

Christopher Capel

ATTORNEY

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OVERVIEW

Christopher Capel has extensive experience advising emerging and established companies, both privately and publicly held, in corporate, securities and technology law matters. His practice emphasizes mergers and acquisitions, corporate finance (including public offerings and private placements of securities), intellectual property and technology licensing and transfer, and public company reporting and compliance. In addition, he regularly assists companies and investors with strategic alliances and collaborations, joint ventures and other corporate partnering arrangements. These matters involve a variety of industries, including a focus on the pharmaceutical, biotech, medical device and other life sciences areas. Frequently, these matters involve international transactions. Clients describe Chris as "a very strong lawyer with a solid corporate practice" who is "very competent and well respected" (*Chambers USA*). He also advises companies and their directors and officers on corporate governance matters and other general corporate and business law matters.

Christopher also focuses on venture capital and private equity transactions, representing private equity firms, venture capital funds and corporate investors, as well as venture capital-backed companies, university spin-outs and start-ups.

Prior to Smith Anderson, Christopher practiced in New York City with a global law firm. He is licensed to practice law in North Carolina and New York. Before entering law practice, he was a corporate banker with Wachovia Bank. Christopher received his law degree from the University of North Carolina, where he graduated with honors and was on the Law Review.

EXPERIENCE

- Advised a Nasdaq-listed medical device company in the acquisition of a global leader in neuromodulation and rehabilitation medical devices for up to \$110 million in up-front and contingent consideration.
- Advised a Nasdaq-listed pharmaceutical development company in the acquisition of a specialty dermatology company for up to \$51 million in up-front and contingent consideration.
- Advised a clinical-stage biotech company and its founder in a definitive agreement to be acquired by a private biotech company, in exchange for equity ownership in the buyer.
- Advised a provider of clinical trial contracting and payment services, and its investors, in its merger with a provider of complementary services.

- Advised a China-based biopharmaceutical company on its world-wide Intellectual Property License and Collaboration Agreement with a U.S. publicly-traded, clinical-stage biotechnology company.
- Represented a Nasdaq-listed global medical device company in its minority investment in a developer of an innovative wound healing therapy.
- Advised a provider of identity verification data in its acquisition by a global financial information company.
- Advised a publicly traded, global tobacco company on its \$50 billion merger with another major publicly traded tobacco company.
- Represented a Nasdaq-listed bank holding company in a public offering of depositary shares representing interests in preferred stock for aggregate proceeds of \$345 million.
- Represented a Nasdaq-listed bank holding company in a public offering of subordinated notes for aggregate proceeds of \$350 million.
- Advised a multinational Fortune 500 provider of product development and integrated healthcare services in its merger with a NYSE-listed global information and technology services company, creating a leading information and tech-enabled healthcare service provider. The equity market capitalization of the joined companies was more than \$17.6 billion at closing.
- Joint venture between our client, the world's largest public company provider of biopharmaceutical development services and commercial outsourcing services, and the world's leading public company provider of diagnostic information services, to form a global clinical trials laboratory services business with initial annual revenues of approximately \$575 million.
- Merger of our client, a publicly-traded developer of diagnostic tests, with one of the largest clinical laboratory companies in the U.S.
- Private placement offering of securities by our client, a clinical-stage biotech company, to individual and institutional investors.
- In-license of university-developed intellectual property by our client, a newly formed medical device company.
- Formation and funding of specialty pharmaceutical company by our clients, a group of venture capital investors, and related in-license of pharmaceutical product rights from a global pharmaceutical company.
- Collaboration/strategic alliance between our client, a global provider of biopharmaceutical development services and commercial outsourcing services, and a global, Japan-based pharmaceutical company for the development of pharmaceutical products on a risk-sharing basis.
- Divestment by our client, a global pharmaceutical, vaccines and consumer health company, of pharmaceutical product rights to a specialty pharmaceutical company.
- License by our client, a publicly-traded specialty pharmaceutical company, from another specialty pharmaceutical company of pharmaceutical intellectual property rights.
- Venture capital financing transaction involving our client, an emerging technology company.
- License and acquisition by our client, a global specialty pharmaceutical company, of pharmaceutical intellectual property from a global pharmaceutical company and related sub-licenses from other global pharmaceutical companies.
- Supply and manufacturing contracts involving our client, a publicly-traded specialty pharmaceutical company, and out-sourced contract manufacturers for bulk product and finished product.

CREDENTIALS

Recognition

- *Chambers USA: America's Leading Lawyers for Business*, Corporate/M&A (2006-2023)
- Best Lawyers®
 - Biotechnology and Life Sciences Practice (2006-2023)
 - Corporate Law (2006-2024)
 - Mergers & Acquisitions (2006-2024)
 - Securities / Capital Markets (2006-2024)
 - Securities Regulation (2006-2024)
 - Venture Capital (2006-2024)
- Best Lawyers®, "Lawyer of the Year," Raleigh
 - Securities/Capital Markets Law (2014, 2017, 2019, 2024)
 - Securities Regulation (2020)
- *Business North Carolina* Legal Elite, Business Law
- *IFLR1000: The Guide to the World's Leading Financial Law Firms*, M&A, "Highly Regarded" (2018-2021, 2023)
- Martindale-Hubbell: AV Preeminent Rated
- National Eagle Scout Association

Clerkships

Federal Judicial Law Clerk to the Honorable Sam J. Ervin III, United States Court of Appeals, Fourth Circuit

Education

University of North Carolina, J.D., *with honors*, 1985

University of North Carolina, A.B., 1979

Bar & Court Admissions

- New York
 - North Carolina
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