

THE RIGHT ANSWER

Going out on your own - commercializing convergent communications technologies in a start-up environment

About Lowenstein Sandler:

- Lowenstein Sandler PC has over 280 attorneys with offices in New York and New Jersey
- Chambers USA Guide to America's Leading Lawyers for Business:
 - Tier 1 ranking for Corporate/M&A practice
 - Tier 1 ranking for Litigation practice
 - Tier 1 ranking for Environmental practice

About Anthony Pergola:

- Anthony Pergola is Vice Chair of the Firm's Tech Group
- Mr. Pergola is a Founding Board Member and Co-Chair of AngelVineVC
- 2006 Chambers USA Guide recognized Mr. Pergola as an up and coming ranked lawyer in New Jersey corporate/M&A section, noting his work in technology venture capital and for public companies
- Mr. Pergola was named one of New Jersey's top 40 under 40 by NJBIZ magazine in 2005

Do you have the entrepreneurial zeal to start your own business, untethered from the security of a large enterprise or research institution?

- Why go out on your own?

- Money

- Control

- Ensuring your vision gets to market in the way that you want it

- Other reasons??

- **How?**

(in order of how far you will be removed from the security of the large enterprise)

- Developing an entrepreneurial business within a large enterprise
- Spin-off of a division or line of business
- Joining an existing early or mid-stage company as senior management
- Buying/licensing a single product or technology into a new business
- Starting a business from scratch

5 issues to consider before starting your own business (from the perspective of someone who helps new technology-driven businesses complete financing transactions with venture capital and angel investors)

1. What are your obligations to your current employer?

- Legal
- Policies of your Employer
- Employment Agreement
- Non-Disclosure Agreements
- Non-Competes
- Non-Solicitation

2. Do you own the intellectual property?

- . . . Or does your current employer?
- Does a consultant own part of your intellectual property?
- Even if it's available on the Internet, you may not have the right to use it.
- Risks of using open source.

3. Have you made disclosures that could limit your ability to protect your intellectual property rights?

4. Surround yourself with the right team!

5. Finding investors and raising money

(. . .can be a full-time job itself).

Contact

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