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**Michel Jaccard Partner**

Ph.D. (Lausanne), LL.M'97 (Columbia Law School)  
 CEDR Accredited Mediator  
 Also admitted to the New York Bar  
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## Expertise

Special expertise in **innovative and technology matters**, familiar with the complexities and challenges of advanced technologies and innovative or disruptive business models across several industries, among which *AI, AR/VR, fintech* (blockchain and distributed ledgers), *healthcare* and *life sciences* (biotech, medtech), *media* and *adtech*, *IT and IoT*, *software* and *cloud*, *retail*, *mobility*, *gaming*, *security*, *hardware* and *telecoms*.

Strong track record in the **IP field** (copyright and trademark licensing, technology transfers, software development, deployment and litigation strategies, including open source and open access, new media, online reputation management, entertainment, branding and publishing), **data protection compliance**, **privacy management best practices** and **cybersecurity** incidents.

Extensive experience in **complex corporate, commercial and finance transactions**, including crossborder M&A, asset deals, impact investing, business combinations, joint ventures and restructurings. Clients range from early stage, equity or debt financed companies and entrepreneurs to global industry leaders and investment funds and include numerous fast growing VC backed companies and mature Swiss and European SMEs doing business with international suppliers or customers.



## Education & Current Activities

**J.D.** (1993), **Ph.D.** (1996), *University of Lausanne*, with honors.

**LL.M.** *Columbia Law School*, New York (Fulbright grantee, Harlan Fiske Stone scholar) (1997).

Admitted to the **New York bar** (1998) and to the **Swiss bar** (1999).

**Jury, Mentor and Coach**, MassChallenge, VentureKick, FIT Digital, Business Experience, >>Venture Competition>> (since 2014).

**Trainer**, Startup Board Academy (since 2015).

**Advisory Board Member**, Swiss Legal Tech Association (since 2017).

**Accredited Special Coach** (Legal), Innosuisse (since 2018).

**CEDR Accredited Mediator**, Centre for Effective Dispute Resolution, London (since 2021).

**Lecturer**, Master of Science in Sustainable Management and Technology, Enterprise for Society Center (E4S), University of Lausanne, IMD, EPFL (since 2021).



## Selected Recommendations and Accolades

*"to the point, experienced and entrepreneurial" (Chambers Global 2021)*

*"always sharp and willing to find the best solutions for his clients" (Chambers Europe 2021)*

*"able to give valuable advice quickly, which makes the exchanges very efficient. His approach is very pragmatic and solution-oriented, and he understands the specificities of early-stage businesses and how to deal with the problems that can arise." (Chambers Europe 2020)*

*"an outstanding lawyer and personality who provides practice-oriented and economically viable solutions" (Legal500 EMEA 2020)*

*"one of the most highly experienced and highly regarded TMT lawyers in Switzerland; he focuses on cross-border technology transactions, M&A and venture capital investments for technology clients." (Chambers Europe 2019)*

*"a strategic thinker" who is able to "find a solution beyond just the legal viewpoint to align with commercial needs" (Chambers Global 2019)*

*"very skilled at talking to and managing big financial institutions - he's a real deal-maker. He stands out for his deep understanding of cutting-edge technologies." (Chambers Fintech 2019)*

*"boasts a top-tier TMT practice with a strong international focus [and] regularly provides assistance on areas including advanced technologies, data protection and digital transformation" (WhosWho Legal 2018)*

*"extremely pragmatic, goes straight to the point and provides strong leadership" (Chambers Global 2018)*

*"has an outstanding reputation for data protection and privacy matters" (Chambers Europe 2017)*

*"an experienced, pragmatic and charismatic negotiator" (Legal 500 Europe 2016)*

*"a highly respected authority in the field of data protection, IT and technology" (Chambers Europe 2016)*

*"understands all the aspects of a transaction and doesn't focus on the timesheet but the success of his client." (Chambers Europe 2016)*

*"noted for his expertise in both IP and IT, and sources are quick to describe him as a 'brilliant lawyer'" (Chambers Europe 2015)*

*"continues to impress market commentators with his skill in assisting start-ups on M&A matters" (Chambers Global 2015)*

*"provides pragmatic and efficient solutions, and very good value for money" (Legal 500 Europe 2015)*

*"provides very focused legal and technical advice but also takes into account the commercial side of the transaction, and can translate his advice into lay terms" (Chambers Europe 2014)*

*"a dynamic practitioner with substantial market expertise and knowledge of venture capital transactions" (Chambers Global 2014)*

*"passionate and extremely knowledgeable about technology, so really understands how we work" (Chambers Europe 2013)*

*"a very intelligent person who quickly gets the important facts and understands without much explanation. He's always thinking at least two steps ahead" (Chambers Europe 2013)*

*"recommended for his firm but realistic negotiation style, and responsive and commercial approach" (Legal500 Europe 2013)*

*"a pragmatic expert with the presence to get things moving" (Chambers Europe 2012)*

*"someone who understands business and offers no-nonsense advice" (Chambers Europe 2010)*



## Selected Publications

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CR/CO II Commentaire des Articles 772-803 CO (Droit de la société à responsabilité limitée / LLC law), Commentaire romand, Bâle (since 2008) (with Fernand Chappuis).

Indemnification mechanisms in equity investment agreements – Critical overview with impact assessment of new legislation, GesKR 2 |2021, p. 267-276 (with Mehmet Toral).

*Smart contracts* – de la théorie à la pratique, Berne (2021) (with Mehmet Toral).

Les conflits entre actionnaires de sociétés anonymes; enseignements pratiques pour la rédaction de conventions d'actionnaires, Lausanne (2016).

Le "privilège de liquidation" en cas de revente des titres : affaire de notaire ou affaire d'actionnaires ?, Lausanne (2015).

De la protection des données personnelles à la sécurisation des données connectées, Livre anniversaire du Marathon du droit – Chapitre de la protection des données, Genève (2015).

Internet, médias sociaux, applications : terrains propices à la déloyauté commerciale ?, in Défis du droit de la concurrence déloyale (Challenges of Unfair Competition Law), Genève (2014).

Conventions d'actionnaires et PME – Quelle utilité ?, L'Expert-Comptable suisse (2014).

Swiss Chapter, The International Free and Open Source Software Law Book, Open Source Press (2nd edition, 2014).

Protection des données : kit du praticien, Revue de l'avocat 09/2014.

Commentaire des Articles 39a à 39c et 69 LDA (Propriété intellectuelle) (*Commentary of Articles 39a to 39c and 69 Swiss Copyright Act*), Commentaire Romand, Bâle 2013.

Contrat de développement de logiciel, Recueils de contrats commerciaux: Modèles commentés selon le droit suisse (*Software Development Agreement, Collections of commercial contracts*), Bâle 2013.

Couvrir les risques de l'administrateur (*Directors' Liability and Indemnification under Swiss law*), Cedidac no 89, Lausanne 2012.

Le *management* dans un processus de MBO – Enjeux, conflits d'intérêts et particularités contractuelles (*The management in an MBO process – Issues, Conflicts of Interests and contractual specificities*), L'Expert-Comptable Suisse (ECS) 6-7/2011, pp. 457-462.

Le conseil d'administration au service des actionnaires majoritaires – Risques, conflits d'intérêts et *best practices* en cas de cession d'actions (*The board as an instrument of the majority shareholder – risks, conflicts of interests and best practices in case of share deals*), RSDA 5/2010.

Sociétés anonymes privées en crise: l'actionnaire majoritaire démuni face au minoritaire? Réflexions critiques sur la protection renforcée du minoritaire en cas d'assainissement (*Crisis management in joint stock companies: the majority shareholder powerless vis-à-vis the minority shareholder ? Critical thoughts on the reinforced statutory protection of minorities in case of restructuring*), GesKR 2/2010.

Les contrats informatiques (*Information technology services agreements*), Publication du Centre d'études juridiques européennes, Zurich 2009. L'équilibre des pouvoirs dans le cadre de la révision du droit de la SA – Réflexions à partir des nouvelles règles sur la rémunération, l'organisation, la transparence et la gestion des conflits d'intérêts au sein du conseil d'administration (*Corporate checks and balances in the revised law of joint stock companies – Thoughts on the executive compensation, the governance, transparency and rules of conflicts of interests at the board level*), RSDA 2/2008.

L'organisation du conseil d'administration, la transparence et la gestion des conflits d'intérêts selon le projet de révision (*Organisation of the Board of Directors, transparency and handling of conflicts of interests according to the draft new law*), CEDIDAC no 76, Lausanne 2008.

Capital-risque et financement par étapes: de nouvelles perspectives suite à la révision du droit de la SA? (*Venture Capital and Staged Financing: new perspectives under the revised LLC law ?*), Zurich 2007.