

# Fish & Richardson P.C.

## 2012 TOP 100 LAW FIRM HIGHLIGHTS



### #1 INTELLECTUAL PROPERTY

### #1 IP LITIGATION

### #1 OVERALL SUMMER PROGRAM

#### #63 OVERALL PRESTIGE

#### REGIONAL

- #10 Boston
- #29 Southern California

#### QUALITY OF LIFE

- #4 Associate Partner Relations
- #5 Compensation

#### #6 Satisfaction

- #10 Best to Work
- #21 Informal Training
- #21 Business Outlook

#### SUMMER ASSOCIATE PROGRAM

- #8 Summer Associate - Preparedness
- #8 Summer Associate - Realism
- #23 Summer Associate - Fun

## THE SCOOP

An influential player in the development of American intellectual property law, Fish & Richardson has evolved with the inventions of its clients: from the days of the Industrial Revolution through the dot-com boom (and subsequent subprime-propelled economic bust), the firm has remained a leader in patent law while adding a slew of other practice areas as the years have rolled by.

### Fish First

Founded in Boston in 1878, Fish & Richardson's early days were marked by its representation of giants of American innovation. The firm spent some of its first years advising the likes of Alexander Graham Bell and, later, Thomas Edison and the Wright Brothers. Fish & Richardson played integral roles in the acquisition and defense of patents for such seminal concepts as the telephone, the radio, the automobile and the steam turbine.

Name partner and firm founder Frederick P. Fish went into business with former U.S. Senator Bainbridge Wadleigh of New Hampshire, forming a firm called Wadleigh & Fish. Laying the firm's IP foundation, Fish—who also served as president of AT&T in the early 1900s—not only represented Alexander Graham Bell in over 600 patent cases but also argued his fair share of patent cases before the U.S. Supreme Court. William K. Richardson, who went on to have his name added to the stationery, joined Fish in 1889. A few years later the firm opened a branch office in New York.

### Go Your Own Way

Frederick Fish died in 1930—at the time of his death, it was reported that he had appeared in more Supreme Court patent cases than any other lawyer to date. Richardson passed away two decades later in 1951. In 1969, the firm's New York office spun off, and the Boston headquarters took the moniker Fish & Richardson.

Through the 1970s and 1980s, Fish continued to lead the way in patent law, helping clients like Bose patent acoustic equipment and delving into medical sciences work with clients like Dyonics, which obtained the first patent for an arthroscopic surgery instrument. But the address remained Boston: by the late 1980s, the firm still had just one office.

## FIRM INFO

### CONTACT INFO

1 Marina Park Drive  
Boston, MA 02210  
Phone: (617) 542-5070  
Fax: (617) 542-8906  
www.fr.com

### LOCATIONS

Atlanta, GA  
Austin, TX  
Boston, MA  
Dallas, TX  
Houston, TX  
Minneapolis, MN  
New York, NY  
San Diego, CA  
Silicon Valley, CA  
Washington, DC  
Wilmington, DE  
Munich

### DEPARTMENTS & PRACTICES

Copyright  
Litigation  
Patent  
Regulatory  
Trademark



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### THE SCOOP (Continued)

#### Growth Spurt

That didn't last for long, however. Fish opened its DC office in 1989, followed by an office in Silicon Valley in 1993, the better to handle patent matters for major tech companies like Adobe Systems. In a widely-reported example of bricks and mortar prevailing over a dot-com, however, Fish helped a small independent bookstore called Amazon win an infringement settlement from Amazon.com in 1999.

The rest of the 1990s into the 21st Century brought continued growth for the firm, with offices in New York, Delaware, Texas and Georgia sprouting up. Its first international location in Munich, Germany opened in 2007, serving clients like Siemens AG and Zeiss.

#### Focused but Not Boring

Fish's focus remains tight to this day. It sticks to what it knows best—intellectual property strategy and counseling, intellectual property litigation and business litigation—but its breadth is reflected in the list of industries it serves. The firm handles IP matters for clients in over a dozen industries, including academic research, transportation, energy, clean tech, consumer products, financial services, aerospace and defense, new media, manufacturing, telecommunications and more. As a result, its client list covers companies as diverse as Calvin Klein, Microsoft, Boston Scientific, Bank of America and Carnegie Mellon University.

### THE LATEST ON FISH & RICHARDSON P.C.

#### Cracking Down on Knockoff Bags (Ongoing)

Attorneys at Fish & Richardson have helped Coach Inc., maker of luxury handbags and other goods, in the company's attempts to crack down on stores that sell fake Coach products. One of the latest cases, brought in the Western District Court of Texas, is aimed at Bag City and other retailers in the state.

#### The LG-Sony Wars (Ongoing)

LG Electronics called upon Fish attorneys for representation in patent fights with rival Sony Corporation. Sony brought patent infringement complaints against Fish's client, claiming LG had infringed its patents for mobile phones and LCT televisions and monitors. In February 2011, LG responded with complaints of its own, alleging that Sony had infringed at least eight LG patents with its HDTVs and Blu-ray players, including the PlayStation.

#### Mayo on That (April 2011)

A Minnesota jury ruled in favor of Fish client The Mayo Clinic, which had sued one of its former doctors for alleged breach of contract. According to Mayo's complaint, the doctor had passed trade secrets about its software to pharmaceutical company Merck.

#### Free Trading (March 2011)

On behalf of the Chicago Board Options Exchange, Fish won summary judgment in a patent infringement matter in the Northern District of Illinois. In the declaratory action, the court found that CBOE had not infringed an "Automated Exchange for Trading Derivative Securities" patent held by the International Securities Exchange.

#### Hearing Cricket (February 2011)

Fish won a big victory for client Cricket Communications, a wireless services provider, as it prevailed in a trademark infringement and false advertising case against ABC Wireless Choice. A district court judge awarded Cricket a permanent injunction and attorneys' fees.

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### Not So Fast (January 2011)

Fish is representing tech giant SAP in an ongoing dispute with rival Versata Software. The case began in 2007, when Versata alleged that SAP's enterprise software products infringed on two of its patents. Versata was awarded \$139 million in damages in 2009. In early 2011, Fish successfully had the sum set aside pending a trial on damages.

### GETTING HIRED

**Vault's Verdict:** Just being an overachiever doesn't cut it at Fish—its ideal candidate is an outright renaissance person. The IP boutique's legacy of serving tech clients requires its lawyers to possess such scientific aptitude that applicants with a technical degree (or two) will have a clear advantage.

### Hiring Process

- "Fish prizes superior writing skills as well as high class rank, etc. In addition, being self-directed and proactive are key characteristics for success at Fish. Most, but not all, attorneys hired by Fish have significant technical expertise and backgrounds. A surprising large number of attorneys here hold masters degrees and PhDs, or have been judicial clerks."
- "Fish is looking for the triple threat—strong attorney, comfortable with technology and charismatic."
- "We look for individuals who have not just demonstrated the ability to excel in academics, but also have an aptitude and desire to understand science and technology. We look for highly motivated candidates who will work hard and contribute to the overall firm culture."
- "Looking for people who can take initiative, show spark, multifaceted. Interview process is fairly relaxed—usually no hardball questions. Pretty selective, especially at the pre-interview stage."

### OUR SURVEY SAYS

**Vault's Verdict:** Lawyers come to Fish & Richardson for unparalleled IP practice experience, and the firm doesn't disappoint. Associates have little to bemoan, thanks to a recent bump in compensation and less rigorous hours expectations.

### Satisfaction

- "As far as firms go, Fish & Richardson truly has it all—great clients, interesting work, and partners who truly care about the well-being of the associates. This is evidenced by partners' willingness to help associates grow by giving them as much responsibility as they can handle, while also being mindful of burnout."
- "Fish allows you to balance an exciting law practice with a rich life at home—they won't hand it to you, but they allow it, which I think is as good as it gets."
- "Quality experience is difficult to get now. Principals complain that associates aren't getting certain experiences, yet, they are not giving us the good work because they need it themselves."
- "I've had great opportunities to get involved in litigations, including brief writing and negotiating with opposing counsel during my first year at the firm. The firm is known to give you as much responsibility as you can handle."

### Firm Culture

- "Lawyers in our office are always checking in on each other, making the environment feel more like a group of team players than simply co-workers. The environment extends to our support staff as well, and the firm culture reflects a combination of trust and openness I find is essential to any professional environment."



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## 2012 TOP 100 LAW FIRM HIGHLIGHTS

- “Socially: prides itself as a ‘family firm;’ expectations on work product are high but lawyers are flexible about your schedule. Professionally: firm wants you to succeed and build the practice through business development and other training seminars.”
- “Not the same firm it was before the economy went south. Less egalitarian, more cronyism & favoritism, and seemingly more Machiavellian scheming.”
- “In general, people at Fish are very friendly but intensely driven. The firm lawyers don’t socialize a lot together—most of the attorneys here have families they go home to when they get to go home—but there are more open doors than closed, partners are accessible in general, and senior associates do not hesitate to help out new associates.”

### Associate/Partner Relations

- “There are several partners who are great to work for, including some who have been featured in national blogs as such.”
- “As an associate, I feel that I am valued by the partners at my firm—including those from other offices. The partners implicitly trust associates to do work essential to each case and are very good at communicating their thoughts, goals, and objectives to us associates. Lawyers here truly enjoy their work, and that feeling carries over to the rest of us who are new to the firm.”
- “I’ve found Fish works hard at transparent decision-making—they’ve had a misstep here and there, but overall I respect and appreciate our leadership.”

### Office Space

- “I have my own office as a first year.” [Redwood City, CA]
- “The Dallas office was a modern space designed for a different company, and is decorated with a partner’s personal art collection, which is very interesting.”
- “Our D.C. office is right across the park from the White House, with a spiral stair case to keep us all close.”

## HOURS/COMPENSATION

### Schedule

- “Work and life are indistinguishable. This is not a firm for the undedicated.”
- “I don’t know if I have ever felt that I was doing busy work. I have pulled all-nighters when necessary but that is rarely the fault of anyone, and usually during trial. In other words, it is not normal to get last-minute projects that ruin your evening or weekend.”
- “There is no requirement for face time and working remotely is possible, which allows those with families to maximize the time available to them. However, the amount of responsibility a new associate is given right away plunges him/her into a demanding work schedule from the get-go.”
- Patent litigation is tough to contain once it takes off, but I’ve been able to take some quality time off with my family after trial and other big pushes.

### Compensation

- “Salaries are on the New York scale. Bonuses are quite generous here and have been significantly more than market the last two years.”
- “Fish recently raised associate salaries to remain competitive with top tier firms. Fish also gives very generous bonuses ... On average, my bonuses have been about 33 percent of my salary. I believe this is well above the market rate.”

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- “The firm has switched from an hourly based bonus schedule to a ‘merit’-based bonus schedule for which no standards for evaluation have been disclosed, and which appears to be entirely capricious.”
- “I am not the highest biller at the firm, but I still feel that I am appreciated for my work, and I believe my bonus was fair to generous.”

### PROFESSIONAL DEVELOPMENT

#### Training & Mentoring

- “Weekly firm wide video conferences of shallow depth. Occasional video conference in-depth training for litigation. Generally sink-or-swim. Partners assume you know what you are doing unless you tell them otherwise or ask for help (although this probably depends on which partner you are working for). Can be overwhelming but great experience.”
- “Informal ‘throw ‘em in the water and see if they swim’ (albeit with a good safety net in place) has worked fine for me, and Fish is succeeding in adding formal training too.”
- “Training at this firm is available both across offices and, informally, within each office. The firm constantly offers programs, both in prosecution and litigation, to teach young associates important skill sets. At the same time, partners and associates at my office are always bouncing ideas off each other and willing to take time out of their day to field any questions I may have.”
- “Fish recently started a monthly training session for all associates, sometimes it is useful and sometimes not. However, the firm also brings NITA in-house to various offices for stand-up litigation training.”

### SOCIAL RESPONSIBILITY

#### Diversity

- “I find my particular office very diverse, and that there is a well-founded respect for diversity across the firm nationwide.”
- “The firm has hired and retained many female attorneys.”
- “Small pool to draw from, but they’re trying.”

#### Pro Bono

- “Probably the best IP boutique for pro bono.”
- “All hours on approved pro-bono matters count as billable hours.”
- “Pro bono has received increased emphasis the past couple years—with great results.”

#### Green

- “It depends on the office. Some of the offices are extremely environmentally friendly, and others give it less thought. Though most offices have taken steps to improve their environmental impact in the past year.”
- “Our entire office building is LEED certified and very conscious of the environment.”
- “We have a green committee. New Boston office is Green LEED certified. Could be a little better on recycling and energy efficiency.”

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### OVERALL BUSINESS OUTLOOK

#### Outlook

- “Employee morale is high, and the firm is very competitive with other firms in this field.”
- “Everyone seems to be incredibly busy. PPP are looking very good.”
- “I, myself, was deferred for a year and wondered if I would ever actually start at the firm. Luckily business seems to have really picked up.”