



資深顧問

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劉昱劭

Sean Y. S. Liu

劉昱劭律師專精於公司商務、科技、公平交易法及公共工程等領域，時常就相關法律爭議，包括協助客戶談判、和解、出庭或仲裁。憑藉對科技、商務等領域的深入理解，劉昱劭律師經常為客戶提供關於電子商務、第三方支付、區塊鏈及數位資產法律議題、資訊安全、個資保護、技術合作與授權等科技法律領域的建議。

在法律業務外，劉昱劭律師時常參與就公共議題發表文章及參與公眾討論，特別是關於金融科技、區塊鏈、數位資產或新創募資等領域。

專業資格

2001 年取得中華民國律師資格

學歷

- 美國密西根大學法學院 法學碩士 (2009)
- 國立政治大學法律研究所 法學碩士 (2005)
- 國立政治大學法律系 法學士 (1999)

經歷

- 理慈國際科技法律事務所 律師 (2009-迄今)
- 宏鑑法律事務所 律師 (2005-2007)
- 碩成國際法律事務所 律師 (2001-2003)

專門領域

- 營業秘密保護、區塊鏈及數位資產、資訊安全、個資保護等科技法律問題
- 公司募資、併購、合資、研發、授權、採購、經銷、代理等法律問題
- 聯合行為、不正競爭等公平交易法問題
- 工程、政府採購及民間參與公共建設相關法律問題

主要辦案經驗

- 營業秘密侵害、區塊鏈及數位資產、資訊安全等科技法律問題
 - 為數家新創或科技公司就區塊鏈相關業務提供法律意見及撰擬合約
 - 代表半導體製造 (COF、凸塊、封裝等) 公司處理營業秘密相關法律爭議
 - 為多家公司就網路資訊安全及個人資料保護提供法律意見及處理相關法律爭議
- 公司募資、併購、合資、研發、授權、採購、經銷、代理等法律問題
 - 代表私募基金公司解決與其投資人間之投資糾紛
 - 為公開發行之科技公司大股東提供公開收購事宜之法律意見
 - 代表私募基金辦理與電視公司股份出售之相關民事訴訟及定暫時狀態處分事件
 - 代表歐洲地區共九家不鏽鋼固件進口商處理與台灣出口商間之貿易爭議
- 聯合行為、不正競爭等公平交易法問題
 - 辦理多件跨國公司向公平交易委員會申請許可結合案件
 - 代表電容器製造業者辦理有關聯合行為之行政爭訟案件
 - 代表消費電子大廠辦理公平交易委員會調查競爭法有關案件

- 工程、政府採購及民間參與公共建設相關法律問題
 - 代表政府機關辦理大型室內體育館開發計畫案興建營運案之履約爭議法律諮詢服務及仲裁事件
 - 代表政府機關辦理民間參與興建及營運案之履約爭議法律諮詢服務及仲裁事件
 - 代表電信公司處理與政府機關間有關設備採購案之政府採購異議、申訴事件
 - 為交通部高速鐵路工程局辦理重大建設計畫機電系統統包工程之工程履約及政府採購爭議提供法律意見

主要著作

- [金管會應協助虛擬資產平台保護用戶權益（臺灣）](#)
- [加密資產管制政策應優先聚焦於中心化服務](#)
- [評金管會核定證券性質虛擬通貨之令](#)
- [化雞肋為雞排：再提新創事業群募制度檢討](#)
- [ICO 趨勢才剛開始，金管會別把「證券型虛擬通貨函令」當成終點](#)
- 迫切而艱鉅的任務：建立功能型加密貨幣之管制規範

- Cybersecurity 2018 & 2019 (Taiwan), The International Comparative Legal Guide.
- Commentary for Cyber Security & Risk Management 2018 (Taiwan), Financier Worldwide Magazine.
- Renewable Energy 2019 & 2020 (Taiwan), Getting The Deal Through.
- 代幣融資的無政府狀態落幕:從美國的近期發展看 ICO 的法律風險
- 網路中立性及數位通訊傳播法草案
- 設立閉鎖性股份有限公司解決新創團隊出資問題
- 電子商務的新里程碑 - 電子支付機構管理條例上路
- 工程合約中一式計價項目相關爭議
- 工程保留款之爭議問題及其法律性質
- 台北高等行政法院 98 年度訴字第 1715 號判決評釋

語言

中文、英文

Sean Y. S. Liu
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Senior Of Counsel

Admitted to the Bar 2001, Taiwan

BIOGRAPHY

Sean Y.S. Liu specializes in ICT, technology, antitrust, unfair competition and construction disputes. He frequently represents clients to negotiate, settle or resolve disputes in court or arbitration. With an extensive understanding of technology and business, Sean advises many major companies in corporate legal matters, such as e-commerce, third-party payment, blockchain & digital assets, cyber and information security, licensing and others.

Beside his legal practice, Sean is active in public discussion of legal policy, notably laws and regulations involving financial technology, blockchain & digital assets and start-up fundraising.

EDUCATION

- LL.M., University of Michigan Law School, USA (2009)
- LL.M., National Chengchi University Law School, Taiwan (2005)
- LL.B., National Chengchi University Law School, Taiwan (1999)

EXPERIENCE

- Attorney, Lee, Tsai & Partners, Attorneys-At-Law (2009-present)
- Attorney, Chen & Lin, Attorneys-At-Law, (2005-2007)
- Attorney, Mchains International, Attorneys-At-Law (2001-2003)

FIELDS OF EXPERTISE

- Trade secret, blockchain & digital assets, cyber security, personal information protection and other technology law issues.
- Corporate Fundraising, M&A, Joint Venture, Development, Licensing, Procurement, Distribution and Agency

- Antitrust, Unfair Competition and Fair Trade Law
- Laws in relation to Construction, Government Procurement and Built-Operate-Transfer Project

PREVIOUS PROJECTS AND CASES

- Trade secret, blockchain & digital assets, cyber security, personal information protection and other technology law issues.
 - Advising several startups and technology companies in blockchain-related businesses and drafting relevant contracts.
 - Representing a semiconductor manufacturing company (COF, wafer bumping, packaging, etc.) in trade secret related disputes.
 - Advising companies on cyber security and personal information protection and assisting them in dispute resolution matters.
- Corporate Fundraising, M&A, Joint Venture, Development, Licensing, Procurement, Distribution and Agency
 - Representing a private equity firm in resolving an investment dispute with its investors.
 - Advising the major shareholders of a listed tech company with respect to a tender offer matter.
 - Representing a private equity firm in relevant lawsuits and provisional injunction matters regarding the sale of its shares of a TV broadcasting company.
 - Representing nine Europe-based importers of stainless fasteners in dealing with commercial disputes with Taiwan exporters.
 - Representing multiple international

companies in applying for pre-merger approval with the Fair Trade Commission.

- Representing a Japanese capacitor company in an antitrust lawsuit.
- Representing a well-known consumer electronics manufacturer in dealing with the Taiwan Fair Trade Commission's investigation into relevant competition-related matters.
- Construction, Government Procurement and Built-Operate-Transfer Project
 - Advising a municipal government in its contract dispute regarding an arena construction and operation project and representing the TCG in the arbitration.
 - Advising a municipal government its contract dispute regarding a construction and operation project and representing the TCG in the arbitration.
 - Representing a telecom company in its objection and complaint under the Government Procurement Act against the Ministry of Education regarding purchase of network equipment.
 - Advising the Bureau of High Speed Rail of the Ministry of Transportation and Communications in the contractual and government procurement-related disputes

WORKS AUTHORED

- [The Financial Supervisory Commission Shall Assist Crypto Exchanges In Protecting Users' Assets \(Taiwan\)](#)
- [The Legal Policy of Crypto-asset Regulation Shall Focus on Centralized Services First](#)
- [Analyzing the Taiwan Financial Supervision Commission's Decree on Cryptocurrency with the Nature of Security.](#)
- [A diamond in the rough: revisit the crowdfunding scheme for innovation start-ups](#)
- [Not at the finish line yet: More work to be done following the Financial Supervision Commission's interpretation on security tokens](#)
- An urgent and difficult mission: establishing

regulations for utility tokens and coins

- Cybersecurity 2018 & 2019 (Taiwan), The International Comparative Legal Guide
- Commentary for Cyber Security & Risk Management 2018 (Taiwan), Financier Worldwide Magazine
- Renewable Energy 2019&2020 (Taiwan), Getting The Deal Through.
- Ending the Anarchy of ICOs: Legal Risks for ICOs from Recent Developments in the U.S.
- Net Neutrality and the Draft Digital Communications Law
- The Spring of Start-ups: Solving Funding Issues of Founders with Closed Company Limited by Shares
- Comments on the Statute for the Administration of Electronic Payment Institutions
- Controversies Relating to Lump-Sum Priced Items in Construction Contracts
- Legal Issues and Attribute of Construction Retainage
- Comments on the 98-Su-1715 Decision of the Taipei High Administrative Court

LANGUAGES

Mandarin and English