

Oblon McClelland: An IP Boutique with Global Reach

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By Lizzy McLellan

Firm Name: Oblon, McClelland, Maier & Neustadt
Firm Leader: Philippe J.C. Signore, Ph.D.

Head Count: More than 100 legal professionals

Locations: Alexandria, Virginia and Tokyo, Japan

Practice Areas: Full-Range Intellectual Property, including: Counseling & Strategic Advice, IP Transactions, Litigation, PTAB Proceedings, Start-Up, Trademark & Designs, Technology Transfer, Utility Patent Procurement & Prosecution

Governance structure and compensation model: Oblon is structured as a limited liability partnership. Members of the management committee are elected by the partners. The management committee includes the managing partner, Philippe Signore; practice group managing partner, Surinder Sachar; partner and general counsel Tia Fenton; chief operating officer and partner John R. Barker; and five additional partners, Andrew Ollis, Jacob A. Doughty, Rick Treanor, Robert Mattson and Todd Baker.

Partnership is multi-tiered. Lawyer compensation includes both salary and bonuses and is determined by a number of factors.

Do you offer alternative fee arrangements? Yes, Oblon offers a variety of alternative fee arrangements, including some flat fee services.

The following answers were provided by Signore and edited lightly for style and length.

What do you view as the two biggest opportunities for your firm, and what are the two biggest threats?

Opportunities:

1. Expanding technological developments offer a never-ending stream of interesting and opportunistic intellectual property work. Oblon lawyers provide patent prosecution, post-grant and litigation services in a variety of venues, such as the USPTO, ITC and U.S. District Courts.

2. As one of the oldest and largest IP boutique firms, we are positioned to support any client, no matter their size or IP service requirements. Oblon's legal professionals are present in every market across the globe, especially in Asia, Europe, the U.S. and the Middle East, where our diverse staff and professionals serve the intellectual property needs of new and long-term clients alike.

Threats:

1. Emergence of low-cost/low-quality patent providers, both on the administrative and professional sides. These service providers lure clients away for short-term gains at the expense of long-term problems. This trend will continue for another 3-5 years. In turn, most clients will



Philippe Signore

realize their losses and come back to top value firms like Oblon, who provide the best quality of service at a reasonable price.

2. Emergence of corporate buyers into the decision-making process for hiring patent firms. These corporate entities view patents as widgets and do not understand how to measure/appreciate quality in patent-related services. Many of the intangible benefits Oblon provides cannot be quantified into a spreadsheet.

The legal market is so competitive now—what trends do you see, and has anything, including alternative service providers, altered your approach? Is your chief competition other mid-market firms, or is your firm competing against big firms for the same work?

The pendulum is swinging back in favor of patent owners involved in

AIA proceedings, where the institution rate continues its downward trend. The new U.S. Patent and Trademark Office director, Andrei Iancu, emerges as a contributor to this momentum shift. Further, USPTO examiners, following their new director's lead, will likely change dramatically how they handle patent eligibility questions in favor of patent applicants.

Our approach continues to focus upon intentionally obtaining high-quality patents with fewer office actions, which enables our clients to protect their intellectual property assets in a cost-effective manner over time. Special care is invested in staffing each matter efficiently resulting in cost savings.

Oblon has many legal professionals with advanced degrees in various technology fields, including some of the latest trending ones, such as Artificial Intelligence and the Internet of Things. We also have many legal professionals and staff members who are native foreign speakers so as to support our international client base, sometimes using direct correspondence, conference calls and meetings held in the foreign language. Our legal professionals, who are both foreign language speakers and U.S. attorneys, understand the differences in the culture and legal systems of our foreign clients, and counsel them accordingly, and thus most efficiently. This capability, which is one of Oblon's intangible advantages, can be extremely valuable to our clients. We also have a local presence in Japan via our Tokyo office to support our large Japanese client base. Other geographic markets are serviced at a personal level via regular trips by many

legal professionals throughout the year to the client's offices, an expense that a large firm such as Oblon can afford.

Oblon continues to compete with both large and small firms for a wide variety of IP services, but have a strong core of loyal, long-term clients who count on us to manage the majority of their U.S. patent related work. Our client base is broad both geographically and technologically. We have the flexibility in both process and staffing to serve clients of any size. We use cutting-edge technology to protect our clients' intellectual property, confidential information and data.

There is much debate around how law firms can foster the next generation of legal talent. What advantages and disadvantages do midsize firms have in attracting and retaining young lawyers, particularly millennials?

Advantages

- Oblon can offer better work/life balance
- Collaborative work environment
- Business casual working environment
- Schedule flexibility
- A smooth and direct path toward client contact and management
- No monthly billable hours requirements
- A flexible path toward partnership

Disadvantages

- Less structured training programs
- Starting salaries tend to be lower

Does your firm employ any non-lawyer professionals in high-level positions (e.g. COO, business development officer, chief strategy officer, etc.)? If so, why is it advantageous to

have a nonlawyer in that role? If not, have you considered hiring any?

We employ several non-lawyers in the administrative suite, including a chief operating officer, and directors of business development, docketing, facilities, finance, human resources and legal recruiting. We find it is advantageous to have highly trained business experts in these specific business areas.

What would you say is the most innovative thing your firm has done recently, whether it be technology advancements, internal operations, how you work with clients, etc.?

Our Smart Prosecution program, which is designed to obtain high-quality patents with fewer office actions, allows us to invest resources up front in the preparation or revision of a patent application, while holding face-to-face interviews with examiners early in the prosecution and keeping an eye on emerging U.S. patent law issues.

Does your firm have a succession plan in place? If so, what challenges do you face in trying to execute that plan? If you don't currently have a plan, is it an issue your firm is thinking about?

Succession planning is an ongoing process, which we have designed to meet the ever-changing needs and desires of our clients. We are continually improving our succession planning strategies.

Lizzy McLellan writes about the Pennsylvania legal community and the business of law at firms of all sizes. Contact her at lmclellan@alm.com. On Twitter: @LizzyMcLell