



Mark R. Busch

Partner

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OVERVIEW

Mark Busch is a partner in the Charlotte office and focuses his practice on corporate finance, securities, executive compensation, mergers and acquisitions, and corporate law. He regularly advises clients on securities and corporate governance matters including public and private securities offerings, reporting requirements under the Securities Exchange Act of 1934 and compliance with stock exchange rules and the Sarbanes-Oxley Act. Mark typically acts as principal outside counsel to his clients, assisting them across a broad spectrum of their legal needs, ranging from public and private securities offerings, advising boards of directors of public and private companies, executive compensation matters, the purchase or sale of public and private companies, recapitalizations, joint ventures and general corporate and contract matters. The industries involved in these matters and transactions have varied widely, including life sciences, technology, telecommunications, energy, software, financial services, and manufacturing.

ACHIEVEMENTS

- Recognized as a Thomson Reuters Stand-out Lawyer, 2025-2026

PROFESSIONAL / CIVIC ACTIVITIES

- North Carolina Bar Association, Business Law Section, Securities Regulation Committee

SPEAKING ENGAGEMENTS

- “Securities Law Update and Corporate Governance,” K&L Gates and North Carolina Subchapter of the southeastern Chapter of the Society of Corporate Secretaries and Governance Professionals, “Back to Basics” Presenter, May 2016
- K&L Gates “Under the Wire” CLE Seminar, “Considering Confidentiality: the SEC’s KBR Order Intensifies Complex Company Communications with Secret Keepers and Whistleblowers,” Panelist, February 2016
- The Presidents' Forum of Charlotte, “Capital Attraction: Getting it. Keeping it. Leveraging it.,” panel moderator 2015

- The President's Forum of Charlotte, "Top Questions Business Owners Should Ask Their Legal and Tax Advisors" Session Moderator, December 2011, 2013, and 2014
- "Annual Shareholder Meetings (for Public and Private Corporations)," Presenter, January 2011 and 2013
- The President's Forum of Charlotte, "Financing Issues - Navigating the Current Environment" Session Panelist, December 2012
- The President's Forum of Charlotte, "Top Questions Business Owners Should Ask Their Legal and Tax Advisors" Session Moderator, December 2010
- "New Proxy Rules for 2010: What You Need to Know to be Ready," Audio Conference co-hosted with Douglas Ellis, February 2010

EDUCATION

- J.D., Duke University School of Law, 1995 (*with honors; Law and Contemporary Problems, Technical Editor*)
- B.A., University of California, Berkeley, 1992 (*with high distinction; Phi Beta Kappa*)

ADMISSIONS

- Bar of North Carolina

OTHER PUBLICATIONS

- K&L Gates Securities Practice Guide, contributing author of Chapter 9, Navigating the Proxy Rules (LexisNexis Practice Guide, 2013 Edition)

NEWS & EVENTS

- 2 February 2026, Nearly 50 K&L Gates Lawyers Recognized on *Thomson Reuters* Stand-out Lawyers List
- 11 March 2025, Nearly 50 K&L Gates Lawyers Receive Global Recognition in *Thomson Reuters'* Stand-out Lawyers List
- 6 November 2020, K&L Gates Advises Exact Sciences Corporation on Acquisitions of Cancer Detection Companies, Common Stock Sale

OTHER MEDIA MENTIONS

- "California-based healthcare firm Movano Health raises USD 6.5 million in funding," *VCBay.news*, 27 January 2023

AREAS OF FOCUS

- Capital Markets
- Corporate Governance
- Debt Capital Markets
- Emerging Growth and Venture Capital
- Mergers and Acquisitions
- Public Companies

INDUSTRIES

- Healthcare
- Lab, Pharmacy, and Durable Medical Equipment
- Life Sciences
- Manufacturing
- Pharmaceuticals, Biologics, and Medical Devices

REPRESENTATIVE EXPERIENCE

- Represented Exact Sciences Corporation (NASDAQ: EXAS), a leading provider of cancer screening and diagnostic tests, in connection with a number of underwritten public offerings of common stock and convertible notes with total gross proceeds exceeding US\$3 billion, and a number of acquisitions with aggregate purchase prices exceeding US\$3 billion.
- Represented Exact Sciences Corporation (NASDAQ: EXAS), a leading provider of cancer screening and diagnostic tests, in connection with issuance of US\$500 million aggregate principal amount of a new series of 2.00% Convertible Senior Notes due 2030 in exchange for (i) US\$183.7 million aggregate principal amount of existing 2027 Notes, (ii) US\$200.9 million aggregate principal amount of existing 2028 Notes, and (iii) approximately US\$138 million in cash.
- Represented Exact Sciences Corporation (NASDAQ: EXAS), a leading provider of cancer screening and diagnostic tests, in acquiring all of the outstanding equity interests of PreventionGenetics, a Wisconsin-based genetic testing laboratory.
- Represented Movano Inc. (NASDAQ: MOVE), a health technology company and maker of the Evie Ring, in connection with its initial public offering of shares of common stock on NASDAQ and multiple follow-on offerings, including underwritten public offerings and at-the-market financing transactions.

- Represented Movano Health (NASDAQ: MOVE), a health technology company, with a \$24.1 million private placement of common stock and warrants to a select group of investors that includes a tier-one multibillion-dollar medical device company, institutional and accredited investors, and members of the company's management team and board of directors.
- Represented Movano Inc. (NASDAQ: MOVE), a health technology company and maker of the Evie Ring, with respect to an underwritten public offering of common stock with The Benchmark Company, LLC, a full-service investment banking firm, as the underwriter.
- Represented MDxHealth SA (NASDAQ: MDXH), a commercial-stage precision diagnostics company, in its initial public offering and listing on NASDAQ and multiple follow-on offerings, including underwritten public offerings and at-the-market financing transactions.
- Represented Cue Biopharma, Inc. (NASDAQ: CUE), an immunotherapy company, in connection with its initial public offering and listing on NASDAQ, and several follow-on at-the-market financing transactions.
- Represented GQG Partners, Inc. (ASX: GQG), a global investment boutique focused on managing active equity portfolios, with respect to securities and corporate governance matters.
- Represented CodeLogic, Inc., a software as a service provider, in connection with a number of private placement transactions.
- Represented CLOCworks, Inc., a software as a service provider, in connection with a number of private placement transactions.
- Represented a manufacturer of healthcare products with respect to a number of acquisitions.
- Represented Energous Corporation (NASDAQ: WATT), a developer of wireless charging technology, in connection with its initial public offering and listing on NASDAQ, and several follow-on secondary financing transactions.
- Represented EnSync, Inc. (NYSE American: ESNC), an alternative energy company, in connection with several public and private offerings of shares of common stock, convertible preferred stock, warrants, and convertible notes.
- Represented ENDRA Life Sciences Inc. (NASDAQ NDRA), an ultrasound technology company, in connection with its initial public offering and listing on NASDAQ and multiple follow-on offerings, including bridge note financings, underwritten public offerings, and at-the-market financing transactions.