Table of Contents

Abo	ut the	Authorv
Abo	ut the	Translators and Reviewervii
Tran	slato	rs' Prefaceix
		Prefacexv
Ackı	nowle	edgmentsxvii
CHA	PTE	R1
Ove	rview	of China's Company Law1
l.	Histo	orical Development of China's Company Law2
	A.	Business Organisation and Operation Model in Ancient China
	B.	Formation of the Modern Company Law System in China
	C.	Abandonment and Reconstruction of the Company Law System
		in the People's Republic of China
	D.	Revisions of the Company Law and Relevant Judicial
		Interpretations
		ne of the Current Company Law System in China29
	Α.	Corporate Forms
	В.	Corporate Establishment
	C.	ne of the Current Company Law System in China
	D.	Corporate Capital
	E.	Corporate Governance
	F.	Shareholders' Rights
	G. H.	Equity Transfer
	n.	Senior Corporate Executives Corporate Merger and Acquisition
	J.	Corporate Dissolution and Liquidation
	J.	Corporate Dissolution and Elquidation
CHA	PTE	B 2
		over the Establishment of a Company and
		Personality Right87
1.		cial Measurement on the Property Ownership of Affiliated
		erprises at the Transitional Stage of China's Market Economy 88
		g Dehong v. The Communist Youth League of China Zhoukou
		amittee on Tort Dispute
2.		ermination on the Promoter's Status of the Company's
		blishment 104

	Wu Znaoming v. Feng Tiancheng, Wang Changhai, Pan Liming, Wang Qi and Sun Zhigang on the Dispute over the Company's Establishment
3.	Adjudication on the Lawsuit Involving the Return of Company Seals and Licenses117
4.	Shanghai Changcheng Industrial Co., Ltd. v. Yan Jianhua on the Dispute over the Return of Company Seals and Licenses Can a Company Provide Guarantees for the External Debt
	of Its Shareholders?
5.	How to Understand "Piercing the Corporate Veil" from the Judicial Perspective?
	APTER 3
Disp 6.	putes over Shareholders' Liability for Capital Contribution 161
7.	Judicial Judgment on the Company's Litigation Intent against Shareholders to Pursue the Unpaid Capital Contribution
7.	Shareholders' Claims on the Return of Investments to the Company
8.	Joint Venture and Cooperative Real Estate Development The Equity Transferee's Joint and Several Liabilities for Supplementing the Capital Contribution
di	Guizhou Yibai Pharmaceutical Co., Ltd. v. Hubei Hengkang Shuanghe Pharmaceutical Co., Ltd., Hubei Pharmaceutical Co., Ltd., and Beijing Shuanghe Pharmaceutical Co., Ltd. on the Dispute over Sales Contract
9.	Judicial Interpretation of the Liabilities for Capital Verification and Illegal Capital Withdrawal
	Firm, Hunan New Rural House Building Materials Company, Hunan

10.	Building Material Industry Management Office on the Dispute over the Guarantor's Right to Recourse the Loan Debt Should the Shareholders Bear the Liability for Capital Contribution in the Context of False Corporate Capital Increase?
СН	APTER 4
Dis	putes over Shareholders' Rights and Interests229
11.	Legal Mode of Identifying a Shareholder's Qualification
12.	Legal Measurement on Shareholders' Right to Information
13.	Can a Company Restrict the Voting Right of Shareholders
	Who Made False Capital Contribution?
	Chongqing Xinrong Construction Engineering Co., Ltd. and
	Others v. Chongqing Zhongchuan Construction Co., Ltd. on the
	Dispute over the Confirmation of Resolution Effect
14.	Preconditions for Shareholders to Request the Company for
	Hu Ke v. Henan Thinking Automation Equipment Co., Ltd.
15	on the Dispute over Profit Distribution
15.	Legitimate Exercise of the Shareholders' Pre-emptive
	Right to Capital Subscription
	Guizhou Jiean Investment Co., Ltd. v. Guiyang Qianfeng
	Biological Products Co., Ltd. and Others on the Dispute over Increased Capital Subscription
16.	Legal Measurement on Whather Fall Living
	Legal Measurement on Whether Equity Inheritance Should Be
	Approved by a Company
	Dispute over the Identification of Shareholder Over its attention
17.	Dispute over the Identification of Shareholder Qualification Determination of the Shareholders' Right to Request the
	Company for Share Repurchase
	Shanghai Jianwei Industry and Trade Co., Ltd. v. Shanghai
	Zunlanshan Catering Co., Ltd. on the Dispute over Equity
	Repurchase Claim

18.	On the Effect and Performance of the Valuation Adjustment
	Mechanism332
	Gansu Shiheng Non-Ferrous Resources Recycle Co., Ltd. and
	Wisdom Asia Limited v. Suzhou Industrial Park Haifu Investment Co.,
	Ltd. and Lu Bo on the Dispute over Capital Increase
	and the second of the second regard of the second regard of the second o
CH	APTER 5
Dis	putes over Equity Transfer347
19.	Evaluation on the Impact of Nominal Replacement on the
	Effect of Equity Transfer Agreement
	Ding Yufang v. Zhou Jinyao on the Dispute over Equity Transfer
20.	Legal Measurement on Shareholders' Right of First Refusal 363
	Ding Xiangming, Li Qing and Feng Yueqin v. Qu Feijian on the
	Dispute over the Right of First Refusal
21.	Objections to the Equity Transfer between Husband and Wife 380
	Ai Mei and Zhang Xintian v. Liu Xiaoping, Wang Xian, Wu Pixiong,
	Zhang Hongzhen and She Fengang on the Dispute over Equity
	Transfer
22.	Preconditions for Approving the Transfer of State-owned
	Equities
	Chen Fashu v. Yunnan Hongta Group Co., Ltd. on the Dispute over
	Equity Transfer
23.	Understanding and Grasp of the Review and Approval on
	Foreign Equity Transfer
	Guangzhou Xianyuan Real Estate Co., Ltd. v. Guangdong Zhongda
	Zhongxin Investment Planning Co., Ltd., Guangzhou Yuanxing Real
	Estate Co., Ltd. and China Investment Group International Finance
0.4	Limited on the Dispute over Equity Transfer
24.	Judgment on the Restriction of a Company's Articles of
	Association on Equity Transfer
	Lei Feloing v. Chongqing Bishan County Store Limited Liability
	Company on the Dispute over Equity Transfer
a K	
	PTER 6
Disp	outes over a Company's Resolution and the
0.5	Liabilities of Senior Executives
25.	On the Determination and Neglect of the Procedural Defects
	in the Company's Resolution
	Liu Pingju and Tan Jianbao v. Longxin Mining Co., Ltd. of Pinglu
	County, Shanxi Province on the Dispute over the Revoked Resolution
	of the Shareholders' Meeting

26.	Impact of the Qualification of Shareholder Representative on the Method and Effect of a Company's Resolution
СНА	PTER 7
Disp	outes over a Company's Dissolution and Liquidation487
28.	Causes and Proper Judicial Disposition of Cases Involving
	Corporate Dissolution
	Shin Feng Technology Co., Ltd. v. Fujun New Composite Material
	(Taicang) Co., Ltd. and the Third Party Winning Group Ltd. on the
	Dispute over the Company's Dissolution
29.	Enterprise Legal Person's Qualification for the Litigation
	during the Period between Revocation of the Business
	License and Cancellation of the Business Registration
	Changing Taihua Real Estate Development Co., Ltd. v. Changing
	Chenguang Industrial Development (Group) Co., Ltd., Chongging Chenguang Department Store Co., Ltd. and Chongqing Chenguang
	Hotel Co., Ltd. on the Dispute over Equity Transfer
30.	On the Nature and Scope of Shareholders' Liability for
	Outstanding Liquidation Obligations
	Cheng Jianxing v. Xi Kai, Xi Wei, Wei Xiaolan and Lin Ling on the
	Dispute over Compensatory Liabilities for Snareholders' Defective
	Contribution and Liquidation
	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
Bibli	ography531
Law,	Regulations and Official Documents537