

# LAW PLUS

လောလုလံ (စ်) မြန်မာ လီမိတက် LawPlus Myanmar Ltd.

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**PROFESSIONAL • PRACTICAL • PROMPT • PROACTIVE**

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## Our Firm

LawPlus Myanmar Ltd. is 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 laws, 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
- Barton & Guestier
- Big C Supercenter PCL
- CCI Corporation
- Chuan Huat International (S) Pte. Ltd.
- Cummins DKSH (Myanmar) Ltd.
- Facebook, Inc.
- FMTM Distribution Ltd.
- Golden TMH Telecom 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.
- Naga Nyinaung Real Estate Agency Co., Ltd.
- Osotspa Co., Ltd.
- Penkhun Co., Ltd.
- Pen K Inter Trading Co., Ltd.
- Pham Nguyen Confectionery
- PT Sayap Mar Utama
- Roche Myanmar Co., Ltd.
- Schlumberger Logenco Inc.
- Scotch Whisky Association
- Sun-O International, Inc.
- Telenor ASA
- 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.

## 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.

### **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.

### **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 and Dispute Resolution**

- Preparing cross-border sale and purchase agreements for a Myanmar company to import trucks and heavy equipment;
- Representing a Myanmar client on claims for US\$1.9 Million damages under multiple sales and purchase contracts with a Chinese supplier;
- Advising a Japanese department store on commercial and investment laws;
- 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.

## **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.

## Partners



**Kowit Somwaiya**  
Managing Partner, Director  
LawPlus Ltd.  
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## **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 (2013-2015 Vice President)
- ASEAN Intellectual Property Association
- Asian Patent Attorneys Association (2013-2015 Emerging IP Rights Committee Co-Chair)
- International Trademark Association (2014-2015 Anti-Counterfeiting Committee East Asia and Pacific Sub-Committee Chair; 2016-2017 Chair of Harmonization of Trademark Law and Practice Committee, 2016-2017 Co-Chair of Advisory Council-Asia Pacific)
- International Bar Association
- International AntiCounterfeiting Coalition
- Intellectual Property Owners Association
- World Customs 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. His accolades include:-

- "Leading lawyer" for banking and finance. The Legal 500 Asia Pacific (2003/2017).
- "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. The 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**

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
- ASEAN Intellectual Property Association
- Asian Patent Attorneys Association (2013-2015 Trademark Committee)
- International Trademark Association
- International Bar Association
- International AntiCounterfeiting Coalition

**Key Qualifications**

Prasantaya has 14 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.



**Khin Htwe Myint**  
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## Education

- LL.M., Yangon University
- LL.B., Yangon University
- B.A. (Law), Yangon University

## Professional Memberships

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

## Key Qualifications

Khin Htwe Myint has been working for 31 years in several fields of law in both the public and private sectors. After teaching laws at Yangon University, she started her legal profession as a Public Prosecutor with the Office of the Attorney General of Myanmar. She was promoted to Assistant Director and then to Deputy Director of the Legal Advice Department of the OAG before she resigned in 2010. She has extensive experiences in giving legal opinions and advices to state enterprises on investments and commercial transactions. Her expertise includes establishing legal entities, obtaining Government licenses and permits, advising clients on laws and regulations applicable to foreign investments, company registration, joint ventures, mergers and acquisitions and domestic and international trades.



**Khin Khin Zaw**  
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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.

## Associates



### **Naddaporn Suwanvajukkasikij**

Senior Associate

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



### **Usa Ua-areetham**

Senior Associate

LawPlus Ltd.

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### **Education**

- M.A. (Economics Law), Chulalongkorn University
- LL.B. (2<sup>nd</sup> Class Honours), Chulalongkorn University

### **Professional Memberships**

- Lawyers Council of Thailand
- Thai Bar Association
- ASEAN Intellectual Property Association
- Asian Patent Attorneys Association

### **Key Qualifications**

Usa started working at LawPlus Ltd. in May 2007. She has extensive experiences in corporate, foreign direct investment and intellectual property matters. She has advised clients on investment promotion, trademark registrations in Thailand and in foreign countries, assignment of trademarks and commercial transactions.





**Vincent Birot**

Foreign Counsel  
LawPlus Ltd.

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**Education**

- LL.M. (International Business Law), University of Exeter
- LL.M. (International Commercial Law), The University of Paris 1 Panthéon-Sorbonne
- LL.B., University of Rennes 1
- Diploma (Franco-British Business Law), University of Rennes 1

**Professional Memberships**

- The CAPA (Paris Bar Examination)

**Key Qualifications**

He worked with Run Ming Law Office in Beijing before joining the Paris office of King & Wood Mallesons where he focused on private equity matters. Before joining LawPlus Ltd. in 2015, Vincent worked as an associate in the Banking and Finance Department of Baker & McKenzie in Luxembourg. He has advised private equity houses and investment banks in fund structuration, international financing and corporate acquisitions.



**Cing Lian Huai**

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**Education**

- LL.B., Monywa University
- LL.M., Yangon University
- Diploma in Business Law, Yangon University

**Key Qualifications**

Cing Lian Huai worked as a Higher Grade Pleader. She worked with USAID Myanmar as Program Assistant for the Rule of Law Project for 2 years and a half before she joined LawPlus Myanmar Ltd.



**Nway Yu Khaing**  
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## **Education**

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

## **Key Qualifications**

Nway Yu Khaing worked as a legal controller with a construction company and a law firm in Yangon for 2 and a half years before she joined LawPlus Myanmar Ltd. She has experience in company registration, banking and microfinancing, MIC and other government permits and licenses and commercial transactions.

## **Myanmar Support**



**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. 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.

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