



Credit Card Lending and Processing

One of the strengths of the firm's legal practice is its extensive experience in credit card matters with respect to the issuing, acquiring and processing of debit and credit card transactions.

We have been retained to negotiate major "partnership" marketing agreements with several major banking institutions.

Card Issuance

In the consumer realm, Chapman and Cutler provides comprehensive legal services to credit card programs, including account acquisition and disclosure, card holder agreements, credit, collections, customer service and privacy issues, as well as Internet programs. In the commercial arena, the firm has assisted issuers in business card programs including purchasing cards, fleet cards and travel/entertainment cards.

We are well versed in all aspects of Visa and MasterCard association bylaws, rules and operating regulations and our practice group attorneys have negotiated brand and other forms of agreements between financial institutions and the card associations.

Merchant Acquiring

Chapman has drafted and negotiated numerous forms of merchant agreements, operating agreements, agent bank agreements, ISO agreements and referral arrangements for merchant acquiring. We have also assisted acquirers and ISOs in the start-up and development of merchant acquiring businesses and the purchase and sale of merchant or ISO portfolios, including joint ventures and alliances.

Additionally, we counsel clients in all aspects of risk management and fraud prevention and in connection with merchant and ISO guarantees, reserve accounts, merchant fraud, chargeback, recovery and collection activity.

Attorneys

Amanda Delaney

Marc P. Franson

Tobias P. Moon

Kathryn A. Puls

Related Practices

Banking and Financial Services

Cash Management and Payment Systems

Gift Cards and Other Stored Value Cards

Outsourcing and Vendor Service Agreements

Payment Products and Systems

Technology and Payment Processing

The firm also provides legal assistance with enhancement programs such as check guaranty, electronic check and payroll services programs and in Internet-based acquisition programs.

Litigation

We represent issuers in rate, fee, collection, privacy and marketing practice cases (including class actions). We represent acquirers in disputes related to enforcement of merchant agreements, chargebacks and recoveries, holding of funds, risk management and collection.

Merchant and ATM Processing

Chapman has assisted clients with the negotiation and drafting of operational agreements for front-end authorizations, debit card sponsorships, check guarantee programs, system customization, payment processing and funds transfers. Our collective familiarity with card association and debit network rules and requirements allows us to assist our clients in obtaining optimum service levels and protections.

Representative Transactions

- The firm assisted a major foreign bank in the purchase of a \$2 billion credit card portfolio and provided the legal support to a joint venture consisting of a major bank and a national supermarket chain in the development of a combined shopping, rewards and credit card program.
- We have assisted a major financial institution in the acquisition of a merchant processing entity, provided legal services to the joint venture of two major Canadian banks to purchase a U.S. acquirer and represented clients in the sale of their merchant card businesses.
- We have been retained to assist acquirers in programs for the sale and lease of POS terminals and equipment. An extensive lease securitization practice enhances the legal services we offer to clients.
- Chapman and Cutler has drafted and negotiated many forms of outsourcing, processing and technology related agreements on behalf of merchant acquirers and processors including First Data, Total Systems, Vital, NPC, Alliance Data, Fiserv and Metavante.