

Jenner & Block Japan Newsletter

Publications

July 2025

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Welcome to the July 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.

This edition of the report covers a wide range of topical legal subjects. It examines developments relating to international arbitration, in particular potential EU law conflicts with global enforcement practices. This is followed by another interesting arbitration development – the US Supreme Court's unanimous ruling that foreign nations cannot invoke heightened jurisdictional standards to avoid arbitration award enforcement.

Two recent cases before the Delaware Court of Chancery are also addressed, including a decision, in which the court refused to modify overbroad noncompete agreements and the court's continued emphasis on contractual freedom in private equity transactions. We then provide an update on trade secret protection requirements following a Tenth Circuit ruling relating to the sufficiency of a trade secret specification. Additionally, we review the significant narrowing of Consumer Financial Protection Bureau activities, new DOJ rules governing sensitive data flows to foreign adversaries, and the evolving landscape of US trademark enforcement abroad following the decision in *Abitron*. Finally, we discuss the Trump administration's renewed openness to merger divestiture remedies and the lifting of the pause on Foreign Corrupt Practices Act enforcement, which comes with new guidelines prioritizing American economic interests.

In addition to these reports on legal developments, we would like to highlight that the Jenner & Block Japan Practice was recently named one of four finalists for the Japan Practice Foreign Law Firm of the Year award at the *Asian Legal Business* 2025 Japan Law Awards. The recognition honors foreign law firms without physical offices in Japan that have demonstrated exceptional legal service and substantial work involving Japanese elements. It was quite an honor to be nominated for the award, and thank you very much for your support.

Finally, we congratulate our Japan Practice Co-Chair, Miwa Shoda, on her inclusion on the *Los Angeles Business Journal's* 2025 Women of Influence list. The accolade recognizes the region's most influential legal professionals who demonstrate exceptional legal skill and achievement across the full spectrum of responsibility.

We hope that you find the information in the *Jenner & Block Japan Newsletter* of interest. We thank you for taking the time to review our publication.

Regards,

The Jenner & Block Team

Articles

Antitrust

Trump Administration Open to Divestiture Remedies

Investigations, Compliance, and Defense

Back in Action: The Trump Administration Lifts "Pause" in Foreign Corrupt Practices Act Enforcement

Data Privacy and Cybersecurity

New Rules for Data Flows Take Effect: What You Need to Know

Trademark

Two Years After Abitron: Navigating the Limits of US Trademark Enforcement Abroad

Corporate

Delaware Court Upholds Contractual Freedom in Dismissal of CityMD Merger Challenge

Corporate

Delaware Court Refuses to Enforce or Modify Overbroad Noncompete in *Cleveland Integrity Services v. Byers*

Arbitration

European Commission Decision at Odds with International Arbitration Practice

Arbitration

US Supreme Court Rejects Heightened Standard for International Arbitration Award

Financial Litigation

Trump Administration Significantly Narrows the Impact of the Consumer Financial Protection Bureau

Trade Secrets

Tenth Circuit Affirms Summary Judgment on Trade Secret Claims in *Double Eagle v. Hooper*

Patent

Two Federal Circuit Decisions Nullify Nine-Figure Damages Awards

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