

DANIEL GUTIÉRREZ GIVES US THE RECIPE FOR SUCCESS: “WORK MORE, WITH MORE DESIRE AND ENTHUSIASM, PURSUE YOUR DREAMS WITH ALL YOUR PASSION”

The lawyer we present today, Daniel Gutiérrez Bernardo, is, at 31 years old, a leader in his field. He feels completely at home in Corporate, M&A and IP matters, so much so that, for just over a year, he has been running his own firm, DG LAW Business Law & Intellectual Property, “DG LAW”, based in Oviedo (Asturias), which specialises in providing Commercial advice to start-ups focused on developing digital businesses. Life put him through a hard test that was the catalyst to become what he is today. As an example of its good work, during its first 14 months of operation, DG LAW has successfully led different deals that reached an amount of more than €10 million. At Iberian Lawyer, we wanted to find out more about this brilliant Asturian, who is firmly in love with his land and who has announced himself as the Top Legal in his sector.

by desiré vidal



DANIEL GUTIÉRREZ



Among some of these deals, Daniel tells us about the sale of a group of companies and properties of a family group, located in Guipúzcoa, for €5 million; the preparation of a €250K convertible note with an investment option of up to €1 million, signed by a powerful international investor (e-learning start-up); the preparation of a bridge convertible note - for an amount of €120K - to an imminent Series A to be held during 2021, (e-commerce start-up); the launch of the first car sharing operator without the need for a JV led by a manufacturer, far from the territorial area of Madrid and Barcelona, and its subsequent expansion with an investment of more than €4 million (e-mobility start-up); the sale of an audiovisual package to an international record company for €500K (e-learning start-up); a capital increase and subsequent incorporation of a JV together with a VC for an amount in excess of €3 million (start-up focused on the renewable energy sector); and other successes achieved from a Commercial, Transactional and Litigation point of view, both at the Corporate & M&A and IP levels.

Among its clients are BUENDIA TOURS, a company awarded in 2020 as the best Spanish tour company by Freetour.com, RAW Superdrink, the first isotonic drink with the EU BIO approval, BORN LIVING YOGA, which has revolutionised the *athleisure* industry in our country; Bioengas Renovables, the first national commitment to convert biogas into biomethane for energy use, and guppy, a comprehensive sustainable mobility service based on the operation of 100 per cent electric fleets through mobile applications in various autonomous communities. From his firm DG LAW, Daniel actively collaborates with IDEPA (Economic Development

Daniel, before starting your own firm over a year ago, you tried both working for a firm, in your case the IT&IP department of ECIJA, and being a company lawyer at Asturiana de Laminados SA – elZinc. What encouraged you to finally start your own firm?

Both experiences were very enriching, each in its own field, no doubt. At ECIJA, I had the opportunity to take my “first steps” in Business Law, within the IP&IT area, hand in hand with great professionals. In addition, I was able to work for top tier clients in the entertainment, advertising and information technology fields both nationally

“DG LAW MEANS THE EFFECTIVE CRYSTALLISATION OF A VERY CAREFUL PERSONAL PROJECT THAT HAS A CLEAR VOCATION OF NATURAL EXPANSION WITHIN THE PRINCIPALITY OF ASTURIAS. IT ENCOMPASSES MANY VALUES, BUT TWO ARE ITS KEY PILLARS: AVANT-GARDE AND EXCELLENCE”

Institute of the Principality of Asturias) through the CEEI (European Centre for Enterprise and Innovation) -public accelerator- and the University of Oviedo Law School, among other organisations and associations, participating in numerous conferences and preparing and leading both training and informative programmes for students and entrepreneurs. In addition, Daniel is a member of the International Technology Law Association and the International Bar Association since 2018.

and internationally. On the contrary, when I joined the legal department of elZinc I saw how a corporation “breathes” inside, what an international client needs, focused on the secondary sector, and not only that, but I witnessed and took an active part in its debut at the Alternative Stock Market, an operation that I remember very fondly (among other relevant ones).

Without falling into reductionism, I can assure you that three factors were essential when creating and promoting DG LAW: I have always been

characterised by being a professional with initiative and drive; the clear existence of a gap in the market for the provision of legal added value services in the Principality of Asturias (and in many other territories) with the guidance and approach that I advocate; and the passion for my work and the Law. Let's say that I represent (or at least that's how I roughly identify myself) on a professional level a mixture of 50%-30%-20% of Law, academia and business. DG LAW is a reflection of how I understand the practice: excellence and priority in client service supported by continuous and highest quality training in prestigious national and international institutions.

Let's go further back in time.

What led you to study Law?

Does it run in your family? Why did you choose this degree, and what motivated you to continue in the hardest times?

Despite the fact that only two members of my family completed higher university studies (my mother -a primary health doctor- and an uncle -criminology-), it was a logical continuation within the university offer that existed at that time in Asturias for those of us who preferred "to spend more time on texts than on numbers". I remember my last years studying the old Compulsory Secondary Education at Nuestra Señora del Pilar School (Pola de Lena) and High School at Auseva School (Oviedo) with great affection, in all areas. On the contrary, and despite the fact that during my degree I was able to make the most of university life, I would be lying to you if I tried to convey an *ex-post* view that was different from what

About Daniel Gutiérrez Bernardo

Daniel has a degree in Law from the Universidad de Oviedo, a Master's degree in Law Practice from the same institution, a Master's degree in Corporate Law from IE Law School (IE University), is currently taking PhD studies in Law at the Universidad of Oviedo and is a candidate of the International Master's degree in Law and Sports Management from the Instituto Superior de Derecho y Economía (ISDE).

Daniel is a graduate of the Professional Conservatory of Music of Oviedo, specialising in piano. As well as in Spain, he has enjoyed training stays in the USA and Ireland and regularly attends national and international conferences specialising in Intellectual Property Law, digital business and Commercial Law. 



I experienced. I simply did not find what I expected during the first years and my attachment to Law for three years could be considered as a step in the supposed "compulsory training of the average citizen who is reasonably well informed," back in the 2007-2008 academic year. So, I landed in the Universidad de Oviedo Law School without being aware of the great opportunity my parents had given me and the responsibility I had to assume in order to prepare my future. However, everything changed from the third year onwards. My father was diagnosed with cancer, and I began to focus almost all my

energy on not disappointing his expectations. In the beginning, the main reason or justification I found to make an effort in my studies was that. Later, thanks to the influence that many university teachers had on me, both personally and professionally, I managed to consolidate my initial training brilliantly.

Today, after five years, I know that such an event served as a catalyst for a personal and professional metamorphosis that culminated, in part, in December 2015, after having obtained the second-best grade of my class in the Master's Degree in Corporate Law (LL.M.) at IE Law School.

The approach that you have given to your firm, the specialisation linking Business Law and Intellectual Property, also putting emphasis on advising start-ups, seems very novel. Did you detect this need in your region's market? What types of deals are the ones that most frequently come to your firm and which ones do you like the most and why?

DG LAW means the effective crystallisation of a very careful personal project that has a clear vocation of natural expansion within the Principality of Asturias. It encompasses many values, but two are its pillars: avant-garde and excellence. In my opinion, if we want

project with great ease (Tax, Administrative, Labour, etc.), but this is not critical. A company is a living being and relations in the market (concurrently, with consumers and with the Public Administrations) are full of potential contingencies. Knowing how to identify, prevent and avoid them is part of the value-added provided by DG LAW. I appreciate much more, from a legal point of view, a good preventive strategy that carefully analyses all the "What ifs" than a belligerent or dispute approach.

I firmly believe that my land, which I am absolutely in love with and which I learned to enjoy completely after my

projection towards the market of a set of experience and know-how demanded by the new business models based on the development and exploitation of technology or intellectual creation, indeed. There are sectors of activity in which it is not necessary to take full advantage of the pure technological leap offered, for example, by the functionalities of personal intelligent devices -see, e.g., the history of La Casa de Las Carcasas- but in others, conversely, it is considered essential.

On a personal level, I feel very comfortable working on the comprehensive growth of clients from a pure Corporate, M&A, and Transactional point of view -national and international-; as well as on the development of strategies for the protection of their entire inventions portfolio or creations that cannot be protected under the umbrella of the IP field in a broad sense (or of that applicable regulation based on the complementary relativity principle). If I had to enumerate any more, I would opt for operations in which: the interests of a start-up involved in the process of fundraising (equity or debt) to scale up its business are represented; positions where political or economic rights inherent to shareholders in a company are discussed; issues relating to Entertainment Law are negotiated or discussed; and, on the other hand, those in which the Intellectual Property moral or economic rights (in the strict sense) are defended.

How was the process of creating your firm, did you have any help (even if it was good advice) to get it up?

In fact, I think it took shape naturally and in parallel with my

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to lead the provision of the legal services in the start-up ecosystem, we must clearly master three fundamental Law areas: Corporate, M&A and IP (although it does not respond to an orthodox classification, I usually include Data Protection within the broad concept of IP as a whole -because I consider them to be an intangible asset-). Obviously, it is essential to handle the other legal disciplines or specialities that may affect the development of a business

return, needs a reference like DG LAW. At present, unless I am mistaken, there is no legal service proposal -located within the region- on the market like the one offered by my firm. In fact, at an international level, it is increasingly common to find legal professionals who are experts in IP & Corporate & M&A.

We are in the age of knowledge and information. There is no doubt about that. DG LAW is nothing more than the

growth as a professional year after year. If there is one thing I am clear about, it is that the recipe for success contains only one ingredient: working harder than your competitors, with more desire, more enthusiasm, more dreams and all your passion. This is the only way to transmit confidence to your clients and capture their attention in the market, given that there are many alternatives that already enjoy a well-known positioning and recognition by society as a whole.

My closest relatives have always told me since I was a child that constant and quality training would allow me to make a difference in the course of my development as a professional. And they were right.

As far as the implementation of DG LAW is concerned, I did not have the direct help of anyone to transfer to the *factum* what I already had in mind. However, indirectly, I consider many to be part of the project, as they constantly seeded in me part of their understanding of the Law profession and how to

practice it within the business environment.

In a very short time, you have managed to position yourself in a very niche market as we have mentioned before, handling very considerable stock transactions. Does one need to have a cool head to keep one's feet on the ground? Apart from a lot of courage and confidence in your abilities, what qualities do you think are the ones that help you continue to grow?

It is not a matter of being necessary. It is indispensable. Everyone has to be aware of where comes from, what phases one has gone through, at what point one is and in what direction one is going. Not losing perspective in each of the previous vital moments is basic to avoid making mistakes. One wrong move and "you're outta the game".

With DG LAW, the path is clear and very defined. Excellence is sought at all times as part of the corporate culture and "brand generation". There are lawful and legitimate business models

within the legal sector that allow huge economic returns to be obtained in the short term, as well as practices by matters that allow business projects to be solidified without any value-added through the systematisation of processes. With DG LAW, we aspire to grow in a controlled manner and within parameters that allow, at all times, maintaining the highest quality and immediacy in the provision of the services offered. As for the rest of my personal qualities that help me to keep growing, I emphasise again the need to complement my theoretical knowledge every day, together with the participation in other types of life experiences that are fundamental to achieve -framed perhaps in the much mentioned soft skills-, day after day, the objectives that I set with DG LAW and within the profession.

I would like to highlight two aspects that define me perfectly, among the other issues already mentioned. First, I enjoy what I do every day, and therefore I consider myself very lucky. I do not understand colleagues or people who -except for a vital necessity- spend most of their time on tasks with which they do not feel identified. On the other hand, I have developed a great versatility and work capacity during my career. I am capable of facing complex challenges with total guarantees. However, I have always been aware of my limitations and when I should "raise my hand" to ask for help.

What are your plans for the future? Do you envisage opening offices in other locations, perhaps through partnerships with other firms?

DG LAW is configured as a model-based, for the time being,

About DG LAW

DG LAW Derecho de los Negocios & Propiedad Intelectual is a law firm focused on Commercial advice for technological or digital start-ups and mid-caps. Founded in 2019, it is at the forefront of providing independent legal services linked to disruptive businesses through its characteristic and marked multidisciplinary approach. The firm has several commercial agreements with national and international strategic partners, which allows it to provide its clients with an exclusive service adapted to their needs. DG LAW Derecho de los Negocios & Propiedad Intelectual also accompanies international investors interested in talent located in Spain in various strategic sectors, as well as Spanish nationals towards the rest of the opportunities hosted by the European Union Member States, as well as those located in the Middle East and Latin America. 

on the subscription of close collaborations between firms. In fact, I have always been more in favour of “partnership” than pyramid structures. When one, on one’s own initiative, works tirelessly to find one’s own security and well-being, the former develops a number of capabilities that under the umbrella of others are not so easily discovered. Currently, DG LAW has signed agreements with two traditional boutique firms located in Guatemala City (Republic of Guatemala) and Barcelona that will come into force in April 2021. I am confident that the relationship will be more than fruitful and will allow every client to approach new markets, potential investors and different opportunities that go beyond pure legal advice.

A philosophy lover, you also play the piano and are passionate about film and history in general. You also practice basketball. In these times, with a pandemic that has left many people, at least a little dejected, what do you think is more important, recovering your strength and spirit? Music, philosophy, cinema or sport? 2020 has awakened fears that corresponded, in their own right, to another century. For this reason, I believe that the perfect cocktail to smooth out any imbalance caused by the pandemic is precisely the right combination of all of them. Lately, our approach to life (or at least that of generations Y and Z) revolves around concepts long since coined by, among others, Zygmunt Bauman (see his work “Liquid Modernity”). Time, *per se*, has become the most scarce good on the planet -except in certain



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territories- and the resilience capacity that each one possesses depends on its management and use. We must be able to combine our hobbies with personal and professional development, as the sum of these factors cannot possibly have a negative outcome.

Finally, what advice would you give to other young people who are considering launching their own firm?

I would tell them to carry out a very critical self-evaluation process. There is no point in “launching” your own firm and starting up in a sector like the legal one -or in any other, I imagine- without at least knowing what you are going to

do, what your value proposal is, how you are going to differentiate from your competitors, and how you are going to generate clients. There are different strategies and ways to approach a project from scratch, and depending on who is leading it, they will be more or less successful.

You should never be tempted to say “mission accomplished” or that “X is enough” despite the fact that you are completing stages. It is never enough. You must always keep improving every day, with clear and defined objectives. As Kobe Bryant used to say: “I’m going to *do what I always do: I’m going to break it down to its smallest form, smallest detail, and go after it. Day by day one day at a time.*” 🏀