

19. December 2024

ON THE PERMISSIBILITY OF VESTING PROVISIONS FOR FOUNDERS OF START-UPS

VESTING PROVISIONS FOR THE FOUNDERS OF A START-UP ARE REGULARLY INCLUDED IN THE INVESTMENT AND SHAREHOLDER AGREEMENTS (IN SHORT *ISHA*) AFTER A FINANCING ROUND HAS BEEN CARRIED OUT. NEVERTHELESS, THE CASE LAW OF THE SUPREME AND HIGHER COURTS HAS NOT YET DEALT WITH THIS. NOW, THE BERLIN COURT OF APPEAL (*KAM-MERGERICHT*) HAS FINALLY DEALT WITH A VESTING PROVISION AND APPROVED IT IN THE SPECIFIC CASE AT HAND (DECISION OF 12 AUGUST 2024 - 2 U 94/21). [\(more...\)](#)