

Electronic Payment Systems

Overview

Over the past three decades, electronic payments have become the cornerstone of international commerce, allowing consumers, businesses and governments to transact business and move money with increasing convenience, value and security. We also recognize emerging technologies in the mobile, online and electronic payments arenas offer opportunities for financial institutions, merchants and consumers to reformulate commerce. Our Electronic Payment Systems practice has the knowledge and firsthand industry experience required to help our clients navigate through the multifaceted and ever-changing regulatory landscape.

At the backbone of the electronic payments and financial technology industry are issuing and acquiring banks, ISOs, technology providers, payment processors, software and hardware developers and the many investors and lenders who have financed the progress of this international industry. Our Firm assist clients in each of these industry and serve as Outside General Counsel to various trade-groups such as ePay Resources, formerly Southwestern Automated Clearing House Association (SWACHA) and The Electronic Payments Resource.

Munsch Hardt regularly advises clients on Automated Clearing House (ACH) payment processing agreements and operations, as well as compliance and liability risk under the National Automated Clearing House Association (NACHA) rules. We also counsel both large and small clients on legal issues, as well as strategic alliances, mergers and acquisitions and corporate direction. Other services include, but are not limited to, the following:

- Mergers and acquisitions
- State and federal regulatory compliance
- ACH processing
- Mobile payments
- Loyalty, gift and pre-paid cards
- Tax issues affecting the electronic banking industry
- Litigation
- Merchant acquirer, ISO, processor and sales agent contracts
- Bankruptcy issues
- Copyrights, trademarks and licenses
- Entity formation
- Cutting edge technology compliance issues
- Financial Institution Litigation
- Infrastructure and project finance

Experience

Multi-State Apartment Manager

Lead counsel for multi-state apartment manager's merchant ACH and credit card processing compliance and contract issues.

ACH Payroll Processing Company

Lead outside counsel for national ACH payroll processing company located in Texas.

ACH Third Party Sender

Lead outside counsel for national ACH third party sender located in Texas.

Financial Institution

Lead payments counsel for bank acting as Originating Depository Financial Institution on a national basis under the ACH Network.

Payment Processing Company

Represented payment processing companies in connection with money service business state compliance issues.

Transportation Company

Represented major airline in connection with ACH processing contract.

Payroll Processors

Represented three payroll processors in connection with claims against an upstream third party sender and others following the third party sender's financial failure.

Financial Institution

Represented Originating Depository Financial Institution in connection with financial failure of a national ACH processor.

National Trade Association

Represented national trade association in connection with ACH fraud against the company.

Regional Trade Association

Represent regional ACH payments association.

Practice Leaders



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Related People

Jeffrey Dunn
David Roth

Related Practices

Finance
Asset-Based Lending
Consumer Finance
Reserve-Based Lending
Mezzanine Lending
Distressed Debt
Real Estate Finance

Related Industries

Financial Services
Health Care
Hospitality
Insurance
Retail
Technology & Telecommunications
Transportation

Newsroom

In The News: Munsch Hardt Shareholder Appointed to Arbitration Board

Press Release: NACHA – The Electronic Payments Association Appoints Munsch Hardt Attorney as Arbitration Board Member

Speech: Regulatory and Legal Views of the Payments Landscape