

## Key contacts

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## Blockchain and Cryptocurrencies



# Overview

Distributed ledger technology promises to be a game changer for many aspects of our economy. Businesses and governments are starting to experiment with the disruptive potential of the blockchain and the many different ways in which it may drive efficiency gains. Many earlier investors have made outsized returns trading the coins and tokens issued by players in the distributed ledger space. This has stoked a greater public interest in the investment potential as well as the practical application of smart contracts and blockchain immutability. The initial coin offering ('ICO') has quickly emerged as a competitor to early stage venture capital financing for many technology start-ups.

The legal and regulatory environment for participants in the distributed ledger ecosystem is undeniably complex and remains in a state of flux. Regulators around the world are starting to consider more closely the regulatory questions posed by the ICO in particular. As this sector continues to mature it can be expected that there will be an increase in regulation, which will likely be coupled with targeted guidance and further examples of enforcement action.

Our team of legal experts will help you navigate this brave new world. You may be looking to launch an ICO or invest into cryptocurrencies and tokens. Perhaps you are already a veteran and need to put in place a more robust asset and succession structure for your accumulated wealth. Our multi-disciplinary team is comprised of lawyers with expertise in securities law, corporate advisory, taxation and dispute resolution and are based in key locations around the world. They are able to assist whatever your legal needs may be.

# How we can help you

## For Issuers

- Reviewing the characterisation of a cryptocurrency or token from a securities law perspective
- Designing token issuance and software development entity structures
- Structuring pre-mine allocation and vesting arrangements
- Preparing agreements with venture capital investors, advisors and other external stakeholders
- Reviewing the terms of ICO documentation such as terms and conditions, information disclosures and privacy statements
- Advising on AML/KYC requirements and ICO participation restrictions
- Assisting with ongoing corporate secretarial, advisory and intellectual property requirements
- Reputation management and dispute resolution

## For Promoters and Investors

- Developing ownership structures for promoters and investors
- Advising on the taxation of trading gains as well as income derived from staking, forging, lending and airdrops
- Designing asset protection and estate planning structures for promoters and investors
- Advising on information exchange and reporting requirements
- Reviewing OTC brokerage arrangements and escrow
- Audit defense and litigation

## For Asset Managers

- Developing cryptocurrency focused fund structures
- Reviewing fund offering and subscription material
- Assisting with distribution and licensing requirements
- Advising upon the taxation of trading gains and performance fees