

LAWDRAGON

From Morse Code to Modern Markets: A Roundtable with Cravath on Innovation



Nick Dorsey, Elad Roisman, Sasha Rosenthal-Larrea and Scott Bennett are part of the deal team at Cravath that guides clients in unified strategies from formation through IPOs, major transactions and high-stakes disputes. Photo by Michael Paras.

By Katrina Dewey and Meghan Hemingway

For nearly two centuries, the story of Cravath has been the story of American innovation. Long before “start-up culture,” “disruption” or “emerging companies” entered the lexicon, [Cravath](#) lawyers were helping inventors push the boundaries of technology and commerce. Early partners advised Samuel Morse in securing patent protection for the telegraph and later worked with Thomas Edison as he expanded electric light – matters requiring, even then, fluency in engineering, commercial ambition and regulatory foresight.

That history is often invoked as classic New York law firm tradition. Yet [Cravath's](#) tradition was never staid; it was built on work that was radical in its time – guiding new industries before they had names, frameworks or roadmaps. Today, that same energy drives the firm's work with clients such as Robinhood, Texas Stock Exchange, Epic Games, ESPN and WiseTech – companies at the forefront of innovation in digital assets, AI, fintech, biotech, media and emerging technologies.

"Our job is to help founders look around corners – to anticipate issues they haven't even had time to articulate yet," says Capital Markets partner [Nick Dorsey](#).

Dorsey helps companies navigate markets that are dynamic and full of opportunity, structuring pathways for novel business models and guiding companies choosing among IPOs, strategic partnerships, acquisitions or staying private longer.

Across the firm, the most urgent legal challenges now lie at the crossroads of markets, technology, regulation and intellectual property – and Cravath operates squarely in that space. What distinguishes the firm is not only subject-matter mastery but a collaborative culture that dissolves traditional practice boundaries. Partners reach seamlessly across corporate, regulatory, IP, antitrust and litigation teams, giving clients unified strategies from formation through IPOs, major transactions and high-stakes disputes.

Former SEC Commissioner [Elad Roisman](#), now a partner in Cravath's Financial Institutions Group, brings a vantage point shaped inside the agency that oversees modern markets.

"Clients come to us not simply for answers, but for foresight," Roisman says. "There's real value in talking to someone who helped write the rules and understands how regulators think."

Partner [Scott Bennett](#), who advises venture capital firms and emerging companies, works deep inside the start-up, growth-equity and IPO ecosystem. His practice reflects the firm's evolution as a natural home for early-stage innovators.

"We're very much in the ecosystem," Bennett says. "We know the companies, the funds, the bankers – the full landscape."

Intellectual property partner [Sasha Rosenthal-Larrea](#) grounds the discussion in what remains the engine of disruption: ideas. "Treat IP and data as design inputs, not afterthoughts," Rosenthal-Larrea advises, emphasizing early clarity around ownership, provenance and licensing – especially as AI, data pipelines and global regulations reshape competitive advantage.

Taken together, these perspectives reveal Cravath as a firm that adapts with intention, evolving not for trend but for impact. Innovation may dominate today's vocabulary, but

here it has been a lived practice for generations – shaping markets, steering industries and setting the pace of progress.

Lawdragon: The TXSE registration feels like a perfect place to start. People often think of financial regulation as rigid, but that engagement required entirely new structures and real vision. Can you talk about that experience?

Elad Roisman: We had the good fortune of working with a visionary founder and the incredible team he assembled. There's no other way to put it: the exchange process is long and complex. TXSE was focused on doing everything above board and they came to Jeff Dinwoodie – who's a partner in our financial institutions group – and to me because of our prior roles at the SEC.

During my time there as a Commissioner, I approved exchange applications, so I was familiar with the considerations the Commission weighed when evaluating them. Jeff, as Chief Counsel to the Chairman, advised on those same issues and worked closely with SEC staff and applicants through their registration processes.

Our work with TXSE involved navigating each stage of the application process, helping develop their rulebook and finding solutions for the areas where they wanted to take a different approach than prior exchanges. It was an involved project, but a rewarding one. They were thoughtful, energetic and had the kind of drive I often see in successful founders and new entrants. It was an exciting engagement – and I'm happy to say we got it over the finish line.

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They're very much focused on trying to be a new national securities exchange, in particular a new listing exchange for public companies. They're willing to listen to the market and I think they're particularly excited. The founder and the team are ready to leap in and try to offer something different.

LD: Cravath has represented innovators since the days of Morse and Edison. How do you approach that legacy today when working with emerging companies and founders?

Scott Bennett: Representing emerging companies and companies developing technologies that didn't exist 10 or 15 years ago is a major focus for all of us – and for me personally. I've intentionally built my practice around finding the innovators who will be Cravath clients for the next several decades.

We have legacy clients we've served for generations and those relationships are invaluable. But a big part of my role is identifying the next wave. That means looking toward new sectors: digital assets, AI, data centers, etc. Fifteen years ago, some of these weren't even on the radar. Today they're central to our work.

Our ideal client is an innovative company operating in uncharted territory. They're growing quickly, tackling problems no one has fully solved and moving from founder issues to regulatory questions to major capital raises. We're built to guide them through every step. We can say with confidence: You're not going to outgrow us, no problem is too complex and we're here for the long term.

Sasha Rosenthal-Larrea: What I love about practicing here is that our history with inventors isn't a museum piece. When Cravath helped Samuel Morse and Thomas Edison protect their inventions, the firm wasn't just filing paperwork – it was building legal architecture around breakthrough ideas. We draw on that same mindset today, pairing technical fluency with a cross-disciplinary approach to help clients move quickly and manage risk.

That history matters because we routinely build frameworks around technologies that have no settled playbook: AI models, data-driven platforms, tokenized products. We start by understanding the technical and commercial objectives, then map them against existing IP and regulatory regimes to design rights structures clients can actually execute on.

IP at Cravath is never siloed. We work shoulder-to-shoulder with our corporate, regulatory, antitrust and privacy colleagues across co-development, data-sharing and licensing, M&A and capital markets transactions.

In recent transactions for tech clients, our work extends far beyond patent diligence – we map data-licensing rights, analyze open-source and third party dependencies across complex technology stacks, and structure integration rights to enable global platform deployment while navigating regulatory constraints.

In our Epic Games wins against Apple and Google, we helped protect distribution models where IP, product design and antitrust converge.

Some of the most interesting work now is in AI. One client sought access to a defense-developed model with enormous potential in blockchain. Crafting a license that preserved exclusivity in their sphere while the model evolved in two unrelated fields – and could eventually require open-source deployment – demanded the same level of structuring we bring to major commercial licensing deals. Another client in the healthcare space created a life-saving AI model and needed a path to commercialize it. We helped identify a partner and design a bespoke JV structure that fit a very complex IP picture – work that drew heavily on my life sciences experience.

Even our largest clients are pushing the technological frontier. We work closely with them on new tech product launches to guide end-to-end commercialization: we negotiate and align any required licenses, evaluate how AI and emerging technologies affect product design and risk, and address the full spectrum of data-privacy and consumer-protection obligations – while structuring the foundational architecture, rights, and go-to-market plan for interactive, scalable services.

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That's the Cravath approach: Apply first-principles IP thinking, pair it with smart transaction design and deliver solutions that support innovation at scale.

LD: How do you approach working with founders at the earliest stages, when they're still small and growing?

Nicholas Dorsey: One of my first matters as a partner was helping an emerging tech company that needed to enter into a loan facility. They'd hit an impasse with their lender and needed some creative thinking around the structure – something that would get them the capital they needed while still meeting the lender's requirements.

I got up to speed quickly, joined the call and proposed a variation of a structure I've used with larger tech clients. It solved the issue for both sides with minimal friction. For me, it was a great example of the value we can bring to companies at an earlier stage: We can take what we've learned about structure and market practice from big clients and apply it to companies that are still growing.

It also complements the rest of our practice, especially when we're helping large, innovative companies partner with younger ones. That experience travels in both directions. On a personal level, it was incredibly rewarding – helping a company that genuinely needed the capital to grow and being able to deliver a solution that worked.

LD: Nick, how did your time practicing in London shape the way you advise clients today – especially founders who need nimble, practical guidance?

ND: One of the biggest takeaways from my time in London was learning how to guide sophisticated clients through U.S. law and market practice when those weren't part of their daily world. Whether I was working with UK companies, European companies, or global financial institutions, it was on us as lawyers to explain why U.S. rules worked a certain way, understand the client's commercial objective and then figure out how to make that fit within the U.S. framework. The cultural and educational differences forced

me to communicate clearly and practically. I brought that approach back to New York and apply it with clients of all sizes.

With innovative founders, the dynamic is similar. They're not spending their days studying statutes – they need pragmatic guidance and workable paths forward. That's what London taught me, and it aligns closely with Cravath's training: If a client's initial idea doesn't work under the rules, that's not the end of the conversation. It's the beginning. Maybe the first approach doesn't fit, but an alternative will – and here's why.

ER: Our job is always to get clients to the solution they're aiming for. We tell them what the law says, how it's been applied and what the risks look like – and then we work with them to manage those risks as effectively as possible.

Founders are naturally less risk-averse than lawyers, but Cravath has always operated on the leading edge. We innovate with our clients by drawing on an unparalleled base of knowledge and applying it to new facts and new technologies. That's what the firm has done since its inception.

LD: What kind of IP challenges are you seeing as you advise clients working with emerging technologies?

SRL: The IP challenges we see most often – and the ones that make this practice so interesting – involve extending familiar frameworks to novel technologies and business models. We're doing that in real time, as the regulatory landscape evolves and always with an eye toward litigation risk, regulatory posture and counterparty expectations.

In AI, that means ownership and licensing around models, training data and outputs, provenance and use restrictions, and open-source governance. In data, it's multi-party rights – including rights in derived data – plus cross-border transfer mechanics and sector-specific privacy overlays. In Web3, we reconcile code-as-product with securities, market, data-privacy and IP regimes – and we document governance and contributor rights in a way that scales. Across all of it, we build cybersecurity and disclosure discipline into deals from day one.

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Our job is to turn “it depends” into a concrete path forward. We stress-test where patents create leverage versus where speed, trade secrets and contract protection win. We design licenses that anticipate secondary use, retraining and composability and we align U.S. positions with what will actually work in Europe and other key markets.

The goal isn't just a "safe" answer. It's to build an IP and data posture that holds up with customers, regulators and competitors – and that supports the client's commercial objectives. That integrated, cross-disciplinary approach is our core strength.

LD: Clients come to Cravath for practical paths forward, not just legal answers. How do you think about that role in your day-to-day practice?

SB: I often tell people my job is being a business problem-solver through a legal lens. Clients come to us with objectives – raising capital, acquiring other companies, navigating regulation, launching new products – and our role is helping them get there while managing the legal issues that could slow them down.

Digital assets are a good example. The U.S. regulatory climate shifted dramatically over the last several years. From 2022 to 2024, the environment was tough – frequent government investigations, active litigation, real regulatory pressure. The right approach then was more cautious, balancing opportunity with risk. Today the posture is different. The underlying law hasn't changed fundamentally yet, but regulators' attitudes have – and that meaningfully affects the risk profile companies are willing to take on. We help clients navigate that nuance.

A great illustration is our work with Robinhood. We started advising them well before their 2021 IPO. Early on, they asked whether they could sell IPO shares directly to their users on their own platform at the IPO price – something most companies simply can't do because they don't operate a trading platform. It raised a host of regulatory questions. Over several months, Robinhood built a compliant structure that became "IPO Access," which allows Robinhood users to buy IPO shares at the IPO price. Robinhood used it for its own IPO and continues to use the IPO Access product to offer its users stock in other IPOs.

It was an innovative solution for an innovative client – a clear example of our approach: Understand the goal, understand the constraints and design something that moves the business forward.

LD: Elad, how does your SEC experience – including your time as Acting Chairman – shape the way you advise clients in fast-moving sectors like crypto and FinTech?

ER: I've been fortunate to see the system from multiple angles – in-house at a public company that owned several exchanges, on the SEC staff, in Congress and then as a Commissioner. I draw on all of that when advising clients.

A big part of the work, in government and in private practice, is listening. You hear problems from different sides and you learn the obstacles that consistently trip people up. The job is to find a path through them.

In fast-moving fields like digital assets, there's real value in talking to someone who helped write and enforce the rules. Clients want to know why a regulation was drafted a certain way or whether a particular model was ever contemplated. To innovate responsibly, you have to understand the underlying framework. I can explain why we used certain terms or built certain constraints – and then help them see whether their idea fits within that structure, or how to get to a place where it can.

These clients want to be compliant. They want to build the future in a way that lasts. Our job isn't to give a simple yes or no – it's to outline boundaries, considerations and viable ways to move forward.

ND: For me, everything starts with understanding the client's business and what they're trying to build. Entrepreneurial clients are always trying to create the better mousetrap – faster, smarter, more efficient. Our job is to get inside that objective: What is the actual process? What's the business goal? What are the real drivers of growth?

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Once you understand the business deeply, you can draw on judgment from similar clients, anticipate issues and help founders look around corners. It's not just about the law; it's about seeing the regulatory and global forces that will affect them and surfacing the questions they haven't yet had time to articulate.

LD: Sasha, your practice spans IP, data, emerging tech and complex transactions. How do you draw on Cravath's broader expertise to support that work?

SRL: My practice is inherently cross-border and cross-disciplinary. IP, data and open-source ecosystems don't operate within neat boundaries and neither do the technologies our clients are building. Our team pairs technical fluency with a clear sense of what is commercially workable so we can design frameworks that support rapid innovation while managing risk.

What truly differentiates us is Cravath's integration across practice groups. I routinely work with our corporate, regulatory, antitrust and litigation colleagues – and we draw on partners with deep agency experience at the SEC, DOJ, FTC and USPTO. That collective perspective lets us deliver solutions that reflect the full risk landscape, not just the IP slice.

Because we operate without silos, we can bring in the right people quickly, whether the issue is AI data licensing, export controls, open-source exposure or a go-to-market constraint that raises competition concerns. You see this across our technology work: helping data-rich businesses finance or acquire platforms, guiding digital-asset companies through public offerings, or supporting exchange registrations.

Across all of it, the IP, data, cybersecurity and licensing strands run through the corporate, regulatory and litigation workstreams. My role is to get up to speed quickly on the client's objectives and the transaction dynamic and keep the deal moving in the way that makes the most sense for the business.

LD: Scott, how have you built a practice that supports emerging and high-growth tech companies through cycles of industry change?

SB: We've spent the last several years deliberately building a dedicated venture, growth equity and technology practice. Cravath has long worked with emerging companies, but the classic Sand Hill Road ecosystem didn't historically view New York firms as part of that world. We wanted to change that view – and the reality behind it.

Nick and I have focused on becoming fully embedded in the tech ecosystem. We know the companies, the funds, the bankers and the advisors and we're working with some of the most innovative players in the market. The goal is for early-stage and growth-stage companies to see Cravath as a natural fit – a firm that understands NVCA [National Venture Capital Association] terms, technology deal dynamics and the full life cycle from seed rounds through IPO and beyond.

What we're doing is marrying Cravath's long-standing commitment to excellence with deep connectivity to the tech market. It lets us bring the firm's strengths directly into the space in a way that's authentic, informed and useful to founders as they scale.

ER: Working with these companies from the beginning lets you grow with them and learn their industry in a way that's hard to replicate. You become their first call when they hit a regulatory or legal edge case and you can draw on what we've seen with long-standing incumbents who faced similar challenges.

We're now watching companies we advised years ago reach their next stage – going public, expanding, acquiring. It keeps us close to what's new and emerging. It's also completely aligned with what Cravath has always done. I tell clients all the time: an IPO isn't the finish line. It's the starting point for the next decades of work.

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Our conversations with digital-asset and VC clients are especially energizing. They'll ask questions that force you to rethink assumptions in a way that more traditional work doesn't – that's what makes the space so compelling.

LD: Many founders feel they must choose between boutique technical depth and a global firm's scale. How do you bridge that at Cravath?

SRL: Yes, founders often assume they have to choose between a boutique's technical fluency and a global firm's execution capability. At Cravath, they don't. We offer boutique-level engagement – down to reading code, model architectures and open-source repositories – within a platform that can also handle financing, IPO, antitrust, regulatory strategy and litigation.

That level of technical understanding is essential in AI, where industry-specific rules are still emerging and courts are only beginning to address fundamental questions. Knowing exactly how the technology works lets us identify pressure points and craft solutions that are viable.

In blockchain and digital assets, we dig into the open-source code and pair that analysis with capital markets, enforcement and governance counsel. One client told us we were the first firm that truly reviewed their code as part of the legal analysis. For AI and software clients, we cover the full stack: portfolio strategy, data rights, model and data licensing, open-source compliance, dependency mapping, IP ownership and infringement risk – and then carry that through collaborations, joint ventures, M&A and capital markets terms.

The difference is continuity. Clients don't have to re-teach their technology to a new firm as they scale from early licensing to complex corporate transactions. The Cravath platform becomes a force multiplier across the entire life cycle.

LD: I'm curious, is there a matter from your own practice that captures what you enjoy about carrying the Cravath legacy forward?

ND: Some of the most rewarding matters I've handled involve companies at the very beginning, when founders are still formalizing their relationship. The hardest issues aren't always corporate mechanics – they're vision and long-term alignment. We help founders think ahead. It's not about asking uncomfortable questions; it's about setting up structures that are fair, flexible and built to last. In multi-founder companies, it's rare that everyone is in the same role fifteen years later. Helping teams plan for that reality means they walk away prepared for what growth will bring – that's the work I find most meaningful.

SB: In digital assets, we're in a moment of real reassessment. For years, token issuances relied on Cayman foundations, BVI entities and offshore sales – structures designed to manage securities-law risk after waves of SEC enforcement and private litigation.

But over the past year, clients have started asking a different question: "Can we structure our token so it isn't a security?" If the answer is yes, you may not need the exotic offshore setup. You might be able to issue out of a standard U.S. entity – or even a state-recognized DAO [Decentralized Autonomous Organization] or similar entity in places that now allow it.

So we're spending a lot of time helping clients rethink the model from the ground up. That means balancing tax, governance, economics, market expectations and regulatory risk. It's a fascinating moment because the whole playbook is in flux and people are trying to build something that will be durable as the regulatory picture evolves.

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ER: We're at a fascinating inflection point in digital assets and FinTech. Clients come to us for the holistic view Scott described – how one choice affects capital treatment, tax, governance and the softer dynamics Nick raised.

This work blends traditional finance with the challenge of imagining how these structures will function in a fully digital or decentralized finance environment. For a lawyer, that's the dream: helping shape systems at inception, where the rules are still forming and the innovation is happening fastest.

LD: Markets today aren't quite the "wild west," but they're still volatile, fast-moving and full of both uncertainty and opportunity. How do you help clients navigate that landscape – especially those thinking about going public?

SB: A large part of my practice is advising companies considering an IPO. The core questions are always the same: What does the market look like? When will there be a real window? And should we start now? Those conversations have been constant since the IPO markets effectively shut at the end of 2021.

We've seen brief periods of optimism and stretches – including parts of 2025 – where several deals were completed successfully. Digital-asset companies have been part of that, along with FinTechs and others. But clients still have to attempt to predict what the world will look like nine months out, weighing geopolitics, regulatory shifts and industry dynamics.

Execution is also a real bottleneck. After nine months of preparation, you need roughly three final weeks of calm to go public: two weeks in public-filing mode, a one-week roadshow, then pricing and closing. If clients don't believe they'll get three smooth weeks, it's hard to launch.

We're constantly helping them answer two questions: Is the market good enough to justify the nine-month build? And will there be a window at the end of it? One message we're emphasizing – and banks are too – is that the market has reopened. Deals are getting done. But if you never start, you'll always be nine months away from being able to act.

ND: We spend a lot of time helping clients stay prepared and nimble given the global environment. Many companies that look like natural IPO candidates ultimately choose a different path – a joint venture with a major tech or pharma company, an unsolicited acquisition offer, or simply staying private and creating liquidity for employees. We're seeing more large, highly successful private companies than ever.

And the truth is, you often don't know the path at the outset. So we help clients focus on the work that matters regardless of direction: legal housekeeping, governance, a clean cap table and disciplined data-room preparation. Presenting as a well-run organization helps whether you go public, stay private, partner with a strategic or sell.

A big part of our role is helping founders prioritize their time. Time is the scarcest resource they have. We help them identify which legal investments matter most and how to sequence them – so they take measured risks, stay ready for multiple outcomes and spend most of their time on work that will actually generate returns.

LD: What IP advice are you giving your clients and innovators now to prepare for the months and years ahead?

SRL: First, treat IP and data as design inputs, not afterthoughts. For AI and data-driven products especially, define early what you own, what you license, how you can use it – including for training – and how you'll document consent and provenance.

Second, build privacy by design. Regulators are scrutinizing real controls, not paper promises.

Third, keep your technology stack transparent and well-documented. For most companies, the value proposition is inseparable from the underlying data, the algorithms trained on that data and the IP protecting the platform. Clean data provenance, clear licensing chains, disciplined open-source use and well-mapped IP portfolios let companies move quickly when strategic opportunities arise.

Finally, think globally from day one. Cross-border data transfers, export controls and content rules will shape your addressable market as much as IP ownership will. The EU AI Act, evolving U.S. guidance on training data and the shifting treatment of digital assets all create both risk and competitive advantage for teams who integrate regulatory intelligence early.

At Cravath, our role is helping clients turn uncertainty into opportunity. Markets reopen, regulatory winds shift and technology leaps forward. If your IP and data framework is thoughtful and well-documented, you can move when the window opens. That through-line runs from our earliest innovators to the clients we're helping scale today.

CRAVATH, SWAINE & MOORE LLP