



Scott W. Pink

Special Counsel

Silicon Valley

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A former general counsel for a major media company, Scott Pink brings an insider's perspective to his broad-based practice. It's what's made him the lead outside advertising and marketing counsel to several well-known brands, and a sought-after resource on intellectual property, privacy and cybersecurity issues.

He advises technology, media, entertainment and a variety of consumer product and franchise companies on issues of intellectual property counseling; social media law; cybersecurity and privacy; and advertising, marketing, and promotions law.

Scott had led many privacy and security compliance initiatives worldwide for clients, including GDPR compliance, HIPAA compliance audits, compliance with financial security regulations (NYDFS) and security audits for cryptocurrency and blockchain companies. He is a thought leader on GDPR issues, having published articles in *Cybersecurity Law Report* and speaking at conferences hosted by the International Association of Privacy Professional.

Scott also has extensive experience in technology related transactions and other legal issues in the life science field. He has represented cutting edge life science, biotech and nutritional supplement companies on privacy and security policies and issues, product development agreements, tech transfer agreements with Universities, agreements with health care providers, collaboration agreements, patent licenses, marketing agreements, materials transfer agreements, manufacturing agreements, marketing agreements and marketing compliance.

Admissions

Bar Admissions

California

Illinois

Education

Harvard University, J.D., *cum laude*

Harvard University, B.A., *magna cum laude*

Previously, Pink led the advertising and marketing group at another *AmLaw 100* law firm. He also served as vice president, general counsel and secretary for Prima Communications, an international media and publishing company. He speaks frequently on the subjects of marketing and promotions, intellectual property law, privacy and security, Internet law, and strategic alliances.

Experience

- *Chip Connect v. Calibur 11, et al.* (E.D.Cal.). Lead attorney for plaintiff in copyright infringement, trade secret misappropriation and trademark infringement case which resulted in a preliminary injunction enjoining sale of defendants' entire product line
- *Winstream v. C-Media* (AAA arbitration). Successful defense of Taiwanese-based hardware manufacturer in claim for breach of intellectual property evaluation agreement
- *The Evercare Company, Lint Rollers*, NAD Case #5139 (January 27, 2010). Lead attorney in successfully defeating challenge to #1 selling product claims
- *In the matter of Moran Foods Inc. dba Save-A-Lot* (California Office of Administrative Hearings). Lead attorney in an administrative proceeding which overturned cease and desist order that client operated a franchise system under California law
- *Meridian Project Systems, Inc. v. Hardin Construction Company, LLC, et al.* Lead attorney on software case involving claims of reverse engineering, copyright infringement, and unfair competition. Resulted in several published opinions on issues of first impression – 426 F. Supp. 2d 1101 (E.D.Cal. 2006) and 404 F.Supp.2d 1214 (E.D. Cal. 2005)
- *Omega Diamond, Inc. v. Granite City Tool*. Lead attorney in trademark and false designation of origin case relating to use of plaintiff's products and trademarks in advertising
- *Hansen Information Systems, Inc. v. TruePoint Solutions*. Lead attorney in trade secret and unfair competition case involving customer and other proprietary information

Corporate & Government Experience

- Vice President, General Counsel and Secretary, Prima Communications
- General Counsel and Ex-Officio Board Member, Linking Education and Economic Development (LEED)

Professional Activities

- Member of Intellectual Property Committee of California State Bar (1993 – 1997)
- Past Chair of San Francisco Intellectual Property Section (1993 – 1996)
- Chair of Sacramento Bar Association Intellectual Property Section (2014 to 2017)
- Co-chair, American Bar Association Business Law Section, Cybersecurity & Privacy Task Force (2003 – 2005)
- Chair, American Corporate Counsel Association Intellectual Property Committee (2003)
- Advisory Committee, McGeorge School of Law Intellectual Property Law Program
- Men's Division Board of Governors, US Lacrosse (2009 – present)
- President, Sacramento Valley Lacrosse Conference (2008 – present)

- Founder and President, Granite Bay Youth Lacrosse Club (2004 – present)
- General Counsel and Ex-Officio Board Member, Linking Education and Economic Development (LEED) (2006)
- Director and Secretary, Eureka Youth Soccer Club (2001 – 2005)
- Adjunct Professor of Law, UC Davis Law School, teaching Computers and the Law (1996 – 1997)

Author

- Co-Author, “Voter-Approved Privacy Law Could Mean Big Changes for Big Tech,” *PLI Chronicle* (December 2020)
- “California Consumer Privacy Act Annotated,” *Practising Law Institute* (July 2020)
- “Where Will The Needle Land? COVID-19 Contact Tracing v. Protecting Personal Privacy?” *Law Journal Newsletters* (June 2020)
- “Smart Toys Under The Tree Raise Privacy Concerns,” *Law360* (December 19, 2018)
- “The Big Push for a Federal Privacy Law: What Does it Mean for State Regulators?” *Government Technology* (October 19, 2018)
- “The Case for a Uniform Privacy Law,” *Connected World* (October 17, 2018)
- “Countdown to GDPR Enforcement: Final Steps and Looking Ahead,” *Cybersecurity Law Report* (May 16, 2018), with Mallory Jensen and Amanda Bradley
- “Five Months Until GDPR Enforcement: Addressing Tricky Questions and Answers,” *Cybersecurity Law Report* (December 20, 2017), with Hayley Ichilcik and Mallory Jensen
- Chapter on “Using and Protecting Copyrighted Works on the Internet,” *Intellectual Property Law in Cyberspace* (American Intellectual Property Law Association 2012 – 2016 Supplements)
- “Privacy Policies,” *Privacy and Security Law Report* (July 5, 2004)
- “Locked In,” *Daily Journal* (September 8, 2003)
- “Cybersecurity: Public Disclosure,” *Privacy and Security Law Report* (June 30, 2003)
- The Internet and E-commerce Legal Handbook, *Random House* (2001)
- Defending the Software Infringement Case, *54 Am.Jur. Trials* 261 (1995)

Speaker

- “The In-House Perspective,” California Privacy Law, *Practising Law Institute* (October 21, 2020)
- “Expert Panel Session, Q&A,” PrivacyConnect Online Sacramento by OneTrust (July 14, 2020)
- “The HIPAA Privacy Rule and COVID-19: Trends, Developments, and Compliance Issues in the Current Pandemic,” *The Knowledge Group* (May 28, 2020)
- “Returning to the Workplace Amidst COVID-19,” *O’Melveny Webinar* (May 20, 2020)
- “The California Consumer Privacy Act: Understanding Its Practical Impact,” *LA Cyber Lab Security Summit* (September 17, 2019)
- “HIPAA Compliance in 2019: Are Changes Coming?,” *The Knowledge Group* (May 28, 2019)
- “General Data Protection Regulation - Compliance Check,” *Lexpert Business of Law* (November 27th, 2018)

- “GDPR’s New Data Protection Laws: Legal and Regulatory Compliance Strategies You Need to Know,” The Knowledge Group’s The Knowledge Congress Live Webcast Series (July 2018)
- “Is the California Consumer Privacy Act Part of a Trend?,” Legal Talk Network’s Digital Detectives Podcast (July 2018)
- “Operationalizing the GDPR - Sharing Best Practices,” International Association of Privacy Professionals’ San Francisco Bay Area KnowledgeNet Session (February 2018)
- “Hot Topics & Best Practices in Advertising Law, Claim Substantiation and Self-Regulation,” 2018 NAD West Coast Conference (May 2018)

Honors & Awards

- Recognized by *World Trademark Review 1000* – The World’s Leading Trademark Professionals (2020-2021)
- Recognized by *Best Lawyers®* 2022 for Information Technology Law in Silicon Valley, CA; Scott has been listed in *Best Lawyers®* since 2007
- Recognized for Intellectual Property in Northern California by *Super Lawyers*, *San Francisco*, and *Law & Politics* magazines
- Voted a top attorney by the *Sacramento Business Journal*