

Sectors & Industries

Blockchain- Technologies & FinTech



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Schellenberg Wittmer's multidisciplinary and integrated Blockchain-Technologies and FinTech Group features experts and specialists with a strong blockchain technology background across the firm's various practice groups (Information and Communication Technology, Corporate and Commercial, Banking and Finance, Capital Markets, Taxation, and Dispute Resolution).

The team advises clients looking to take full advantage of the high potential of blockchain technology, such as the sale and purchase of cryptocurrencies, project launch and financing (ICO, DAO), on execution of the projects and promotion to commercial partners.

The team's specialist skills are essential to the uniqueness of each project with its own technical and commercial features. A specialist team assembled from across the various practice groups evaluates each project's specific requirements in order to provide expert, tailored advice.

Expertise

Our team advises clients across all industries in relation to blockchain technology and FinTech (e.g. financing, real estate, commercial, charity) in the following areas:

- Crowd-funding project preliminary analysis and set-up, incorporation of legal entities in Switzerland and abroad with the assistance of carefully selected advisors
- Domiciliation in Switzerland of companies active in the blockchain

technology and FinTech market

- Regulatory advice on any activities in relation to cryptocurrencies (issuance of coins, brokerage, storage, status of coins)
- Set-up of cryptocurrency brokerage activities and storage solutions (wallets)
- ICO preparation (incorporation of legal entities, white paper drafting and review, set-up of bank accounts, obtaining no-action comfort from Swiss regulator FINMA, compliance with AML requirements)
- ICO execution (negotiation and drafting of agreements with investors and commercial partners, filing with authorities)
- Advice on compliance with anti-money laundering legislation in connection with issuance and trading in cryptocurrencies
- Advice on structuring of smart contracts
- Advice on compliance with data protection and transaction security requirements
- Advice on taxation of products and services offered
- Executive education (compliance in the area of cryptocurrencies and tokens)
- Dispute resolution

Deals and Cases

- Advice and representation to Lake-Diamond SA in the launch of its CHF 60 million ICO with Swissquote Bank SA
- Advice to a Swiss investment fund on all Swiss regulatory aspects and feasibility of an ICO for future investment in real estate and energy
- Advice on the set-up of a new crowd-funding platform in Switzerland, including analysis of all financial regulations, such as the Swiss Banking Act, Securities Dealers Act, Financial Market Infrastructure Act and Collective Investment Schemes Act, and anti-money laundering legislation
- Advice to a global transport company on the establishment of a foundation and the issue of tokens to be used in a blockchain-based transport platform

operated by the client that allows autonomous vehicles to transact with one another

- Advice to a stock photo company on the set-up of a joint stock corporation in Switzerland and on the issuance of tokens in an ICO to be used to obtain services from a platform to share photos operated by the client
- Advice to a luxury lifestyle provider on the set-up of a joint stock corporation in Switzerland and on the issuance of tokens in an ICO
- Advice on the set-up of a crowd-funding platform in Switzerland, drafting of all related agreements, and obtaining a non-action letter from FINMA confirming that it is out of scope of regulations and in line with all applicable laws
- Advice to a leading ATM software company provider to banks worldwide, at the early stages of exploring an ICO as a method of investment, on the regulatory environment in Switzerland

Recognitions

The practice and its leading practitioners of the group are highly ranked across leading publications and directories:

- Chambers & Partners
- Legal 500
- IFLR
- Who's Who Legal
- Chambers & Partners FinTech Guide

“
**Always up-to-date
and very
experienced.**

”

Legal 500

Contacts



Roland Mathys, LL.M.
Partner Zurich
Co-Head of Sector & Industry



Dr. Olivier Favre, LL.M
Partner Zurich
Co-Head of Sector & Industry



Caroline Clemetson, LL.M.
Partner Geneva/Zurich



Benjamin Gottlieb
Partner Zurich



Dr. Guillaume Grisel, LL.M.
Partner Geneva



Matthias Gstoehl
Partner Zurich



Tarek Houdrouge, LL.M.
Partner Geneva



Pascal Hubli, LL.M.
Partner Zurich



Dr. Stefan Leimgruber
Partner Zurich



Dr. Simone Nadelhofer
Partner Zurich



Dr. Michael Nordin, LL.M.
Partner Zurich



Julie Raneda
Managing Director Singapore



Grégoire Tribolet, LL.M.
Partner Geneva



Grégoire Wuest, LL.M.
Partner Geneva



Prof. Dr. Olivier Hari
Of Counsel Geneva



Prof. Dr. Peter Georg Picht, LL.M.
Of Counsel Zurich



Fabio Elsener, LL.M.
Counsel Zurich



Joane Etienne
Counsel Geneva/Zurich



Magdalena Heyder
Counsel Zurich



Dr. Greg Lourie
Counsel Zurich

>150 lawyers
15 languages
30 nationalities
21 practice areas
15 sectors and industries
1,978 years of experience
Collaboration with
300 law firms worldwide
in more than
50 jurisdictions

Schellenberg Wittmer Ltd is your leading Swiss business law firm with more than 150 lawyers in Zurich and Geneva, and an office in Singapore. We take care of all your legal needs – transactions, advisory, disputes.



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Schellenberg Wittmer Ltd
Attorneys at Law

Zurich
Löwenstrasse 19
P.O. Box 2201
8021 Zurich / Switzerland
T +41 44 215 5252
www.swlegal.com

Geneva
15bis, rue des Alpes
P.O. Box 2088
1211 Geneva 1 / Switzerland
T +41 22 707 8000
www.swlegal.com

Singapore
Schellenberg Wittmer Pte Ltd
50 Raffles Place, #40-05
Singapore Land Tower
Singapore 048623
T +65 6580 2240
www.swlegal.sg