

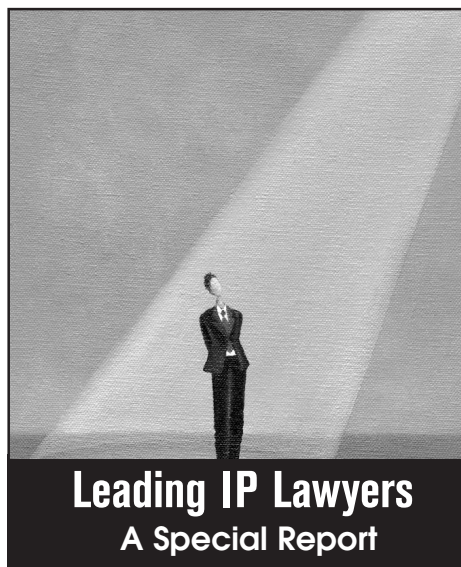
Identifying **15** Leading IP Lawyers

Here they are: the 15 men and women whom *Legal Times* found when we went looking for the leading intellectual property lawyers in the Washington, D.C., metropolitan area.

How did we select them? Mostly, we talked to a lot of people. We also solicited input from the legal and business communities. We got the word out in various ways, including mailings and prominent notices within the pages of the newspaper. And we posted information about the project—and about how to make a “nomination”—on our Web site.

The tips from readers were helpful; they added to our base of knowledge in the newsroom at *Legal Times*. But they did not limit our pool of potential subjects for the article, and they served just as a starting point. *Legal Times* veteran Jonathan Groner conducted dozens of interviews with lawyers, clients, and others in a position to know who matters most in the world of IP practitioners. In the end, our choices were made based on what we found in that reporting.

Are these the *only* 15 intellectual property lawyers in the D.C. area valued by their clients? Of course not. But this is a grouping that we believe adds to our readers' understanding of local IP practice. In the end, that was the goal.



Along the way, we had to make some judgments about what kind of attorneys we would include. We began by limiting the list to practitioners, not government officials, in-house counsel, or law professors.

We thought it was important to have lawyers representing the creative range of IP practice, so the list includes attorneys who specialize in patent litigation, patent prosecution, copyrights, and trademarks.

This report was also designed to identify lawyers from both IP specialty firms and firms that number intellectual property among several practice areas.

Much as we thought we knew about this particular area of law in Washington, forcing ourselves to narrow the field down to 15 leading lawyers was an eye-opening experience. We hope you find the article equally intriguing to read.

As a side note, this report, which is sponsored by Litigation Communications Inc., is actually the third in a series of four “Leading Lawyer” articles by *Legal Times* this year. For more information, as well as links to the prior articles, go to our Web site at www.legaltimes.biz.

—RICHARD BARBIERI, EDITOR IN CHIEF

—ELIZABETH ENGDAHL, MANAGING EDITOR

Leading LAWYERS

Legal Times Identifies Fifteen of the D.C.
Area's Top IP Attorneys

Michael Clayton

Morgan, Lewis & Bockius

Michael Clayton's emergence as a top IP lawyer owes a great deal to the slowdown in antitrust work during the Reagan administration.

Clayton, head of Morgan, Lewis & Bockius' firmwide trademark and copyright practice, was an antitrust lawyer at the firm in the mid-1980s when, as he recalls it, lucrative merger and other work in his specialty began to dry up. The conservative economic thinkers who had taken charge of the antitrust enforcement agencies were bringing far fewer cases than their Democratic predecessors.

So, thinking it best to shift young talent to what seemed to be a more promising arena, Morgan, Lewis offered Clayton a new start.

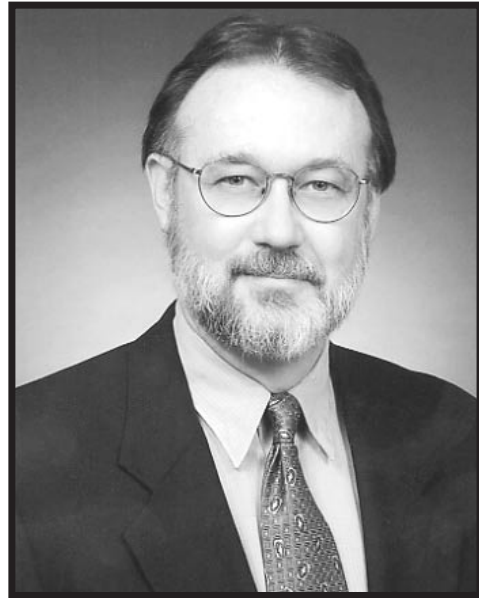
"They gave me the opportunity to start a trademark and copyright practice," he says. "Morgan, Lewis had previously been referring that work to an IP boutique."

Clayton jumped at the chance. After all, he says, he had received a high grade in his copyright and trademark class at the University of Virginia Law School, where he graduated in 1980.

Now, Morgan, Lewis' firmwide trademark and copyright practice includes 35 lawyers and 20 legal assistants and represents such clients as Diageo, international purveyor of alcoholic beverages and owner of valuable marks on Tanqueray gin, Smirnoff vodka, and Johnnie Walker whiskey, among others.

Clayton's varied practice runs the gamut from prosecution of federal trademark registrations, to litigation of software copyright infringement suits, to trademark cancellation proceedings.

Eileen Kennedy, senior trademark counsel for Citigroup in New York, says that Morgan, Lewis is the only non-New York City trademark firm she uses regularly—because of Clayton's skills. Citigroup owns many trademarks based on the prefix "citi," including "Citibank" and



"Citicard," and is constantly trying to expand and protect those marks.

Kennedy says that Clayton's most important asset is his creativity. Plus, she says, "They have kept us out of trouble any number of times. They have thought of any number of ways to make our lives easier."

Recently, for instance, Citigroup's in-house department was short a couple of people out on maternity leave. On two different occasions, notes Kennedy, Clayton lent a New York-based Morgan, Lewis associate to Citigroup to fill in full-time for months.

Clayton, 49, calls "maintain[ing] a relentless focus on client relationships" the most important aspect of trademark and copyright work.

"Our clients expect us to understand their business," he says, "and to develop a partnership with them. I first became a U.S. trademark practitioner, and then I became an international trademark practitioner to meet the changing needs of my clients."