



William Brannan

Counsel

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Clients value Will's experience across regulatory regimes and product offerings, and he draws on that background to strategically evaluate their business objectives and legal needs. He provides counsel to regulated financial technology companies navigating complex securities, derivatives, and cryptocurrency regulatory issues. Will regularly advises pre-IPO liquidity platforms and market participants with respect to product structuring and regulatory compliance. In addition, his practice focuses on advising cryptocurrency exchanges, custodians, and securities trading platforms with respect to federal securities laws, FINRA rules, security-based swap rules, state money transmitter licensing requirements, and the New York BitLicense.

Will counsels technology-focused broker-dealers on formation issues, product structuring, the FINRA membership process, and satisfying ongoing regulatory obligations. He also represents broker-dealers, hedge funds, and banks on various transactional issues, including with respect to structured products, derivatives trading strategies, private securities transactions, and security-based swaps.

Prior to joining Lowenstein Sandler, Will served as Assistant Vice President at Barclays Investment Bank, where he was responsible for negotiating derivative documentation with hedge funds, Investment Company Act of 1940 funds, pension funds, and corporate and insurance company clients.

NEWS & INSIGHTS

Publications

- > May 12, 2021
"Let the Game(Stop) Begin—Unless You Are a Retail Investor," *Bloomberg Law*
Ethan L. Silver, William Brannan
- > January 26, 2021
"A 'token' gift: The US SEC giveth and taketh away," *Cointelegraph*
Ethan L. Silver, William Brannan
- > August 7, 2020
"FINRA: An Unnecessary, Unqualified Digital Asset Regulator," *Cointelegraph*
Ethan L. Silver, William Brannan,
- > July 21, 2020
"Could Compound's Governance Token COMP Be Deemed a Security?," *Cointelegraph*
Ethan L. Silver, William Brannan
- > January 22, 2020
"FINRA 2020 Risk Monitoring and Examination Priorities Letter," *Investment Management Client Alert*
Ethan L. Silver, William Brannan, , Lauren A. Schwartz,
- > September 29, 2019
"Is XRP a Security? We May Never Know," *Cointelegraph*
Ethan L. Silver, William Brannan
- > February 4, 2019
"FINRA 2019 Monitoring and Examination Priorities Letter," *Investment Management Client Alert*
Ethan L. Silver, William Brannan,
- > May 9, 2017
"Market Trends: FINRA," *Lexis Practice Advisor*
Ethan L. Silver, William Brannan

- > September 19, 2016
"FINRA's New Limited Registration for CABS Has Limited Use and Appeal," *Investment Management Client Alert*
Ethan L. Silver, Scott H. Moss, William Brannan

In the Media

- > November 3, 2020
William Brannan and **Brian Nistler** are quoted in **CoinDesk** exploring the cryptocurrency industry's engagement in the 2020 election and the potential regulatory impact on the industry over the next four years.
- > February 19, 2020
William Brannan is quoted in **Law360** and **cryptonews**, where he provides an analysis of Telegram's \$1.7 billion digital token sale of Grams and the need for regulatory clarity for early stage companies in the digital asset and blockchain space. (*subscription required to access article*)

SPEAKING ENGAGEMENTS

- > Speaker, **Financing of Bitcoin and Other Cryptocurrency: UCC, Regulatory and Hedging Concerns**, Webinar, October 24, 2019
- > Speaker, **Legal SEC/Regulatory Topics Update**, IAB Tech Lab's AdTech in Blockchain: It's Working!, New York, NY, May 7, 2019

EDUCATION

- > Pennsylvania State University (J.D. 2011)
- > Brunel University (B.A. 2008)

ADMISSIONS

- > New York