

Digital Assets, Cryptocurrencies, and Blockchain

We advise clients from startups to established industry leaders on digital assets, cryptocurrencies, distributed ledger technology (DLT), and blockchain initiatives. We have an in-depth understanding of the technology, which we use to provide counseling on regulatory matters, government inquiries, compliance with existing and developing laws, and contractual and intellectual property guidance. Our expertise spans financial services (including DeFi), venture capital, manufacturing, retail, health care, insurance, telecommunications, energy, cloud technology, the Internet of Things (IoT), and non-fungible tokens (NFTs).

Our team has an unrivaled combination of regulatory, compliance, intellectual property, litigation, insurance, and government enforcement experience, and a long history of working on regulatory, litigation, and enforcement matters regarding emerging technology. We are uniquely positioned to help clients develop and implement strategies surrounding smart contracts, tokenization, digital assets, and the transition to Web3.

Our attorneys are thought leaders with sophisticated technology regulatory, transactional, and litigation experience. We routinely write and speak on complex issues related to the development, implementation, and regulation of crypto, from consumer protection, financial regulatory, and national security issues, to the development of Web3 and use of tokens in the metaverse. Our recent experience includes, for example, advising clients on multinational strategies for blockchain project implementation, representing clients in government inquiries regarding cryptocurrencies, and advising on implementation of cutting-edge staking services.

Our expertise includes:

- Anti-Money Laundering (AML) and Know Your Client (KYC) requirements
- Securities and Exchange Commission (SEC), Commodity Futures Trading Commission (CFTC), and U.S. Department of Justice (DOJ) regulations and investigations
- Privacy laws and regulations, including CCPA and GDPR, and cybersecurity risk management
- Financial laws and regulations and their potential applicability to DeFi and crypto
- Sanctions and Office of Foreign Assets Control (OFAC) requirements
- Regulatory approaches to mining and staking services

- International governance frameworks for blockchain and digital assets
- Consumer protection regulations and investigations, including with the Federal Trade Commission (FTC), Consumer Financial Protection Bureau (CFPB), and State Attorneys General
- Contract negotiation involving digital assets, and other technology transactions
- Corporate governance and cross-national regulatory frameworks
- Implementation of virtual currencies and NFTs on platforms including gaming platforms
- Public policy and government affairs
- Insurance products, coverage, and disputes

Contact Us

Mary E. Borja
202.719.4252 | mborja@wiley.law

Duane C. Pozza
202.719.4533 | dpozza@wiley.law