



金義來

Partner

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Mr. Eui-Rae Kim is a partner at Shin & Kim, whose main practice area is antitrust.

From February of 2002 to December of 2020, Mr. Kim served at the Consumer Protection Bureau, General Counsel, Anti-Monopoly Bureau, Cartel Investigation Bureau of the Fair Trade Commission, performing various duties such as investigations of unfair trade practices, institutional reforms and policy implementations, and legal proceedings, and also served at the Fiscal and Financial Policy Bureau of the Office for Government Policy Coordination and the Court Administration Office of the Supreme Court of Korea (Judicial Researcher's Office), handling policy coordination and providing case research and support service. From December 2020 to August 2022, Mr. Kim served as the Officer of Litigation Affairs at the Ministry of Justice handling various legal and litigation affairs.

Mr. Eui-Rae Kim is committed to drawing from his diverse and extensive experience to provide high-quality legal services on fair trade issues such as collusion, abuse of market dominant position, unfair trade practices, unfair support/private profit-taking, on issues of abuse of superior bargaining positions such as subcontracting, franchise business, large-scale distribution business, on issues of consumer protection laws such as terms and conditions/display/advertising, door-to-door sales/multi-level marketing, as well as procedures related to FTC's investigations and deliberations.

Mr. Eui-Rae Kim graduated from Yonsei University College of Law and acquired a master's degree (LL.M) from Yonsei University Graduate School of Law. He is also obtained a master's degree in public policy from the Korea Development Institute School of Public Policy and Management and a master's degree in international development policy from Sanford School of Public Policy at Duke University in the United States. Mr. Kim passed the 41st Korean Bar Examination and completed the 31st Judicial Research & Training Institute. He joined Shin & Kim after about 20 years and 6 months of public service (Korea Fair Trade Commission, Ministry of Justice), and is also serving as a legal advisor to the Korea Power Exchange.

Mr. Kim has been a lecturer on antitrust law at the Korea Competition Law Association and the Korea Fair Trade Mediation Agency, a speaker at the conferences of the Korean Competition Law Society and the briefing sessions of the Federation of Middle Market Enterprises of Korea, and a contributor to the Online Legal Commentary on agency law (Onju) of the LAWnB.

経歴

2022-Present	Shin & Kim LLC
2020-2022	Officer of Litigation Affairs, Legal Affairs Bureau, Ministry of Justice
2017-2020	Director for Litigation, General Counsel, KFTC
2016	National Court Administration, Supreme Court of Korea
2015	Cartel Investigation Division, Cartel Investigation Bureau, KFTC
2013-2015	Cartel Policy Division, Cartel Investigation Bureau, KFTC
2012-2013	Financial Policy Division, Fiscal and Financial Policy Bureau, Office for Government Policy Coordination
2011-2012	Anti-Monopoly Division, Anti-Monopoly Bureau, KFTC
2007	Deliberation 1 Team, General Counsel, KFTC
2006-2008	Service 1 Team, Anti-Monopoly Bureau, KFTC
2005-2007	Deliberation Administration Team, General Counsel, KFTC
2004-2005	Adjunct Professor at Graduate School of Law of Yonsei University
2002-2005	Terms & Conditions Institution Division, Consumer Protection Bureau, KFTC
2002	Judicial Research & Training Institute of the Supreme Court of Korea

Professional Affiliations

2023-Present	Advisory Counsel, Korea Power Exchange
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主な実績

- Advised a Korean IT company on issues related to unfair support
- Advised multiple Korean manufacturers on the application of the Fair Transactions in Subcontracting Act (esp. delivery price indexation system) to their transactions with subcontractors
- Advised a Korean IT company on issues related to unfair trade practices
- Represented a Korean wireline carrier in an unfair subcontracting case (case closed)
- Represented a mobile carrier in a case involving prohibited acts of a trade association (case closed)
- Represented a Korean automobile manufacturer in an unfair subcontracting case (case closed without charges)
- Represented a mobile carrier in administrative and civil litigation involving the Act on Fair Labeling and Advertising
- Represented a commercial bank/non-life insurance company in their response to a KFTC investigation (case closed)
- Represented a Korean securities firm in its response to a KFTC investigation and hearing involving bid rigging

- Represented a public enterprise in its response to a KFTC investigation and hearing involving unfair trade practices
- Represented a public enterprise in a KFTC hearing involving bid rigging in its procurement
- Represented a Korean construction company in its response to a KFTC investigation involving unfair subcontracting practices and in a civil damages litigation

学歴

2011	Duke University, Sanford School of Public Policy (MIDP)
2009	KDI School of Public Policy and Management (MPP)
1999	Yonsei University Graduate School of Law (LL.M.)
1995	Yonsei University College of Law (LL.B.)

資格

2002	Admitted to bar, Korea
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言語

Korean, English

主な活動

- A treatise on the enforcement direction of the Fair Trade Act for unfair joint actions involving administrative guidance (Competition Journal, July 2015 issue)
- Direction of Antitrust Law Enforcement in a Regulated Industry - Focus on Telecommunication Sector (Master's Project for Duke University in May 2011)
- Protection of minority shareholders against abuse of authority by controlling shareholders (Master's thesis at Yonsei University in February 1999)

外部評価

- "Leading Lawyer" for Antitrust and Competition, Legal Times, 2023-2026

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