

## **FinTech**

FinTech exists where the highly regulated financial industry runs headlong into the quick-moving tech world. Entrepreneurs and startups are unbundling the businesses of financial institutions while established companies search for new offerings and novel processes through acquisitions, joint ventures and internal innovation. Traditional financial services are being redefined through technological advances that are responsive to changing consumer demands.

As FinTech activity increases, financial regulators have begun to address the ways in which these new companies and technologies fit within the existing regulatory framework—and how to respond when they do not. Different mandates among agencies have led to varying approaches to FinTech regulation, leaving both emerging and traditional players to guess how they will be regulated as the need to innovate grows stronger.

As uncertainty continues and regulatory attitudes evolve, S&C's unmatched track record and wealth of knowledge and experience in navigating novel and complex regulatory structures make the Firm uniquely qualified to advise startup and established FinTech clients on their most important matters. S&C's multidisciplinary FinTech team works closely with clients and brings the full strength of the Firm to the table on every matter. Reflecting the diverse nature of FinTech, team members come from numerous practice groups within S&C:

- [Financial Services](#)
- [Payments](#)
- [Intellectual Property & Technology Transactions](#)
- [Mergers & Acquisitions](#)
- [Economic Sanctions and Financial Crime](#)
- [Commodities, Futures & Derivatives](#)
- [Cybersecurity](#)
- [Consumer Financial Services](#)

S&C's clients include both traditional and emerging FinTech firms, including:

- financial institutions,
- payment providers,
- marketplace lenders,
- blockchain and distributed ledger developers,
- virtual currency exchanges,
- private equity and venture capital firms,
- information services and data analytic firms,
- clearing houses,
- settlement systems,
- identity certification and management systems, and
- exchanges and alternative trading systems.

## **SELECTED REPRESENTATIONS**

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## PRACTICES & CAPABILITIES

### **General Practice/Corporate Law**

### **Financial Services**

- **Bank Regulatory**
- **Broker-Dealer**
- **Corporate Governance**
- **Economic Sanctions and Financial Crime**
- **Exchange/Alternate Trading Systems**
- **Financial Services Capital Markets**
- **Financial Services Investigations & Litigation**
- **Financial Services Mergers & Acquisitions**
- **FinTech**
- **Insurance**
- **Investment Management**
- **Payments**

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## PRACTICE CONTACTS

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We regularly advise clients on a diverse range of matters, including:

- bank regulatory, corporate structuring and governance, and strategic guidance to a diverse array of new and mature institutions, including banks, marketplace lenders, clearing houses, energy efficiency financing providers, insurance companies and mobile payment providers;
- the negotiation and execution of various M&A and joint venture projects;
- the development of rules and structures for new financial products and systems and the related commercial law issues;
- the development and management of intellectual property, including trademark clearance, brand strategy, patent licensing programs, trade secret protection, tax planning and monetization strategies, as well as in structuring, drafting and negotiating IP-intensive transactions, including in the context of joint ventures, manufacturing, supply, commercialization, settlement and outsourcing;
- capital raising efforts by emerging companies, as well as initial public offerings and secondary debt and equity offerings;
- investment opportunities for established financial institutions in FinTech companies and technologies;
- anti-money laundering and sanctions compliance;
- money transmitter/money services business licensing and compliance requirements;
- responding to inquiries and enforcement actions from various state and federal financial regulatory agencies;
- the structuring and implementation of identity certification and Know Your Customer systems;
- the permissible handling of customer data, including the sharing of customer data with third-party service providers; and
- the organization, formation and launch of digital exchanges used to trade stock futures, physical commodities, virtual currencies, municipal securities, emissions credits and other securities.