



SWITA GAN

Counsel · Shanghai

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PRACTICE AREA

MS. SWITA GAN SPECIALIZES IN ANTITRUST AND COMPETITION LAW, INCLUDING ANTITRUST ADMINISTRATIVE INVESTIGATIONS, ANTITRUST COMPLIANCE ADVISORY, ANTITRUST LITIGATION AND MERGER CONTROL FILINGS.

Education

- East China University of Politics and Law, School of Economic Law, LL.M.
- East China University of Politics and Law, School of Economic Law, LL.B.

Professional Qualification

- Admitted to practice in the PRC

Work Language

- Mandarin
- English

Swita joined Fangda Partners in 2017. Before joining the firm, she worked at another major Chinese firm practicing antitrust and competition law for four years.

REPRESENTATIVE MATTERS AND CASES

Swita's recent antitrust compliance advisory work includes advising

- a world-leading auto company on its internal audit of its antitrust compliance
- a state-owned chemical company on the establishment of its antitrust compliance system and on the review of its antitrust compliance status
- a world-leading digital products company on its self-review of its antitrust compliance system
- a well-known US high-tech company in its self-review of its business practices in China from an antitrust compliance perspective
- a well-known beverage company on its exclusivity arrangements with its business partners
- a global chemical company on antitrust compliance in China
- a multinational energy company on pricing synergies among its subsidiaries and joint ventures
- a world-leading electric power company on sensitive information sharing
- a leading global aseptic packaging company on adjusting their rebate scheme to reduce the risk of competition law liability
- a number of multinational pharmaceutical companies on competition concerns relating to distribution and commercialization arrangements under new medical reform regulations
- a number of Fortune 500 companies on their antitrust audits, compliance trainings and other behavioral conduct issues

Swita's recent antitrust investigation work includes advising

- Alibaba Group on responding to an SAMR antitrust investigation into abuse of dominance
- Eastman Chemicals, a global chemicals company, on responding to the first abuse of dominance investigation

- initiated by the SAIC in the chemicals industry as well as an NDRC investigation into resale price maintenance
- GN Audio, a global producer of consumer products, on handling an antitrust investigation by the NDRC and its local counterpart
- a world-leading pharmaceutical company on responding to an antitrust investigation by the Zhejiang AMR
- a world-leading consumer products company on responding to an SHAMR investigation into resale price maintenance
- a global manufacturer on an NDRC antitrust investigation into abuse of dominance
- two multinational automobile companies on handling antitrust investigations initiated by Chinese competition authorities
- a leading global high-tech company on handling an antitrust investigation by the SAIC
- a luxury eye-glasses company on handling a dawn raid by the NDRC and on responding to the authority's questionnaires

Swita's recent work in advising on PRC merger control includes advising

- Cargotec on the PRC merger filing for its EUR 87 million acquisition of TTS Group's marine and offshore business, which was the recent largest deal and remedy case in the ship equipment industry
 - Suez on its Chinese merger filing for the acquisition of the GE Water Treatment and Process Technologies Business
 - a leading domestic internet company on assessing the notifiability and conducting competition analysis for its transactions
 - both parties in the Chinese merger filing for two leading PE funds' investment in a home appliance company
 - FAM AB on its Chinese merger filing for the acquisition of a leading European packaging company
 - several Japanese conglomerates on assessing the notifiability of their transactions
 - several leading global and domestic funds on assessing the notifiability of their transactions
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