



JASON DOIY

MARRIED TO THE FIRM: Joseph and Roxana Yang tried the big-firm life and a solo practice before combining their skills to compete with the giants for top-tier clients.

IP *for* TWO

Husband-and-wife team thrives in a field where bigger is usually better

By Xenia P. Kobylarz

RECORDER STAFF WRITER

When Joseph and Roxana Yang founded PatentEsque Law Group in Los Altos Hills in January 2005, they thought of their two-person intellectual property firm as similar to a country doctor's practice before the bureaucratic days of managed health care.

So like old-fashioned medical practitioners, who made house calls and treated whatever ailed patients, the husband/wife team billed themselves as general practitioners of IP law, ready to tackle patent applications, litigation, management of patent portfolios and licensing negotiations.

The Yangs might have just discovered the next innovation in IP practice. Twenty months after its founding, the firm has attracted big-name clients such as Yahoo, Hewlett-Packard and other, midsize companies with substantial patent portfolios.

"We have been crazy-busy since we opened," Joseph Yang said.

Roxana Yang, who entered solo practice in 2001 to take care of their two young children, said they are taking shorter vacations these days and have been turning away clients.

"We haven't had a spare hour since we started," she added.

One client, Yahoo vice president of IP Joseph Siino, is not surprised at all. Siino, who also ran a one-stop solo IP shop prior to joining Yahoo, said demand for firms like PatentEsque has been growing as more companies look for IP attorneys who are good business people, understand technologies, know IP law and have "a little spark of brilliance."

"This practice is really all about brain power and strategy," Siino said. "A really good IP strategist is rare, and could make well over a million dollar profit per year outside of a law firm."

OUT OF THE MOLD

Both trained as engineers, Joseph and Roxana Yang started their legal careers at big firms, where they say lawyers have been forced to specialize in one area of IP law: they either do patent litigation, prosecution or licensing transaction work. At the same time, more clients are looking for general practitioners who know all aspects of IP law practice.

"Clients often have to consult separate attorneys to get a big-picture answer to a business question," said Joseph Yang, an alumnus of the behemoth Skadden, Arps, Slate, Meagher & Flom. "But attorneys at big firms have become like doctors at HMOs, they are not really given a chance to get to know their clients' businesses and are unable to give them more comprehensive advice."

Joseph Yang went to Skadden to help veteran IP attorney Ronald Laurie establish the New York firm's IP licensing and transaction practice in Palo Alto.

But after getting repeated calls from clients who told him they'd pay premium rates if only he'd guarantee he would give 100 percent of his time to their projects, and not train associates on their dime, he decided it was time to set up his own practice.

One client, Cryptography Research Inc. in San Francisco, offered him a management seat as general counsel even while he works for

others as well. He took it.

"I've always wanted to go in house, but I also liked the variety of having your own practice. I don't think any law firm would have allowed me to do that," he said. "So when that opportunity came up, I just thought it was too good to pass up."

FOCUSED ON GENERALIZATION

The professional field of IP law has expanded in recent years. These days IP lawyers compete with other professionals who can be placed into a few broad categories: Agents who act as middlemen in licensing deals, consultants who analyze and manage patent portfolios, and so-called patent brokers who help buy and sell IP rights.

But the Yangs have carved out a micro-niche within the profession by combining all of these varied disciplines.

"We really pride ourselves on being able to do all the things that our clients need us to do in order to leverage their IP assets," Roxana Yang said. "And the best thing is that we don't give them generic advice, we really try to understand their business and customize our strategic advice according to their needs."

After getting an engineering degree at UC-Berkeley, Roxana Yang graduated

from Boalt Hall, then worked at IP specialty firm Pennie & Edmonds as a litigator and patent prosecutor. After going solo, her work revolved mostly around writing patent applications.

Joseph Yang took his Caltech Ph.D. in jet propulsion engineering to Stanford Law School, then passed through Weil, Gotshal & Manges — the former McCutchen, Doyle, Brown & Enersen — and Skadden. He served as outside corporate IP counsel for more than 100 tech firms. When he decided a big-firm practice wasn't what he wanted, he and Roxana Yang saw a chance to combine their expertise into a very small, but definitely full-service, partnership.

INCREASINGLY SELECTIVE

Because of the highly involved services they provide, the Yangs said they have to really be selective about whom they represent. No startups; they focus on large to midsize public companies that can afford their high billing rates.

"We act as virtual insiders, and our clients need us to be responsive," Joseph Yang said. "Clients have even suggested that we raise our rates so there'll be fewer firms that can afford us."

The Yangs are slowly phasing out their patent prosecution practice, which

has become more commodity work. Instead, Roxana Yang, who handles the patent prosecution end, simply counsels clients on the best way to draft patent claims, and clients have another firm write and file the paperwork.

"There is just such high demand for our services that we feel we really need to focus our resources," Roxana Yang said.

IP recruiter Gary Davis of Patterson and Davis in San Francisco said the kind of work the Yangs provide is not something easily imitated.

"Not every IP lawyer has the multidisciplinary skill set that is necessary in this area," Davis said. "You have to be a singularly talented IP lawyer to really excel and survive on your own in this business."

Though business is booming, Joseph and Roxana Yang have no immediate plans to expand their practice beyond themselves and one assistant. They enjoy being each other's only partner.

"The great thing about our firm is that I don't ever have to worry about office politics or how to divide profits," Joseph Yang said. "I think I've found my perfect law partner."

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