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CRYPTO, VIRTUAL & DIGITAL Currency and Payment Systems

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John A. Beccia III
General Counsel and
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Chris Daniel
Chair, Payment Systems Group
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Our unparalleled faculty will provide you with expert advice and key insights for:

- Distinctions Between the Various Types of Non-Proprietary, Decentralized Payment Technologies ("Crypto", "Virtual" & "Digital" Currencies)
- Bitcoin 2.0: Everything You Need To Know Including The Basics of Blockchain Technology, Regulatory Considerations, The Positives of Innovation and Potential Pitfalls
- The Developing Federal Legal and Regulatory Framework Governing the Crypto, Virtual and Digital Landscape and How These Alternative Currencies Fit Into the Baskets That Give Federal Authorities Their Jurisdiction to Regulate
- Possible Implications for Crypto, Virtual and Digital Currencies Stemming from The CFPB's Proposed Rule for Prepaid Products
- Evolving State Regulatory and Enforcement Framework Governing Crypto, Virtual and Digital Currencies
- Crypto, Virtual and Digital Currencies and FinCEN: A Comprehensive Breakdown of the Agency's Interest and Oversight in the Space, Including Recent Decisions Regarding Classification as a Money Transmitter
- Money Laundering, AML, and OFAC Considerations for Crypto, Virtual and Digital Currencies, Including Know Your Counterparty Issues/Solutions and Transaction Monitoring
- Lessons Learned from Recent Law Enforcement Actions in the Crypto, Virtual and Digital Currency Landscape
- Securities and Investment Risk Management Issues: Crypto, Virtual and Digital Currency as Securities and Investment Contracts, The Latest on Ponzi Schemes, the Environment for Unregistered Securities Offerings, Hedge Fund, Venture and Angel Investment in Virtual Currency Start Ups, and More
- Consumer Protection and Safety Considerations in the Crypto, Virtual and Digital Currency World: Information Security of a Firm's Digital Currency Holdings and How Consumers Can Protect Their Own Funds
- The International Crypto, Virtual and Digital Currency Landscape: Assessing the Evolving Legal and Business Environments in Key Foreign Markets and Sorting Out the Current International Regulatory Environment in Europe, Africa, Middle East, Asia/Pacific, and the Americas

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Pre-Conference Master Class: International & Cross-Border Payments

Wednesday, June 24 • 9:00 a.m. – 12:00 p.m. (Registration 8:30 a.m.)

See page 7 inside for more details

Be a part of the premier forum devoted entirely to the unique challenges inherent to crypto, virtual and digital currencies. Industry leaders are once again meeting this June in Chicago, and you cannot afford to miss out on this groundbreaking event.

The industry has continued to experience rapid growth and innovation, and in response has been faced with regulatory and legislative action. This third installment of our forum on Crypto, Virtual and Digital Currencies & Payment Systems will serve as the “go to” guide for designing an appropriate compliance program in the current murky regulatory environment.

The ‘non-proprietary, decentralized payment technologies’ market is facing unprecedented growth, rapid technological advancements, and a flood of new entrants into the market. Questions abound as to how all of the stakeholders will work together, which products will be welcomed by consumers and retailers, best practices for managing privacy and data security risks, and how existing federal and state regulatory frameworks will be applied to new products, or if a new framework will have to be put in place. **While many of these new virtual and digital currencies have the potential to become attractive revenue streams, they are also fraught with uncertainties relating to regulatory, compliance, security, and business issues.**

In response to demand from the market, **American Conference Institute** is returning with its **third forum on Crypto, Virtual and Digital Currency & Payment Systems**. This program will bring together an unparalleled faculty of in-house counsel and compliance professionals, senior executives from industry-leading companies, high-level regulatory and enforcement officials, and top outside counsel specializing in crypto, virtual and digital currencies who will provide you with the insights and tools necessary to navigate the legal, compliance, technical, and business hurdles arising from these new technologies.

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WHO YOU WILL MEET

- ✓ **Regulatory and Enforcement Officials**
- ✓ **Financial Products, Payments, and Retail Professionals, including:**
 - General Counsel
 - CEOs
 - CCOs
 - Compliance Counsel
 - Product Managers
 - Risk Officers/Managers
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 - Financial Services Regulatory Compliance
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Day One: Wednesday, June 24, 2015
9:00 a.m. – 12:00 p.m. (Registration 8:30 a.m.)

Pre-Conference Master Class on International & Cross-Border Payments

See page 7 for details. Separate registration required.

12:50 **Main Conference Registration**

1:00 **Co-Chairs' Opening Remarks**

John A. Beccia III

General Counsel and Chief Compliance Officer
Circle Internet Financial

Chris Daniel

Chair, Payment Systems Group
Paul Hastings LLP

1:05 **Distinctions Between the Various Types of Non-Proprietary, Decentralized Payment Technologies ("Crypto," "Virtual" & "Digital" Currencies), What is Currently Available and on the Horizon, Players in the Ecosystem, Narrowing the Gap between Crypto, Virtual and Digital Currencies and our Traditional Financial System, and How it all Effects Your Business and Compliance Efforts**

Ryan Singer

CEO
Domus Tower Inc.

Bitcoin Foundation speaker TBA

Check www.AmericanConference.com/VirtualCurrency for this and other exciting speakers being added

Jerry Brito

Executive Director
Coin Center

Gideon Samid

Chief Technology Officer
BitMint, LLC

Peter Luce

Attorney
Davis Wright Tremaine LLP

Brian Crist

Head of Legal, Citi Enterprise Payments
Citigroup Inc.

- Fundamentals of non-proprietary, decentralized payment technologies
- Accepted definitions and what should be classified as a 'crypto,' 'virtual,' and 'digital' currency
- Distinctions between the three
- Clearing up misnomers
- Market outlook: a-z of the different types of crypto, virtual and digital currencies
 - Inherent value of products vs. no inherent value
 - Centralized vs. de-centralized
- Overview of new and emerging payment products and services, and their expected impact on the market

- Payment processors, mining hardware, financial services, exchanges, wallets, universal and beyond
- Key Players in the market: Individuals; Merchants; Exchanges; Payment Processors; Investors; Miners
- Creating a more fluid network for digital currencies
- Perspectives from new entrants into the space
- Identifying and capitalizing on growth opportunities
- How can the bitcoin industry become better connected to the our existing financial ecosystem
- Retailers currently accepting Bitcoin
- How existing payments businesses may be looking to integrate crypto, virtual and digital currencies into their business models
- Coinbases' first Bitcoin exchange in the US
- Related business opportunities: Payment processing systems for crypto, virtual and digital currencies

2:20 **Bitcoin 2.0: Everything You Now Need To Know Including The Basics of Blockchain Technology, Regulatory Considerations, The Positives of Innovation and Potential Pitfalls**

Joshua Fairfield

Professor of Law
Washington and Lee University School of Law

Robert Schwentker

Operations Lead
Blockchain University

Constance J. Choi

Principal
Seven Advisory

Veronica McGregor

Partner
Hogan Lovells

- What technologies and functions does bitcoin 2.0 refer to
- Basics of blockchain technology
- Who are the major bitcoin 2.0 players?
- How are they using the blockchain technology differently?
- What is the regulatory outlook for bitcoin 2.0 companies?
- How 'crowdsales' can affect the regulation of bitcoin 2.0
- Positives of innovation and decentralization
- Potential pitfalls for bitcoin 2.0

3:30 **Afternoon Break**

3:40 **The Developing Federal Legal and Regulatory Framework Governing the Crypto, Virtual and Digital Landscape and How These Alternative Currencies Fit Into the Baskets That Give Federal Authorities Their Jurisdiction to Regulate: The Impact of Regulation Thus Far, Where is the Need (or Not) for Further Regulation, Grey Areas, Scrutiny and Concerns Over Misuse, Warnings/ Statements/Determinations Issued, and Beyond**

Jessica Magee

Senior Trial Counsel
United States Securities and Exchange Commission

Anne Shere Wallwork (invited)

Senior Counselor for Strategic Policy
Office of Terrorist Financing and Financial Crimes
U.S. Department of the Treasury

Douglas King

Retail Payments Risk Forum
Federal Reserve Bank of Atlanta

John Collins

Head of Government Affairs
Coinbase

John A. Beccia III

General Counsel and Chief Compliance Officer
Circle Internet Financial

Evan Greebel

Partner
Katten Muchen Rosenman LLP

Moderator:

Chris Daniel

Partner, Corporate Department
Paul Hastings LLP

- Who has issued guidances?
- The impact of those guidances
- Impending Regulations or further guidances
- Regulatory grey-areas
- Increased Regulatory and Legislative scrutiny Concerns about misuse; warnings issued
- Formal statements; final determinations
- Guidance/regulations from OCC, OFAC, SEC, CFTC, Federal Reserve, and beyond
- The future of federal regulation of virtual currency

5:25

Possible Implications for Crypto, Virtual and Digital Currencies Stemming from The CFPB's Proposed Rule for Prepaid Products

Keith Barnett

Partner
Sutherland LLP

Allyson B. Baker

Partner
Venable LLP

- Where the regulations make mention of "virtual wallets" and "virtual currency products"
- How regulation E protections might apply to virtual wallets and virtual currency products
- Where does the CFPB definitively stand?
 - Currently in a process of review as to whether digital financial products would fall under the regulations
- What will be the lynch pin for these products to fall under the regulations?
 - The way service providers hold funds and process payments
- The CFPB's ongoing inquiries into the digital payments ecosystem

6:15

Conference Adjourns

Day Two: Thursday, June 25, 2015

7:30

Continental Breakfast

8:00

Evolving State Regulatory and Enforcement Framework Governing Crypto, Virtual and Digital Currencies: An In-Depth Examination of Issues Relating to Money Transmission and State Licensing Laws, Including Increased Scope of Licensing Laws to Digital/Virtual Currency Exchanges, Exceptions to Money Transmission in the Virtual Context, and Clarifications for When Virtual Currency Businesses Seek to Provide Transactional Services for Third Parties

Jim Burns

Securities Bureau Chief
Idaho Dept. of Finance

Daniel Wood

Assistant General Counsel
Texas Department of Banking

Joseph Borg

Director
Alabama Securities Commission

Thomas James

Senior Assistant Attorney General
Consumer Counsel- Consumer Fraud Bureau
Office of the Illinois Attorney General

Wanji Walcott

Managing Counsel
American Express Company

Donald Mosher

Partner
Schulte Roth & Zabel LLP

Judith Rinearson

Partner
Bryan Cave LLP

- State Regulation of crypto, virtual and digital currencies
- For virtual currency businesses that seek to provide transactional services for third parties – where is the clarity?
- Broad interpretations states – increasing scope of licensing laws to previously un-licensed areas, such as: digital/virtual currency exchanges
- Exceptions to Money Transmission Used in the Virtual Currency Context
- Are you dealing with a single state or two, or a multistate?
- Perspectives on the policies behind money transmission laws, regulations, and licensing requirements
- How does this framework apply to digital and virtual currencies
- How could they fall within the definition of money transmitters

- New York's BitLicense
 - Recent revisions
- A state by state overview of licensing requirements
 - Three phases: pre-filing applications, accepting applications, granting licenses
 - Which states are in each of the various phases
- Avoiding state licensing requirements
 - Structuring your operations and designing your products so as to avoid triggering licensing requirements

9:45 **Morning Break**

9:55 **Money Laundering, AML, and OFAC Considerations for Crypto, Virtual and Digital Currencies, Including Know Your Counterparty Issues/Solutions and Transaction Monitoring**

Azba Habib
Regulatory Counsel
BitPay

Dr. Luka Müller-Studer
Partner
MME
Member, Digital Finance Compliance Association

Judith Alison Lee
Partner
Gibson, Dunn & Crutcher LLP

- BSA and OFAC regulation for virtual currency administrators and exchangers
- Heightened AML/BSA scrutiny in this area
- Congressional testimony and federal regulator action regarding AML and OFAC risk in the virtual context
- Bank compliance with BSA and OFAC regs
- AML Transaction Monitoring
- Implications for centralized vs. decentralized networks
 - Transparency and anonymity considerations
- How AML regulations impact new payment products and systems
- Setting in place an AML program, or identifying gaps or weaknesses in an existing program
- Best practices for ensuring BSA compliance in the absence of clear guidance
- Beyond BSA: what other statutes come into play when addressing AML requirements?
- AML issues arising at the state level

10:55 **Lessons Learned from Recent Law Enforcement Actions in the Crypto, Virtual and Digital Currency Landscape**

Marilyn Barker
Principal
The Law Offices of Marilyn Barker

Carol Van Cleef
Partner
Manatt, Phelps & Phillips, LLP

- Litigation and Enforcement
- Liberty Reserve Indictment
- Mt. Gox seizure warrant
- Silk Road prosecutions still going on
- Latest allegations by the Government
- Law enforcement agencies from around the world working together
- Future outlook
- Other enforcement actions on the horizon

11:50 **Crypto, Virtual and Digital Currencies and FinCEN: A Comprehensive Breakdown of the Agency's Interest and Oversight in the Space, Including Recent Decisions Regarding Classification as a Money Transmitter**

Jacob Farber
Partner
Perkins Coie LLP

Amy Davine Kim
Counsel
BuckleySandler LLP

- Administrative rulings providing further interpretive guidance as to when virtual currency-related conduct will cause an entity to qualify as a "money services business" (MSB) subject to the requirements of the U.S. Bank Secrecy Act (BSA).
- In the digital currency ecosystem, which Participants are Money Transmitters?
- Secondary Market for non-convertible virtual currency
- The nuts and bolts of the guidance issued
- Definitions and players:
 - User, exchanger, administrator
- What it all means
- FinCEN's perspective on money transmission
- FinCEN's recent ruling the bitcoin exchanges and bitcoin processors are money transmitters
- Registration with FinCEN
- What's next from FinCEN

12:40 **Networking Luncheon for Speakers and Delegates**

1:40 **Securities and Investment Risk Management Issues: Crypto, Virtual and Digital Currency as Securities and Investment Contracts, The Latest on Ponzi Schemes, the Environment for Unregistered Securities Offerings, Hedge Fund, Venture and Angel Investment in Virtual Currency Start Ups, and More**

Kathleen H. Moriarty
Partner
Katten Muchen Rosenman LLP

Christopher T. Brown
Managing Member
Christopher T. Brown Attorney at Law, PLLC

Adam Ettinger
Partner
Strategic Counsel Corp.

- Crypto/Virtual Currency as investment contracts
- Ponzi schemes Using Virtual Currencies
 - Recent Bitcoin Ponzi scheme in Texas
- Virtual Currency-Related investments and risks
- Environment for unregistered securities offerings
- Venture and angel investment in virtual currency start-ups
- “Risk management” from an investor perspective
- Considerations for investors
- The regulatory landscape for investors
- Will the currencies themselves be classified as investments?
 - What are the potential securities concerns?
- Possible SEC regulation
- The Winklevoss Bitcoin Trust
 - Moving toward SEC approval
 - Implications for investments in bitcoins

2:40

Consumer Protection and Safety Considerations in the Crypto, Virtual and Digital Currency World: Information Security of a Firm’s Digital Currency Holdings and How Consumers Can Protect Their Own Funds

Ryan J. Straus

Partner
Riddell Williams

David Beam

Partner
K&L Gates LLP

- Threats to Consumers: “Built-In” Consumer Protection?
- Security of Customer Funds
- Best practices on information security and transparency of firm’s digital currency holdings
- Not just a firm issue – consumers need guidance on how they protect their own funds -- will customers need Regulation E type protections?
- Possible security breaches
 - Currency can be stolen using malware
- Encryption of digital and virtual currency wallets
- Price volatility making the products inherently dangerous
- Privacy concerns

3:30

The International Crypto, Virtual and Digital Currency Landscape: Assessing the Evolving Legal and Business Environments in Key Foreign Markets and Sorting Out the Current International Regulatory Environment in Europe, Africa, Middle East, Asia/Pacific, and the Americas

Ben Regnard-Weinrabe

Partner
Paul Hastings LLP

Jacqueline Shinfield

Partner
Blake, Cassels & Graydon LLP

- Various countries and international bodies are currently attempting to determine the legal and regulatory status of crypto, virtual and digital currencies – assessing the statements, official positions, cautionary statements etc.
- Global impacts of Crypto/Digital/Virtual Currencies Regulation
- The emerging crypto, digital and virtual currency landscape: international developments, and adoption and growth rates in key markets
- Lessons learned from proven successes or failures in other markets
- European Banking Authority guidance on bitcoins
- International remittance transfer concerns
- Impact of International Organizations, such as IMF European Banking Authority

4:30

Conference Ends

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Wendy Tyler

Director of Sales, American Conference Institute

Tel: 212-352-3220 x5242

w.tyler@AmericanConference.com

Pre-Conference Master Class on International & Cross-Border Payments (separate registration required)

Wednesday, June 24, 2015 • 9:00 a.m. – 12:00 p.m.
(Registration 8:30 a.m.)

The Key International Markets and the Products, Platforms, and Systems That Are Changing the Global Payments Landscape

Speakers to be announced

Check www.AmericanConference.com/VirtualCurrency for these and other exciting speakers being added

This class will provide even the most experienced payments professionals with detailed information on and a practical assessment of the emerging global payments landscape. Topics to be addressed include:

- The emerging global payments landscape: how international payment developments are impacting cross-border remittances, payment processing, and adoption and growth rates in key markets, including the EU, Asia, and Latin America
- Mobile payments and mobile wallets and the changing face of the global payments market
- Expanding beyond North America: key considerations and proven strategies for entering into or accepting payments from new markets
- Cross-border remittances: Assessing Dodd-Frank Section 1073, the CFPB's response, the emerging regulatory paradigm, and the impact on international remittances, including implementation and compliance challenges
- Assessing the impact of OFAC, FinCEN, and the CFPB on the global payments market
- Evaluating key international legal and regulatory trends and sanctions enforcement and developing and implementing global policies and procedures
- An in-depth exploration of regulatory and compliance issues in key markets, including new and emerging platforms, products, technologies, and business models, and evaluating their strengths and weaknesses
- Managing privacy and data security risks on a global scale
- Developing, implementing, and maintaining AML programs and fraud deterrence strategies on an international basis: assessing the FATF 40 Recommendations, overcoming implementation challenges in a global market, and minimizing exposure to new and emerging fraud risks

12:00 **Lunch for Master Class Participants**

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American Conference Institute (ACI) will apply for Continuing Professional Education credits for all conference attendees who request credit. There are no pre-requisites and advance preparation is not required to attend this conference.

Course objective: The legal system for alternative currencies (virtual/digital/crypto) with an emphasis upon its relationship to business. (14.5 hours for conference and additional 3.5 for workshop)

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