

22. December 2022

FINALLY SOME LEGAL CERTAINTY REGARDING THE OBLIGATION TO NOTARIZE CONVERTIBLE LOAN AGREEMENTS?!

CONVERTIBLE LOAN AGREEMENTS PLAY AN IMPORTANT ROLE ABOVE ALL IN THE AREA OF VENTURE CAPITAL FINANCING - WHETHER AT THE VERY BEGINNING AS PART OF EARLY-STAGE FINANCING OR ALSO LATER IN THE GROWTH PHASE, FOR EXAMPLE FOR INTERIM FINANCING BETWEEN TWO INVESTMENT ROUNDS. THE FORMAL REQUIREMENTS TO BE TAKEN INTO ACCOUNT WHEN CONCLUDING CONVERTIBLE LOAN AGREEMENTS IN WHICH A GMBH IS THE BORROWER ARE CONTROVERSIAL IN PRACTICE AND CASE LAW. A RECENT DECISION BY THE ZWEIBRÜCKEN HIGHER REGIONAL COURT COULD PROVIDE A DEGREE OF LEGAL CERTAINTY. [\(more...\)](#)