

Partner

Tetsuya Nagasawa

Managing Partner
Osaka Bar Association, Japan Federation of Bar Associations (1996)
- Japan Association of Economic Law
- Kansai Study Group on Economic Law

American Bar Association (2002)
- Antitrust Law Section, American Bar Association
Location
Tokyo Office and Osaka Office

Practice Areas

Competition and Antitrust

Government Investigations / Competition/Consumer Protection Litigation / Merger Control / Government Investigations / Competition/Consumer Protection Compliance

Consumer Protection

Government Investigations (under the Premiums and Representations Act, etc.) / Government Investigations (under the Premiums and Representations Act, etc.) / Injunction Demands and Lawsuits

Dispute Resolution

Competition/Consumer Protection Litigation

Risk Management & Compliance

Corporate Investigation / Corporate Investigation / Corporate Investigation

Corporate and M&A

General Corporate Practice

Intellectual Property Law

Intellectual Property Transactions / Unfair Competition

Professional Summary

Tetsuya Nagasawa has been highly acclaimed for his work by Who's Who Legal and recongnized as a "Band 1" lawyer by Chambers Asia-Pacific Guide. Nagasawa is also included in the GCR 100 by Global Competition Review.

Education & Professional Experience

April 2023 -
Managing Partner, Oh-Ebashi LPC & Partners

April 2004 - present
Partner, Oh-Ebashi LPC & Partners

2001- 2002
Morgan, Lewis & Bockius, Washington D.C. (Antitrust & Competition)

April 1996 - present

Oh-Ebashi LPC & Partners

2001
University of Pennsylvania Law School (LL.M.)

1994
The University of Tokyo (LL.B.)

Activities

2016-
Visiting Professor, Kobe University Graduate School of Law

2013 - 2016
Visiting Professor, Kyoto University Law School

2005 - 2012
Part-time Lecturer (Seminar on Competition Law Cases), Kyoto University Law School

Member of Japan Association of Economic Law

Member of Kansai Study Group of Economic Law

Member of American Bar Association, Section of Antitrust Law

Managing Director of Japan Competition Law Forum

Member of Study Council for Establishing Appropriate Contractual Relationships in the Field of Culture and the Arts, Agency for Cultural Affairs

Temporary Member of Small and Medium Enterprise Policy Making Council, Small and Medium Enterprise Agency

Publications

2022.02.15	Utilization of Antimonopoly Act in Civil Dispute Resolution
2022.02.04	Antimonopoly Act Consultation Handbook
2022.01.07	Recent Tends in the Subcontract Act: Focusing on the Regulation of the Terms of Trade Itself
2021.11	Examination and Analysis of Regulations against Abuse of Superior Bargaining Position 4th Edition
2021.05	Private Antitrust Litigation
2021.05.15	Labor and Competition Legislation concerning Exploitative Acts toward Freelancers
2021.05	Ronten-Taikei : The Anti-Monopoly Act Second Edition
2021.04.16	Learn through Q&A : A Practical Guide to the Subcontracting Act for each Industry
2020.10	Practical Guide to the 2016 and 2019 Antimonopoly Act Amendments
2020.10.23	Flash Report on Anti-Monopoly Case: Justification of Voluntary Restrictions by Trade Associations Based on their Purposes and Methods — Announcement of the JFTC on June 23, 2020
2020.09.25	Reduction System for Cooperation in Investigation
2020.08.21	Viewpoints in Reviewing Competition Law Compliance Systems at Companies
2020.06.27	Lawyers' Knowledge on Competition Law Practice
2020.04.25	Recent Developments Concerning the Subcontract Act and Points to Note in Terms of Compliance
2019.07.01	Points to Note in Employing Freelancers from the Perspective of the Anti-Monopoly Act and the Subcontract Act
2019.02	Introduction of the Commitment Procedure under the Anti-Monopoly Law
2018.04	Scope of Application of the Anti-Monopoly Act in International Cartel Cases -Supreme Court Decision on the Cathode Ray Tube Case (Decision by the Supreme Court, Third Petty Bench, on December 12, 2017)
2018.04	Anti-Monopoly Law Issues that HR Persons Should Note – Prompted by the Study of U.S. and Japanese

	Competition Authorities
2018.01	Petition for Stay of Execution of Cease and Desist Order Concerning Unfair Trade Practices -- Tokyo District Court decision on July 31, 2017
2017.10	Special Dialogue:Measures for the Changing Competition Environment – Clarification of the Safety Zone
2017.10	100 Selected Judicial Precedents and Trial Decisions on Economic Law [The Second Edition] (Jurist Supplementary Volume)
2017.07.10	An up-close coverage on officers investigating subcontract transactions - A deeper examination into the bullying of small and medium-sized enterprises (Commentator)
2017.06	Platforms and the Guidelines on Distribution Systems and Business Practices
2017.05	Compliance under the Antimonopoly Law – Recommendation to Review Compliance from the Perspective of Its Principle
2017.04	Advice for Main Subcontracting Entrepreneurs and Subcontractors from a Legal Professional – In the Pursuit of an Environment where All Companies can Conduct Transactions “ At Their Own Free Will ” and “ Without Restrictions, ”
2017.04	Advice for Main Subcontracting Entrepreneurs and Subcontractors from a Legal Professional – In the Pursuit of an Environment where All Companies can Conduct Transactions “ At Their Own Free Will ” and “ Without Restrictions, ”
2017.01	The Case where the Court Dismissed the Claim of Superior Bargaining Position of the Alleged Offender Finding instead that the Counterparty Had the Superior Bargaining Position
2016.08	Amendment of the Guidelines Concerning Distribution Systems and Business Practices Increasing the Safe Harbor Threshold
2016.07	Detailed Explanation of the Investigation Procedures under the Act on Private Monopolization and Maintenance of Fair Trade
2016.03	Ways of Lawyers, Part 3: Independence and Creativity of Lawyers
2015.12	COMMENTARY AND ANALYSIS ON THE AMENDED ANTI-MONOPOLY ACT OF JAPAN 2009 (ed.) (2d ed.)
2015.12	Update on Issues on Abuse of Superior Bargaining Position and the Subcontract Act
2015.11	Review of the Draft Guidelines on Administrative Investigation Procedures under the Antimonopoly Act of Japan - from the Viewpoint of Lawyers
2015.11	Review of the Draft Guidelines on the Administrative Investigation Procedures under the Antimonopoly Act _ From a Lawyer ’ s Perspective
2015.08	Categorized Essentials for the Preparation of Judicial Documents: Antitrust Law Litigation
2015.08	Pointers for the Preparation of Litigation Documents Based on Their Types: Antitrust Litigation
2015.07	Exclusion Effect and Artificial Nature of Exclusionary Private Monopolization: Judgment by the Supreme Court on the JASRAC Case
2015.07	Effects of Exclusion and the Artificial Nature of an Exclusion-Type Private Monopoly - Supreme Court Ruling in the JASRAC Case
2015.06	Amendment of the Guidelines on Distribution Systems and Business Practices: Primary Considerations in the Practice
2015.02	The System of Imposing Penalties for Misleading Representations
2014.12	Surcharge System against Misleading Representations
2014.12	Update on Antitrust Litigation and Challenges to the Advocacy Practice
2014.11	Recent Trends in Antitrust Actions and Issues concerning the Defense Thereof
2014.10	Various Issues on the Practice concerning the Determination of an Abuse of a Superior Bargaining Position
2014.10	Latest Updates on Risks and Practical Measures to Cope with Cartels

2014.10	Practical Issues in Identifying Abuse of Superior Bargaining Position
2014.09	Latest Trends of Cartel Risks and Practical Measures
2014.09	Is China ' s Cartel Regulation a ' Threat ' ?
2014.09	Is the Cartel Regulation in China the " Threat " ?
2014.07	SYSTEMIC ISSUES OF ANTITRUST LAW
2014.07	Assessment and Issues on the Operation of the Amended Subcontract Act from the Viewpoint of Lawyers
2014.07	TRIAL DECISIONS IN FAIR TRADE CASES SELECTED AS ESSENTIALS FOR THE PRACTICE
2014.06	Ronten-Taikei:The Anti-Monopoly Act
2014.04	Judgment Rescinding the Trial Decision on the JASRAC Case
2014.03	Corporate Legal Affairs - Collection of Antitrust Law Cases 3rd Series: Resale Price Fixing
2014.01	Three-way Conversation: The Cutting Edge of Cross-border Cartel Regulations
2013.11	PRACTICAL COMMENTARY – DEALING WITH THE ACT ON SPECIAL MEASURES OF ANTITRUST LAW REGARDING THE SHIFTING OF CONSUMPTION TAX
2013.10	Commentary on New Legislation – The Act on Special Measures of Antitrust Law regarding the Shifting of Consumption Tax
2013.09	Roles of Users and Suppliers in the Formation of Competitive Relationships
2013.08	Unfair Means as Competition in Sole and Unilateral Refusals to Deal
2013.07	An Explanation for Small-and-medium-sized Enterprises of the Antimonopoly Act and the Act against Delay in Payment of Subcontract Proceeds, etc., to Subcontractors
2013.04	Liability for Exclusionary Private Monopolization under Article 25 of the Antimonopoly Act of Japan (the Nipro Case)
2013.02	The Operation of the Subcontract Act Rising to an Evolving Stage: Considerations Learned from Recommendation Cases
2012.06	Three-way Conversation: Practical Issues on Abuse of Superior Bargaining Position
2012.06	Seminar on the Antitrust Law Practice Learned from the Latest Cases: 6th Series (the last) on Abuse of Superior Bargaining Position - Judgment by the Osaka District Court dated May 25, 2010 (No. 2092 of Law Reports (Hanrei-Jiho) p. 106) on the Fujio Food System Case
2012.04	Seminar on the Antitrust Law Practice Learned from the Latest Cases: 5th Series on Refusal to Deal - Judgment by the Supreme Court dated December 17, 2010 (No. 8, Vol. 64 of Civil Court Reports, p. 2067) on the NTT East Case
2012.02	Essence in Making Decisions as a Legal Staff in Anticipating a Possible Antitrust Law Civil Lawsuit
2012.02	Seminar on the Antitrust Law Practice Learned from the Latest Cases: 4th Series on Discriminatory Price - Judgment by the Tokyo District Court dated April 27, 2005 (Vol. 52 of Decision Reports, p. 789) on " The Tokai " Case
2012.01	Seminar on the Antitrust Law Practice Learned from the Latest Cases: 3rd Series on Exclusionary Dealings - Decision by the FAIR TRADE Commission dated June 9, 2011 (unreported in the Decision Reports) on the DeNA Case
2011.11	Study on a Case Ruling that a Discontinuance of an Affiliation in the Use of an ATM Does Not Constitute an Unfair Trade Practice - The Tokyo Star Bank v. Bank of Tokyo-Mitsubishi UFJ
2011.11	On Regulations on Abuse of Superior Bargaining Position - Taking Recent Cases as the Subject
2011.11	Seminar on the Antitrust Law Practice Learned from the Latest Cases: 2nd Series on Dealings with Restraint Conditions - Judgment by the Supreme Court dated December 18, 1998 (Vol. 45 of Decision Reports, p. 461) on the Kao Distribution Case and the Decision by the Fair Trade Commission dated August 1, 2001 (Vol. 48 of Decision Reports, p.3) on the SCE Case
2011.10	Seminar on the Antitrust Law Practice Learned from the Latest Cases: 1st Series on Unfair Trade Restriction - Judgment by the Tokyo High Court dated December 10, 2010 (unreported in the Decision Reports) on the Modifiers Case

2011.08	COMMENTARY AND ANALYSIS ON REGULATIONS AGAINST ABUSE OF SUPERIOR BARGAINING POSITION AND THE SUBCONTRACT ACT
2010.10.01	Brief Paper on Antitrust Law Cases - A Case Questioning the Formation of an Indirect Bond among the Partners of a Joint Capital Company
2010.07.01	Legal Risks - Related to Antitrust Law and the Subcontract Act
2010.06.01	Essence for Compliance with Antitrust Law Learned from Recent Judicial Precedents (4th Series) - Misleading Representations
2010.05.01	Essence for Compliance with Antitrust Law Learned from Recent Judicial Precedents (3rd Series) - Abuse of Superior Bargaining Position and the Subcontract Act
2010.04.01	Essence for Compliance with Antitrust Law Learned from Recent Judicial Precedents (2nd Series) - Exclusionary Private Monopolization and Other Illegal Acts in Business Transactions
2010.04.01	Determination of a Price Quote for the Purchase Price (Explanatory Notes on the Recommendation for a Trial Decision dated June 9, 1992 by the Fair Trade Commission)
2010.03.01	The Existence or Non-existence of the Exclusion Effect is the Key: Pith and Marrow of Legal Competitive Activities
2010.03.01	Essence for Compliance with Antitrust Law Learned from Recent Judicial Precedents (1st Series) - Cartels and Bid Riggings
2010.03.01	Practical Measures to Cope with Regulations on Exclusionary Private Monopolization
2010.01.01	To What Extent are Price Maintenance Measures to Keep Brand Value Allowable?
2010.01.01	Private Monopolization and Unfair Trade Practice after Implementation of the System of Imposing Penalties
2009.09.15	Amendment of the Anti-Monopoly Act of Japan - Implementation of Special Provisions concerning Orders to Produce Documents in Injunction Lawsuits
2009.09.01	Exclusionary Private Monopolization
2009.08.20	COMMENTARY AND ANALYSIS ON THE AMENDED ANTI-MONOPOLY ACT OF JAPAN 2009 (ed.)
2009.06.01	Utilization of the Anti-Monopoly Act by Small-and-medium-sized Enterprises - How to Use the Anti-Monopoly Act for Victim Companies
2009.04.01	Case Granting Indemnification of Damages Due to a Tortuous Act on the Ground that Stealing Customers Subsequent to Poaching Employees Constitutes Private Monopolization - Judgment by the Tokyo District Court dated December 10, 2008
2009.01.01	Misleading Representations - Severe Punishment will be Imposed on Representations that are Both “ False ” and “ Mistaken, ”
2008.09.15	Methods to Determine Illegality of Exclusionary Private Monopolization
2008.04	Agenda and Outlook for the Amendment of the Antimonopoly Act - from the View of a Practicing Lawyer
2007.10.01	Considerations on the Ideal Kind of Due Process in Proceedings before the Japan Fair Trade Commission
2007.09.01	EU Competition Law: Restrictions on Trading Activities
2003.12.01	Antitrust Law System at a Crossroad - Essence of the “ Written Report by the Study Group on Antitrust Law, ”
2003.11.01	Patent Pool Issues under the Antitrust Law
2002.05.01	Joint Purchase Issues among Corporations under the Antitrust Law
2002.04.01	Another Turn concerning the Extraterritorial Application of U.S. Antitrust Laws - Subject Matter Jurisdiction over Claims by Users Outside the U.S. in an International Cartel
2002.03.01	Another Turn concerning the Extraterritorial Application of U.S. Antitrust Laws - Subject Matter Jurisdiction over Claims by Users Outside the U.S. in an International Cartel
2001.12.01	Joint Purchase Issues among Corporations under the Antitrust Law

2001.11.01	Joint Purchase Issues among Corporations under the Antitrust Law

Seminars/Lectures

2024.09.04	【Online Seminar】Symposium on the Improvement of Appropriate Transactions 2024 - What needs to be done to achieve price-through amid expanding price negotiations.
2024.06.18	【Onsite Seminar: Osaka】 Antimonopoly Law Seminar: Recent Initiatives of the Japan Fair Trade Commission and Actions Required of Business Operators - With Reference to the Initiatives for Realization of a Green Society and Appropriate Price Pass-Through
2024.06.04	【Onsite Seminar: Tokyo】 Antimonopoly Law Seminar: Recent Initiatives of the Japan Fair Trade Commission and Actions Required of Business Operators - With Reference to the Initiatives for Realization of a Green Society and Appropriate Price Pass-Through
2024.05.21	【Onsite Seminar: Nagoya】 Antimonopoly Law Seminar: Recent Initiatives of the Japan Fair Trade Commission and Actions Required of Business Operators - With Reference to the Initiatives for Realization of a Green Society and Appropriate Price Pass-Through
2023.09.21	【Online Seminar】Symposium on the Improvement of Appropriate Transactions 2023 - Toward the Continuous Realization of Price Negotiation and Price Pass-Through
2022.11.09	【Online Seminar】Symposium on the Improvement of Appropriate Transactions 2022 - Toward the Realization of Price Negotiation and Price Pass-Through
2021.11.17	【Online Seminar】Symposium 2021 to Promote Improvements in Subcontracting Transactions - Toward the Realization of a Fair Transaction Environment for Small-and-Medium-Sized Enterprises
2020.12.10～2021.02.26	【Online Seminar】 The Latest Revisions to the Anti-Monopoly Act and Practice Thereunder - The Measures that Should be Taken by Companies against the Enforcement of the Revised Act -
2020.11.30	【Online Seminar】Symposium 2020 to Promote Improvements in Subcontracting Transactions - Toward the Realization of a Fair Transaction Environment for Small-and-Medium-Sized Enterprises
2020.01.25	Symposium to Promote Improvements in Subcontracting Transactions
2019.11.12	Latest Trends in Compliance in Japan, the U.S. and Europe
2019.11.01	Symposium 2019 to Promote Improvements in Subcontracting Transactions - Toward the Realization of a Fair Transaction Environment for Small-and-Medium-Sized Enterprises
2019.03.17	The Meeting of Promoting Improvements in Subcontracting Transactions and Business Successions
2018.11.05	Symposium 2018 to Promote Improvements in Subcontracting Transactions - Toward the Realization of a Fair Transaction Environment for Small-and-Medium-Sized Enterprises
2018.10.22	Latest Trends in Competition Laws in Japan and the United States
2017.11.24	Symposium 2017 to Promote Improvements in Subcontracting Transactions - Toward the Realization of a Fair Transaction Environment for Small-and-Medium-Sized Enterprises
2017.08.29	Recent Developments Related to Antitrust Laws and Practical Responses Thereto
2016.11	Symposium 2016 to Promote Improvements in Subcontracting Transactions
2016.10	Best Practices for Complying with the Newly Introduced Discretionary Surcharge System and Commitment System
2016.07	Management Risks Caused by Misleading Representations and Measures for Governance Therefor - Practical Know-How as Explained by an Author of the Amended Act Against Unjustifiable Premiums and Misleading Representations
2016.06	Seminar in Support of Price Negotiations
2016.02	Practical Measures under the Amended Act against Unjustifiable Premiums and Misleading Representations
2015.12	Tutorial Course of Lectures on Guidelines concerning the Superior Bargaining Position
2015.11	Seminar Explaining the Guidelines on Abuse of Superior Bargaining Position

2015.11.09	Symposium on the Promotion of Improvements in Subcontracting Transactions 2015 - Enhancing Compliance and Improving Inter-Company Transactions
2015.05	Updates and Considerations on Regulations concerning Abuse of Superior Bargaining Position
2015.04	The Practice in Determining Abuse of Superior Bargaining Position
2015	Symposium 2015 to Promote Improvements in Subcontracting Transactions - Strengthening Compliance and Improvement of Business-to-business Transactions
2015.03	Effective Measures Against Global Cartel Risks
2015.03	Effective Measures to Cope with Global Cartel Risks
2015.03	Practical Considerations on the Amended Act against Unjustifiable Premiums and Misleading Representations
2015.01	Updates and Practical Issues concerning Abuse of Superior Bargaining Position
2014.11	Smooth Shifting of Consumption Tax and Other Improvements in Business-to-business Transactions
2013.12	Act on Special Measures concerning Countermeasures against the Shifting of Consumption Tax
2013.11	Smooth Shifting of the Consumption Tax and Other Improvements in Business-to-business Transactions
2012.12	Need-to-know Regulations under the Subcontract Act and Practical Measures to Cope Therewith
2012.11	Considerations on the Act against Delay in Payment of Subcontract Proceeds and Compliance Efforts
2012.07	The Antitrust Law and the Subcontract Act for Small-and-medium-sized Enterprises
2011.10	Systemic Analysis on and Corporate Practical Measures to Cope with the Subcontract Act and Regulations concerning Abuse of Superior Bargaining Position
2010.08	Practical Considerations on Regulations for Subcontracting Transactions
2010.03	Legal Affairs and Practices concerning the Subcontract Act and Regulations for Abuse of Superior Bargaining Position
2009.12	Key Commentary on the Amended Antitrust Law of Japan in Light of Cabinet Orders and Ministerial Ordinances - Focused on Upgrading and Expanding the System of Imposing Penalties, Regulations on the Registration of Corporate Mergers, etc.
2009.08	Essential Commentary on the Amendment of the Antitrust Law of Japan in 2009
2009.03	Fluctuating Antitrust Law - Latest Updates and Practical Measures to be Taken
2008.12	The Latest Practice concerning the Act on Misleading Representations'
2008.10	Practical Measures to be Taken by Companies under the Antitrust Law
2008.04	Concept of the Dominant Position within the Market in Regulating Conduct by One Undertaking - the Case of Japan - Japanese Panelist
2008.03	Countermeasures for an Antitrust Law Violation - In Light of the Latest Situation -
2007.07	Antitrust Law (Competition Law)
2007.02	Establishing a Compliance System under the Antitrust Law - In Light of the Latest Situation surrounding the Antitrust Law -
2007.02	Antitrust Law Compliance - an Inquiry Based on Recent Cases -
2007.01	Recent Antitrust Law Practice and Issues
2006.11	Workshop on Cartels
2006.11	Issues and Prospects on the Amendment of the Antitrust Law of Japan
2005.09	Significant Amendments to the Antitrust Law of Japan - Readjustment of Measures to Ensure Corporate Compliance pursuant to the Implementation of the Leniency System
2005.08	Practical Measures Associated with the Amendment of the Antitrust Law of Japan
2005.06	Commentary on the Antitrust Law - Comparison of the Japanese and EU Antitrust Law Systems
2004.09	Regarding the Recent Antitrust Law Practice concerning Exclusionary Conduct
2004.07	Role of the "Substantial Detriment" Requirement Observed in Recent Injunction Cases

Languages

Japanese and English