

# Fintech and Financial Services

## HIGHLIGHTS

WILSON SONSINI



We advise companies with financial products and services on legal and regulatory requirements under the securities, commodities, banking, and payments laws. We provide clients with strategic counseling designed to align with their business objectives.

#### • WEALTHTECH

- the Investment Company Act of 1940 ('40 Act)
- the Investment Advisers Act of 1940
- ${\scriptstyle \bullet}$  the Securities Exchange Act of 1934
- the Securities Act of 1933
- the Commodity Exchange Act
- the Financial Industry Regulatory Authority (FINRA)
- the National Futures Association (NFA)

#### • PAYMENTS & BANKING

- State money transmitter licensing laws and crypto-asset laws
- Consumer protection laws
- Anti-money laundering laws
- Banking laws
- Card network rules and NACHA rules

## **OVERVIEW**

Recognized among industry leaders in the 2024 and 2025 *Chambers FinTech Guide*:

"The team at Wilson Sonsini are entrepreneurial and responsive."

"A very deep bench of experts in all areas" with "an outstanding understanding of start-ups."





At the forefront of innovation, Wilson Sonsini's Fintech and Financial Services Group provides creative and compliant solutions to resolve complex regulatory and transactional issues faced by innovative companies in the financial services sector. We guide clients through complex and shifting legal and regulatory landscapes, providing practical counsel for innovative business lines within a sound legal framework.

#### **Broad Expertise**

Our attorneys have extensive experience across fintech and financial services sub-sectors:

- Wealthtech platforms, including those offering alternative investment platforms.
- Payments and banking providers, including neo-banks, virtual credit card issuers, online personal finance platforms, open banking apps, and innovative money services businesses and money transmitters.
- Blockchain and digital currency-related businesses, including Web 3.0 projects and blockchain-based gaming platforms, blockchain-based securities and settlement platforms, and decentralized finance platforms.
- AI-based fintechs, including fraud detection platforms, AI-based investment modeling, alternative data providers, and others.

## **COMPREHENSIVE SERVICES**

Wilson Sonsini provides the comprehensive and integrated corporate, regulatory, intellectual property, and litigation services that fintech companies need to thrive in today's legal and regulatory environment.

Our attorneys understand a company's entire scope of needs, enabling them to deliver impactful, innovative, compliant, and customized solutions. In other words, Wilson Sonsini provides the comprehensive and integrated corporate, regulatory, intellectual property, and litigation services that fintech companies need.

Our fintech and financial services expertise includes the following:

#### Regulatory

In the highly regulated fintech industry, regulatory compliance is key. We specialize in guiding fintech companies through the complexities of compliance with federal and state securities, commodities, payments, and other financial services laws, to creatively craft legal frameworks in a manner designed to streamline compliance as much as possible—particularly where there is legal or regulatory uncertainty.

- Counseling fintech businesses on structuring and strategies to comply with applicable law while achieving their companies' business goals
- Seeking no-action letters, exemptive orders, and other regulatory relief related to fintech legal issues that pose new questions
- Pursuing informal discussions with regulators regarding new technologies and business models to address regulatory uncertainty
- Forming and registering regulated entities, including investment advisers, broker-dealers, funding portals, money services businesses, and money transmitters; developing compliance programs; and providing ongoing compliance advice for these entities
- Drafting legal opinions and memoranda regarding the status of certain assets as securities; the status of a business as a brokerdealer, investment adviser, investment company, money services business, or money transmitter; and/or the compliance of a client's business activities with federal and state securities, commodities, and/or payments laws

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#### Corporate

Wilson Sonsini assists fintech companies in obtaining financing through all stages of their development, representing more companies that receive venture financing than any other U.S. law firm.

- Initial structuring and financings, including SAFEs, SAFTs, convertible notes, token warrants, and other arrangements
- Forming private funds to facilitate the delivery of fintech products and services, including venture capital and private equity funds, and developing necessary disclosure and operating documents
- IPO advisory services and negotiating the full suite of capital markets offerings, with experience in the United States, Hong Kong, and Chinese markets
- Mergers and acquisitions, with decades-long experience participating in landmark deals
- Tax analysis and mitigation strategies for corporate structures
- Guidance for foreign companies entering U.S. markets, including launch, fundraising, partnerships, M&A, and IP services

#### **Intellectual Property**

Wilson Sonsini's intellectual property team provides technology transactions guidance and patents and innovations assistance to strengthen our fintech clients' brands and ensure that our clients' fintech innovations are protected.

- Patents and innovations assistance, including patent portfolio management, patent applications, licensing, due diligence, litigation, and interference and re-examination proceedings
- Technology transactions guidance, including strategic alliances, partnerships, joint ventures, asset sales, collaborations and codevelopment arrangements, reseller agreements, manufacturing agreements, and global outsourcing transactions, among others

#### Litigation

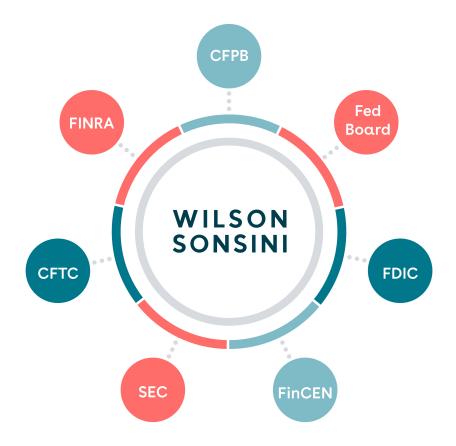
Wilson Sonsini's litigation team is skilled at representing clients in disputes involving complex technologies and novel issues of law.

• Wide-ranging litigation services, including trade secrets, commercial, consumer, corporate, patent, securities, and trademark litigation, among other specialties

These are just a portion of our commonly used legal services. Given our extensive experience in related practices, such as intellectual property, cybersecurity, and financial regulation, our firm also has substantial resources to represent a fintech or financial services company facing business disputes in critical areas like antitrust, privacy, and securities litigation.

## **RELATIONSHIPS WITH REGULATORS**

Wilson Sonsini's attorneys have represented thousands of start-ups and fintech and financial services clients. They are thoroughly familiar with the latest developments in the fintech and financial services industries, enabling them to respond quickly to industry shifts. Further, because they have longstanding relationships with regulators and in-depth knowledge of regulatory requirements, they have insight into how fintech and financial services business models will be viewed by the relevant agencies. In fact, several members of our team were formerly with the Securities and Exchange Commission (SEC) or the Federal Reserve.



Our extensive network streamlines compliance with regulatory bodies within the United States, such as the:

- CFPB (Consumer Financial Protection Bureau)
- Federal Reserve Board of Governors
- FDIC (Federal Deposit Insurance Corporation)
- FinCen (Financial Crimes Enforcement Network)
- SEC (Securities and Exchange Commission)
- CFTC (Commodity Futures Trading Commission)
- FINRA (Financial Industry Regulatory Authority)

# **CLIENT SUCCESSES**

Clients consider our fintech attorneys, ranked in the 2024 and 2025 *Chambers FinTech Guide*, to be

"Super responsive, very practical and amazing value for money."



Wilson Sonsini's Fintech and Financial Services Group represents an expansive list of companies in the financial services sector. Recent client successes include the following:

#### Corporate:

- Enable's \$119 million Series D financing
- Ledger Investing's \$75 million Series B financing
- Brex's \$300 million Series D financing
- Paxos' \$300 million Series D financing
- Paymentus' \$210 million IPO
- Upstart's \$240 million IPO
- Pismo's \$1 billion acquisition by Visa Inc.
- Bakkt's \$155 million acquisition of Apex Crypto
- Marqueta's \$275 million acquisition of Power Finance
- Altruist's acquisition of Shareholders Service Group
- Featurespace's pending sale to Visa

### **Regulatory:**

- Wealthtech Platforms: We have worked with clients such as Altruist, Addepar, CrowdStreet, Vauban, Mintus, Upstart, and Marqeta to ensure regulatory compliance while achieving business goals.
- Investment Advisers, Broker-Dealers, Exchanges, Alternative Trading Systems, and Other Intermediaries: Wilson Sonsini advises diverse clients such as CrowdStreet, Oportun, Figure, Public, and Crypto.com on regulatory questions arising from innovative business models and transactions.
- Payments Industry: We work with a range of clients in the payments industry, including CloudWalk, RTGS.global, and Modern Treasury, on innovative payment solutions that leverage bank partnerships, card networks, ACH, funds transfers, and instant payment systems.
- Emerging Payment Solutions: We advise clients on digital wallets and peer-to-peer payment solutions, emerging payment products and services such as stablecoins, tokenized deposits, and blockchain-based payment systems.
- Technology-Driven Payment Services: We work with clients on technology-driven ancillary services, such as token vaults, AI-based fraud detection, and programmable money.
- Strategic Bank Partnerships, Neo-Banks, and Banking-as-a-Service: Wilson Sonsini advises companies that provide seamless, more user-friendly access to banking and other financial services, including Meow and Mosaic Software, providing sophisticated, creative advice that is attuned to the evolving regulatory landscape and designed to suit our clients' strategic business needs.
- Blockchain Innovators: Working with companies like Figure, Block, Prometheum, and Microstrategy, Wilson Sonsini has provided crucial legal guidance on digital currencies and blockchain technology.

# **PAYMENTS PLAYBOOK SERIES**

Wilson Sonsini's Payments Playbook Series helps companies navigate legal and regulatory complexities in the highly regulated payments space.





**Embedded Payments Playbook** provides a roadmap for owning a segment of the payments value chain.

Read the full edition here.

**AI in Payments Playbook** provides a strategic blueprint for AI companies to develop and deploy solutions in financial services.

Read the full edition here.



**Crypto Payments Playbook** is a guide to how stablecoins and crypto can be used for crossborder payments.

Read the full edition here.

WILSON FINTECH AND SONSINI FINANCIAL SERVICES



Read the full edition here.

