

About

Special expertise in **innovative and technology matters**, familiar with the complexities and challenges of innovative and disruptive business models across several industries, among which *AI, AR/VR, blockchain, healthcare and life sciences* (biotech, medtech), *media and adtech, IT and IoT, software and cloud, retail, mobility, cleantech, 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/ESG, 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.



Practice Areas

Arts, Media & Digital Marketing
Corporate Finance & Impact Investing
Intellectual Property
Mediation

Data Protection, Privacy & Cybersecurity
Mergers & Acquisitions, Business Transfers
IT, Outsourcing & XaaS Solutions

Experience & Career

- 2022** Lecturer in Master of Science in Sustainable Management and Technology at Enterprise for Society Center (E4S), University of Lausanne - UNIL, IMD, EPFL
- 2022-** Member of the Co-creation team of the Impact Term Sheet, Legal Innovation for Sustainable Investments (LISI)
- 2021** Accredited Mediator, Center for Effective Dispute Resolution (CEDR), London
- 2019** Mediator, Institution for IT and Data Dispute Resolution (ITDR)
- 2018** Accredited Special Coach, Innosuisse – Swiss Innovation Agency
- 2017** Advisory Board Member at Swiss Legal Tech Association
- 2015-** Trainer at Startup Board Academy
- 2014-** Jury, Mentor and Coach at MassChallenge, VentureKick, FIT Digital, Business Experience, <<Venture Competition>>
- 2012** Founding partner of id est avocats
- 2006** Partner at BCCC avocats (now BianchiSchwald GmbH)
- 2003-4** Foreign Associate at White & Case LLP (New York)
- 2000** Associate at Tavernier Tschanz (now NKF)

Education

- 1999 Admission to the Swiss bar
- 1998 Admission to the New York bar
- 1997 LL.M., Columbia Law School New York (Fulbright grantee, Harlan Fiske Stone scholar)
- 1996 Ph.D. Law, University of Lausanne – UNIL (honors)
- 1993 Mlaw (Licence en droit), University of Lausanne – UNIL

Selected Publications & Presentations

Intelligence Artificielle (IA) et prestation de services, Journée de l'économie numérique, CEDIDAC 2022

Negotiating your term sheet with a VC, MassChallenge Switzerland, 2022

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

Les défis actuels de la profession d'avocat, Demi-journée de la profession d'avocat, CEDIDAC 2021

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

Smart contracts – de la théorie à la pratique, Bern, with Mehmet Toral, 2020

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, Geneva, 2015

Internet, médias sociaux, applications : terrains propices à la déloyauté commerciale ?, in Challenges of Unfair Competition Law, Geneva, 2014

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

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

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

Commentaire des Articles 39a à 39c et 69 LDA (Propriété intellectuelle), Commentaire Romand, Basel, 2013

Contrat de développement de logiciel, Recueils de contrats commerciaux: Modèles commentés selon le droit suisse, Basel, 2013

Couvrir les risques de l'administrateur, Cedidac no 89, Lausanne, 2012

Le management dans un processus de MBO – Enjeux, conflits d'intérêts et particularités contractuelles, L'Expert-Comptable Suisse (ECS) 6-7/2011, pp. 457-462, 2011

Le conseil d'administration au service des actionnaires majoritaires – Risques, conflits d'intérêts et best practices en cas de cession d'actions, RSDA 5/2010, 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, GesKR 2/2010, Zürich, 2010

Les contrats informatiques, Publication of the 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, RSDA 2/2008

L'organisation du conseil d'administration, la transparence et la gestion des conflits d'intérêts selon le projet de révision, CEDIDAC no 76, Lausanne, 2008

Capital-risque et financement par étapes: de nouvelles perspectives suite à la révision du droit de la SA, in GesKR, Zürich, 2007

Selected Recommendations and Accolades

Included in multiple practice areas, e.g. Venture Capital, M&A, Media law and Information Technology & named 'Lawyer of the Year' in 2022 in Lausanne for M&A (Best Lawyers since 2010)

Recommended as a Global Leader in data protection, privacy, data security, and information technology (WhosWhoLegal- WWL, since 2018)

"amazing knowledge and wonderful ability to translate it into practical advice ; so valuable that I consider him to be an adviser for the strategy of the company" (Chambers Global 2022)

"ability to listen, political and strategic intelligence ; remarkably sharp on the subjects entrusted and has a quick understanding of the client's needs and expectations." (Chambers Europe 2022)

"one of the greatest experts in the area of IT outsourcing I ever had the pleasure to work with. He provided excellent legal advice in a highly complex case" (Legal500 EMEA 2022)

"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)