



Emerging Growth Companies

Emerging growth companies are disrupting the landscape as we know it, but face immense pressure to stay ahead of the curve in an environment that is rapidly changing.

Seyfarth represents emerging growth companies in all stages of their lifecycles—from formation and initial growth through maturation and exits—and understands the challenges that come with operating in a fast-paced marketplace. In these endeavors, we never lose sight of our clients' business objectives and strive to be dealmakers who complete projects and close transactions on a timely basis. The Seyfarth team assists with the vast array of issues that are encountered, including:

- Forming companies and establishing entity structures
- Drafting and negotiating commercial contracts, including, terms and conditions, license agreements, SaaS agreements, joint venture agreements, supply and manufacturing contracts, outsourcing agreements and distributor agreements
- Closing private placements of equity to raise capital
- Securing credit facilities
- Establishing executive and employee compensation plans and agreements
- Establishing corporate governance infrastructure
- Advising boards of directors
- Hiring and exiting employees and consultants
- Acquiring companies as part of a strategic growth plan
- Expanding operations outside the US, including associated employment and privacy compliance
- Exiting our clients through M&A transactions and initial public offerings

While our experience spans practically all industries, we have a particular focus on high-tech, biotech, and medical device companies.

Full-Service Capabilities

Our attorneys are supported by the resources of a full-service, international law firm, offering knowledge and depth in all domains, such as:

- Corporate and Securities
- Intellectual Property
- Tax
- Labor & Employment
- Employee Benefits
- Real Estate
- Privacy and Security
- Litigation

Recent Experience

- Represented numerous emerging growth companies with regard to their formations, SAFE investment rounds, and convertible note financings.
- Represented various early-stage, emerging growth, and middle market companies in connection with their Series A, B, C, D, and E financing rounds.
- Represented a leading provider of banking technology solutions for financial institutions in multiple tranches of a Series D Preferred Stock financing round, which included a “rights offering.”
- Counseled numerous Board of Directors regarding their fiduciary duties in connection with venture capital financings, including “down-rounds.”
- Represented an e-commerce company in a venture debt financing.
- Represented a bio-tech start-up company in its “license in” of technology from a big-pharma company.
- Represented a leading global airline catering and equipment solutions provider in connection with two loan transactions and an investment in a start-up company.
- Represented numerous venture capital funds, family offices, impact investment funds, and angel investors with regard to Preferred Stock and SAFE investments in portfolio companies.
- Represented an automated background check business in a sale of the company to a provider of end-to-end software solutions for enterprise legal, compliance, and HR professionals.
- Represented an SEL education company in its acquisition by a private equity firm, which included a complicated reorganization and a “go-forward” rollover equity investment.
- Represented various software companies in connection with a host of legal issues, including employment law, sales compensation plans, and SaaS agreements.