



Mark R. Busch

Partner

Charlotte
+1.704.331.7440

mark.busch@klgates.com

OVERVIEW

Mark Busch is a partner in the Charlotte office and focuses his practice on corporate finance, securities, executive compensation, mergers and acquisitions, and corporate law. He regularly advises clients on securities and corporate governance matters including public and private securities offerings, reporting requirements under the Securities Exchange Act of 1934 and compliance with stock exchange rules and the Sarbanes-Oxley Act. Mark typically acts as principal outside counsel to his clients, assisting them across a broad spectrum of their legal needs, ranging from public and private securities offerings, advising boards of directors of public and private companies, executive compensation matters, the purchase or sale of public and private companies, recapitalizations, joint ventures and general corporate and contract matters. The industries involved in these matters and transactions have varied widely, including life sciences, technology, telecommunications, energy, software, financial services, and manufacturing.

PROFESSIONAL / CIVIC ACTIVITIES

- North Carolina Bar Association, Business Law Section, Securities Regulation Committee
- The Entrepreneurship Institute, Charlotte Chapter, Member, Board of Advisors

SPEAKING ENGAGEMENTS

- “Securities Law Update and Corporate Governance,” K&L Gates and North Carolina Subchapter of the southeastern Chapter of the Society of Corporate Secretaries and Governance Professionals, “Back to Basics” Presenter, May 2016
- K&L Gates “Under the Wire” CLE Seminar, “Considering Confidentiality: the SEC’s KBR Order Intensifies Complex Company Communications with Secret Keepers and Whistleblowers,” Panelist, February 2016
- The Presidents' Forum of Charlotte, “Capital Attraction: Getting it. Keeping it. Leveraging it.,” panel moderator 2015
- The President's Forum of Charlotte, “Top Questions Business Owners Should Ask Their Legal and Tax Advisors” Session Moderator, December 2011, 2013, and 2014

- “Annual Shareholder Meetings (for Public and Private Corporations),” Presenter, January 2011 and 2013
- The President's Forum of Charlotte, "Financing Issues - Navigating the Current Environment" Session Panelist, December 2012
- The President's Forum of Charlotte, "Top Questions Business Owners Should Ask Their Legal and Tax Advisors" Session Moderator, December 2010
- “New Proxy Rules for 2010: What You Need to Know to be Ready,” Audio Conference co-hosted with Douglas Ellis, February 2010

EDUCATION

- J.D., Duke University School of Law, 1995 (*with honors; Law and Contemporary Problems, Technical Editor*)
- B.A., University of California, Berkeley, 1992 (*with high distinction; Phi Beta Kappa*)

ADMISSIONS

- Bar of North Carolina

OTHER PUBLICATIONS

- K&L Gates Securities Practice Guide, contributing author of Chapter 9, Navigating the Proxy Rules (LexisNexis Practice Guide, 2013 Edition)

NEWS & EVENTS

- 6 November 2020, K&L Gates Advises Exact Sciences Corporation on Acquisitions of Cancer Detection Companies, Common Stock Sale (*Noteworthy Work*)

AREAS OF FOCUS

- Capital Markets
- Corporate Governance
- Debt Capital Markets
- Emerging Growth and Venture Capital
- Mergers and Acquisitions
- Public Companies

REPRESENTATIVE EXPERIENCE

- Represented California-based Movano Inc. (NASDAQ: MOVE), a health technology company, in connection with its initial public offering of shares of common stock. National Securities Corporation acted as the sole underwriter for the offering. The Liquid Venture Partners group at National Securities Corporation was responsible for sourcing and executing the transaction
- Represented energy company listed on NYSE American in connection with several public and private offerings of shares of common stock, convertible preferred stock, warrants and convertible notes
- Represented molecular diagnostics company listed on NASDAQ in connection with a number of underwritten public offerings of common stock with total gross proceeds exceeding \$1 billion
- Represented a manufacturer of healthcare products with respect to a number of acquisitions
- Represented technology company in connection with its initial public offering and listing on NASDAQ
- Represented online lease-to-own retailer in connection with PIPE transaction, NASDAQ uplisting and follow-on underwritten public offering
- Represented energy company in connection with cross-border joint development and licensing transaction
- Represented immunotherapy company in connection with its initial public offering and listing on NASDAQ
- Represented ultrasound technology company in connection with its initial public offering and listing on NASDAQ and multiple follow-on offerings including a bridge note financing and two underwritten public offerings
- Represented U.S.-based service company in connection with acquisition of UK and EU-based companies