



Akihito ("Aki") Nakamachi

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Mr. Nakamachi is a fully bilingual and bicultural attorney, fully admitted to practice in Japan, New York and California. He has the rare distinction among Japanese lawyers of having served as a partner both in the United States and in Japan, and possesses over 30 years of solid experience as a practicing lawyer. He has special expertise in intellectual property/technology transactions for technology-driven clients, ranging from young start-ups to fully-matured global enterprises. Aki represents clients operating in a wide range of industries, including software, Internet, e-commerce, computer gaming, computer equipment, telecommunications, automobile, semiconductor, pharmaceuticals, biotech and medical devices. With over 10 years of work experience at first-tier national U.S. law firms across the United States, Aki has acquired exceptionally deep and practical knowledge of not only the laws but also the "business culture" of both the United States and Japan, and utilizes his expertise to assist clients in achieving successful outcomes in cross-border commercial transactions and dispute resolution matters.

Practice Areas

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| Corporate | Establishing a Business Presence in Japan | | |
| M&A | Corporate and Commercial Transactions | Venture | Private |
| Intellectual Property/TMT | M&A/Business Restructuring | Capital | Equity/Funds |
| | IP Licensing and Transactions | Copyright and | |
| | Health Care, Pharmaceutical and Life Science | Entertainment | |
| Competition/Antitrust | Distribution and Other Competition Law Matters | IT and Telecommunications law and Regulation | |
| Energy and Natural Resources | | Interplay of IP and Competition Law | |
| Dispute Resolution | General Commercial Litigation | International Litigation and Cross-Border Disputes | |
| | | Estate and Business Succession Dispute | |
| Economic Security and International Trade | Alternative Dispute Resolution | IP Disputes | Resolution |
| International Practice | Other | | |
| | United States | Jurisdictions | |

Topics

Achievements
Apr 18, 2024

The Best Lawyers in Japan™ • Best Lawyers: Ones to Watch in Japan™ (2025 Edition)

Achievements
Jan 17, 2024

The Legal 500 Asia Pacific 2024

Achievements
Oct 4, 2023

Who's Who Legal: Japan 2023

Practice Groups

Life Sciences and Health Care Practice Group

Background

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| Mar 1991 | Kyoto University (LL.B., A.B.) |
| Apr 1993 | The Legal Training and Research Institute of the Supreme Court of Japan, Associated with Mori Hamada |
| May 1997 | New York University School of Law (LL.M.) |
| 1998 | California Bar Association/New York Bar Association |
| Sep 1997 - Aug 1998 | Morrison & Foerster LLP |
| Oct 1998 - Sep 1999 | Kirkland & Ellis LLP (Chicago office) |
| Oct 1999 - Sep 2003 | Wilson Sonsini Goodrich & Rosati P.C. |
| Oct 2003 - Jun 2009 | Kirkland & Ellis LLP (San Francisco, Palo Alto and Los Angeles offices) |
| Jan 2005 | Partner, Kirkland & Ellis LLP |
| Jul 2009 - | Partner, Anderson Mori & Tomotsune |
| Apr 2016 - Mar 2021 | Professor, Kobe University Graduate School of Science, Technology and Innovation |

Publications

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|---|---|----------|
| Legal Matters regarding Life Sciences and Health Care - Navigation regarding Regulations, Intellectual Properties and Corporate Matters (Second Edition) | Shojihomu Co., Ltd. | Oct 2020 |
| Legal Matters regarding Life Sciences and Health Care - Navigation regarding Regulations, Intellectual Properties and Corporate Matters | Shojihomu Co., Ltd. | Sep 2018 |
| Keys to Successful Cross-Border Intellectual Property-Related Transactions | The Lawyers | Nov 2010 |
| Lessons From Strategic Use of NDAs by Advanced Foreign Companies | Business Law Journal | Jun 2010 |
| Practical Checklist for Dealing with Warning Letters – When You Are Sending One or Receiving One | The Lawyers | Dec 2007 |
| Intellectual Property Strategy for Technology Start-ups” (Series of monthly articles)”Important Intellectual Property Issues to be Addressed Prior to Spinning Off to Start Up a New Business, (1) - (3)”; “Practical Strategy for Building High-Quality Patent Portfolio and its Effective Exploitation, (1) - (3)”; “Practical Strategy for Effective Protection and Exploitation of Trade Secrets, (1) - (2)”; “Trade Secrets and NDAs – Risks and Effective Use of NDAs, (1) - (2)”; “Employee Inventions – Difference Between U.S. and Japanese Laws and Practices and Ideas for Japan’s Own Model, (1) - (2)” | Technology Business Magazine “LOOP” (Diamond Publishing | Apr 2003 |

Lectures

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|---|--|--------------|
| Protecting Your Intellectual Property Against Ambush Marketers, Grey Marketing and Counterfeiting | | Mar 3, 2015 |
| China-International IP Forum | | Jun 30, 2010 |
| Dealing with Challenging IP Issues in Acquiring Japanese Companies & IP Assets – How to Conduct IP Due Diligence Effectively and Align IP Strategy with Business Strategy | China-International IP Forum | Jun 2010 |
| Latest Developments in Intellectual Property Law, Litigation and Licensing Practice in China | Anderson Mori & Tomotsune: International IP Seminar | May 2010 |
| Role of Start-ups in Innovation~Comparative Analysis Between Silicon Valley and Japan~ | Licensing Executive Society(LES), Japan Chapter: Monthly Seminar | Mar 2010 |
| Role of Start-ups in Innovation - Why Japan can not become a Silicon Valley”(Anchor Business Systems Workshop | ABS 9th Venture | Mar 2010 |
| Dealing with Challenging IP Issues in M&As and Restructurings – How to Conduct IP Due Diligence Effectively and How to Align IP Strategy with Business Strategy | In-House Congress Tokyo 2009 | Dec 2009 |

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| Handling Intellectual Property issues for Mergers & Acquisitions and Spinning Off | LES Japan seminar | Oct 23 - 24, 2009 |
| Drafting Licenses and Product Development Agreements in Light of the Surge in Mergers & Acquisitions” & “In-License Compliance” (joint presentation) | Japan Pharmaceutical Licensing Association (JPLA) : Monthly Seminar | Jan 2009 |
| Keys to Success for International Technology Transfer by Japanese Universities | Hokkaido University: International University Technology Transfer Seminar | Dec 2008 |
| Recent U.S. Case Law Affecting International Patent License Practice | Licensing Executive Society (LES), Japan Chapter: Monthly Seminar | May 2008 |
| Incorporating International Business Strategies into Collaboration Agreements ~ Japan-Related Issues & Considerations | American Conference Institute (ACI): “Advanced Forum on Structuring, Negotiating and Managing Pharma/Biotech Collaboration Agreements” Conference | Apr 2008 |
| Recent Major Developments and Trends in Intellectual Property Law and Corporate Law in Japan | U.C. Hastings College of the Law: Guest lecturer at Prof. Setsuo Miyazawa’s Japanese law seminar | Mar 2008 |
| Outside Counsel’s Perspective on Current Difference Between U.S. & Japanese University Technology Transfer Practice and Future Trends | Hokkaido University: International Technology Transfer Seminar | Feb 2008 |
| Global IP Strategy to Win in U.S. and Global Market ~ In Trend Toward ‘Open Innovation’: Typical Issues Suffered by Japanese Corporations and Potential Solutions | Osaka Chamber of Commerce: Monthly Seminar | Feb 2008 |

Achievements

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|--------------|---|
| Apr 18, 2024 | The Best Lawyers in Japan™ • Best Lawyers: Ones to Watch in Japan™ (2025 Edition) |
| Jan 17, 2024 | The Legal 500 Asia Pacific 2024 |
| Oct 4, 2023 | Who's Who Legal: Japan 2023 |
| Apr 20, 2023 | The Best Lawyers in Japan™ 2024 |
| Jan 11, 2023 | The Legal 500 Asia Pacific 2023 |
| Sep 22, 2022 | Who's Who Legal: Japan 2022 |
| Apr 14, 2022 | Best Lawyers 2023 |
| Jan 13, 2022 | The Legal 500 Asia Pacific 2022 |
| Oct 9, 2021 | Who's Who Legal: Japan 2021 |
| Apr 15, 2021 | Best Lawyers 2022 |
| Jan 13, 2021 | The Legal 500 Asia Pacific 2021 |
| Sep 1, 2020 | Who's Who Legal: Japan 2020 |
| Apr 9, 2020 | Best Lawyers 2021 |
| Jan 20, 2020 | The Legal 500 Asia Pacific 2020 |
| Nov 29, 2019 | Who's Who Legal: Japan 2019 |
| Apr 4, 2019 | Best Lawyers 2020 |
| Jan 17, 2019 | The Legal 500 Asia Pacific 2019 |
| Nov 7, 2018 | Who's Who Legal: Japan 2018 |
| Nov 29, 2017 | The Legal 500 Asia Pacific 2018 |
| Nov 2, 2017 | Who's Who Legal: Japan 2017 |
| Nov 10, 2016 | The Legal 500 Asia Pacific 2017 |
| Nov 2, 2016 | Who's Who Legal: Japan 2016 |
| Nov 13, 2015 | The Legal 500 Asia Pacific 2016 |
| Sep 1, 2015 | Who's Who Legal: Japan 2015 |
| Oct 30, 2014 | Who's Who Legal: Japan 2014 |
| Nov 2, 2012 | The International Who's Who of Internet & e-Commerce Lawyers and Data Protection 2012 |

Professional Admissions

Japan (1993)
California and New York (1998)

Professional and Academic Associations

Tokyo Bar Association

California Bar Association

New York Bar Association

Languages

Japanese (first language)

English