

## How I Made Partner: 'I Have a Competitive Streak, Take Pride in My Work, and Truly Enjoy Patent Law,' Says Kenneth Darby of Fish & Richardson

**"If you're having fun and learning along the way, you'll be more likely to produce strong work product, show commitment to the firm, and excel in client service, all the things firms look for in a partner."**

By Tasha Norman

**Kenneth Darby**, Fish & Richardson, Austin, Texas.

**Practice area:** Patent law.

**Law school and year of graduation:** The University of Texas at Austin, 2015.

**How long have you been at the firm?** I started at Fish & Richardson as a patent agent in late November of 2010. So I have been with the firm for about 10 years and 10 months—time flies. My first billable year after law school was 2015-2016, and I was elevated to principal at the end of 2020.

**Were you an associate at another firm before joining your present firm?** Fish was my only home as an associate. But I was a patent agent at Kowert, Hood, Munyon, Rankin & Goetzel in Austin, Texas, for nearly two years before joining Fish in 2010.

**What's the biggest surprise you experienced in becoming partner?**

One significant shift in my practice has been the amount of time I spend mentoring. I've been pleasantly surprised with how much I enjoy passing on the knowledge soaked up from my colleagues over the last 10 years to the next generation of associates.

**What do you think was the deciding point for the firm in making you partner?** I'm sure performance was one of the many factors that played a role in the firm's decision-making process. I'm equally sure that certain personality traits drove my performance over the years. I have a competitive streak, take pride in my work, and truly enjoy patent law. Those traits tend to push me towards taking ownership of projects and producing high-quality work product, which is a good start to being a successful associate. And being a successful associate is a good start to being a candidate for principal. Exhibiting a



courtesy photo

**Kenneth W. Darby.**

commitment to the firm and client service are equally important pieces of the puzzle. Admittedly, I had somewhat of an advantage here given that I spent several years at Fish as a patent agent. For example, some of my client relationships had been ongoing for nearly a decade by the time of my elevation.

**Describe how you feel now about your career now that you've**

**made partner.** The short answer is, I feel great! Breaking it down a little more, there is definitely a feeling of satisfaction and achievement with reaching such a major milestone at a destination firm like Fish. This is something I get to share with all the family and friends that supported me along the way. At the same time, I have a renewed sense of optimism and motivation. It always feels good to come up with new goals and set to work on accomplishing them. In a way, I felt similarly when making the jump from patent agent to associate.

**What advice you could give an associate who wants to make partner?** *I'll pass on the best advice I was given: Find a way to spend more time working on the part of your practice that you most enjoy. If you're having fun and learning along the way, you'll be more likely to produce strong work product, show commitment to the firm, and excel in client service, all the things firms look for in a partner.*

**What's the key to successful business development in your opinion and how do you grow professionally while everyone is working remotely?** One piece of advice

I received several years ago is that business development is about developing relationships. I thought it odd at the time, my instinct being that clients hire us primarily to achieve positive case outcomes. But the thing about outcomes is that they are few and far between. I spend far more time collaborating with clients to work towards those outcomes. The collaboration is where relationships are forged, and the relationships are what inspire clients to keep coming back to Fish.

**Who had the greatest influence in your career that helped propel you to partner?** I'd say my fellow principals in the local Austin office of Fish—[James Babineau](#), [Heather Flanagan](#), [David Hoffman](#), [Ryan McCarthy](#), and [Matthew Wernli](#). I've looked up to all of them as mentors over the years,



and they've always been generous with their time and advice. It's cliché, but they're like extended family.

**What challenges did you overcome in your career path and what was the lesson learned?** I'd say the biggest challenge in my career was the steep learning curve at the beginning when I took my first job as a patent agent out of undergrad. I hadn't planned on pursuing a legal career and so I came in completely cold with no prior knowledge or experience. Eager to catch up, I spent countless hours reading the U.S. Patent Office's manual on patent examination, Federal Circuit opinions, and patent law blogs. I've kept up this practice of reading and staying up to date with the law, and that's really paid off throughout my career.