

## → Fintech

Sheppard Mullin's team of financial services, blockchain, corporate, intellectual property, regulatory and privacy attorneys collaborates with emerging FinTechs and other companies to launch products and services, create bank partnerships to provide financial services using innovative technologies, and invest in new solutions. We represent companies – from startups to Fortune 100 – who are pioneering technologies and business models in this space, as well as the companies using these technologies. We advise clients on how to meet their business objectives, while avoiding unnecessary legal risk by clearing regulatory and compliance hurdles along the way.

Sheppard Mullin has a track record of experience in the Fintech ecosystem that sets it apart from other firms:

- We have worked with FinTechs for over a decade to create regulatory-compliant structures and to develop and launch products and services
- Our ability to cross-collaborate helps companies to identify and mitigate legal and financial risks when investing in the fintech marketplace
- We have in-depth experience structuring bill-payment and point-of-sale solutions to transfer billions of dollars of assets
- We develop and implement successful strategic partnering and outsourcing arrangements, including bank partner, servicing, and other critical third-party relationships

Our experience with FinTech products and services includes the following:

- Alternative and marketplace lending
- Bill-payment solutions
- Blockchain
- Crowd sourcing/funding
- Cryptocurrencies
- Digital wallets
- Internet banking
- Mobile, in-app, e-commerce or point-of-sale payment solutions
- Online financial platforms
- P2P money transfers and remittances
- Real estate transactions

Sheppard Mullin prides itself on inter-practice collaboration to get to the best results for our clients. Whether you are an emerging company developing a privacy policy or a global financial institution in need of sophisticated regulatory analysis, we can help.

## Consumer Financial Services

We address the regulatory, enforcement, transactional, litigation and consumer protection issues our financial services clients face at a senior level, and provide central coordination to craft a strategy which recognizes and respects federal and state differences. [Learn more](#)

## Privacy and Cybersecurity

We advise clients on consumer protection and privacy and cybersecurity matters, including developing and implementing effective privacy policies and procedures, data security incident response planning and cybersecurity issues. Our representations involve cybersecurity and digital asset management from diligence in acquisitions and investments, California Consumer Privacy Act compliance, incident preparedness and response, advising on consumer and state notices, responding to regulators, and defending companies in litigation relating to cyber events. [Learn more](#)

## Corporate

- **Corporate formation and venture financing.** With offices around the world, we maintain a strong network of relationships with VCs, entrepreneurs and third party experts in the start-up ecosystem.
- **Mergers and acquisitions**
- **Public offerings**
- **Corporate governance**
- **Technology and brand licensing**
- **Complex commercial transactions.** We advise on joint ventures, development, collaboration and consulting arrangements.
- **Real estate transactions**

## Finance

- **Structured finance and securitization transactions.** We advise on working capital financing and capital markets transactions utilizing cash-flow generating assets.
- **Assist companies** in all stages of development in devising entity structures for best execution of capital markets transactions.

## Regulatory & Enforcement

- **SEC and CFTC.** We navigate the continually evolving securities and commodities legal and regulatory landscape, whether as issuers, service providers, or registered market participants on behalf of clients.
- **FinCEN Regulations.** We advise on the Financial Crimes Enforcement Network's (FinCEN) regulations, including its guidance on convertible virtual currency and the Bank Secrecy Act; money transmitter and money service businesses issues.
- **AML Compliance.** We help develop and implement Anti-money Laundering (AML) compliance policies, procedures and training programs for personnel.

- **OFAC Regulations.** We counsel clients on compliance with economic sanctions regulations administered by the Treasury Department's Office of Foreign Assets Control (OFAC).
- **State Regulatory Laws & Enforcement.** We assist with individual state licensing and registration requirements and responding to inquiries and enforcement actions by state regulators.

## Intellectual Property

We help fintech companies develop and implement comprehensive intellectual property strategies, including patents, trademarks, copyrights and trade secrets. We also handle intellectual property transactions and litigation. Companies trust us for advice regarding open source software, which is commonly used in many fintech applications.

## Experience

### Representative Matters

- Represented a publicly traded US technology company in its proposed Series C investment in a company providing a financial and credit advisory platform.
- Represented an international bank in its Series A investment in a fintech incubator platform
- Represented BitGo in its acquisitions of Lumina Technologies and Harbor.
- Represented Total System Services on antitrust aspects of its \$54 billion merger of equals with Global Payments.
- Represent a crypto currency lender in a Luxembourg offshore securitization transaction.
- Represent a credit card bank in multiple issuances of asset backed notes secured by credit card receivables (both term and variable facilities).
- Represented borro Limited, an online personal finance company in connection with equity and debt financings.
- Advised a game technology company on financial regulatory issues regarding crypto collectibles marketplaces.
- Advised a technology company on financial regulatory implications of in-game virtual currencies.
- Advised a technology company on financial regulatory implications of facilitating pre-payments into game-hosted wallets.
- Advised a game and entertainment company on financial regulatory aspects of ecosystem regarding a specific rewards token.
- Advised an internet marketplace company on financial regulatory aspects of blockchain-based payment solution.
- Advised a fintech company, which is part of a proposed multi-entity collaboration, regarding financial regulatory aspects of gold certificate.
- Advised a leading online retailer on use of crypto currency by retailers, including accepting crypto payments and supply chain issues.
- Represented a recognized leader in digital currency security in its business including SAAS agreements, enterprise customer contracts, and technology development.

- Represented one of the premier digital currency payment companies in payment gateway and business partnership agreements.
- Advised a bitcoin industry client on responding to a major cyber incident involving the theft of millions of dollars in bitcoin from a business partner.
- Represented a multi-strategy trading firm in its issuance of cryptodebt in collaboration with a major retail company's cryptosecurities trading platform.
- Advised a leading digital asset secured based lender regarding the application of Article 8 & 9 of the Uniform Commercial Code for its novel bitcoin internet lending platform.
- Advised leading digital asset secured based lender regarding the Commodities Exchange Act, trademark issues, and third party bitcoin custodial account agreements.
- Represented a private trust in an action in the Northern District of Illinois alleging violation of the Racketeer Influenced and Corrupt Organizations Act ("RICO") and fraud related to a proprietary crypto trading platform.
- Represented BMO Harris, N.A. in several patent infringement actions involving check imaging, authentication methods and secure communications and methods of payment across websites from smartphone and related apps.