Editors

Mark W. Rasmussen is a partner of Jones Day, resident in Dallas. Mark is a seasoned litigator and investigator with more than a dozen years of experience representing clients in complex commercial litigation, securities litigation, regulatory and internal investigations, and bankruptcy litigation. He also advises clients on regulatory compliance related to cryptocurrencies, initial coin offerings (ICOs), and blockchain technology and was recently appointed by Chief Judge Barbara Lynn, of the Northern District of Texas, to be the first receiver in an SEC enforcement action involving an ICO promoter.

James A. Cox is of counsel to Jones Day, resident in Dallas. With more than two decades of legal experience and a background in computer science, Jim has successfully advised clients on their most challenging and difficult matters in litigation and arbitration, including complex technology-related disputes, international disputes, class actions, and disputes involving corporate acquisitions. Jim is now applying that experience to the innovative fields of cryptocurrency and the blockchain, advising clients on Bitcoin, Ethereum, and other virtual currencies, as well as on broader applications of blockchain technology.

Chapter Authors

Dickson C. Chin is a partner of Jones Day, resident in New York. He represents investors, financial institutions, utilities, developers, energy marketers, commercial users, and other market participants in a wide range of energy transactions. His practice encompasses energy marketing and trading, renewable energy, project finance and development, construction, joint ventures, and mergers and acquisitions. Dickson also coordinates the global structured finance and derivatives lawyers of the Firm. In addition to
advising clients on financial products and derivatives, intercreditor issues, bankruptcy, and regulatory considerations related to swap transactions, he is also actively involved with representing clients on blockchain and other distributed ledger technology, smart contracts, and initial coin offerings.

Kayla M. Davis is an associate at Jones Day, resident in Washington, D.C. Kayla advises banks, non-bank financial institutions, and financial technology companies with regard to strategic, regulatory, and transactional matters. Kayla provides strategic and regulatory advice on new business models, products, and services. She also advises on regulatory issues in connection with transactions and agreements and counsels clients on regulatory compliance matters. Kayla also has experience representing employers in a broad range of labor and employment matters.

Nicholas Dimitriou is an associate at Jones Day, resident in Singapore. Nicholas has more than ten years of experience advising on mergers and acquisitions, joint venture arrangements, and corporate restructuring. His extensive experience is in the energy, natural resources, and infrastructure sectors, with a particular focus on energy projects and transactions. He has represented renewable energy companies, oil and gas companies, energy providers, financial institutions, private equity firms, and insurance companies as a private practice lawyer and as part of a client secondment. Nicholas also has an in-depth knowledge of blockchain technology, including its specific application in the energy industry, and has hosted and moderated seminars on this topic. He is involved with representing clients on blockchain and other distributed-ledger technology and smart contracts and has contributed to a number of publications in this area, including articles and white papers from a Singapore perspective on digital tokens and ICOs and on the taxonomy of cryptoassets.

Emily O. Harris is an associate at Jones Day, resident in Chicago. Emily has more than a decade of experience representing investment advisers, private funds, broker-dealers, and operating companies on a broad range of regulatory and corporate matters. Her practice covers the formation, marketing, operation, and regulation of private funds (including hedge funds, funds of funds, hybrid funds, private equity funds, and venture capital funds); registration and compliance issues regarding investment advisers; broker-dealer “status” issues; sales of registered investment advisers; and investment company “status” matters. She also advises clients on forming investment entities for, and regulatory compliance with respect to, investments in cryptocurrencies and related assets.
About the Editors and Chapter Authors

Bradley W. Harrison is a partner of Jones Day, resident in Cleveland. Brad is a trial attorney who represents clients in courts and before arbitration panels throughout the United States. He is no stranger to the courtroom, having served as trial counsel in several jury trials and as a member of numerous other trial teams throughout the country. Brad devotes a large part of his practice to the defense of companies in product liability actions and often defends companies in class actions and multidistrict litigation. Brad also spends a considerable portion of his practice on commercial disputes, including complex business tort and contract litigation.

Gwendolyn R. Higley is a staff attorney at Jones Day, resident in Dallas. Gwen focuses her practice on issues of e-discovery. She has experience managing all stages of e-discovery projects, including data preservation, collection and processing, development of review and QC protocol, and document production. Gwen also has experience with matters concerning internal corporate investigations and government investigations.

Samir C. Jain is a partner of Jones Day, resident in Washington, D.C. Samir has more than twenty years of experience at high levels of government and in private practice working on cutting-edge legal and policy issues involving cybersecurity, privacy, national security, communications, and internet law. Prior to joining Jones Day in 2017, Samir was senior director for cybersecurity policy for the National Security Council at the White House. He led the team responsible for cyber incident responses, chaired the interagency body that reviewed proposed cyber operations, directed evaluation of legislative proposals concerning reform of the Electronic Communications Privacy Act, and regularly worked with international cyber counterparts, including leading an interagency delegation to India and coordinating the campaign to gain acceptance of U.S.-proposed international cyber norms. Samir also served as associate deputy attorney general at the United States Department of Justice (DOJ), where his responsibilities included overseeing the development of proposals to modernize the Computer Fraud and Abuse Act and other cybercrime laws and supervising evaluation of telecommunications license applications for significant national security risks. In that role, he also represented the DOJ in White House cybersecurity meetings and international negotiations such as China’s agreement not to engage in cyber-enabled intellectual property theft for commercial gain.

Richard J. Johnson is a partner of Jones Day, resident in Dallas. Jay is a former federal prosecutor with fifteen years of government and law firm experience in litigation, investigations, and regulatory compliance. Having
previously tried a number of cases to juries in federal court, he represents companies facing complex litigation and advises on regulatory compliance measures, with an emphasis on data privacy, cybersecurity, intellectual property, and white-collar issues. Jay also cofounded the Firm’s Global Privacy & Cybersecurity Update, a bimonthly publication produced by a global thirty-attorney team. Prior to joining Jones Day, Jay was an Assistant U.S. Attorney in the Eastern District of Texas and the district-wide coordinator for computer hacking and intellectual property issues. In that capacity, he guided the district’s preparation for and response to cyber and IP crime and counseled prosecutors on collecting electronic evidence. Jay led numerous trial and investigations teams involving fraud, identity theft, and other federal crimes. He received the Justice Department’s Director’s Award for Superior Performance as lead trial counsel in the prosecution of a large-scale mortgage fraud scheme. Jay also traveled to Bosnia and Herzegovina, Macedonia, and Croatia to train local judges and law enforcement personnel on effective investigation techniques.

Peter A. Julian is an associate at Jones Day, resident in San Francisco. Peter’s practice focuses on representing companies in antitrust government investigations, enforcement actions, and private antitrust litigation. He has developed particular experience working on antitrust matters with technology clients. Peter also has experience in complex litigation, including briefing and motion practice, pretrial discovery, and trial preparation.

Jared R. Kelley is a project attorney at Jones Day, resident in Dallas. Jared Kelley focuses his practice on the defense of corporations and executives in securities fraud class actions, internal corporate investigations, and government investigations into alleged violations of the Foreign Corrupt Practices Act. He has extensive experience in e-discovery, including data processing, document review, and production.

Lisa M. Ledbetter is a partner of Jones Day, resident in Washington, D.C. Lisa advises domestic and international financial institutions in navigating complex and novel regulatory, transactional, and enforcement challenges. She provides strategic advice on commercial and retail bank regulation and financial technology. Lisa counsels financial institutions and non-bank companies on new business models, products, and services. Lisa represents several financial services trade associations, assisting with public positions, and comments on domestic and international issues. Lisa advises clients on strategic opportunities emanating from changes in federal and state laws and regulatory requirements. She advises on bank equity investments and activities, Volcker Rule limitations on trading and
investments, liquidity, counterparty credit limits, derivatives, capital and business planning, fintech, cybersecurity, anti-money laundering, and credit and debit cards. Lisa is experienced in responding to civil investigative demands and defending agency enforcement actions. She is experienced as well in conducting internal investigations.

**Margaret I. Lyle** is of counsel to Jones Day, resident in Dallas. Margaret defends class actions and represents businesses in complex litigation and appeals, including intellectual property, data privacy, contract, and internet-marketing claims. She has successfully defended consumer and mass tort class actions claiming fraud, unjust enrichment, conspiracy, products liability, medical monitoring, and toxic exposure, as well as those brought under the Fair Credit Reporting Act, the Magnuson-Moss Warranty Act, the Driver’s Privacy Protection Act, the Credit Repair Organizations Act, RICO, and state consumer statutes. Margaret serves as a cochair of the ABA’s Woman Advocate Committee and is a past editor-in-chief of the ABA’s *The Woman Advocate*.

**Richard M. Martinez** is a partner of Jones Day, resident in Minneapolis. Rick’s practice focuses on technology and its impact on society. He has extensive domestic and international experience in technology and intellectual property matters and in cybersecurity, data privacy, and information law. Rick has been involved in patent licensing campaigns that have generated eight- and nine-figure settlements and has represented Fortune 100 corporations, leading educational institutions, technology start-ups, and individuals in privacy and cybersecurity matters, including wire transfer fraud, Wiretap Act claims, privacy torts, and disputes relating to the ownership of data. Rick is a technology lawyer with substantial experience in technological fields and computer-implemented inventions, including computer hardware and software, and network and web-based communications, including web browser technology, flash memory, automated systems, and consumer electronic devices. Rick has earned a powerful reputation for negotiating licenses with Japanese and Korean businesses and for his ability to work internationally and cross-culturally. Prior to joining Jones Day in 2016, he handled granting and acquisition of licenses with such companies as Toshiba, Samsung, LG, Panasonic, Sony, Sharp, and Phillips. He has had first-chair responsibility in high-stakes IP litigation in state and federal courts, representing plaintiffs and defendants, and practices actively in matters before the International Trade Commission.

**Locke R. McMurray** is of counsel to Jones Day, resident in New York. Locke’s practice focuses on derivative products, secured transactions, and
securitized products. Locke utilizes his deep knowledge of Fixed Income, Currencies and Commodities (FICC) markets to deliver innovative solutions to clients. He also has vast experience with the treatment of derivatives and other financial instruments in bankruptcy and the structuring and enforcement of credit mitigants such as close-out netting, financial collateral arrangements, and third-party credit support (e.g., guaranties, letters of credit, financial guaranty insurance, and credit default swaps). Locke is adept at structuring exotic transactions and has managed documentation teams during his more than fifteen years as in-house counsel at a variety of banks. Locke advises clients on the Dodd-Frank Act, particularly in relation to its extraterritorial application, margining for non-cleared swaps, the “end-user” clearing exemption, and the extent to which foreign exchange transactions are excluded from regulation. Most recently, he has advised clients on the regulatory status of cryptocurrencies and ICOs.

Joseph Melnik is a partner of Jones Day, resident in the Silicon Valley office in California. Joe’s practice is focused on technology licensing, technology commercialization, and other technology-related transactions. Joe counsels clients on complex transactions related to a broad range of technologies including software, semiconductors, energy, data and network security, and consumer devices. He negotiates and structures license agreements, joint ventures, joint development agreements, strategic alliances, services, supply, and various other agreements for domestic and global projects. Joe also advises companies of all sizes on the development and implementation of strategies for maximizing the benefits of technology transactions; advising on intellectual property issues that arise in connection with corporate transactions, such as mergers and acquisitions; and assisting clients in developing domestic and international product commercialization strategies that utilize intellectual property positions to protect and expand market share. Joe also represents clients in patent litigation, license disputes, and post-grant proceedings. He has successfully represented companies in patent cases relating to a wide variety of technologies, including cryptography, smart cards, biometrics, cellular telephony, SMS, computer networking, wireless communications, semiconductors, database technologies, and financial transactions. In addition, Joe frequently represents companies in high-stakes licensing disputes in a broad range of technology areas and has been lead counsel on numerous IPR proceedings before the Patent Trial and Appeal Board.
Colin C. Richard is an associate at Jones Day, resident in Washington, D.C. Colin advises banks, non-bank financial institutions, and financial technology companies with regard to strategic, regulatory, and transactional matters. He has experience advising on issues related to the Federal Reserve, Office of the Comptroller of the Currency, Federal Deposit Insurance Corporation, Consumer Financial Protection Bureau, and Department of the Treasury. Colin has experience advising on issues arising from the Dodd-Frank Wall Street Reform and Consumer Protection Act, Bank Holding Company Act, National Bank Act, Federal Deposit Insurance Act, Gramm-Leach-Bliley Act, and Bank Secrecy Act and their implementing regulations. He counsels clients on regulatory compliance matters and provides strategic and regulatory advice regarding new business models, products, and services. He also advises on regulatory issues in connection with transactions and agreements.

Ryan C. Thomas is a partner of Jones Day, resident in Washington, D.C. With more than fifteen years of experience, Ryan represents companies in all aspects of competition law, including mergers, joint ventures, monopolization, pricing and distribution issues, and cartel investigations. He has worked across many industries, including semiconductors, optical components and modules, electronic sensors, medical devices, pharmaceuticals, and ophthalmic lenses and equipment.

Thomas D. York is an associate at Jones Day, resident in Dallas. Tom specializes in antitrust and competition matters, including antitrust litigation, merger review, civil and criminal antitrust investigations, and internal investigations. He works across a range of industries, including aviation, consumer products, emerging technology, health care, pharmaceuticals, oil and gas, semiconductors, and sports. Tom also regularly counsels on antitrust issues such as competitor collaborations, distribution, licensing, pricing, and single-firm conduct.