

Law firm beefs up intellectual property practice

BY ERIC MORATH

emorath@mbizreview.com

Aiming to be a player in one of law's hottest fields - intellectual property - Honigman, Miller, Schwartz and Cohn LLP this year added 21 people, including a dozen lawyers, to its Bingham Farms office.

The Detroit-based, full service law firm sees working on patents, trademarks and copyrights as a way to grow its business both in Oakland County and around the globe.



"This area of law has really boomed," said Joseph Coppola, a partner at Honigman and an intellectual property attorney.

Coppola "The intellectual property law practice is growing because intangible assets are a growing portion of what companies value and of what they own."

He said 20 years ago, the majority of a company's assets was in its brick and mortar physical property. Today Coppola says intellectual property can be just as valuable.



Intellectual property law is thriving because an American company's trademarked symbols and patented technology is one of the few things that keep that firm competitive against foreign labor markets and amid rising material cost, said Michael Lisi, a Honigman partner and trademark attorney.

Last year the U.S. Patent and Trademark Office granted 98,598 patents - the most ever - and nearly 1,500 more than 2002.

Many times automakers would look overseas to produce a certain component if their American supplier didn't hold a patent on that technology, Lisi said.

To build the practice area, Honigman hired nine attorneys away from Bloomfield Hills-based Rader, Fishman & Grauer PLLC - a firm that focuses solely on



SUZANNE YURENKA

Law firm Honigman, Miller, Schwartz and Cohn LLP added 21 staff members to its Bingham Farms office this year to build an intellectual property practice.

intellectual property. Honigman attorneys that came from Rader and other specialty firms said that being part of a multi-faceted firm gives their clients access a wider array of services while the intellectual property practice provides that expertise for existing Honigman customers.

"When you work for a boutique firm you might start working on patents with a company and then they want to form a corporation and you can't help them," Lisi said. "Here we are full service and have the resources to cover all the different aspects of law that a company might encounter."

Terry Rader, managing partner of Rader, Fishman & Grauer said he believes a difference in philosophy caused several of his former co-workers to leave the firm. He said his firm recently made a large capital investment to improve the technology infrastructure their clients could access, but "that caused us to sacrifice some in the paychecks, and not everyone was

What is IP law?

Honigman defines its intellectual property practice in six categories:

- General counseling
- Patents and trade secrets
- Trademarks and domain names
- Copyrights
- Licensing
- Litigation

happy with that."

"Personally I was upset because I trained and worked with some of those attorneys for many years," he said. "But economically, I think the impact will be minimal."

Rader said the attorneys now at Honigman accounted for less than 10 percent of his firm's income and that the vast majority of clients stayed with his firm. Rader has 40 attorneys.

Honigman is following a national trend of full service law

firms starting intellectual property divisions, said Christopher Brock, executive managing partner at Harness, Dickey & Pierce PLC, an intellectual property law firm in Troy.

"I am not surprised that a large general firm, with a first-rate reputation like Honigman would start an IP practice," he said. At the same time, Brock doesn't see the new practice as a threat to his business.

"They don't really have enough people there to have a large IP practice," he said. "If you don't have 70 to 100 people, you can't really handle all the IP work you might encounter with a broad array of corporate clients."

Harness has more than 100 attorneys, all of whom work on intellectual property. Brock said a firm needs a large number of attorneys because in intellectual property practice attorneys need to have varied technical backgrounds.

Attorneys at Honigman have worked as engineers and studied

in various science fields. Georgina Rooke, principal of Sculptured Homes LLC in Birmingham, said Honigman expertise has helped her firm secure five patents. Sculptured Homes produces WetSpa - a combination of luxury shower, or wet room, and the steam and massage features found at a spa.

"We felt we have technology worth protecting and their attorneys came highly recommended," she said. "All our patents have come through uncontested and I understand that is very unusual."

Lisi said he expects intellectual property law to continue to grow with both entrepreneurs and manufacturers in Oakland County.

"Going forward more people will make their living from developing new ideas and products, rather than just manufacturing widgets," he said.

■ Eric Morath covers manufacturing and technology for Oakland Business Review.