

Law Firm Profile: Blakely Sokoloff Taylor & Zafman LLP

Thursday, October 26, 2006 —When Blakely Sokoloff Taylor & Zafman LLP was formed in 1975, many of the firm’s first clients were fledgling technology companies. Blakely Sokoloff helped them develop and steward their patent portfolios, and the firm and the companies grew together.

Blakely Sokoloff now has about 90 lawyers in six U.S. offices.

The success stories demonstrate one of the firm’s particular strengths: helping companies develop, protect and utilize their patent portfolios, according to Lester Vincent, partner in Blakely Sokoloff’s Sunnyvale, Calif. office.

The success of this relationship between firm and client is exemplified by the case of SnapTrack Inc., a company founded in San Jose, Calif. in 1995 that specializes in Assisted GPS technology.

Blakely Sokoloff helped SnapTrack go from “being a startup to being acquired,” Vincent said.

“The acquisition was based in part on patents we developed,” Vincent noted. Qualcomm Inc. acquired SnapTrack in 2000.

“We’ve had a lot of experience growing with startups,” added James Scheller, partner in the firm’s Sunnyvale office.

While the firm handles all types of IP work, including copyright and trademark matters, the bulk of the firm’s work involves patents and patent prosecution, according to Vincent.

Most of the attorneys that deal with the firm’s patent-heavy workload have some background in the sciences, and many have degrees in electrical engineering or computer science, according to Vincent.

“We’re very focused on what we do, and we’ve been doing it for quite a while,” Vincent said. “We know what’s involved with supporting litigation, and we have quite a bit of experience in client counseling. We also have a lot of experience with a wide range of different types of companies, from startups to Fortune 500 companies.”

While the firm doesn’t shy away from litigation, trial work only comprises up to 5% of its workload — although if you include litigation support, that figure rises to 15% or 20%, according to Scheller. The firm often calls in larger litigation firms to handle matters involving a lot of trial work.

“Our goal is to try to keep clients out of litigation,” Vincent said.

Other nontechnical IP work, such as trademark matters, account for about 15% of the firm’s workload.

The firm’s trademark practice is largely centered in its Los Angeles office, and many of its clients are in the entertainment industry.

So why should a prospective IP client choose Blakely Sokoloff over a larger firm with more practice areas?

According to Scheller, Blakely Sokoloff is more attentive to its clients’ needs, and brings a different perspective to the table.

“You don’t get the same type of service from those big firms. It’s the tail wagging the dog. The IP attorney ends up working for the corporate attorneys,” Scheller said. “They’re not as intimately involved with the client.”

Vincent also noted that startup companies might not need “all those other departments.”

“We speak the language,” Vincent said, referring to the firm’s technological and scientific expertise. “Misinterpretations of the facts can change the outcome dramatically. That’s underestimated.”

Overall, Blakely Sokoloff is growing at a steady clip. Scheller estimated that over the past year or two, the firm has been growing 5% to 10% annually.

Growing at a faster clip, however, is the firm’s “G-file” — the designation for general work peripherally associated with patent prosecution, such as letters threatening lawsuits. Vincent attributed the jump in general work to the economy picking up and an increase in asymmetrical threats, which occur when a small company or individual patent holder drags, or threatens to drag, a large company into court on infringement charges.

Blakely Sokoloff’s six offices are all located on the West Coast. Three are in California, one is in Oregon, one is in Washington State and one is in Colorado.

The firm has a conservative outlook on expansion, according to Lester, who said the firm focuses on making its offices “client centered.”

“We’re really not in aggressive expansion mode. We want controlled growth to maintain quality,” Lester said.

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