council of Thailand and Thai Bar Association
- Intellectual Property Association of Thailand (Director 2019-2021)
- ASEAN Intellectual Property Association
- Asian Patent Attorneys Association (Trademark Committee 2013-2015 and 2019-2021)
- International Trademark Association
- International Bar Association
- Licensing Executives Society

**ACCOLADES**

- "*One of Thailand's Top 100 Lawyers*" in the A-List. The Asia Business Journal, 2018.
- "*Leading lawyer*" for Corporate and M&A and Intellectual Property. The AsiaLaw Leading Lawyers 2018.
- "*Leading lawyer*" for intellectual property. The AsiaLaw Leading Lawyers in 2015 and 2016.

**KEY QUALIFICATIONS**

Prasantaya has over 17 years' experiences. She specializes in intellectual property, information technology, corporate and commercial laws. She has advised local and international clients on establishing and operating businesses in Thailand. She has advised local and international clients on patent and trademark registration, debt restructuring, business reorganization, debt recovery, funds repatriation, joint ventures, mergers, acquisitions and disposal of distressed debts.



**NADDAPORN SUWANVAJUKKASIKIJ**

Partner

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**EDUCATION**

- LL.M., University of East Anglia
- LL.B. (2<sup>nd</sup> Class Honours), Chulalongkorn University

**PROFESSIONAL MEMBERSHIPS**

- Lawyers Council of Thailand
- Thai Bar Association

**KEY QUALIFICATIONS**

Naddaporn specializes in corporate, commercial, M&A and foreign direct investment. She has advised local and foreign clients on numerous corporate and commercial transactions, banking & finance, real property, business reorganization. She also has extensive experiences in advising corporate clients on legal due diligence investigations and establishing joint ventures and investment projects in Thailand and Myanmar.



**KHIN KHIN ZAW**

Partner

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**EDUCATION**

- LL.M., Yangon University
- LL.B., Yangon University

**PROFESSIONAL MEMBERSHIPS**

- Yangon Bar Association
- International Trademark Association (INTA)
- Asian Patent Attorneys Association
- ASEAN Intellectual Property Association
- Intellectual Property Proprietors' Association of Myanmar (IPAM)

**KEY QUALIFICATIONS**

Khin Khin Zaw has experiences of 24 years in laws on real property, joint ventures, commercial transactions and civil and criminal litigations. She worked as an officer of the Ministry of Construction for 10 years then as a staff officer with the Ministry of Immigration and Population for 7 years. She worked in Singapore with a law firm before started her private practice in Myanmar in 2009 and then joined LawPlus Myanmar Ltd. in 2013. She has experiences in advising foreign corporate clients on setting companies, land purchases and land leases, joint ventures and shareholders agreements between foreigners and Myanmar nationals, foreign exchange regulations and inter-company loans. She has represented foreign clients on trademark registration and enforcement.



**ORAMART AURORE SAARDPHAK**

Associate

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**EDUCATION**

- LL.M., International Economic Law, University of Toulouse I
- LL.M., Business Law, Thammasat University
- LL.B. (1<sup>st</sup> Class Honours), Chulalongkorn University

**PROFESSIONAL MEMBERSHIPS**

- Lawyers Council of Thailand
- Thai Bar Association

**KEY QUALIFICATIONS**

Oramart started working at LawPlus Ltd. in July 2015. She speaks Thai, English and French. She is a notarial services attorney. She has experiences in advising clients on corporate and commercial matters, intellectual property, prosecution and enforcement.



**NILAR WIN**

Associate

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**EDUCATION**

- Diploma (Business Law), Yangon University
- LL.B., Mawlamyine University

**KEY QUALIFICATIONS**

Nilar Win is a Higher Grade Pleader. She worked as an assistant associate with a law firm in Yangon for 3 years before she joined LawPlus Myanmar Ltd. in 2018. She has experiences in advising foreign clients on foreign investment, company registration, trademark registration and commercial transactions.



**EI MON THANT**

Associate

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**EDUCATION**

- Diploma (Business Law), Yangon University
- LL.B., Dagon University
- LL.M., International Law, Yangon University

**KEY QUALIFICATIONS**

Ei Mon Thant is a Higher Grade Pleader. She took internship with the US firm in Yangon for 8 months before she joined LawPlus Myanmar Ltd. She assists our partners and senior associate on corporate and commercial matters.



**MOE SAKAR WAR**

Associate

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**EDUCATION**

- Diploma (Business Law), Yangon University
- LL.B., Mawlamyine University

**KEY QUALIFICATIONS**

Moe Sakar War is a Higher Grade Pleader. She took internship with an international law firm in Yangon for 7 months before she joined LawPlus Myanmar Ltd. She assists our partners and senior associate on intellectual property matters.



**HNIN EI PHYU**

Accountant and Office Manager

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**EDUCATION**

- B.A. (English), 2005, Dagon University
- Certificate of Business Statistics, Cost Accounting, Management Accounting, 2003, London Chamber of Commerce and Industry
- Diploma in International Financial Reporting, 2003, Yangon Business School

**KEY QUALIFICATIONS**

Hnin Ei Phyu worked as an accountant for 10 years with one of the leading Myanmar conglomerates, before she joined LawPlus Myanmar as an accountant and office manager in 2013. She has experiences in compiling and analyzing financial information, preparing entries to accounts, documenting business transactions, preparing balance sheets, profit and loss accounts and other reports to summarize current and projected company financial position.

**Revised: August 2019**