

Jenner & Block Japan Newsletter

Publications

January 2025

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Welcome to the January 2025 edition of the *Jenner & Block Japan Newsletter*, a publication containing updates about legal developments in the United States that may be noteworthy to our clients and other leaders in the Japanese legal and business communities.

Firstly, we would like to highlight our involvement in the California Lawyers Association's upcoming 2025 California International Arbitration Week (March 10-13, 2025). Miwa Shoda is scheduled to speak during the week-long program which will offer a variety of panels and five nights of networking events. Full program details and registration information can be found here – we hope to see you there.

Turning back to the report, our first edition of 2025 covers a range of topical subjects including an examination of President Biden's order which blocked Nippon Steel's proposed acquisition of US Steel, the first time in the history of CFIUS that a US president has blocked a Japanese investment in the United States. We also cover topics of particular interest to employers, including an update to the Federal Trade Commission's rule banning noncompete clauses which is likely to be struck down in the coming months.

This edition also covers several other topics relevant to companies doing business in the United States, including the circumstances around a \$452 million trade secret decision against a South Korean Company, the latest in a long line of large verdicts from US civil juries, and changes to the premerger filings required under the Hart-Scott-Rodino (HSR) Act which impacts any HSR-reportable deals. Also covered are new US state privacy laws, which are set to expand and become more complex in 2025; these new privacy laws will require businesses to conduct additional compliance planning and may impose additional requirements. Additionally, we discuss the newly introduced PREVAIL (Promoting and Respecting Economically Vital American Innovation Leadership) Act which aims to reform rules and procedures at the Patent Trial and Appeal Board, potentially limiting the ability to challenge patents. This is followed by coverage of two major court updates in California and Delaware which will impact e-commerce businesses and stockholder agreements respectively. Finally, we highlight the unexpected burden Russian sanctions have placed on companies involved in disputes with Russian entities.

We hope that you find the information in the *Jenner & Block Japan Newsletter* of interest.

Regards,

The Jenner & Block Team

Articles

CFIUS

Biden Blocks Nippon Steel Deal, but CFIUS Expected to Continue Clearing Japanese Investments in the United States

Noncompete

The Rule Is Dead

Antitrust

New HSR Form and Rules

Ninth Circuit

Ninth Circuit Considers Personal Jurisdiction Over Online Businesses

Corporate

Validity of Stockholder Agreements with Delaware Corporations

Trade Secrets

Substantial Trade Secret Verdicts Continue with \$452 Million Decision Against South Korean Company

Arbitration

The Unintended Consequence of Russian Sanctions

Data Privacy

New US State Privacy Laws Taking Effect in 2025

Patent

PREVAIL Act Advances to the Senate: Potential Implications for Patent Challenges

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