John Fuchs

Shareholder

John Fuchs understands technology better than most Kansas City attorneys. As a “tinkerer” and “part-time hacker” who is fascinated by technology and how it integrates into life, John helps clients understand how technology may also raise emerging legal issues and advise them how to remain compliant with current regulations.

As part of helping new technology companies grow, John learned the intricacies of private securities offerings, joint ventures, and other financing and governing techniques that have broad applicability across industries, including in real estate acquisitions and development, restaurants, start-ups, and health care practices.

Extensive experience in technology.

John has significant real world technology experience. His background includes over ten years in website development, online coding and website management; he was the Editor of the *Virginia Journal of Law and Technology*; and was the Technology Chair of the 2011-2012 William Minor Lile Moot Court Board where he managed the technology needs for the 2-year program with over 200 participants.

Collectively, this experience gives him insight to better understand the technical details of what you are trying to do and how technology laws and regulations may impact your agreements and disputes. This is particularly useful when you need to use social media, as he can offer real world solutions to deal with compliance issues that arise under the California Consumer Privacy Act (“CCPA”) and other state data privacy laws, the Children’s Online Privacy Protection Act (“COPPA”), the Gramm-Leach-Blilely Act (“GLB”), state data breach notification laws, social media, website terms and conditions, privacy policies, and more. Ultimately, what client’s value most about John’s advice for their companies is his understanding of both the technical and practical impact of technology issues and then translating those concerns into IT terms, legal terms, and ultimately common English.

Expertise in securities and financing matters.

John has extensive experience negotiating and drafting joint venture and other financing relationships to enable businesses to develop, fund, and implement their goals. This includes real estate joint venture agreements for the development or acquisition of multi-family, warehouse, medical office buildings, and a wide variety of other projects. In addition, John has drafted offering documents for a variety of equity and debt securities offerings, including offerings



816.265.4228
johnf@sb-kc.com

2323 Grand Blvd. Suite 1000
Kansas City, MO 64108

Education

University of Virginia School of Law, J.D., 2012, Blackstone Legal Fellowship, 2010

Southwest Baptist University, B.A. History, 2009, summa cum laude (Political Science Minor)

Ozarks Technical Community College, Dual Credit, 2005-2006

Admissions

Missouri

Kansas

Services

Data, Privacy, and Technology

Advertising, Marketing, and Promotions

Corporate Law

Mergers & Acquisitions

Health Care Law

Intellectual Property

made under Rule 506 and Section 4(a)(2) of the Securities Act of 1933. John particularly focuses on developing effective conflict resolution mechanisms within the decision-making process that are customized for each deal in an effort to resolve and address dispustes as much as possible before resorting to litigation or formal dispute resolution.

Securities Law

Real Estate Law

Equipment Dealers

Sports and Entertainment Law

A practice built on technology, data, and privacy.

John spends a significant amount of his time assisting clients and other attorneys with data, privacy and technology matters. This includes working extensively with companies involved in the restaurant, commercial real estate, and equipment dealer industries. Specifically, John has:

- Drafted and negotiated software and cloud service master services agreements and data sharing agreements for cloud service providers and cloud software users;
- Drafted and negotiated artificial intelligence (AI) use agreements, including restrictive provisions around sensitive data usage and training models as well as effective usage in specific industries;
- Drafted offering documents and private placement memorandums (PPM);
- Assisted in private equity and private placements transactions across a wide range of industries at all stages including start-ups, buyouts of existing companies, and additional investment rounds;
- Assisted in mergers and acquisitions including due diligence, drafting ancillary documents, and negotiating asset purchase agreements and stock purchase agreements.
- Drafted governance documents in 90/10 real estate joint ventures with traditional lenders, private equity, life insurance companies, and a variety of other funding sources;
- Drafted and negotiated data processing agreements for clients globablly;
- Drafted and negotiated mobile app development agreements and software consulting agreements for clients and developers;
- Counseled clients on compliance with the Telephone Consumer Protection Act (TCPA) and state mini-TCPA laws related to text message, auto-dialing, and AI marketing efforts;
- Developed client centered privacy policies, terms of use, and end user license agreements (EULAs) for website providers and mobile apps;
- Counseled clients on COPPA compliance for websites, mobile apps and sweepstakes and other promotions;
- Developed sweepstakes and contest rules for a wide variety of situations and methods, with a particular focus on social media-based promotions;
- Drafted and reviewed ticket terms and conditions for athletic and other spectator events;
- Drafted notices of privacy practices, business associate agreements, and other compliance documents under the Health Insurance Portability and Accountability Act (HIPAA) and advised on HIPAA and HITECH compliance procedures and related issues for health care providers, health plans, and their business associates; and
- Drafted operating agreements, articles of incorporation, bylaws and other business governance documents for all types and sizes of privately held limited liability companies and corporations nationwide.

Making technology easier to understand.

What makes John a great counselor is his ability to help clients look at difficult problems with a new perspective to find practical solutions. He can translate laws and regulations (such as HIPAA, TCPA, COPPA, CAN-SPAM, and others) into meaningful guidelines for clients so they can understand them and remain compliant.

John lived in and traveled extensively in the Middle East from 2007-2008 and has been a private pilot since 2006. Today, when he’s not practicing law he enjoys spending time with his family; learning the latest strategy board game; and staying current with the latest trends in technology and innovation.

Awards and Experience

- Missouri & Kansas *Super Lawyers* Rising Star*,* Technology Transactions, 2023
- Bracewell & Giuliani Best Brief Award: 2010 UVA Legal Research Program
- Blackstone Fellow 2010
- Southwest Baptist Dutile Honors Program Graduate, Senior Capstone Project: “Zoroastrianism: The Origin of Modern Monotheism?”
- Southwest Baptist University Football Team Member/Video Director; Support Staff MVP

Representative Clients

- CrownMed Realty Partners
- Kansas City Chiefs and Arrowhead Events
- SpiderOak
- Murphy-Hoffman Company
- Helzberg Diamonds

Professional Affiliations

- The Greater Kansas City Society of Health Care Attorneys
- American Bar Association
- Kansas City Metropolitan Bar Association
- Lawyers Association of Kansas City