

Guanghai JIN Partner

Dispute Resolution | Regulatory and Compliance Special Assets, Restructuring and Insolvency



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Guanghai JIN is a partner at Beijing Merits & Tree Law Offices. Prior to joining Merits & Tree Law Offices, Mr.Jin worked at a top-tier Red Circle law firm for many years.

Mr.Jin has been specializing in commercial litigation and arbitration for over 15 years. Based on accurate legal judgment, he can tailor practical and efficient multi-level solutions for clients according to their needs and the actual situation of the cases, maximizing the protection of the legitimate rights and interests of the parties. Mr.Jin has represented numerous commercial litigation, arbitration, and enforcement cases in the Supreme People's Court, high courts in various regions, multiple local courts across the country, and several arbitration institutions. Among them, there are many major, difficult, and complex cases, and he has achieved excellent representation results. In particular, he has accumulated rich experience in investment and financing disputes such as performance compensation, valuation adjustment mechanisms, repurchases, and differential compensation, disputes over cooperative real estate development, disputes over the control of listed companies, and disputes involving the intersection of criminal and civil matters.

Achievements

Financing and Investment Disputes

- Represented six major shareholders of a listed company in a corporate capital increase dispute case with a subject amount of approximately 2.6 billion yuan arising from performance compensation at the Beijing High - level People's Court. This case involved complex procedures such as major asset restructuring of the listed company, performance compensation, impairment compensation, and evidence collection abroad. The main litigation requests of the opposing party were rejected, and huge losses were avoided for the client.
- Represented Karamay Zhongjiayingda Equity Investment Partnership (Limited Partnership) in a corporate capital increase dispute case with a subject amount of approximately 500 million yuan arising from share repurchase at the Beijing High - level People's Court. The case involved a natural person and Qinghai Tongqian Potash Fertilizer Co., Ltd. Through a settlement, all investment funds were recovered for the client.
- Represented China Shipbuilding Finance Co., Ltd. in a performance compensation commitment dispute case with a subject amount of over 160 million yuan at the Beijing No.1 Intermediate People's Court. The defendants included Zhang Yongxia, the heir of the actual controller of Jilin Liyuan Refined Co., Ltd., and other parties. The case achieved a complete victory.
- Represented an asset management company in a dispute case arising from a creditor's rights investment plan involving a financing entity and others. Through settlement, all funds were retrieved for the client.
- Represented a state - owned - backed venture capital center in an equity buy - back dispute case with a subject amount of over 27 million yuan against a technology company and its actual controller at the Beijing Arbitration Commission. Successfully forced the other party to reach a settlement and take the initiative to perform, achieving a result satisfactory to the client.
- Represented a leasing company in a capital increase contract dispute case arising from equity buy - back with a subject amount of approximately 320 million yuan against a wholly - owned subsidiary of a listed company at the Beijing Arbitration Commission, and obtained a complete victory in the arbitration award.
- Represented a group corporation in an equity buy - back dispute case against a certain center in Chongqing at the Beijing Arbitration Commission, obtained a complete victory in the arbitration award and reached an enforcement settlement.
- Represented an investment company in an equity buy - back dispute regarding a real - estate project with a subject amount of over 600 million yuan against two companies at the China International Economic and Trade Arbitration Commission.
- Represented a state - owned enterprise and its subsidiary in a performance compensation and equity buy - back dispute case with a subject amount of approximately 25 million yuan against a technology company in Beijing and other parties arising from equity buy - back, etc. at the China International Economic and Trade Arbitration Commission, and obtained a complete victory in the arbitration award.
- Represented a well - known investment fund in an equity buy - back, partnership property share buy - back and performance compensation dispute case with a subject amount of over 130 million yuan against a technology company in Beijing and its actual controller, Mr. Wu, at the China International Economic and Trade Arbitration Commission.
- Represented a well - known investment fund in an equity buy - back and performance compensation dispute case with a subject amount of over 60 million yuan against two natural persons at the China International Economic and Trade Arbitration Commission.
- Represented an investment company in an equity buy - back dispute regarding a real - estate project with a subject amount of approximately 30 million yuan against two companies at the Shenzhen International Arbitration Court.

Real Estate Development, and Related Disputes

- Represented Changsha Zhongzhu Zhaojia Real Estate Development Co., Ltd. and Zhongzhu Real Estate Development Co., Ltd. in a retrial case of a demolition agreement dispute with a subject amount of approximately 70 million yuan arising from the joint - venture and cooperative development of real estate against Hunan Huaxia Investment Group Co., Ltd. at the Supreme People's Court. Despite losing in both the first - instance and second - instance trials, the case was successfully brought for retrial and a victory was achieved, obtaining approximately 50 million yuan in compensation for the client.
- Represented a property - buying company in a shareholder - capital - contribution dispute case arising from joint - venture and cooperative real - estate development between it and a subsidiary company of a central - enterprise at the Supreme People's Court.
- Represented a natural person in a contract - dispute case regarding cooperative real - estate development with a real - estate development company at the Supreme People's Court and the Guangxi Zhuang Autonomous Region High - level People's Court.
- Represented a natural person in a retrial case of a contract dispute regarding joint - venture and cooperative real - estate development involving this natural person and two other natural persons at the Supreme People's Court.

Infrastructure Related Disputes

- Represented Jinchuan Yangjiawan Hydropower Co., Ltd. in a dispute case over the entrustment contract with Sichuan Huiyuan Energy Co., Ltd. and Huiyuan Group Co., Ltd. involving a hydropower station at the Supreme People's Court and the Higher People's Court of Sichuan Province. The amount in controversy was approximately 100 million yuan. Victories were achieved in the first - instance, second - instance, and retrial judgments and rulings.
- Represented a mainland company and a Hong Kong company in a contract dispute case involving a toll station and highway toll - collection rights against a certain municipal government department at the Supreme People's Court and the Higher People's Court of Hebei Province. The amount in controversy was approximately 400 million yuan.
- Represented a subsidiary of a central enterprise and a well - known enterprise group in a BT contract dispute case involving a certain highway against a local management committee and a local investment platform at the China International Economic and Trade Arbitration Commission. The amount in controversy was approximately 1.8 billion yuan.
- Provided litigation and non - litigation special legal services to an investment company regarding disputes such as the transfer of toll - collection rights arising from its investment in a certain expressway in Yunnan.

Other Commercial Dispute

- Represented Fujian Rare Earth (Group) Co., Ltd. in the second - instance and retrial review cases of a contract dispute with a subject amount of approximately 1 billion yuan against Xiushui Jutong Investment Holding Co., Ltd. and the third - party Jiangxi Jutong Industrial Co., Ltd. at the Supreme People's Court, achieving a complete victory. This case was the first time that the Supreme People's Court recognized the validity of the ownership - type liquidation - type equity transfer guarantee in the form of a judgment. The second - instance judgment of this case was cited in "Understanding and Application of the Minutes of the National Court Civil and Commercial Trial Work Conference" compiled by the Second Civil Division of the Supreme People's Court.
- Represented Guangdong Anhua Meibo Real Estate Group Co., Ltd. in a share - transfer contract dispute case with a subject amount of approximately 1 billion yuan against Yihe Yinfeng Industrial Co., Ltd. and other parties at the Supreme People's Court. Through settlement, hundreds of millions of yuan in losses were recovered for the client.
- Represented a natural person from the United States and a resident of Taiwan region in a principal - agent contract dispute case regarding the proxy holding of listed - company stocks with a subject amount of approximately 550 million yuan against a domestic company and other parties at the Supreme People's Court and the Hainan Provincial High - level People's Court. Forced the other party to accept mediation and take the initiative to perform, successfully recovering huge investment returns for the client.
- Represented Guangdong Power Grid Co., Ltd. in a retrial case of a power - supply contract dispute with a subject amount of approximately 300 million yuan against Jieyang Luyuan Co., Ltd. and other parties at the Supreme People's Court. Recovered nearly 100 million yuan in direct losses and billions of yuan in indirect losses for the client.
- Represented a well - known battery R & D and manufacturer in an infringement of invention patent rights dispute case against an automobile and battery manufacturing company at the Supreme People's Court and the Beijing Intellectual Property Court.
- Represented Sanya Phoenix Island Development Co., Ltd. in a retrial case of a housing sales contract dispute against a natural person at the Supreme People's Court. Despite losing in both the first - instance and second - instance trials, the case was successfully brought for retrial, and the client's interests were safeguarded through settlement.
- Represented a natural person, Lv, in a retrial case of a partnership agreement dispute against natural persons Liu, Inner Mongolia Jinze Coal Industry Co., Ltd., and Dalian Jinze Mining Co., Ltd. at the Supreme People's Court. Through retrial, the client's partnership share was successfully confirmed.
- Represented Chengdu Shuangliu Financial Investment Co., Ltd. in a retrial case of a loan contract dispute with a subject amount of over 100 million yuan against Sichuan Hongwei Pharmaceutical Co., Ltd. at the Supreme People's Court, ultimately achieving the client's main entrustment goals.
- Represented a local state - owned asset platform company as the transferee in a property damage compensation dispute case arising from share transfer against the transferor at the Supreme People's Court and the Xinjiang Uygur Autonomous Region High - level People's Court.
- Represented a Shanghai - based investment group in a principal - agent construction contract dispute case against a Shanghai - based town government at the Supreme People's Court.
- Represented a Wenzhou - based real - estate development company in a retrial case of a subscription contract dispute against

multiple home - buyers at the Supreme People's Court.

- Represented a commercial bank in a savings deposit contract dispute case against an asset management company and two other commercial banks at the Supreme People's Court.
- Represented a group in a dispute case of harming the company's interests with a subject amount of approximately 700 million yuan against a natural person and the company controlled by this natural person at the Supreme People's Court and the Beijing High - level People's Court.
- Represented Guangdong Yuecai Investment Holding Co., Ltd. in a loan guarantee contract dispute case with a subject amount of approximately 40 million yuan against Beijing Lizeqiao Jinshan City Chongqing Cuisine Co., Ltd., Beijing Tianfeng Real Estate Development Co., Ltd. and other parties at the Beijing High - level People's Court and the Beijing No.1 Intermediate People's Court, achieving victory and fully recovering the creditor's rights for the client.
- Represented Cinda Financial Leasing Co., Ltd. in a financial lease contract dispute case with a subject amount of over 200 million yuan against Sichuan Deyang Special New Materials Co., Ltd. and other parties at the Beijing High - level People's Court and the Beijing No.2 Intermediate People's Court, obtaining a favorable judgment.
- Represented a certain branch of China Guangfa Bank in a principal - agent contract dispute case with a subject amount of approximately 300 million yuan against an asset management company at the Beijing High - level People's Court and the Beijing No.1 Intermediate People's Court.
- Represented an investment group company in a contract dispute case with a subject amount of approximately 100 million yuan against an institution affiliated with a certain development and reform commission at the Beijing High - level People's Court and the Beijing No.2 Intermediate People's Court.
- Represented Beijing Xihai Longhu Real Estate Co., Ltd. in a retrial case of a housing sales contract dispute against a natural person at the Beijing High - level People's Court, successfully rejecting the other party's retrial application.
- Represented a real - estate development group company and others in a second - instance case of a contract dispute with a subject amount of approximately 100 million yuan against a natural person at the Beijing High - level People's Court.
- Represented Huida Asset Custody Co., Ltd. in a financial loan contract dispute case against Beijing Pinggu District Gold Company and Beijing Gold Company at the Beijing No.2 Intermediate People's Court, obtaining a favorable judgment.
- Represented Beijing Xihai Longhu Real Estate Co., Ltd. in a housing sales contract dispute case against a natural person at the Beijing No.2 Intermediate People's Court, achieving a complete victory.
- Represented Citic Auto Co., Ltd. in a loan contract dispute case with a subject amount of over 300 million yuan against Citic Haoyuan Southern Group Co., Ltd., Dongfang Hongrun Investment Co., Ltd. and other parties at the Beijing No.3 Intermediate People's Court. Through settlement, all creditor's rights were recovered for the client.
- Represented a certain branch of China Guangfa Bank Co., Ltd. in an execution objection dispute case with a subject amount of approximately 1.8 billion yuan at the Beijing No.1 Intermediate People's Court, forcing the execution applicant to withdraw the execution application.
- Represented Beijing Yuhua Investment Co., Ltd. and others in a share - transfer dispute case with a subject amount of approximately 10 million yuan against Tianjin Buynow Electronics Information Co., Ltd. at the Beijing No.1 Intermediate People's Court and the Beijing Changping District People's Court.
- Represented Beijing Kingsoft Cloud Network Technology Co., Ltd. in a contract dispute case involving criminal - civil intersection with a subject amount of approximately 35 million yuan against Wuhan Kain International Health Management Co., Ltd. at the Beijing Haidian District People's Court.
- Represented two natural persons in a private lending dispute case with a subject amount of approximately 5.5 million yuan at the Beijing Xicheng District People's Court.
- Represented the Beijing Branch of Cinda Asset in a financial loan contract dispute case against Beijing Fangshan Gaomo Coal Co., Ltd. at the Beijing Fangshan District People's Court.
- Represented the Beijing Branch of Cinda Asset in a financial loan contract dispute case with a subject amount of approximately 21 million yuan against Beijing Fangshan Yancun Timber Company at the Beijing Fangshan District People's Court.
- Represented a technology company in a case of returning company certificates and licenses dispute against its former actual controller at the Shanghai High - level People's Court, the Shanghai No.1 Intermediate People's Court, and the Shanghai Minhang District People's Court. Obtained favorable judgments in the first - instance, second - instance, and retrial, and the effective judgment has been fully executed.
- Represented a technology company in a case of share - transfer contract termination dispute against an advertising and communication company at the Shanghai No.2 Intermediate People's Court and the Shanghai Huangpu District People's Court.

Obtained a favorable first - instance judgment and successfully forced the other party to withdraw the appeal, achieving the client's business goals.

- Represented a listed company in a case of shareholder qualification confirmation dispute against an investor with an over - proportion shareholding at the Guangdong Provincial High - level People's Court. This case was an important case in the capital market at that time for the listed company to resist the "barbarian" acquisition.
- Represented Zhongheng Construction Group Co., Ltd. in a private lending dispute case against a natural person at the Hebei Provincial High - level People's Court.
- Represented Xianghe Guo'an Construction and Development Co., Ltd. in a construction project contract dispute case with a subject amount of approximately 100 million yuan against Xianghe Zhong'an Construction Co., Ltd. at the Intermediate People's Court of Langfang, Hebei Province. Forced the other party to withdraw the lawsuit voluntarily and accept the client's solution.
- Represented a Shenyang - based insurance company in an unjust enrichment dispute case with a subject amount of approximately 27 million yuan against a Chengdu - based company at the Sichuan Provincial High - level People's Court and the Chengdu Intermediate People's Court, achieving a complete victory and recovering all economic losses for the client.
- Represented Shenzhen Fangda Construction Technology Group Co., Ltd. in a construction project contract dispute case with a subject amount of approximately 17 million yuan against China Telecom Co., Ltd. Chongqing Branch and a natural person, Wang, at the Chongqing High - level People's Court and the Chongqing No.1 Intermediate People's Court, and relieved the client of some economic losses.
- Represented two natural persons in a share - transfer contract dispute case against a Chongqing - based industrial company at the Chongqing No.5 Intermediate People's Court. Through settlement, funds were recovered for the client.
- Represented Changsha Zhaosheng Real Estate Co., Ltd. in a contract dispute case regarding the transfer of the right to use construction land with a subject amount of approximately 466 million yuan against the Changsha Municipal Bureau of Natural Resources at the Hunan Provincial High - level People's Court.
- Represented a company in a share - transfer contract dispute case with a subject amount of approximately 100 million yuan against a natural person and other parties at the Ningxia Hui Autonomous Region High - level People's Court.
- Represented a natural person in a sales contract dispute case against a Ningxia - based chemical industry supply and marketing company and others at the Ningxia Hui Autonomous Region High - level People's Court. Under extremely passive circumstances, forced the other party to accept mediation and the case was closed through mediation.
- Represented Zhanhua Co., Ltd. in a contract for work dispute case with a subject amount of approximately 50 million yuan against Shandong Agricultural Means of Production Co., Ltd. and other parties at the Shandong Provincial High - level People's Court and the Yantai Intermediate People's Court.
- Represented The Bank of East Asia, Limited in a mortgage agreement dispute case with a subject amount of approximately 1 billion yuan against Daya Co., Ltd. at the Dalian Intermediate People's Court.
- Represented Chengdu Commerce Group Co., Ltd. in a Sino - foreign cooperative operation contract dispute case with a subject amount of approximately 200 million yuan against Pacific China Holdings Limited at the China International Economic and Trade Arbitration Commission, achieving a complete victory in the arbitration award and finally recovering the property and occupancy fees for the client.
- Represented a BVI company in a cooperation contract dispute case against a real - estate company at the China International Economic and Trade Arbitration Commission, achieving a complete victory in the arbitration award.

Control Battles of Listed Companies, Securities Compliance, and Routine Legal Services for Financial Institutions

- Provide legal services for multiple listed companies or their actual controllers in a series of disputes over control rights arising from malicious takeovers by "barbarians".
- Provide special legal services for multiple listed companies in the administrative penalty statement and hearing projects by the China Securities Regulatory Commission (CSRC) regarding their suspected illegal and irregular information disclosure.
- Provide special legal services for a listed company and its actual controller in the administrative penalty statement and hearing project by the CSRC for their suspected use of others' accounts to trade securities.
- Provide perennial legal counsel services for Taikang Asset Management Co., Ltd.
- Provide perennial legal counsel services for the Beijing Branch of China Guangfa Bank Co., Ltd.

- Provide special legal consultation services for Guoneng Anshun Power Generation Co., Ltd. on its withdrawal from the invested company.

Honors

- 🏆 2021-2023 The Legal 500 Asia-Pacific Dispute resolution: Litigation: PRC firms - Next Generation Partners
- 🏆 2012 "Advanced Individual in the Beijing Lawyers' Industry for Creating Excellence and Striving for Superiority" awarded jointly by the Beijing Municipal Justice Bureau and the Beijing Lawyers Association

Social Positions

Practicing Off-Campus Mentor of the Legal Master's Education Center, Jilin University of Finance and Economics.

Education

LL.M., Jilin University

Admissions

PRC Bar

Language

Chinese、English