

7 IP Boutiques Most Loved By In-House Counsel

By **Ryan Davis**

Law360, New York (July 06, 2014, 9:44 PM ET) -- When general counsel are in the market for a law firm that specializes in intellectual property, seven IP boutiques stand out from the rest for their expertise and business understanding, a new survey of in-house attorneys says.

The BTI Consulting Group (Wellesley, Mass.) and Law360 asked general counsel to name their favorite IP boutiques in a survey conducted for the new Intellectual Property Outlook report, and two firms, Fay Sharpe LLP and Fish & Richardson PC, were named more often than any other, placing them in the top tier.

Five other firms were named standout IP boutiques by general counsel: Lando & Anastasi LLP, McNees Wallace & Nurick LLC, Merchant & Gould PC, Osha Liang LLP and Schwegman Lundberg & Woessner PA.

BTI President Michael Rynowecer said these boutiques are attractive to clients because their considerable depth of experience, personalized client service and exceptional business understanding give them the ability to tackle all IP issues.

General counsel are looking for firms for their IP work that have not only legal expertise but also an underlying knowledge of the subjects being patented, and "it's that extra layer that separates firms out," Rynowecer said.

When IP was more of a specialty practice years ago, IP boutiques had a cachet because they were seen as experts in the field, he said. However, as IP has become an increasingly important part of the overall business of many companies, whether or not a firm is a boutique "has become one of a number of factors, and there are other things that are as much a factor," Rynowecer said.

"More and more, we're seeing corporate counsel wanting the best firm, and they're less and less focused on whether a firm is a boutique or not," he said. "The nature of IP litigation has changed how clients look at IP. It's more of a centerpiece than it used to be."

The boutiques that were named as standouts are the ones that best understand their clients' business and are able to recommend appropriate actions to get to the client's desired outcome, Rynowecer said.

The definition of a boutique is in the eye of the beholder, Rynowecer said, and some of the firms that made the list offer services outside of IP. Nevertheless, they were viewed as boutiques by general counsel because of their depth of IP expertise.

Fish & Richardson, named one of the top boutiques, was extremely well-regarded by general counsel

throughout the survey, also topping the list of best firms for IP litigation, non-litigation IP work, complex IP litigation and complex patent work.

Fish & Richardson President Peter Devlin said the firm was "proud to wear the mantle of top IP firm" and was honored to earn the designation from in-house counsel.

"Fish has been able to differentiate itself by the number and caliber of our technically trained lawyers, our deep bench of seasoned trial lawyers, and our ability to form customized teams that deeply understand our clients' industries and technologies in addition to the relevant laws and jurisdictions," he said.

The key to Merchant & Gould's success is that the firm loves its clients and gets to know them to understand how it can best help them, said partner Tim Scull.

"We work closely and collaboratively with our clients to help them achieve their goals first," he said. "Not only do we provide high-quality work, but we help define the scope of the projects to tailor the work product to uniquely fit their needs."

Meanwhile, Michael Doctrow, co-chair of the intellectual property group at McNees Wallace & Nurick LLC, said that firm's "robust and growing" IP practice is based on its depth of expertise and rates lower than those of many firms.

"Our niche always has been providing cost-effective, strategic IP services," he said. "We assist clients in managing their IP within sometimes strict budgetary constraints."

The firm is able to offer lower rates by virtue of being located in Harrisburg and Lancaster, Pennsylvania, and Columbus, Ohio, he said. It also works closely with clients to audit and analyze their portfolios and to develop strategies to manage their assets more effectively.

"We also draw clients because we have several unique niche practices," he said, including strengths in patent work dealing with materials science and trademarks and copyrights in the food industry.

And Lando & Anastasi partner Peter Lando said that firm, started 11 years ago by attorneys who had worked at larger firms, was founded with a philosophy of emphasizing creative thinking and client relationships over traditional metrics like maximizing billable hours.

The firm set out to reduce its rates, he said, and they are now about 20 percent lower than those in the Boston market where the firm is located, he said.

"We have more time to spend on the same issues than our counterparts have at other firms. For the same cost, the same budget, we have an hour or two more to look at the issues," he said. "I think our clients are the beneficiaries of that."

Methodology: BTI interviewed over 175 general counsel and "IP decision makers" at Fortune 1000 companies. The survey was conducted from Dec. 3, 2013, to June 10, 2014.

--Editing by Kat Laskowski.