

## OUR TEAM

### **Brian SONG**

Managing Partner

#### **Practice areas**

Brian's areas of practices are primarily corporate and commercial transactions, sports laws regulations, image rights and anti-doping laws. He is conversant with Mandarin and has also practised in Brunei Darussalam.

Brian has wide exposure on mergers and acquisitions, money services business, cross-border transactions, joint ventures, franchising, mining concessions, licensing for manufacturing establishments and early childhood education. He regularly advises investors from the People's Republic of China on investments in Malaysia.

Brian regularly advises Datuk Wira Lee Chong Wei (former World No. 1 men's singles badminton player) on his image rights, sponsorship contracts, brand endorsements and other commercial and business developments which include the publication of Datuk Wira Lee Chong Wei's biography "*Dare to be a Champion*" and the making of the movie "*Rise of the Legend*". Brian has assisted a few national athletes in formulating and implementing their "Career After Sports" entrepreneur programme.

As a trustee of Lee Chong Wei Foundation, Brian works closely with the Ministry of Youth and Sports of Malaysia and National Sports Council of Malaysia on sports development, taxation and anti-doping.

Brian was a member of the legal team for Datuk Wira Lee Chong Wei's doping hearing before the BWF Doping Hearing panel in 2015 in Amsterdam. Working alongside with the Badminton Association of Malaysia and Ministry of Youth and Sports of Malaysia, the team has successfully obtained a substantial reduction in the doping suspension period. The reduction in the suspension has given Datuk Wira Lee Chong Wei sufficient time to train and play competitively to qualify for Rio Olympics 2016.

Brian has been appointed to assist Datuk Wira Lee Chong Wei in his role as the Chef De Mission for Tokyo Olympics 2020 and is involved in the "Road To Tokyo Programme" under the Ministry of Youth and Sports of Malaysia

#### **Qualifications**

- LLB (Hons.), University of Leeds
- Certificate in Legal Practice
- Advocate & Solicitor, High Court of Malaya (2001)
- Advocate & Solicitor, Supreme Court of Brunei Darussalam (2008)

#### **Membership**

- Trustee of Lee Chong Wei Foundation
- Committee member of Sports Law Association of Malaysia

**YAP Chin Ling**

Partner

**Practice Areas**

Chin Ling heads the dispute resolution practice group.

She has conducted matters mostly at the High Court, Appellate Court as well as having acted as instructing solicitors for international disputes in Australia and the United Kingdom. Her portfolio focuses on corporate litigation, commercial and contractual disputes, judicial review, banking, insolvency, libel and defamation, employment, and estate laws.

Chin Ling works closely with the Firm's multi-national clients to troubleshoot and provide hands-on practical advice in real time. She is also involved in legal risk management by reviewing and advising clients on their internal procedures.

**Qualifications**

- LLB (Hons.), University of Sheffield
- Certificate in Legal Practice
- Advocate & Solicitor, High Court of Malaya (2004)

**Meserlissa Samantha THAM**

Partner

**Practice Areas**

Meserlissa heads the real estate, banking, probate and trust practice group.

She has solid understanding of the real estate industry and knows how real estate business functions. She handles a wide range of sophisticated and complex real estate transactions and her role includes advise, structure and implement these transactions. She has extensive industry insight in mixed-use developments, large scale residential projects and retail centres.

**Qualifications**

- LLB (Hons.), University of London
- Certificate in Legal Practice
- Advocate & Solicitor, High Court of Malaya (2005)

**Rosemarie OONG**

Partner

**Practice Areas**

Rosemarie has more than 10 years of experience in cross border mergers and acquisitions particularly in Asia. Her industry experience includes healthcare and high tech companies.

She is well verse with due diligence procedures for mergers and acquisitions and regulatory enforcement by Bursa Malaysia and Securities Commission.

**Qualifications**

- LLB (Hons.), University of Sheffield
- Advocate & Solicitor, High Court of Malaya (2006)
- Barrister at Law (Lincoln's Inn, London)

## **PRACTICE AREAS**

### **CORPORATE AND COMMERCIAL**

Our corporate and commercial team has long standing experience dealing with international commercial contracts subject to local and foreign laws, advising on the structuring, financing and negotiation of commercial agreements in a variety of contexts including agency, sales and distribution, franchise, license and concession contracts, project development, management services agreements, joint purchasing/selling, joint R&D and technology transfer in a wide range of business sectors.

Our team has vast experience on merger and acquisition of childcare centres and kindergarten and the licensing issues arising therefrom. In 2018, the Firm has acted for the owners of Peter and Jane Kindergarten for the sale of the childcare and kindergarten businesses to Busy Bee Group Pte Ltd. In 2019, the Firm acted as the Malaysian counsel to advise on the licensing issue pertaining to acquisition of Montessori child care centres.

Some of the notable transactions of the Firm include the following:

- (a) advised 1901 Hot Dog and Bawangchaji on franchise laws;
- (b) acted as Malaysian counsel for Graphene Nanochem Plc on the AIM London Stock Exchange vide reverse take-over of Platinum Nanochem Sdn Bhd which successfully raised £32.5 million;
- (c) sale of Seng Hin Rubber (M) Sdn Bhd, a rubber manufacturing company, to Southland Global Pte Ltd;
- (d) advised Gayarena Sdn Bhd on joint mixed development with Lembaga Kemajuan Wilayah Pulau Pinang; and
- (e) purchase by a high net worth individuals of money services business under the purview of Bank Negara Malaysia.

## **SPORTS AND IMAGE RIGHTS**

Sports has become a lucrative business and elite sportsmen are often approached by sports company for exploitation of their image rights.

We provide a comprehensive legal advice in relation to all matters concerning image rights, sports regulations and anti-doping.

We regularly advise Datuk Wira Lee Chong Wei (former World No. 1 Men's Singles Badminton Player) on his image rights, sponsorship contracts, brand endorsements and other commercial and business developments which include the publication of Datuk Wira Lee Chong Wei's biography "*Dare to be a Champion*" and the making of the movie "*Rise of the Legend*". We have also assisted a few national athletes in formulating and implementing their "Career After Sports" entrepreneur programme.

As our Managing Partner is a trustee of Lee Chong Wei Foundation, we work closely with the Ministry of Youth and Sports of Malaysia and National Sports Council of Malaysia on sports development, taxation and anti-doping.

Our Managing Partner, working alongside with the Badminton Association of Malaysia and Ministry of Youth and Sports of Malaysia, was a member of the legal team for Datuk Wira Lee Chong Wei's doping hearing before the BWF Doping Hearing panel in 2015 in Amsterdam. We have successfully obtained a substantial reduction in the doping suspension period. The reduction in the suspension has given Datuk Wira Lee Chong Wei sufficient time to train and play competitively to qualify for Rio Olympics 2016.

Our Managing Partner has been appointed to assist Datuk Wira Lee Chong Wei in his role as the Chef De Mission for Tokyo Olympics 2020 and is involved in the Road To Tokyo Programme under the Ministry of Youth and Sports of Malaysia.

**DISPUTE RESOLUTION AND LITIGATION**

In this day and age of global commerce, millions of business transactions take place every single day around the world and with that, there is invariably a need for corporations and individuals to protect as well as enforce their legal rights and remedies under the law.

The Firm recognises that aside from a party's legal rights and standing, there is also a need to address the commercial concerns affecting the parties. As such, a holistic approach is adopted and any legal recourse recommended takes into account practical sensibilities to ensure that not only is a party's rights under the law safeguarded, the solution delivered is effective and also commercially viable.

Our dispute resolution group has successfully litigated numerous leading cases in the field of corporate and commercial law and is regularly involved in high-stakes legal proceedings including but not limited to advising and representing clients in litigation at the High Court and the Appellate Courts of Malaysia as well as the Supreme Court of Western Australia.

Amongst the notable transaction of this practice group includes acting for a former director of Transmile Group Berhad in challenging Bursa Malaysia Securities Berhad's enforcement action pursuant to Section 360 of the Capital Markets and Services Act 2007 that proceeded up to the leave stage at the Federal Court.

**REAL ESTATE**

We offer domestic and foreign investors (including listed and privately-held property companies) extensive legal advice regarding the acquisition, management, tenancy and sale of real property and real property portfolios.

Our services include:

- structuring of real property transactions (sale and purchase, sale and lease-back structures and etc.);
- performing complex real estate and environmental due diligence audits;
- advising on regulatory framework requirements (consent from state authorities and foreign investment committee);
- drafting, negotiating and enforcement of lease agreements as well as hotel management agreements;
- advising on sale and lease-back structures; and
- advising on the enforcement of the rights of tenants and landlords

**BANKING AND FINANCE**

We assist the local banks established in Malaysia and borrowers on all aspects of structuring, negotiating and documenting transactions that involve bank lending, project and acquisition financing.

The diverse nature of the work undertaken by our banking and finance team demonstrates the range of experience and expertise it can offer, including structured acquisition and leveraged financing, derivatives and standard banking work.

**EMPLOYMENT AND INDUSTRIAL RELATIONS**

We have been actively involved in advising and acting for various corporations in their respective human resources management matters. This ranges from drafting and rendering hands-on legal advice on employment documents, collective agreements, company handbooks etc. to representation at the Industrial Court and at the High Court in the judicial review stage.

**PROBATE AND TRUST**

We offer services relating to all aspects of estate laws including will writing and administration and distribution of assets.

We represents wide spectrum of parties in this area of law including the executors, administrators, trustees and beneficiaries in probate, trust and estate matters.

We advised the next-of-kin of the crew members of Malaysia airlines MH 370 on estate distributions and insurance claims.