

The Dragon Path Training Program

For International Legal
and Business Professionals

Tour Itinerary & Training Sessions in
Guangzhou, China | February 9-16, 2025



"A pathway to transformation
in international business and
dispute resolution, with
specialized training and visits
to China's leading institutions."



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Shenzhen Court of International Arbitration (SCIA)



In the rapidly evolving landscape of international trade, familiarity with global legal and commercial systems, particularly those of China, is of paramount importance. The Dragon Path training program, with its unique design and specialized content, offers a rare opportunity for distinguished lawyers, legal advisors, and senior executives to enhance their knowledge and skills in international commercial law and arbitration at the heart of China's economic hub.

This program is jointly designed and conducted by a collaboration between three renowned organizations: WINUP, CHIN NEGUAR, and "SIASSI McCUNN BUSARD Avocats & Solicitors (SMB Law)", each bringing distinct expertise to the table. WINUP with its extensive experience in human resource management, CHIN NEGUAR as a think-tank with its unique knowledge in China's role as an economic superpower, and SMB Law as a Swiss based law firm with its stellar track record in handling complex international cases, together provide an ideal platform for advancing the expertise of Iranian legal professionals in this specialized field. The Program also blends specialized training with practical visits to judicial and commercial institutions in China, acquainting participants with the latest legal processes and principles of international contract drafting. The Dragon Path presents a unique opportunity to directly experience China's legal and commercial environment, enabling you to make more strategic and informed decisions in the realm of international business and trade

About the program



Guangzhou City, China

Tour Duration: 8 Days
Destination: Guangzhou, China
Date: February 9-16, 2025
Flights: MahanAir or Emirates
Accommodation: Luxury 5-star hotels
Options:
Four Seasons Hotel Guangzhou
The Ritz-Carlton Guangzhou, Mandarin
Oriental Guangzhou

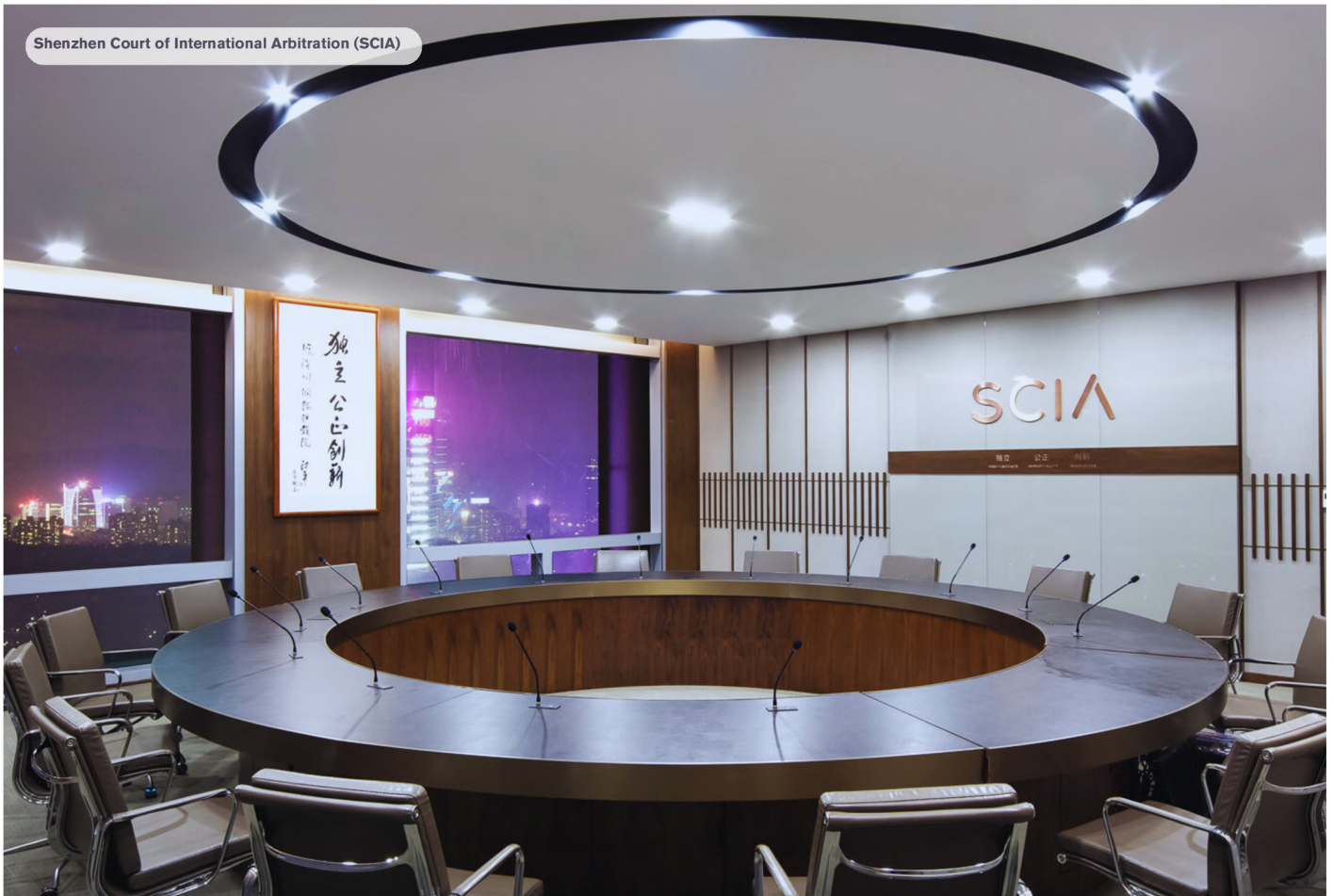
LEGAL TRAINING PROGRAM ITINERARY IN GUANGZHOU, CHINA



During this exceptional eight-day tour, participants will not only benefit from exclusive and specialized training sessions but will also have unique opportunities to gain insight into the legal and economic frameworks of Guangzhou, one of the most dynamic and rapidly growing cities in China. This program is meticulously designed to integrate specialized education, professional experience exchange, and cultural and commercial visits. All visits and transportation will be conducted using private vehicles, accompanied by experienced guides, ensuring a seamless and comfortable experience for all participants.

Training Sessions Venue
King Bridge Law Firm
Floors 24-26, G Tower, GT Land Plaza

This training tour is a unique combination of specialized legal sessions and professional as well as cultural visits, specifically designed for the country's top legal professionals. In addition to gaining academic and specialized knowledge, participants will have the opportunity to experience the modern and luxurious ambiance of Guangzhou, a city renowned as one of China's leading trade and economic hubs.



Objectives and Outcomes

This specialized program focuses on critical issues in international arbitration and commercial contracts, offering participants a unique opportunity to gain in-depth knowledge and practical skills in legal and commercial interactions with China. By participating in this program, you will become proficient in advanced principles of international business and trade law, and international dispute resolution and arbitration.

The key objectives of this Program include:

1. **Enhancing Legal Knowledge in International Arbitration:** Understanding arbitration processes and mechanisms for resolving international disputes through institutions such as the Guangzhou Arbitration Commission and the Shenzhen International Court.
2. **Familiarity with China's Legal System in International Trade:** Learning how to implement China's commercial laws and adapting to the legal and judicial frameworks related to international trade and dispute resolution.
3. **Developing Practical Skills in Addressing Legal Challenges:** Participants will gain the necessary skills for resolving commercial disputes and adapting to international legal systems by analyzing real-world cases and engaging in training sessions.
4. **Building a Network of Legal and Commercial Experts:** This Program provides an excellent opportunity for networking and exchanging ideas with other leading professionals in the fields of international law and trade.





PROGRAM STRUCTURE AND EDUCATIONAL CONTENT

Daily Schedule

Mornings

Specialized training sessions will be held from 8:00 AM to 12:00 PM, covering topics such as international arbitration, Chinese commercial laws, and dispute resolution strategies.

Afternoons

Afternoon visits to legal and commercial institutions in China will take place from 1:00 PM to 7:00 PM. These visits include trips to venues like the Guangzhou Arbitration Commission, Guangzhou Maritime Court, and the Shenzhen International Court.



Program Structure

► Duration

This 8-day program will take place from February 9 to 16, covering a full week of activities. It includes morning educational sessions and afternoon field visits.

► Venue

All educational sessions will be held at the prestigious King Bridge Law Firm located in the Tianhe district of Guangzhou, which is recognized as one of China's leading legal institutions.

► Accommodation and Transportation

Participants will stay at a 5-star hotel near the training venue, and all local transportation, including site visits and field tours, will be coordinated by experienced local guides to ensure a seamless experience.



DAY ONE: INTRODUCTION AND OVERVIEW OF IRAN-CHINA BILATERAL LEGAL SYSTEM

On the first day of the program, the main focus will be on familiarizing participants with international legal frameworks, China's legal system, and the bilateral legal system between Iran and China. The day will begin with key topics on international trade law and proceed to a detailed analysis of legal and judicial cooperation between Iran and China.

Introduction

- **Internationalization and International Business Law:** An introduction to the concept of internationalization and the fundamentals of international trade law, outlining the legal requirements and frameworks governing global economic and commercial collaborations.
- **Overview of the Chinese Legal System:** An in-depth look into China's legal structure, divided into three main areas:
 - **Legislation:** An examination of how laws are formulated in China and the role of legislative bodies.
 - **Justice and Court System:** An overview of the Chinese judicial system and its operational framework.
 - **International Commercial and Business Laws:** Laws governing international trade and commercial relations in China.

Bilateral Legal Framework between Iran and China

- **Iran-China 25-Year Comprehensive Strategic Partnership Agreement:** Analysis of this strategic partnership and its implications for legal and commercial cooperation between the two nations.
- **Iran and China's Role in International Organizations:**
 - **Shanghai Cooperation Organization (SCO):** The role of this organization in enhancing legal and commercial cooperation between Iran and China.
 - **BRICS:** An analysis of Iran and China's positions within international economic and legal collaborations.
- **Bilateral Agreements between Iran and China:**
 - **Bilateral Investment Treaty:** Examination of joint investment conditions and legal protections.
 - **Double Taxation Avoidance Treaty:** Implementation and benefits of this treaty for economic stakeholders.
- **Legal and Judicial Treaties:**
 - **Judicial Assistance Treaty between Iran and China:** Examination of judicial cooperation and the implementation of this treaty in commercial and legal cases.
 - **New York Convention:** Its impact on the enforcement of international arbitration between Iran and China.
- **International Sanctions and China:** Analysis of China's compliance with international sanctions (UN, EU, USA) and their impact on Iran-China legal and commercial relations.



DAY TWO: FOREIGN DIRECT INVESTMENT (FDI) LAWS AND CORPORATE STRUCTURES IN CHINA

On the second day, the focus will be on key regulations governing Foreign Direct Investment (FDI) in China. Participants will gain insights into the legal and corporate frameworks available to foreign investors, specifically those related to Iranian investments in China, including the procedures for setting up and managing businesses. Additionally, issues related to profit and capital repatriation will be examined.

China's Key Investment Regulations:

This section will introduce the fundamental laws governing foreign investment in China:

- Foreign Investment Law (2019)
- Catalogue of Industries for Encouraging Foreign Investment
- Negative List for Foreign Investment (Restrictions)
- Security Review Measures for Foreign Investments
- Anti-Monopoly Laws
- Foreign Exchange Management Regulations

Key Regulatory Bodies:

- Ministry of Commerce (MOFCOM)
- General Administration of Customs (GAC)
- State Administration of Foreign Exchange (SAFE)



Legal Framework and Corporate Structures for Iranian Investors

Legal Framework for Iranian Investors:

This segment will cover the legal considerations specifically for Iranian investments in China:

- China-Iran Bilateral Investment Treaty
- Sanctions Compliance and Legal Adaptation
- Industry-Specific Compliance Requirements

Corporate Structures for Iranian Investors in China:

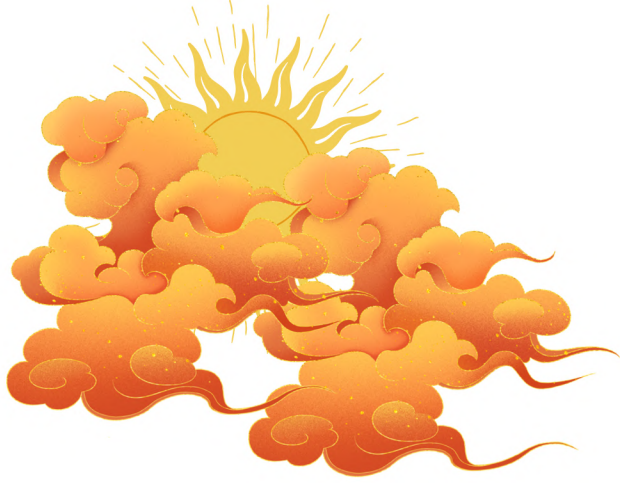
Participants will explore various corporate structures available for investors in China:

- Wholly Foreign-Owned Enterprises (WFOE)
- Joint Ventures (JV)
- Representative Offices (RO)
- Foreign-Invested Partnership Enterprises (FIPE)
- Pre-establishment and Licensing Requirements
- Minimum Capital Requirements and Financing Options

Profit and Capital Repatriation:

- Foreign Exchange Controls
- Profit Distribution Methods
- Capital Restructuring and Adjustments





DAY THREE: NEGOTIATING AND DRAFTING INTERNATIONAL CONTRACTS WITH CHINESE ENTITIES

Day Three focuses on the principles and skills required to negotiate and draft international contracts with Chinese companies and entities. Participants will gain a comprehensive understanding of key Chinese contract laws, types of contracts, and practical considerations that are essential in international negotiations and contract drafting.

Contract Laws and Types

Overview of Chinese Contract Law

This section provides a general introduction to Chinese contract laws and their application in international transactions.

Types of Contracts

Participants will explore the various types of contracts commonly used in international transactions with Chinese entities:

- Sales Contracts
- Original Equipment Manufacturer (OEM) Contracts
- Construction Contracts
- Agency Agreements
- Partnership Agreements
- Fabrication Contracts



Remote Contracts and Additional Considerations

- Electronic and Remote Contracting
- Know-Your-Client (KYC) Processes
- Common Pitfalls and Mitigation Strategies



Practical Considerations

Key Considerations in Drafting International Contracts

Participants will be introduced to essential aspects of drafting international contracts:

- Ownership, Risk, and Delivery Terms (INCOTERMS)
- Pricing and Payment Terms:
 - Different pricing models
 - Base currency and payment currency
 - Managing exchange rate risks
 - Down payments and payment guarantees
- Termination Clauses
- Force Majeure Clauses
- Choice of Governing Law:
 - Chinese law
 - Iranian law
 - Neutral laws (e.g., English law)
 - International conventions (e.g., CISG)
 - Partial choice of law and legal fragmentation
- Sanctions Risk Mitigation Clauses
- Language and Translation Issues



International Commercial Arbitration

Participants will gain insights into the international arbitration process:

- Enforceability of arbitral awards under the New York Convention
- Enforceability of tribunal orders, interim measures, and injunctions
- Reputable Chinese arbitration institutions
- Reputable Iranian arbitration institutions
- Third-country arbitration institutions suitable for disputes between Iranian and Chinese entities
- Drafting effective arbitration clauses:
 - Essential elements: amicable negotiation and timing, choice of institutional or ad hoc arbitration, arbitration rules, seat of arbitration, language of proceedings, number and selection of arbitrators
 - Optional elements: document production, confidentiality, cost allocation
 - Multi-tiered dispute resolution clauses

DAY FOUR: DISPUTE RESOLUTION AND INTERNATIONAL ARBITRATION

Day Four focuses on methods of commercial dispute resolution and international arbitration. Participants will learn about the factors influencing the choice of dispute resolution methods, litigation procedures in local courts, and the advantages and disadvantages of international arbitration.

Factors Influencing the Choice of Dispute Resolution

In this section, participants will explore key factors that impact the selection of dispute resolution methods:

- Enforceability of judgments and awards
- Legal environment
- Confidentiality concerns
- Costs and time considerations
- Expertise of decision-makers

Litigation in Local Courts

This section covers the procedures for handling disputes in local courts in China and Iran:

- Enforceability of court judgments under the Iran-China Judicial Assistance Treaty
- Enforceability of court orders, interim measures, and injunctions
- Pros and cons of choosing litigation in local courts
- Drafting an effective forum clause to determine court jurisdiction



Mediation and Conciliation

- Mediation and conciliation will be examined as alternative methods for dispute resolution.

Investment Disputes and the Iran-China Bilateral Investment Treaty

- An exploration of investment disputes and the conditions under the bilateral investment treaty between Iran and China.



DAY FIVE: INDUSTRIAL PROPERTY PROTECTION SYSTEM IN CHINA



Day Five focuses on the industrial property protection system and intellectual property (IP) rights in China. Participants will become familiar with the key laws and regulations related to the registration and protection of patents, trademarks, and trade secrets in China.

Overview of China's Intellectual Property Protection System

This section provides a comprehensive introduction to **China's main laws and regulations on IP protection:**

- Patent Laws and Regulations
- Trademark Laws and Regulations
- Anti-Unfair Competition Law
- Relevant International Conventions:
 - Patent Cooperation Treaty (PCT)
 - Trade-Related Aspects of Intellectual Property Rights (TRIPS)
 - Paris and Madrid Conventions

Key Governmental Bodies:

- China National Intellectual Property Administration (CNIPA)
- National Copyright Administration of China (NCAC)
- State Administration for Market Regulation (SAMR)

Judicial System for Intellectual Property:

- Specialized IP Courts in Beijing, Shanghai, and Guangzhou
- IP Tribunals in intermediate courts across the country
- Supreme Court's specialized IP Tribunal for appeals

Patent Registration and Protection

This section covers the laws and procedures for patent registration in China:

- Types of Patents: Invention patents, utility models, and design patents
- First-to-File System in China

Trademarks and Trade Secrets

Trademark Protection:

- Registration-based trademark system
- Unlimited renewability of trademark protection

Trade Secrets and Know-how:

- Understanding the protection of trade secrets and proprietary knowledge in China

Enforcement of IP Rights and Recent Developments

- Implementation of IP laws and protection of registered rights holders
- Recent updates and changes in IP laws and regulations
- Examination of technology transfer trends and the process of drafting related agreements





DAY SIX: FINANCIAL AND BANKING REGULATIONS IN CHINA

Day Six focuses on the legal frameworks and regulations governing the financial and banking sector in China. Participants will gain insights into key banking laws, foreign exchange controls, anti-money laundering measures, and the latest developments in China's financial and banking landscape.

Regulatory Framework

- People's Bank of China (PBOC)
- China Banking and Insurance Regulatory Commission (CBIRC)
- China Securities Regulatory Commission (CSRC)

Banking Sector Regulations

- Commercial Banking Law
- Foreign Bank Management Regulations
- Implementation of Basel III in China
- Securities Law and foreign investment in Chinese securities markets

Foreign Exchange Controls

- Regulations by the State Administration of Foreign Exchange (SAFE)
- Restrictions on capital inflows and outflows
- Internationalization of the Renminbi (RMB) and offshore RMB markets

Anti-Money Laundering (AML) and Counter-Terrorist Financing (CTF)

- Anti-Money Laundering laws and regulations
- Know-Your-Customer (KYC) requirements
- Reporting obligations for financial institutions

Fintech and Digital Finance Regulations

- Regulations on online lending platforms
- Cryptocurrency and blockchain regulations

Cross-border Financial Transactions

- Rules for cross-border lending and borrowing
- Foreign Direct Investment (FDI) in financial sectors
- Repatriation of profits and dividend distribution



Recent Regulatory Developments

- Opening up of China's financial markets to foreign investors
- Green finance initiatives

Penalties and Enforcement

- Administrative penalties for regulatory violations
- Criminal liabilities in financial crimes
- Inspection and investigation procedures by regulatory bodies





DAY SEVEN: TAXATION AND IMPORT/EXPORT REGULATIONS IN CHINA

Day Seven focuses on the taxation and import/export regulations in China. Participants will gain insights into corporate tax laws, import/export regulations, and the benefits of Special Economic Zones (SEZs) and Free Trade Zones (FTZs) in China.

Taxation Regulations in China

- Corporate Income Tax
- Value-Added Tax (VAT)
- Withholding Tax on Dividends and Royalties
- Double Taxation Avoidance Treaty between Iran and China

Key Import Regulations in China

Participants will learn about the most important laws and regulations governing imports into China:

- Import Licensing and Quotas
- Prohibited and Restricted Imports
- Customs Valuation and Classification
- Import Duties and Taxes:
 - Most Favored Nation (MFN) Rates
 - Preferential Rates under Trade Agreements
- VAT and Consumption Tax on Imports
- Shipping and Storage of Goods in Chinese Ports

SEZs and FTZs in China

Participants will explore the benefits and specific regulations of Special Economic Zones and Free Trade Zones for Iranian businesses:

- Special Benefits for Iranian Businesses
- Specific Regulations in SEZs and FTZs

Key Export Regulations in china

This section examines the export regulations in China, including:

- Export Licensing and Quotas
- Prohibited and Restricted Exports
- Export Duties and Taxes
- Export Incentives and Rebates





VISITS PROGRAM



Tour of Qianhai Free Trade Zone

The visit to the Qianhai Free Trade Zone will include a meeting with the zone's management and experts. Participants will gain an understanding of the legal support framework, benefits, and policies available in this zone, which are highly relevant for lawyers and business professionals.



Guangzhou Arbitration Commission

Visit to the Iranian Consulate in Guangzhou

During this visit, participants will have the opportunity to meet with the Consul General and the legal and commercial teams of the consulate. Experts from the consulate will provide valuable information regarding the services and support available to Iranian traders and businesses, offering insights to the lawyers attending the tour.



Qianhai Free Trade Zone

Visit to Guangzhou Arbitration Commission or Shenzhen Arbitration Court

This visit will feature a session with a team of experts specializing in international commercial arbitration. Participants will have the opportunity to engage in Q&A sessions to gain a deeper understanding of arbitration processes. Additionally, training sessions on resolving international commercial disputes may also be organized.

Visit to Guangzhou Intellectual Property Court

This visit offers participants the chance to meet with judges specializing in intellectual property law and to become familiar with China's IP regulations. Training sessions focused on intellectual property rights will also be considered as part of the program.



Visit to Guangzhou Bar Association

Participants will get the chance to connect with the International Lawyers Association involved in the "Belt and Road" megaproject. This visit will provide networking opportunities and facilitate the exchange of information between Iranian and Chinese lawyers, enhancing the legal knowledge of the participants in this field.

Free Time for Participants

Throughout the tour, designated free time will be allocated for participants to enjoy the attractions of Guangzhou according to their personal interests. This is an excellent opportunity to relax, explore modern shopping centers and local markets, visit historical and cultural sites, or enjoy dining in local and international restaurants. Participants can make the most of their free time to experience the dynamic and vibrant city in their own unique way.



REGISTRATION AND CONTACT INFORMATION



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