



Duane Morris attorneys have extensive experience representing clients in the fintech sector, from fintech startups offering a wide range of innovative and disruptive technologies, to established industry players, including banks, payment processors, credit card issuers, mobile payment providers, stored-value card processors, healthcare payment providers, insurance companies, investment research publications, e-commerce and online retailers, banks, broker dealers, non-exchange trading venues and investment advisers. We are adept at helping financial institutions and startups with joint venture, licensing and merger and acquisition (M&A) deals; addressing payment, clearing and settlement issues; and navigating companies foundations and individuals through the shifting legal and regulatory environment regarding cryptocurrencies, utility and security tokens and other digital assets. We also assist fintech startups in acquiring state and national banking licenses.

THOUGHT LEADERS AND ADVISORS

Duane Morris regularly hosts events and our attorneys often speak at industry events on pertinent topics such as:

- ▶ **Blockchain Business Applications: Dot-Com Bust or Business Boom?**
- ▶ **IP Issues in Fintech/AI**
- ▶ **Helping Fintech Companies Compete in the United States**
- ▶ **The Regulatory Landscape of Fintech**
- ▶ **Emerging Practice Areas: e-Discovery, Privacy, Cryptocurrency**
- ▶ **International Blockchain Law: The New Regulatory Frontier in Emerging Asia**

RANGE OF EXPERIENCE

Intellectual Property: patent, trademark, copyright, trade secret and other technology disputes and litigation, enforcement and defense, alternative dispute resolution, licensing opportunities and strategies, and patent and trademark prosecution

Privacy and Data Security: website disclosures, FAQs, terms of use, privacy policies and e-signatures, cybersecurity, and privacy and data concerns

Financial Institution Regulation, Supervision, Examination, Compliance and Enforcement: requirements of federal agencies and state and international law equivalents, including FDIC, FINRA, SEC, CFPB, FinCEN and OFAC

Transactional: M&A, lending and finance, smart contracts, capital markets (STOs, ICOs and TAOs), funding and investment opportunities



REPRESENTATIVE MATTERS

Privacy and Data Security

- ▶ Represented international bank in the global outsourcing of its voice/data telecommunications (including ATMs) to a leading telecommunications supplier.
- ▶ Advised several clients on issues related to maintenance and utilization of personally identifiable information under the Gramm-Leach-Bliley Act and Regulation P.
- ▶ Developed E-Sign Act disclosures and advised a client on implementation of related management procedures.

Transactional

- ▶ Advised on acquisitions of shares in digital payment companies operating e-wallet in Hong Kong, with plans to develop and expand the e-wallet technology in several other jurisdictions.
- ▶ Advised on the offer of “virtual shares” in Singapore through the DigixGlobal platform. The virtual shares were paid for by way of virtual currency and DigixGlobal raised US\$5.5 million within a short span of time. DigixGlobal is a decentralised asset-tokenisation platform built on Ethereum.
- ▶ Represented fintech vendors in providing hardware and software systems to numerous financial institutions.

IP: Patent Prosecution and Licensing

- ▶ Performed extensive searches and patent analyses for 15 mobile banking application initiatives.
- ▶ Represent fintech startups in all aspects of patent counseling and patent prosecution, including the preparation and prosecution of patent applications directed to distributed and blockchain ledger technologies, payment processing systems, electronic trading platforms and exotic financial instruments.
- ▶ Negotiated and performed due diligence on the \$1.1 billion sale of patents to major technology companies. In addition to prosecuting much of the portfolio, responsibilities included identifying and clearing issues regarding standards-essential patents within the portfolio.

IP: Litigation and Postgrant Proceedings

- ▶ Represented banking entity in litigation involving patents purportedly covering online banking procedures and use of secure Socket Layer (SSL) encryption for online banking, obtaining favorable settlement for banking client.
- ▶ Represented patent owner in covered-business method (CBM). The PTAB declined to institute CBM review of the client’s patent on the basis of our preliminary response, which successfully argued that the petitioner failed to meet the eligibility requirements to pursue CBM review and that the underlying patent did not represent a covered-business-method patent.

OFFICE LOCATIONS & REACH



UNITED STATES

Atlanta
Austin
Baltimore
Boca Raton
Boston
Cherry Hill
Chicago
Dallas
Fort Worth
Houston
Lake Tahoe
Las Vegas

Los Angeles
Miami
New York
Newark
Philadelphia
Pittsburgh
San Diego
San Francisco
Silicon Valley
Washington, D.C.
Wilmington

INTERNATIONAL

Hanoi
Myanmar
Ho Chi Minh City
Shanghai
London
Singapore

- > Also satellite offices, including Bangor and Portland, Maine; and Seattle, Washington
- > Alliances in Mexico
- > Leadership position with international network of independent law firms



FOR MORE INFORMATION, PLEASE CONTACT:

ROBERT KADLEC

213.689.7408 | rwkadlec@duanemorris.com

LYNNE E. EVANS

215.979.1102 | leevans@duanemorris.com

JAMES A. COOKE III

202.776.5252 | jacooke@duanemorris.com

This publication is for general information and does not include full legal analysis of the matters presented. It should not be construed or relied upon as legal advice or legal opinion on any specific facts or circumstances. The invitation to contact the attorneys in our firm is not a solicitation to provide professional services and should not be construed as a statement as to any availability to perform legal services in any jurisdiction in which such attorney is not permitted to practice.