



Business & Legal Developments in Silicon Valley



Friends,

National and global news reports have created a pessimistic outlook for 2023 based on expectations of perpetually rising interest rates, more layoffs at home, supply chain disruption and geopolitical tension abroad. While the mood among some dealmakers is shifting, opportunities are still to be had, especially in the early stage. Today's market prices and valuation terms are much less favorable, prompting entrepreneurs and investors to reassess their expectations and strategic positioning. Implementing key strategies to best position your company to weather the current economic climate will pay dividends in the end.

But first, congratulations are in order! This month, our colleague Eric Chow was promoted to our Firm's partnership and we had two finalists announced for the 2023 Legalweek Leaders in Tech Law Awards. Foley & Lardner LLP product Foley Ignite is a finalist for the "*Enabling Start-Up Success*" award and separately, Partner Kathleen "Kate" Wegrzyn is a finalist for the "*Innovators of the Year*" award for her part in developing Foley Equipped. If you haven't had a chance to check out Foley Ignite yet, read our blog to learn how the platform is supporting a diverse range of startups, founders, and emerging companies.

A few Foley partners attended the CES 2023 in Las Vegas a few weeks ago. The excitement surrounding the event was felt and we walked away energized by what's next for the technology industry. From AI and smart homes to health and transportation, the global economy will benefit from advances in these areas.

There were some new laws and proposed regulations announced in January that will impact your company. If you haven't read our insights on how organizations are navigating new pay transparency laws and bracing for the Federal Trade Commission's (FTC) proposed regulation to abolish employee non-competes across the United States, be sure to check them out below.

If you have investments in China, you need to watch our livestream recording on how pending restrictions on outbound U.S. investment in foreign countries "Reverse CFIUS" are poised to shake up Silicon Valley and global economies.

As always, please do not hesitate to reach out to catch up, brainstorm a legal or business challenge you are facing, or to get connected to a potential advisor, entrepreneur or investor.

Your Foley & Lardner Silicon Valley team ([Natasha Allen](#), [Eric Chow](#), [Brandee Diamond](#), [Louis Lehot](#), [Lyman Thai](#), [André Thiollier](#), [Alicia D'Alba Dorner](#), and [Alidad Vakili](#)).

Event: The Impact of Adopting New Technologies on the Negotiation of Cloud-Based Contracts

As part of the National Bar Association Commercial Law Section's 36th Annual Corporate Counsel Conference in Orlando, FL, Natasha Allen (Partner, Silicon Valley) will be moderating a panel on the impact of technology adoption on the negotiation of cloud-based contracts.

Date: February 23, 2023, at 9:45 a.m. EST

[Register Now](#)

Louis Lehot Discusses M&A Forecasts for 2023

Gain perspectives on this year's M&A landscape and the global economic outlook.

[Learn More](#)

The Year of the Down Round and the Year of the Rabbit

As we ring in the lunar new year around the world, it is the year of the “rabbit” or of the “cat” depending on your version of the zodiac calendar. In Silicon Valley, it is going to be the year of the down round.

[Learn More](#)

Singapore: A Rising Tiger Economy for Startups and Venture Capital in Asia

As we project ourselves forward in 2023, amidst the clouds, a bright spot for optimism is burning brightly for early stage, deep tech startup companies and investors.

[Learn More](#)

Podcast: How “Reverse CFIUS” Proposal Could Impact Outbound Investments

Foley Partners Christopher Swift and Louis Lehot were featured on 4thly's latest podcast, detailing how Reverse CFIUS may affect U.S. investors. Also featuring insights from Ker Gibbs, USF, and H.K. Park, Crumpton Global. Now is the time to review your portfolio for exposure to potentially risky global markets and sectors. Otherwise, you may be spending a lot more on compliance, regulatory, and legal advice.

[Learn More](#)

CES 2023 Highlights – Technology Continues to Shine

Recapping Foley's attendance at CES 2023, our team highlights notable trends and offerings that stood out.

[Learn More](#)

Innovative Technology Insights Podcast: Digital Transformation - The Fourth Industrial Revolution

In our fourth episode, Ann Jordan, CEO of ASQ, joins Natasha Allen for a discussion on digital transformation worldwide. Which industries are adapting the quickest and what barriers may they be encountering? And where do setting quality standards fit in?

[Listen Here](#)

FTC Proposes Sweeping Federal Ban on Employee Noncompetes

The FTC recently proposed a rule that would abolish employee noncompete agreements across the U.S. Read this blog to learn how the 30 million U.S. workers subject to noncompete agreements and their employers may be affected.

[Learn More](#)

Non-Competes: A New Year Means Higher Income Thresholds in Many States

Learn how employers will be affected by the Federal Trade Commission's (FTC) proposed regulation that, if adopted, would essentially abolish employee non-competes.

[Learn More](#)

Research Brief from CB Insights: State of Venture 2022 Report*

Get the latest data on global and regional VC trends, the unicorn club, sectors from fintech to digital health, and more.

**Subscription needed to view the full report*

[Learn More](#)

Research Brief from CB Insights: The state of generative AI in 7 charts*

Download a free 27-page report on the top 7 AI trends, from augmented coding to the \$67B AI chips race.

**Subscription needed to view the full report*

[Learn More](#)

Deals

[Foley Serves as Legal Adviser to knownwell in \\$4.5M Seed Raise](#)

Foley partners Von Bryant, Rachel Goodman, and Nathaniel Lacktman, with support from Associate Jaide Beverly and support from Law Graduate Chloe Hill, led the team advising knownwell, in its \$4.5M seed raise led by Flare Capital Partners. Additional investors included the Flybridge LTV Operator Fund, Oxeon, and Larry Summers.

[Foley Represents TCG Crossover as Lead Investor in KalVista Pharmaceuticals \\$58M Direct Offering](#)

Partners Louis Lehot and Clyde Tinnen led a team representing TCG Crossover as the lead investor in KalVista Pharmaceuticals' \$58 million registered direct offering.

Additional Articles of Interest

- [FTC Requests Public Comment on Potential Updates to “Green Guides” for the Use of Environmental Marketing Claims](#)
- [Current Employees May Have Pay Transparency Rights Too](#)
- [Foley Ignite, Kate Wegrzyn Announced as Finalists for Legalweek Leaders in Tech Law Awards](#)
- [Louis Lehot Discusses Unique Structure of Microsoft and OpenAI Arrangement](#)
- [What's next for startup founders in 2023: hold, fold or raise](#)
- [How “Reverse CFIUS” Proposal Could Impact Outbound Investments](#)
- [Will We See the Predicted M&A Spike in 2023?](#)
- [FTC Proposes Sweeping Federal Ban on Employee Noncompetes](#)
- [Tech Trends to Watch in 2023](#)
- [A Look at Series A Financing Amidst the Downturn](#)

We are hiring!

Click [here](#) for further details and to apply.

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