



## **At the Vanguard of the Cryptocurrency and Blockchain Industries**

Bracewell's multidisciplinary cryptocurrency and blockchain team is uniquely positioned to advise on the legal, regulatory, transactional and policy issues involving cryptocurrency and digital tokens, as well as the blockchain and the distributed ledger technologies on which they are based. Our diverse experience across practice areas gives us the practical knowledge necessary to advise clients on the emerging trends and developments particular to each industry.

Our cryptocurrency and blockchain lawyers advise clients on issues related to:

- cryptocurrencies and other digital assets, and related spot and derivatives exchanges and trading platforms
- security and utility tokens, non-fungible tokens (NFTs), and stablecoins and their ecosystems
- changes to wholesale and retail payment and settlement systems and central bank digital currencies
- decentralized finance (DeFi) networks, protocols and strategies
- smart contracts and token governance structures
- development and implementation of blockchain and other distributed ledger technologies, particularly in the energy and agricultural sectors
- tokenization of physical assets
- crypto mining and related energy and environmental considerations

- initiatives and proposed regulation and legislation by US and foreign regulators, legislators and global institutions, including the World Economic Forum, International Monetary Fund and Bank for International Settlements

Bracewell's cryptocurrency team has deep experience working with the government agencies that touch upon the crypto industry, including the Commodity Futures Trading Commission (CFTC), Department of Justice (DOJ), Securities and Exchange Commission (SEC) and Federal Energy Regulatory Commission (FERC). We understand the inner workings of these and other agencies, and can effectively help clients navigate the regulatory framework applicable to these rapidly evolving industries. We can also manage the various enforcement inquiries and investigations that the cryptocurrency community currently faces and the DeFi and NFT industries will soon face.

We draw on our strengths in the financial -->, energy --> and technology -> industries in representing companies and individuals in the cryptocurrency, digital asset, DeFi and blockchain communities on transactional -->, regulatory, white collar investigations and litigation, government relations -> and strategic communications --> matters. Our crypto lawyers have significant experience representing cryptocurrency exchanges, corporations utilizing blockchain technologies, bitcoin mining companies, generation utilities and other participants in the broader cryptocurrency and DeFi industries on various issues, including:

- commodities and derivatives enforcement, investigations and litigation
- securities enforcement, investigations and litigation
- anti-money laundering and counter-terrorism finance compliance
- economic sanctions
- cybersecurity and data breaches
- public policy, legislative and regulatory advocacy
- M&A, joint ventures and corporate governance
- secured lending and UCC issues
- token and digital asset securities offerings
- blockchain and smart contract platforms
- intellectual property rights and technology transactions
- environmental matters
- tax structuring

## Regulation and Enforcement

We bring an insider's perspective to cryptocurrency regulation, drawing on our experience representing clients before the CFTC, SEC, FERC and DOJ. We advise cryptocurrency exchanges on the CFTC and SEC registration categories potentially applicable to their business, as well as companies in the DeFi space on the applicability of the current US regulatory structure. In addition, we advise companies on issues related to the Bank Secrecy Act and Know Your Customer requirements.

We also represent market participants in state and federal enforcement actions, investigations and related litigation, including matters before the CFTC, DOJ, SEC and the Financial Crimes Enforcement Network (FinCEN).

## **Policy, Legislation and Regulatory Advocacy**

Bracewell is strongly positioned to advise clients on the complex policy, regulatory and public affairs issues resulting from the increased scrutiny of cryptocurrency and DeFi. Our deep connections to leadership and staff within regulatory agencies allow us to engage regulators directly on the policies and regulations affecting our clients. Our Policy Resolution Group (PRG) -> brings a unique combination of government relations, strategic communication and legal representation to bear in helping clients navigate and advocate complex policy issues. PRG includes team members who have held leadership positions as chiefs of staff and legislative directors in the US Congress, or who have served as senior officials and attorneys at the SEC and other regulatory agencies.

Our experience working with nascent industries facing scrutiny in Washington and regulatory schemes — such as those created under the Dodd-Frank Act — enables us to anticipate and respond to developments that will impact the future of the cryptocurrency community, including tax policy, agency regulations and cybersecurity regulations.

## **Blockchain and Smart Contracts**

We draw on our strengths across practices and industries to advise clients on the use of blockchain and smart contracts.

As one of the world's leading energy law firms, we have an extensive knowledge of energy commodities and derivatives markets which, in combination with our deep understanding of blockchain, smart contracts, trading platforms and other emerging technologies, enables us to provide informed and practical advice on the benefits and challenges of transitioning into a new era of smart contracts, automated market-making and automation of mid- and back-office functions. This experience includes advising clients on the use of blockchain, smart contracts, and other emerging technologies for energy commodities trading, including on matters regarding master agreements, trading, scheduling and settlement functions.

## Crypto Mining

Our team helps clients acquire and operate bitcoin and cryptocurrency mining operations across the United States, including in the Pacific Northwest, Mountain West, Southwest and Mid-Atlantic regions.

We advise generation owners and crypto miners with proposals to collocate mining operations at generation sites, as well as in assessing interconnection to and use of electric distribution and transmission systems to ensure the developers of mining facilities have reliable power. We also provide advice on access and rate issues for use of local electric distribution systems and neighboring transmission systems for utilities, crypto miners and generation owners.

---

## Key Contacts



**David**

Partner

**NEW YORK** +1.212.508.6154

[david.shargel@bracewell.com](mailto:david.shargel@bracewell.com)



**Seth**

Partner

**NEW YORK** +1.212.508.6165

[seth.ducharme@bracewell.com](mailto:seth.ducharme@bracewell.com)

## Recognition

Our lawyers and practices are consistently ranked among the best in the legal industry, including in areas of vital interest to the cryptocurrency and digital token industries.

### Chambers Global

- USA Electricity – Regulatory and Litigation
- USA Electricity – Transactional

### Chambers USA

- Nationwide Electricity – Regulatory and Litigation
- Nationwide Electricity – Transactional
- Nationwide Government Relations
- New York Litigation: White-Collar Crime and Government Investigations
- Texas Banking & Finance
- Texas Corporate/M&A
- Texas Litigation: White Collar Crime and Government Investigations
- Texas Intellectual Property
- Texas Technology & Outsourcing

### IFLR1000

- US Banking
- US M&A
- UK Bank Lending: Borrower Side and Lender Side
- UK M&A

### Legal 500 US

- Commercial Lending
- Dispute Resolution: Corporate Investigations and White-Collar Criminal Defense
- Dispute Resolution: Corporate Investigations and White-Collar Criminal Defense: Advise to Individuals
- General Commercial Disputes
- Energy Litigation: Electric Power

# BRACEWELL

- Energy Regulation: Electric Power
- Energy Transactions – Electric Power
- Government Relations
- Outsourcing: Technology Transactions

## **U.S. News – Best Lawyers**

- National Corporate Law (Tier 1)
- National Criminal Defense: White Collar (Tier 1)
- National Energy Law (Tier 1)
- National Technology Law
- Houston Criminal Defense: White Collar
- Houston Energy Law (Tier 1)
- Houston Technology Law
- New York Criminal Defense: White-Collar (Tier 1)
- New York Energy Law (Tier 1)
- Washington, DC Criminal Defense: General Practice
- Washington, DC Criminal Defense: White-Collar
- Washington, DC Energy Law (Tier 1)
- Washington, DC Government Relations Practice