

This is intended to be a guideline only. Firms should refer to the Asia Pacific submissions information page for the full list of practice areas researched by jurisdiction. For further clarification, please contact Bei Zhao, Asia Pacific editor of Legal 500 at bei.zhao@legal500.com.

Australia – native title

Native title: This section refers to the laws governing the affairs of Australia's Indigenous peoples. The primary focus of the section is advice to project proponents and Indigenous groups on land access and land rights, alongside definitions and legal enforcement of native title rights.

Corporate and commercial

Antitrust: We would be considering merger control, dealing with antitrust investigations, related litigation, and compliance and advisory.

Capital markets: This covers the full breadth of equity, debt and securitisation capital markets work for issuers, arrangers, underwriters and sponsors. This can include note and debt issuances, IPOs and delistings, note programme work, capital raisings and green bonds. This category also includes the related regulatory and contentious work. Public M&A and share purchases do not fall under this category, but under corporate and M&A.

Competition: Work in this area includes cartel investigations and enforcements, follow-on litigation, merger control, abuse of dominant market position, restrictive practices, and state aid.

Corporate and M&A: We would be considering all forms of mergers, acquisitions, buyouts and takeovers, as well as purchases of shares in companies, plus joint ventures, incorporations, and commercial deals (e.g. a distribution agreement or a large outsourcing). Corporate governance would also be covered here. M&A is the key factor for high-end practices.

International trade: Work in this area would include advising on anti-dumping, economic sanctions and trade embargoes, export controls, customs issues and trade remedy proceedings, investigations, international trade agreements, and WTO law.

Investment funds: This section covers the formation and management of investment funds. Regulatory work will also be

important here. The investment activity of private funds – advising a private equity house on the purchase of a company or real estate assets for instance – is not part of this section.

Private equity: We are looking at a firm’s ability to advise on large, high-profile private equity deals. This would include buyout work, secondary buyouts, going-private transactions, portfolio company acquisitions and exits for high-profile houses. We will also be looking at the breadth and market profile of a firm’s client base. Where no separate category exists, we would also be considering venture capital transactions.

Tax: Covers all tax-related legal matters, including advisory work, the tax elements of wider corporate transactions, and tax disputes. Covers all corporate or business taxes, tax planning and trust arrangements for high-net-worth individuals, VAT, customs, and transfer pricing matters.

Dispute resolution

Dispute resolution: arbitration: For this section, we are looking at dispute resolution in arbitration forums for the settlement of commercial disputes. Please note that work as an arbitrator is not considered as part of firm ranking here, but firms can include limited information which will be used to assess the individual’s experience and expertise.

Dispute resolution: litigation: This section considers commercial litigation across a range of industries.

Regional international arbitration: This section acts as an overview of firms’ capabilities in international arbitration across the Asia-Pacific region. This section looks at dispute resolution in arbitration forums for the settlement of investor state arbitration and international commercial arbitration. To the extent that a firm is involved in both, it should aim to highlight its activity in each area. Firms are also encouraged to highlight their international relationships, jurisdictional expertise, language skills within the team, etc. This section will also consider the enforcement of international arbitral awards. This section looks at firms as broader units, and does include members of such affiliates/member firms; some offices may operate with varying degrees of integration, and as such, this section should be read alongside the jurisdiction-by-jurisdiction coverage.

Employment

Labour and employment: This considers a mix of contentious and advisory matters. Work may relate to collective bargaining/actions, whistleblower claims, restrictive covenant disputes, senior executives, pay equity disputes, the employment aspects of transactions, restructuring, and employment-related investigations. Business immigration is also included in this section, where we are ranking firm's ability to advise across the spectrum of an employer's immigration programme, including recruitment, workforce planning, HR policy and global mobility. While firms should demonstrate some evidence of drafting employment agreements and advising on internal employment policies, this should not form the basis of a firm's submission.

Workplace health and safety (WHS): This includes advising employers on safety incidents and fatalities; health and safety prosecutions and work-related coronial inquests. Dealings with unions may also be included. Related regulatory investigations, and compliance reviews are also relevant.

Finance

Banking and finance: Works encompasses the full range of lending and borrowing matters including acquisition, asset, structured and trade finance mandates. Financial services regulatory work can also be included in this section, as can banking litigation and – where a separate section does not exist – fintech, but the focus of this practice area is on mainstream financing.

Restructuring and insolvency: For this area, we are looking at firms acting for all parties involved in insolvencies, bankruptcies, administrations or other distressed financial or business circumstances. Involvement in domestic and cross-border restructuring will also be considered.

Structured finance, derivatives and securitisation: Derivatives and structured products looks at structuring and transactions involving a variety of underlying products (i.e. commodity derivatives, index derivatives, equity derivatives, etc.). Regulatory work may also be of interest in this section. This section is not judged on volume alone; we are interested in recommending the firms handling the most interesting deals with a dominant position in the market, not necessarily the firms handling the most deals. Strong submissions in this section will often be able to show involvement in the most innovative transactions. Firms are also

encouraged to include league table statistics where they think those stats may be beneficial.

Industry focus

Insurance: For this section, we consider both contentious and non-contentious work. The main driver of standout work will be high-stakes litigation. Relevant work includes but is not limited to general/commercial liability claims, D&O disputes, major professional liability disputes, energy-related disputes, and aviation and maritime insurance claims. Non-contentious work would look at a variety of corporate, financing, and commercial transactions for clients in the insurance industry. This section will also consider advice on the regulatory components of the creation of new insurance products.

Life sciences and healthcare: industry focus ranking such as life sciences and healthcare are intended to rank only the firms with dedicated cross-practice teams focused on advising high-profile clients across the sector. Firms must demonstrate that they offer a breadth of advice to clients, including regulatory, IP, transactional, capital markets, compliance, disputes and commercial advice. They are not aimed at firms offering only single practice advice (for example IP/employment/real estate), no matter how strong the client base may be in this sector.

Start-up and venture capital: This section generally includes early or late-stage venture financings, partnerships, commercial, corporate and M&A transactions, IPOs, licensing, tax, data privacy, and regulatory compliance matters. Firms ideally should show good experience in all areas, acting for start-ups, growth companies, individual investors and venture capital funds.

Intellectual property

Intellectual property: Here we would be looking at a firm's ability to cover the full scope of IP work, across all types of IP (patents, trade marks, copyright, designs and digital forms of IP (e.g. software rights). Both contentious and advisory work as well as registration/filing/prosecution should be included as well as anticounterfeiting/anti-piracy work and domain name disputes. Complex work for high-calibre clients will be an advantage.

PATMA: patent and trade mark attorneys: For this ranking, we are looking to assess work carried out by qualified patent and trade mark attorneys or those that are dual qualified attorneys and

lawyers. Typical clients come from wide range of sectors, including pharma, biosimilars, medtech, food & beverage, consumer products, tech, semiconductor, automotive, electronics, retail, luxury and hospitality.

Private client

Private client/Private wealth and family law: This section covers wealth management, divorce, children, international family law, probate and estate management (contentious and non-contentious), tax planning, trust administration, trusts, wills, arts law, and charities and not-for-profit (establishment of charities and foundation issues).

Projects, energy and natural resources

Energy: Work in this area would consider activity in energy-related infrastructure projects, energy financing, licensing transactions, energy-sector M&A and disputes. We would also be looking at regulatory expertise.

Energy and natural resources (transactions and regulatory): Work in this area would consider activity in energy-related infrastructure projects, energy financing, licensing transactions, and energy-sector M&A. We would also be looking for related regulatory expertise.

Project development: This section would take in PPPs, preliminary evaluations, and procurement phases of all manner of projects from social infrastructure developments to large-scale road, rail, and energy projects. This may also include reference to financing and regulatory matters. Design, construction, operation, and maintenance contracts may also be part of the project.

Projects: We are looking at financing, refinancing, development and litigation work. Projects generally covered in this section includes, but are not limited to, pipelines, telecommunications infrastructure, transmission lines, airports, ports and bridges and social infrastructure such as schools, housing, hospitals, roads and rail developments.

Real estate

Construction: This section includes contractual and advisory construction matters, in addition to commercial and residential

property, energy and infrastructure projects, and mixed-use developments. On the contentious side, work ranges from litigation and arbitration to adjudication and mediation, encompassing claims relating to breach of contract, defects, delay and design liability. Leasing and the enforcement of building and development agreements, and tenders are also relevant.

Environment: Work in this area would include environment litigation, advisory and transactional matters. It would also include advice to corporate and financial clients on the environmental aspects of M&A, financings, securities offerings and other transactions that involve due diligence and potential environmental insurance issues.

Real estate: The focus here is on commercial property, namely mixed-use developments; hotel and leisure, and retail and large residential matters. Firms would be expected to be advising on real estate-related M&A, developments, investment, leasing, litigation, and financing.

Risk advisory

Compliance and investigation: This section covers advice on anti-corruption, business ethics, planning and implementing compliance programmes, corporate governance, sanctions compliance and similar matters, including advice on internal investigations in this space.

Data protection and cybersecurity: Work in this area would include data transfer projects, as well as investigations, breaches and cybersecurity issues, contentious and non-contentious work will be considered. While GDPR work is important, it should not form the basis of a firm's submission.

Regulatory - white-collar, compliance and investigations: The content and range of work in this section will vary in different countries, depending on the other practice area sections that are included. For example, financial services regulations may be included here if there is not a separate section for this work. The same could apply to areas such as the regulation of FinTech and securities. Advisory and contentious work relating to government and other regulatory authorities would be included. Anti-corruption work includes bribery, foreign bribery investigations, corruption, money laundering, insider trading, cybercrime, as well as administrative sanctions. It covers criminal and civil cases, compliance and risk assessment and internal audits.

White-collar crime: Firms in this space may be advising on matters relating to offences such as bribery, corruption, money laundering, insider trading, cybercrime, as well as administrative sanctions.

TMT (Technology, media and telecoms)

Fintech: We are currently treating fintech as an industry sector. Work would involve regulatory (including payment services) advice, compliance projects, data security and privacy advice, assistance with smart contracts, advising on e-payment services, and structuring lending platforms, as well as the full range of legal services to fintech companies. Firms should look to demonstrate broad evidence of work on transactions, commercial agreements and outsourcing arrangements for clients including both fintech companies and businesses investing in or working with fintech companies, such as financial institutions and venture capital funds. Regulatory covers both established financial services regulations and emerging areas such as crypto and blockchain.

Fintech and financial services regulatory: This area covers advisory and contentious matters. Investigations by regulatory authorities into banks, other financial entities and insurers are relevant. Submissions could also include internal investigations. Advice may relate to risk products, financial products/new product launches and payment systems together with advising on licensing, and compliance.

Media and entertainment: Work in this space would include corporate transactions in the media or entertainment sectors, both traditional media and new digital media; digital streaming; and related regulatory issues. Defamation cases, reputation management issues, and rights issues should also be included. Content clearance, licensing; digital rights management, data analytics and privacy may also be included.

TMT: The TMT section is an industry-focused section reflecting the full scope of legal services needed by clients, whether it is regulatory (e.g. data privacy law or telecoms tower permits) or general business support. Firms ideally should show good experience in all areas, and showcase their capability in handling both contentious and non-contentious matters. Please see below information which explains what we are looking for each area, however this depends on the market, activities of the firms, and can change each year, and can vary in each jurisdiction we cover in Asia Pacific. Telecoms work would include, e.g., M&A, fixed-line and mobile network expansion, network access, construction of

service centres, mass customer debt recovery, outsourcing. Media work covers publishing, newspapers, television and radio, online – such as copyright, royalties, plagiarism, defamation, authorial and printing or distribution agreements new content development, broadcasting rights agreements etc. Technology would cover IT hardware and software, online issues (data protection, data privacy, network access rights, e-payment systems) but also could extend to life sciences (pharma and medical devices) technology and related needs (e.g. IP rights matters or R&D centre development).

Transport

Aviation: For this section, work may include regulatory work for airlines and airports, non-insurance related contentious matters concerning the activities of aviation sector entities, commercial transactions and aircraft financing.

Shipping: For this section, work may include collision, damage, loss, cargo claims, charter party and bills of lading disputes, other shipping-related disputes, shipbuilding, ship sale and purchase, and ship financing.

Transport: This section considers aviation, rail, road and shipping. We are looking at regulatory work, litigation, transport-related financing, and corporate and commercial transactions in this space.