
Venture Capital / Private Equity

Our Services

We advise Private Equity and Venture Capital funds, strategic (Corporate Venture) and private investors (Business Angels) as well as founders and managers with respect to investment, financing and Buy Out-transactions and we also offer ongoing advise to Investors and investment management companies. Our clients come from many different branches such as IT, telecommunication, e-commerce or medtec.

We offer practice-oriented advice based on our business experience of nearly twenty years and our extensive networking in the Private Equity and Venture Capital market.

We develop consultation packages specifically tailored to our clients' needs concerning the entire contract documentation as well as individual situation based issues. In this context, our clients benefit from the full range of legal expertise and advice necessary to meet the numerous legal requirements of Venture Capital transaction matters.

Legal services on which we focus include

- Preparation and conducting of Due Diligence
- Organization and definition of corporate structures
- Drafting and negotiation of investment and shareholders' agreements in financing rounds
- Drafting and support concerning the implementation of employee participation plans (ESOP)
- Pooling
- Drafting of technology transfer agreements
- Consultation and realisation of mezzanine financing instruments, including the elaboration of convertible and bridging loans, silent partnerships and jouissance right capital
- review to assess the competitive impact of mergers and supervision of merger proceedings
- Structuring transformations and Joint Venture projects
- Ongoing advice to businesses in matters concerning corporate, IT/IP, labour, distribution, licensing and data protection law
- Exit-Transactions



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Our Track Record

- Advising Ada Health GmbH (Health counselling through artificial intelligence) on financing by Access Industries and Manager of Google, among others (overall volume more than EUR 40 Mio.)
- Advising Digital Growth Fund in a Series B financing round of riskmethods GmbH (EUR 13.5 mio. growth funding)
- Advising investors in the context of a Series C financing round (USD 45 mio.) in eGym GmbH
- Advising investors in connection with their entry into a biopharmaceutical company, active in the development of novel drugs based on thermosensitive liposomes.
- Acquisition, Financing and sale of participations in the area of renewable energies, such as solar parks in the UK
- Various Seed Financing and Bridge Financing as well as later stage Financing deals for HTGF, Bayern Kapital, coparion, IBG, NRW.BANK and Hannover Beteiligungsfonds
- Transformation procedures, for example carbon clean tech GmbH and Solarkiosk GmbH in joint stock companies (AG)
- Advising DNS:NET Verwaltungs GmbH at the Investment by DBAG (EUR 15m)
- Various early-stage, bridge and later stage financing arrangements for technology companies and investors in the Rhine-Neckar metropolitan region
- Exit and Access of strategic investors to the operator of a price comparison portal
- Numerous financing rounds of successful technology and life sciences start-ups, such as fos4X GmbH, Rodos Bio Target GmbH and Dynamic Biosensors GmbH
- Social Entrepreneurship; Entry of a social fund into a non-profit enterprise
- “Share Economy”: financing of a platform regarding placement of cab and chauffeur services
- Investment structuring and Management Buy Out for a biotech company
- Tax and Legal DD, share purchase and investment documentation for the entry of Extorel into German RepRap GmbH; manufacturer of 3D printers.
- Elaboration and negotiation of a German-Finnish Joint Venture with investment in mobile machine-to-machine applications via pre-configured Cloud Services
- Advising Constantia New Business GmbH at the acquisition and participation of future investment management companies
- Advising a family office on VC financing transactions



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Publications

Publications

- Venture Capital Handbuch, 6th ed., 2019
- Kommentar zum Kapitalanlagegesetzbuch und Investmentsteuergesetz, EuVECA-VO, EuSEF-VO und ELTIF-VO, 2. ed., 2017
- Handbuch Management Buy Out, 2nd ed., 2013
- Der Start-Up CFO, 2013

Articles

- Ausgestaltung von virtuellen Mitarbeiterbeteiligungsprogrammen, Schönhaar, GWR 2017, 293ff.
- Ausgründungen aus Forschungseinrichtungen: Beteiligte, Konflikte, Herausforderungen, Rasmussen-Bonne, Life Sciences Report 2016/2017, S. 95 ff.
- Das neue Börsensegment „Scale“ der Deutsche Börse AG: Neue Finanzierungs- und Exit-Möglichkeiten für KMU, M. Weitnauer, GWR 2017, 235 ff.
- Wandeldarlehen als Finanzierungsinstrument, Schönhaar, GWR 2016, 6 ff.
- Am Anfang steht die Wahl der richtigen Rechtsform, Schönhaar, Venture Capital Magazin, Sonderausgabe Oktober 2014
- Gewinnabhängige Mezzanine Unternehmensfinanzierung, Weitnauer, GWR 2014, S. 383 ff.
- Steuerliche Anerkennung inkongruenter Gewinnverteilungsabreden bei der GmbH, Dunkmann/Schönhaar, GWR 2014, S. 361 ff.
- Gesellschaftsrechtliche Wettbewerbsverbote, Weitnauer/Grob, GWR 2014, S. 185 ff.

- Die Verordnung über Europäische Risikokapitalfonds ("EuVECA-VO"), Weitnauer, GWR 2014, S. 139 ff.
- Des Gründers liebste Rechtsform – Die UG, Rasmussen-Bonne, Life Sciences Report 2014, S. 83 ff.
- Pools und Investment-Clubs: Strukturen und Erlaubnispflichten nach KAGB und KWG, Weitnauer, GWR 2014, S. 1 ff.
- Zur Strukturierung von Mitarbeiterbeteiligungsmodellen, Weitnauer/Dunkmann, GWR 2013, S. 349 ff., S. 371 ff.
- Das Crowdfunding als neue Form der Unternehmensfinanzierung, Weitnauer/Parzinger, GWR 2013, S. 153 ff.
- Die disquotale Einlage – Schenkungssteuerliche Folgen des § 7 VIII ErbStG für das Beteiligungsgeschäft, Weitnauer, GWR 2012, S. 259 ff.
- Kontrollrechte und Kontrollerwerb – Das Beteiligungsgeschäft im Visier des Kartellrechts, Weitnauer, GWR 2010, S. 78 ff.



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