

# Venture Capital & Emerging Growth Companies August 2020 Highlights

## Venture Capital & Emerging Growth Companies Alert

08.31.2020

Our globally renowned [Venture Capital & Emerging Growth Companies](#) team empowers clients throughout the development cycle—from ideation to creation, capitalization, implementation, commercialization, and monetization.

### Helping our clients overcome obstacles

The [SEC has announced](#) the adoption of several amendments to the definition of “accredited investor,” adding new categories of qualifying individuals and entities. The term, as defined under Rule 501 of Regulation D of the Securities Act of 1933, as amended, had not changed significantly since it was originally adopted in 1982. In June 2019, when the SEC asked for public comments on ways to “simplify, harmonize, and improve the exempt offering framework under the Securities Act,” McCarter, recognizing that the accredited investor definition was impeding our clients’ ability to participate in private capital markets transactions, submitted a comment letter to the SEC calling for a change. Our letter was cited four times in the SEC’s December 2019 memo on the proposed new rules, and several of the concepts raised in our letter are reflected in the SEC’s August 2020 adopted amendments, an overview of which is available in [our recent alert](#).

### A lifeline for life sciences

McCarter has a thriving life sciences practice that brings substantial experience in the pharmaceutical, medical device, biotechnology, and healthcare fields to established organizations and startup life sciences ventures. We represent public companies such as NanoViricides (NYSE: NNVC), a leader in the development of highly effective antiviral therapies based on a novel nanomedicines platform, including its lead drug candidates against shingles and COVID-19, and we help numerous startups get off the ground. We are proud to collaborate with [Mount Sinai Innovation Partners](#) on the [Mount Sinai Pitch Challenge](#), for which our attorneys will act as mentors and hear teams present their healthcare technology-based ideas and innovative products.

### Maintaining a leadership position

For five consecutive years and 23 consecutive quarters, McCarter has been ranked near the top of the leaderboard in venture capital transactions. According to *PitchBook*’s global league rankings for the second quarter of 2020, McCarter ranks:

- 7th in the Mid-Atlantic region
- 13th nationally
- 13th in software transactions
- 16th globally

**Empowering the tech sector** We represent clients that drive technology, such as Differential Ventures, a seed-stage venture capital fund founded by data scientists and entrepreneurs for data-focused entrepreneurs. The firm invests in early-stage tech startups that are building solutions that will transform the way businesses work. Recently, we advised them in connection with their investment in fintech company Oculus, which was named to the 2020 *Inc.* 5000 list as the 30th fastest-growing private company in America. Oculus also has been named the fastest-growing software company in New York and the fastest-growing fintech company in the U.S.

**Taking the stage** McCarter is proud to once again be taking a thought leadership role at the [2020 Propelify Innovation Festival](#), which will be held virtually October 5-9. McCarter helped launch Propelify in 2016 as a way to inspire the tech and innovation community and those who take action—who “propel.” The event, which *Forbes* has called the SXSW of the Northeast, draws more than 10,000 attendees who come to learn about the next big things in the startup space.

## Events

**9.9.20-9.10.20**

[Future of Logistics](#)

**9.17.20**

[Critical Legal Issues for Startup Founders](#)

**9.23.20**

[Startup Boston Week](#)

**9.24.20**

[StrtupBoost NYC’s September Investor Night](#)

**10.5.20-10.9.20**

[Propelify Innovation Festival](#)

## Media

**8.28.20** Herbert P. Moore, Jr., David J. Sorin, and Bernard C. Devieux authored “[SEC Updates Definition of ‘Accredited Investor’](#)”—*McCarter & English Corporate Alert*

**8.19.20** Ron Leibman quoted in “[Post-COVID-19 Supply Chains Must Be Nimble](#)”—*The Daily Gazette*

**8.11.20** Ron Leibman quoted in “[Covid-19 Pandemic Forces Industries to Re-Think Global Supply Chains](#)”—*Global Trade Magazine*

**8.7.20** Howard M. Berkower and Franklin Barbosa, Jr., authored “[Senate Bill Proposes to Expand Paycheck Protection Program to Businesses in Bankruptcy—But with a Significant Catch](#)”—*McCarter & English Bankruptcy & Commercial Litigation and Corporate Alert*

**8.6.20** Morgan Jones and Scott M. Smedresman discussed “[Privacy Shield Is Dead! Long Live Standard Contractual Clauses! \(For Now...\)](#)”—*Corporate Compliance Insights* Please visit our [Coronavirus Resource Center](#), which contains regularly updated information to assist you and your business during these turbulent times.