



Venture Capital and Emerging Companies

Carpe Diem

Whether you're a startup founder or an investor—you're an entrepreneur. Your day is chaotic, it moves at an intense pace and you're constantly juggling existing obligations and new challenges while seizing opportunities to grow your business and maximize value.

At Kilpatrick, we share the entrepreneurial spirit and understand the relentless drive that powers the venture capital ecosystem. Our team doesn't just provide legal advice; we offer a strategic partnership helping you navigate the legal challenges of the venture landscape. We're here to help you identify opportunities, sidestep pitfalls, and accelerate your success.

Startups

Kilpatrick is positioned at the forefront of innovation and commerce, serving a diverse group of clients that span the globe. We're deeply embedded in the venture community, advising on pivotal transactions across sectors like healthcare and life sciences, education technology, cybersecurity, telecom, fintech, and clean energy. Our extensive network includes influential venture capitalists and angel investors, providing us with unique insights into what drives success. We'll be in the trenches with you – from formation to exit and every step along the way. We don't just anticipate challenges; we actively engage with them, offering tailored guidance that aligns with your goals.

Venture Funds and Fund Formation

Funds look to us for assistance in risk minimization through legal due diligence. Our attorneys work together with our fund formation team, shape and implement the investor's terms and criteria for investment, become part of the fund's team, and assist with the negotiation and implementation of the fund's investment document. At Kilpatrick we are versed in deal terms that are market for financings, including SAFE notes, KISS notes, convertible notes, as well as early stage and later stage preferred equity financings. Cross-border investments are one of our specialties, as well as 'Delaware flips' involving European and Asian jurisdictions

Early-Stage Kickstart Program

Working with numerous incubators and accelerators, universities, and other inventors, we help founders form state-of-the-art companies, protect their intellectual property, create tax-optimized stock option plans, and incentivize founders, employees, consultants and advisors. Getting things right from the very beginning and the seamless integration of capitalization table and other support platforms sets our clients up for success in attracting angel, seed and other Venture Capital investments.

The Kilpatrick Kickstart Program provides eligible start-ups with access to a formation package and a full suite of services and a solid legal foundation before they receive significant funding. Kilpatrick's clients can rely on personal, partner-level advice featuring unsurpassed intellectual property and patent strategy advice, due

diligence, domestic and international tax optimization, employment, benefits and privacy law compliance, as well as R&D agreements, licensing, mergers and acquisitions, spinoffs, divestitures, and roll-ups.

Reach

Focus Areas

- Venture capital financing
- Fund formation
- Growth financing
- Mergers & acquisitions
- Debt financing
- Commercial negotiations and transactions
- Incorporation and business entity formation
- Corporate governance and shareholder engagement
- Special counsel matters
- Social entrepreneurship and impact investing
- Intellectual property transactions, licensing and protection
- Cybersecurity and data privacy counseling and implementation
- Federal, state and local tax matters and planning
- Equity incentive plans
- Dispute resolution, litigation and arbitration
- Estate planning and asset protection
- Leasing and real estate strategy
- Executive compensation and employment matters
- Strategic partnerships

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