

# WILSON SONSINI

## Scott A. McKinney

PARTNER

Technology  
Transactions  
*Washington, D.C.*

smckinney@wsgr.com  
202-973-8872



## FOCUS AREAS

Artificial Intelligence and  
Machine Learning  
Blockchain and  
Cryptocurrency  
Digital Health  
Digital Media and  
Entertainment  
Electronic Gaming  
Fintech and Financial  
Services  
Internet  
Technology Transactions  
U.S. Expansion

## HIGHLIGHTS

- **Broad Experience with Emerging Technologies**  
Scott advises companies in a diverse range of emerging industries, including AI, robotics, autonomous vehicles, machine learning, e-gaming, digital payments, digital health, smart contracts, NFTs, the metaverse, Internet of Things, and other new technologies.
- **Represents Elite Tech Companies**  
Scott has counseled leading technology innovators like Google, Anthropic, Twitter, Circle, and Reddit on complex transactional matters, including joint development, strategic alliance, joint venture, SaaS, and open source licensing and other commercial arrangements, and on corporate transactions such as mergers and acquisitions, IPOs, and financings.
- **Counselor to Start-Ups**  
Scott acts as a day-to-day advisor to start-ups across all stages of their development, from inception through exit.

## EXPERIENCE

Scott McKinney is a partner in the Washington, D.C., office of Wilson Sonsini Goodrich & Rosati, where he is a member of the firm's technology transactions practice. He represents companies of all sizes in complex commercial and technology transactions, and advises technology companies and their investors at all stages of company development, from pioneering start-ups to leading global enterprises.

Scott focuses his practice on frontier technologies, and is a founder and leader of the firm's cross-practice artificial intelligence and machine learning advisory group. In addition to AI, Scott advises technology innovators in other emerging fields such as blockchain, fintech and DeFi, automated vehicles, robotics, and smart contracts, and he is a nationally recognized speaker on those topics. He is also a subject matter specialist in the area of open source software licensing, advising a variety of companies on open source software compliance and usage.

Scott is a professor at Georgetown Law and teaches a class that he developed on artificial intelligence, technology transactions, intellectual property, and negotiations. He is also a professor at Columbia Law School, where he teaches a class he created on new and emerging technologies, including AI, autonomous vehicles, NFTs, the metaverse, blockchain, and smart contracts. In addition to working with new and emerging technologies, he frequently advises clients on commercial transactions and intellectual property issues of all types, including in the sports, communications, gaming, media, pharmaceutical, fashion, publishing, music, and education industries.

## CREDENTIALS

---

## Education

- J.D., Columbia Law School, 2011  
*Harlan Fiske Stone Scholar; Recipient, Parker School of Foreign and Comparative Law Certificate; Editor, Columbia Science and Technology Law Review*
- B.S., Computer Science, University of Oklahoma, 2007  
*With Honors*

## Associations and Memberships

- Professor of Law, Georgetown Law
- Lecturer in Law, Columbia Law School
- Member of the **Accord Project**, a global consortium for the development of techno-legal standards for smart contracts and the standardization of open source and related technologies in the intersection between blockchain, IoT, and smart contracts

## Honors

- Honored as a 2023 “D.C. Rising Star” by *The National Law Journal*

## Admissions

- Bar of the District of Columbia
- State Bar of New York

## MATTERS

---

### Select Clients, Representations, and Transactions

#### *Artificial Intelligence / Machine Learning*

- Advise **Anthropic** on its multi-billion dollar strategic commercial deal with AWS as well as various IP and commercial matters
- Advise **Stability AI** on various commercial and licensing matters
- Advise **OpenAI** on various commercial and licensing matters
- Advise **SoundHound** on various IP, licensing, and AI matters
- Advise automated vehicle company **Oxbotica** on the commercialization and launch of its universal autonomous vehicle software platform
- Advise **Control Risks** on its “Seerist” strategic AI collaboration with GeoSpark
- Represent AI company **Text IQ** in its acquisition by Relativity
- Counsel **Bear Robotics**, the maker of the Servi robot for restaurants, in connection with its collaboration with SoftBank Robotics Group
- Advise **Freedom Robotics** regarding the commercialization of its robotics control, monitoring, and management platform
- Advise **Kodiak Robotics** regarding the commercialization of its autonomous vehicle technology
- Advise AI real estate company **GeoPhy** in its acquisition by Walker & Dunlop

#### *Fintech, DeFi, Web3 / Blockchain / Crypto / NFTs*

- Represent **Circle Internet** on IP and commercial matters related to USDC, including on its strategic USDC relationship and transactions with Coinbase
- Represent **Reddit** in its strategic partnership with the Ethereum Foundation
- Advise **Blockstack**, a blockchain based company developing a new internet for decentralized applications, on commercial, IP, and other strategic matters
- Represent and advise **Mastercard** in its development and negotiation of its new Mastercard Track™ global B2B platform and integrated payments solution
- Advise **Mastercard Labs**, the global research and development arm of Mastercard International, on the implementation and development of blockchain technology, commercial contract negotiations, API licensing, and intellectual property strategy
- Advise **Vially** on the launch of its online banking platform
- Advise **Candy Digital** on the launch of its global NFT platform and relationship with Major League Baseball
- Advise **StockX** on the launch of its NFT product and platform
- Advise **Mastercard** on the launch of its NFT platform and activities in the metaverse
- Represent **Bakkt** in its acquisition of Apex Crypto

#### *Digital Health, Consumer Apps, Social Media, Software, Electronic Gaming, and Cloud*

- Represent mental health platform **Zeera** on commercial, IP, and strategic partnership matters

- Represent **Qualys** on commercial and IP licensing issues
- Represent **Microstrategy** on commercial and IP licensing issues
- Advise **Twitter** on various commercial, data, IP, and licensing matters
- Advise Chinese internet services company **Tencent Holdings Limited** on cloud hosting deals, videogame licensing and distribution deals, and other commercial transactions
- Advise **Gigamon**, the network visibility and traffic monitoring technology company, on open source compliance and related issues
- Represent **Royal Caribbean** in its roll-out of new technologies across its global fleet, including strategic advice regarding and the negotiation of numerous commercial software and technology transactions
- Advise and represent **Plume Design** in its ongoing negotiation of strategic partnerships with international telecom and ISP companies for the use and commercialization of Plume's mesh network technology
- Represent **Xevo**, an interactive car-software company, in its negotiation of strategic deals with the automotive industry

#### M&A

- Represent **Twitter** in its \$44 billion acquisition by Elon Musk
- Represent **Rover** in its \$2.3 Billion Acquisition by Blackstone
- Represent **Doordash** in its acquisition of Wolt
- Represent **Careem** in its \$3.1 billion acquisition by Uber
- Advise **Fishbowl** in its acquisition by Glass Door
- Advise **Medallia** on \$6.4 Billion Acquisition by Thoma Bravo
- Represent **Pluralsight** in its \$3.5 billion acquisition by Vista Equity Partners
- Represent **FanDuel** in its merger with Paddy Power Betfair and the creation of the FanDuel Group
- Represent **IDbyDNA** in its acquisition by Illumina
- Represent **Paddle** in its acquisition of ProfitWell
- Represent **Salesforce.com** in its acquisition of Krux Digital
- Advises **Misfits Market** on its acquisition of Imperfect Foods

## INSIGHTS

---

### Select Publications

- Co-author, "Will Indemnification Commitments Address Market Demands in AI?" *Wilson Sonsini Alert*, February 20, 2024
- Co-author, "AI in the Biden Administration's Crosshairs—Summarizing the Sweeping New Executive Order and Ten Top Takeaways," *Wilson Sonsini Alert*, November 2, 2023
- Co-author, "Foundational Models: Building Blocks for Generative AI Applications," *PYMNTS*, September 15, 2023
- Co-author, "Do's and Don'ts for Developing, Extending, and Using Generative AI Models," *The Computer & Internet Lawyer*, May 2, 2023
- "Video Game NFTs: Top Legal Considerations for Developers," *Wilson Sonsini Alert*, February 10, 2022
- "Are Gaming Companies Maddened by Mods or Embracing Them?" *Wilson Sonsini Alert*, July 17, 2020
- Co-author, "Welcome to the 2020s from Wilson Sonsini's Electronic Gaming Group," *Electronic Gaming Legal Newsletter*, March 3, 2020
- Co-author, "Machine Learning Legal Issues for Digital Health Companies in Commercial Transactions," *Digital Health Report*, Q1 2020
- "How Machines Learn: Where Do Companies Get Data for Machine Learning and What Licenses Do They Need?" 13(3) *Washington Journal of Law, Technology & Arts*, 2018
- "Smart Contracts, Blockchain, and the Next Frontier of Transactional Law," 13(2) *Washington Journal of Law, Technology & Arts*, 2018
- Co-author with M. Sachet, T.J. Graham, J. McGaraghan, B. Chari, A. Pate, and A. Shevell, "Court Ruling Supports Contractual and Statutory Enforcement of Open Source Software Licenses," *WSGR Alert*, May 19, 2017

### Select Speaking Engagements

- Speaker, "AI + Startups + The Law: Legal Considerations for Tech Founders," Webinar, September 6, 2023
- Speaker, "AI: Understanding Applications, Training, and Datasets," Rocky Mountain Intellectual Property & Technology Law Institute, 2023

- Speaker, "Jurisdiction and Enforcing IP Rights in the Metaverse," WIPO Conversation on Intellectual Property and Frontier Technologies, 2023
- Speaker, "Keeping It Legal," TC Sessions: Crypto 2022, TechCrunch, November 17, 2022
- Speaker, "Can AI Replace Creativity?" Webinar, April 19, 2022
- Guest Speaker, "Protecting Your Innovations," Morgan Stanley Multicultural Innovation Lab, 2020
- Featured Speaker, "Artificial Intelligence, Blockchain, and Smart Contracts," and "Artificial Intelligence in Business," 2018 Artificial Intelligence and Machine Learning Conference, Washington Journal of Law, Technology & Arts, 2018
- Guest Lecturer, "Entrepreneurial Law for Non-Lawyers," Cornell Tech, Cornell University, 2018-present
- Guest Lecturer, "Technology Transactions," Cornell Tech, Cornell University, 2017-present