



## KENNETH D. EBANKS

Partner

Covington & Burling LLP  
One Front Street  
San Francisco, CA 94111-5356  
Tel: 415.591.7089  
kebanks@cov.com

### Practices

- Corporate
  - Mergers & Acquisitions
  - Venture Capital & Emerging Companies
- Communications & Media
  - Content Creation & Distribution
  - Corporate Transactions
  - Digital Media & Entertainment
  - International
  - New Media

### Industries

- Software & Technology

### Education

- Georgetown University Law Center, J.D., 1990
  - *cum laude*
  - *Journal of Law and Policy in International Business*, Editor
- University of Florida, B.S., 1985

Ken Ebanks is a partner in the firm's San Francisco office. His practice focuses on corporate and emerging company matters, intellectual property transactions, mergers and acquisitions, and digital media and entertainment.

Mr. Ebanks serves as outside general counsel to private and public companies, venture and private equity funds, start-ups and entrepreneurs, advising on a wide range of legal and business issues. His transactional practice includes debt and equity financing, software and content licensing, joint ventures, acquisitions and sales, film, publishing and digital distribution arrangements, employment agreements, and privacy matters.

Mr. Ebanks works across multiple industries, but is particularly focused on technology and media. His clients include Internet ventures, media companies, sports leagues, videogame publishers, life sciences companies and financial services firms. Mr. Ebanks also has substantial experience with cross-border transactions in Europe, Asia and Australia, and practiced corporate law in Geneva, Switzerland for several years.

## REPRESENTATIVE MATTERS

- Prosper Marketplace, Inc., the world's largest online peer-to-peer lending platform, in a \$14.7 million Series D financing led by Accel Partners, as well as in connection with trademark and online issues, securities and operational matters.
- OVP Venture Partners as lead investor in a \$30 million Series B financing of Fate Therapeutics, Inc., a California-based company focused on using stem cell technology to develop compounds to guide cell fates for therapeutic purposes.
- The National Football League in a wide range of digital media transactions, including deals with Amazon for digital downloads of NFL programming and with Yahoo! for *NFL Game Pass*, a subscription service for international broadband streaming of NFL games.
- CBS Television Network Affiliates Association in negotiations with CBS Interactive for Internet content streaming of CBS entertainment, sports and news content on participating affiliate station websites.

- Patagonia, Inc. in multiple film production and financing arrangements, publishing agreements and joint ventures.
- Microsoft Corporation in various venture investments and intellectual property transactions.
- Hulu on a range of communications regulatory and privacy matters.
- Genentech in software development and global technology licensing arrangements.
- The Charles Schwab Corporation in its acquisition of Etelligent Consulting, Inc., a leading provider of software and technology for registered investment advisors.
- Electronic Arts in various corporate and transactional matters.
- Yahoo! in online advertising matters and transactions.
- Wyeth in connection with privacy and data security issues.
- Radio One, Inc. in its acquisition of Giant Magazine LLC, publisher of *Giant Magazine*.
- Results Radio LLC in the sale and acquisition of multiple broadcast stations across California.
- Perseus LLC as the lead equity sponsor in the leveraged buy-out of Haggar Corp. and in Workflow Management, Inc.'s acquisition of The Relizon Company.
- Georgetown University in connection with Big East Conference negotiations with ESPN for television and broadband streaming rights to basketball games.
- The Washington Post Company, Verizon and Astra-Zeneca on blog-related policies and blogging matters.
- GreenPoint Mortgage in its disposition of joint venture holdings and other licensing, transactional and regulatory matters.
- Exelixis, Inc. in its acquisition of X-Ceptor Technologies, Inc.
- Chiron, Inc. in its acquisition of Sagres Discovery, Inc.
- Westhill Partners in the sale of its public relations business to Financial Dynamics, Inc.
- GrandView Castle Entertainment on the international distribution of DreamWorks television and film content and various financing matters.

## HONORS AND RANKINGS

- *Legal 500 US*, Recognized for Media, Technology and Telecoms (2010)
- *Northern California Super Lawyers*, Mergers & Acquisitions (2007)

## MEMBERSHIPS AND AFFILIATIONS

- Board of Directors, EARN (Earned Asset Resource Network)
- National Academy of Media Arts & Sciences, Member
- San Francisco Digital Media Advisory Council

## PUBLICATIONS AND SPEECHES

- Advanced Software Law and Practice Conference, San Francisco, Chair (November 2005)

## PUBLICATIONS

- "Company Web Sites and the Securities Laws," *Covington Advisory* (8/22/2008), Co-Author
- "Into the Blogosphere: Managing the Risks and Rewards of Employee Blogging," *Computer & Internet Lawyer* (October 2005), Author
- "Employee Blogging," *Covington E-Alert* (4/18/2005), Co-Author
- "Blogs Pose New Legal Issues and Potential Liability for Corporate America," *Covington E-Alert* (4/14/2005), Co-Author
- "Why "Nanzom" Might Not be a Good Name for Your Business, and Other Trademark Considerations," *Nanotech Business Update* (September 2002)