



## Takuto Hashimoto

Advisor

New York

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Takuto is a Foreign Legal Advisor in Winston's New York office with experience representing clients in a variety of litigation and international arbitration matters under Japanese law. Takuto has also provided many clients in the entertainment industry with legal advice on copyright law, trademark law, privacy rights, publicity rights, and other issues. In addition, Takuto has extensive experience advising clients involved in cutting-edge technologies, such as AI, on intellectual property law and data privacy law.

Takuto has experience representing international corporate clients in litigation and international arbitration, intellectual property law, data privacy matters, as well as other corporate work. He comes to Winston from Momo-o, Matsuo & Namba, a Japanese law firm in Tokyo.

Takuto's litigation experience extends across complex litigations, derivative lawsuits, securities and financial reporting, product liability, construction, and breach of contract disputes, as well as international arbitration. His clients include individuals and corporations in the entertainment, pharmaceutical, manufacturing, and consumer goods industries.

Takuto also assists clients in the entertainment industry on intellectual property issues, especially concerning copyright law, trademark law, privacy rights, and publicity rights. In this space, Takuto has advised world-renowned

artists for merchandising license agreements for their famous characters, and entertainment agencies for various agreements related to advertising performance of their performers.

Takuto has advised clients on projects involving AI systems to ensure compliance with relevant laws and regulations, including the Personal Information Protection Law and Ministry of Health guidelines. Takuto also structured the client's relationship with the co-development partner to ensure that the client obtained appropriate interest.

## Key Matters

### **Litigation/International Arbitration**

- Represented eight former directors of a global manufacturing company in one of the largest shareholder derivative suits in Japan (decided in March 2023 and still pending in the court of appeal). Made continuous research on GAAP in the US and Japanese GAAP.
- Represented a large vacuum cleaner distributor in Japan in a product liability lawsuit in which the client faced claims for damages due to defects in its batteries. Negotiated with the battery manufacturer in the U.K. on behalf of the client for damages based on product liability (settled in favor of the client).
- Represented a food processing company in Japan in a construction lawsuit in which the client refuted claims for payment for approximately 50 additional change works by the constructor of the food processing plant and counterclaimed to repair several defects in the plant (settled in favor of the client).
- Represented a Japanese company engaged in the solar energy business which was deceived and deprived of the ownership of lots of solar power project sites by a third party; filed provisional dispositions and lawsuits for transfer of the ownership of the sites against the third party.
- Advised one of the world's largest pharmaceutical companies in an ICC international arbitration in London regarding a patent license fee dispute where the violation of competition law was at issue.

### **Intellectual Property Law**

- Provided the client, a global pharmaceutical company, advice in a case in which an ex-employee asserted claims against the client for more remuneration for patents and know-how he had invented.
- Examined patent infringements and negotiated settlements for such infringement claims.
- Negotiated and drafted agreements related to intellectual property rights, especially in the fields of art, music, and other entertainments, such as merchandising license agreements for work by a world-renowned artist and agreements related to advertising performance of models and performers belonging to a famous entertainment agency.
- Filed numerous injunctions and claims based on Trademark Act and Unfair Competition Prevention Act in the representation of global fashion brand, and advised clients on actions to be taken.

### **Other Corporate Work**

- Advised a global pharmaceutical company on projects to develop applications that will help assess, educate and reduce human health risks with AI systems; prepared various contracts and documents including English documentation; ensured compliance with relevant laws and regulations (personal information laws, Ministry of Health guidelines, etc.).

- Conducted annual audits of a collaborative research project on regenerative medicine between one of the Japanese largest pharmaceutical companies and a renowned national university research institute to investigate possible fraud.
- Worked on a replacement project for several hydroelectric power plants of a major Japanese electric power company; assisted in the establishment of the special purpose company; reviewed various documents such as lease agreements for plant sites, construction management agreements, etc.
- Engaged in dissolution, liquidation, and special liquidation proceedings of companies, including a Japanese subsidiary of an international company consisting of world-renowned artists which required communications with the international office in English.
- Assisted various companies on M&A transactions, including the transfer of a rapidly growing domestic apparel brand business by a combination of incorporation-type company split and stock transfer.
- Reviewed numerous contracts to ensure compliance with competition laws, especially the Act against Delay in Payment of Subcontract Proceeds, etc. to Subcontractors.

## Recognitions

Certificate of Specialization - LL.M. Media, Entertainment, Technology, and Sports Law and Policy (The University of California, Los Angeles, School of Law)

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## Activities

The Dai-ichi Tokyo Bar Association

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## Credentials

### EDUCATION

Takuto received his LL.B. from Hitotsubashi University in Tokyo, Japan. He earned a certificate from The Legal Training and Research Institute of the Supreme Court of Japan in Saitama, Japan, and received his LL.M. from the University of California, Los Angeles. Takuto is admitted to practice law in Japan and holds membership in the Dai-ichi Tokyo Bar Association.

## Related Insights & News

- *Financing for Venture Companies—Chapter VII (Crowdfunding)*, Shojihomu, Co-author in Japanese, 2019
- *Q&A on the Practice of Corporate Information Management*, Shinnihon-hoki, Addition/Deletion style, Co-author in Japanese, 2018
- *Corporate Troubleshooting Boilerplates*, Shinnihon-hoki (continuous revision), Addition/Deletion style, Co-author in Japanese, 2018-2021

# Capabilities

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Litigation/Trials

International Arbitration

Intellectual Property

Corporate Governance

Mergers & Acquisitions

Privacy & Data Security

Media & Entertainment

Technology, Media & Telecommunications

Health Care