

LAW WEEK COLORADO

Michael Best Expands in Denver

Firm expands to Colorado, adding four to intellectual property practice

BY KALEY LAQUEA
LAW WEEK COLORADO

Michael Best's recent westward expansion, with office openings in Austin and Salt Lake City, now includes a new intellectual property practice in Denver. Stephen Gigot chairs the firm's IP practice group and said it was the right time for the move with the right people to get a foothold here after noticing "synergies" with other business in the Utah and Texas offices.

Gigot said they're confident that the firm's business model in the IP space will translate well in Colorado and fit in with Denver's startup culture.

"When we look at expansion and we've focused on that a lot over the past few years, markets that have tech companies and strong technology growth are really attractive for us, and Denver has that," he said. "Having a growth market that's centered around tech companies makes a lot of sense."

The firm also looks at the move from a recruiting perspective. Gigot said Michael Best has hired several engineers and scientists to help tailor their expertise and services to tech companies.

He added that Colorado's four research universities in the Front Range and the business opportunities to work with them and students were other attraction points for the firm.

Gigot said the other side of that coin, though, is having a local presence to build that expertise for clients in Colorado.

"We can't be outsiders working from different cities," he said. "We really need strong attorneys on the ground. We needed people in the Denver market, and now we really have all those pieces."

To that end, IP attorney Jon Trembath recently learned the value of ac-

cess to that kind of expertise and collaboration in this region. Trademark attorney Stephen Horace and Trembath joined the Michael Best Denver office from Lathrop Gage. He recently had a client in Arizona who needed legal assistance with a semiconductor patent and was able to leverage that knowledge from elsewhere in the firm.

"I don't speak semiconductor, but I was able to call someone and get that expertise. I appreciate that, the depth of the bench," Trembath said.

Denver who participate consistently in the IP Inn of Court, and that involvement helps them gain fluency in local patent regulation.

"I think that has a significant impact on the community perception of the local bench and its capability of handling patent cases," he said. "Couple that with the changes in venue that have happened recently, I think we'll see an uptick in companies actually filing patents here in Colorado."

Referring to the "venue change"

Clayden. Trembath practices patent litigation, and he and Horace's clients came over to Michael Best with them, including local digital service Home Advisor based in Golden. They're in the process of strategizing how to grow the practice's client base, and Horace said Michael Best does a good job of taking a holistic approach to their needs.

"The opportunities are very exciting, and we can't wait to start tapping them," Horace said. Horace's practice

**"MY PERCEPTION IS IT'S A PLACE WHERE
COLLABORATION ACTUALLY MEANS SOMETHING,
WHERE PEOPLE SEEM TO WORK TOGETHER."**

—Jon Trembath, IP Attorney

Gigot said that though the recent hires are all IP attorneys, the plan is to grow the Denver location into a full-service locale like other offices. For now though, the starting team has the chops to vie for business in the IP realm. Trembath is a former president and founding member of the Denver IP Inn of Court.

He worked on a committee a few years ago with Colorado federal district Judge Kristen Mix to revise and improve the local patent rules, particularly concerning allocating burdens on disclosure between the parties and the timing of these disclosures. He said there are some local judges in

U.S. Supreme Court decision in *TC Heartland v. Kraft Foods*, Trembath said he doesn't anticipate that the ruling will restrict local patent offices, but if it does, more patent litigation will come back to the courts versus the inter partes review route.

IPR filings have continued to climb in recent years and created somewhat of a tangle in courts when the filing has a concurrent case winding its way through a district court.

"The IPR thing has taken some of the sauce out of filing straight up patent litigations," he said.

Trembath and Horace are joined in Denver by Scott Alter and Alexander

focuses on project design protection. He feels the joining attorneys "fit right in" regarding their IP and litigation experience. Horace and Trembath both acknowledged that they're excited to work as part of an invested team that approaches the work from that perspective.

"My perception is it's a place where collaboration actually means something, where people seem to work together," Trembath said. "The firm has the structure in place to help me be successful. It's a better market, better brand and a better product — all of that is exciting." •

—Kaley LaQuea, KLaQuea@circuitmedia.com