

# The Trademark Lawyer

Issue 5 2022

GLOBAL REACH, LOCAL KNOWLEDGE

[www.trademarklawyer magazine.com](http://www.trademarklawyer magazine.com)



## A generation of counterfeit consumers: an interview with the EUIPO

The Trademark Lawyer sits down with Julio Laporta, Head of Communication and Spokesperson at the EUIPO, to discuss the findings of the latest survey that showed that one in two young Europeans have purchased counterfeits in the last year.

Supreme Court to destroy art world?

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"Bad Faith" concept in China

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New Trademark Law: UAE

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# Women in IP Leadership

Celebrating achievements and continuing  
the empowerment of women





# Patchen Haggerty: Partner, Perkins Coie

**An interview: inspirations, experiences, and ideas for equality.**

**P**atchen Haggerty is an Intellectual Property Partner at Perkins Coie and serves as a member of the Firmwide Management and Executive Committees. She manages global trademark portfolios as well as trademark and internet enforcement and take-down programs for market-leading companies worldwide. Patchen's background in trademark enforcement matters includes dispute resolution and administrative actions around the world. In her practice, she regularly manages trademark opposition and cancellation proceedings and trademark application appeals before the Trademark Trial and Appeal Board (TTAB). Patchen maintains an active profile as a presenter and author on emerging issues in trademark, copyright, and IP legal protections.



Patchen Haggerty

## What inspired your career?

I made the choice to be a lawyer in college after I took a mass communication law class, which was the first class that really grabbed my interest. I found it particularly fascinating how our legal system governs communication, which guided my path to law school. Once in law school, I narrowed my focus from First Amendment Communication Law to the field of IP, then to trademarks in particular following a moot court competition where we argued about a museum's right to control third-party use of the shape of King Tut's Sarcophagus as trade dress and whether an Italian restaurant near the museum could have a sarcophagus shaped spaghetti dish called 'Mummy Mia'. I found it fascinating and amusing at the same time, and I instantly knew I wanted to specialize in IP! I've been in IP for 22 years now.

## How have you found the pathway to your current position? And can you offer advice from your experience?

My current position on the Management and Executive Committees for Perkins Coie was a culmination of moving to Perkins Coie in 2014 and getting more involved in the leadership of the trademark group here. I became chair of the trademark group about three years ago, and I

chaired the group for a couple of years and made several positive changes to the group. I had expressed interest in becoming more involved in firm leadership, and I was on the task force that selected our current Managing Partner, during which time I got to know a lot of our firm leaders including our current Managing Partner. When a position opened on the firm's Management and Executive Committees, our Managing Partner called and asked if I would be interested in serving on the Committees. I, of course, said 'absolutely!'. I then went through a vetting process, and was selected to serve on the firm's Management and Executive Committees in early 2021.

I moved into those positions for a four-year term in July of 2021. Since then, I've been focused on managing the day-to-day operations of the firm as well as working toward the goals of our Strategic Plan, which has been fantastic. It's been a steep learning curve, there's a lot to learn about managing a law firm of our size that you aren't taught in law school or your legal career, but it's been great. It's very rewarding.

I think what guided my pathway was just speaking up, making it known that it was something that I was interested in, that I was keen on learning even though I didn't have as much prior management experience as prior members of the Management Committee. But that turned out to be a positive, as I bring a different perspective to those who've either been with the firm a very long time or are further along in their careers.

I think one of the most helpful things to do if you're interested in leadership, in a firm or any organization, is just to learn as much as you can about the organization and its people: the structure, the way that it's run, the financials of the organization. Then learn as much as you can about the economy, the cost of the services that you provide, and then what's important to your clients, your partners, to the people within the firm. Having that knowledge helps your understanding of what your organization needs and that will put you in the best position to take on leadership roles.

If pursuing a leadership position, I think it's helpful to start in a small leadership role and work your way up. That helps you to determine





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how much you can and want to take on because leadership can be a full-time job, so that's a balance and a choice you need to make as you get more senior in leadership positions.

**What challenges have you faced? And how have you overcome them?**

I think one of the challenges in moving into the Management Committee is that it is, really, a full-time role. Balancing that with the very busy practice has been a challenge. I also have two young children, twins aged 11, and I'm a single mum so balancing all of that together takes a lot of juggling and it can be challenging on a lot of days. It requires a great deal of organization which is something that, in all honesty, I've had to work on improving. I'm also learning how to say no, which I find a real challenge because if somebody asks me to do something I want to help, but I've had to learn how to put up some boundaries and prioritize. You have to figure out what's most important to you, what's most important for the organization, and in the best interest of the firm, and then what's most important for you and your family, and then prioritize those things and fit them all in - but it's definitely a challenge.

**What would you consider to be your greatest achievement in your career so far?**

I achieved a lot of success as a trademark lawyer which I really enjoyed; I find it very satisfying that I've been able to successfully integrate into the IP field, which is challenging to do as a lawyer without a technology or hard science background. Then developing a client base and a bit of a reputation within the industry has been a great achievement. I'm in Seattle and the IP legal market here is small but it's very competitive because of the cache of the companies that we have here as clients. I've gotten involved in more national organizations and have received some recognition among them too. These are all very satisfying parts of my legal career.

Then getting selected and moving on to the Management Committee has been very rewarding. It's not a position someone at this stage of their career, that I am at, typically moves into and so it was a real honor for me to be asked to serve at the firm in this way.

**What are your future career aspirations? And how will you work to achieve them?**

I want to continue to serve the firm. We are trying to implement changes that will solidify the future of the firm long term, not just in the next three-five years. I want to continue to work on that and I see myself continuing to do that throughout the rest of my career.

I also want to continue, particularly when I'm in a lesser management role with more opportunity to focus my time, on building my practice as well. I built a bit of a niche specializing in the cosmetics industries with clients in beauty, personal care, and cosmetics - I definitely want to continue my focus on that. I also have clients in the gaming and AR/VR type space as well. I'm really interested in those two areas so, before taking on management commitments, I worked towards specializing in those two specific industries, building up a reputation and client base, so those are the areas that I will continue to focus on and build, shifting back and forth between them.

**What changes would you like to see in the IP industry regarding equality and diversity in the next five years?**

The IP industry still lacks diversity, so it would be wonderful to see more women and lawyers of color in the field. It's something that we really strive for here at Perkins Coie, in our promotion and our hiring we focus a lot on ensuring that we have a diverse class. With diversity comes diverse opinions which also brings a broader ability to offer the best services to our clients. That's very important, not just from an inequality and inequity perspective but from an ability to provide fair and balanced services to our clients. Perkins Coie is committed.

It would be great if we could see broader commitment across the legal industry. When I first started my career as a very junior associate, I was often the only woman in the room - it was not something that you even noticed. So not only was I the youngest by a significant amount of time but I was also the only woman. I was often mistaken for the court reporter or for someone's legal assistant, and that's just how it was. That is no longer the case and it's wonderful to see so many more women in our juniors and mid-levels. We have many diverse associates in the pipeline for promotion to partner, and the table, when we sit around in client or internal meetings, looks so much more diverse. When we do our full IP group retreats as a firm, we have more than 200 lawyers, the room looks very diverse. That's wonderful to see. It would be wonderful to have that emphasis in the broader IP community, at conferences and such, to see more women represented.

And then on the patent side, of course, that's always a challenge too because of the technology background which is not historically a field that draws women and diverse lawyers. Focusing on that, we have a Diversity Fellows program here at Perkins Coie, where students come in right after their first year of law school, and we really try to help develop them to focus



on careers in the IP industry, regardless of where they end up.

**How do you think the empowerment of women can be continued and expanded in the IP sector?**

Flexibility is key to helping women find a career path that they can stick with. Not all women, or men, have families, but many do have obligations outside the office to care for children, parents, or their own health. Having the opportunity to flex up and down as needed, in terms of the amount that you're working in your career, allows you to find a career path with the same organization on a longer-term basis. We see a lot of women leave the firm, and leave the workforce, because of the challenges that they face in obligations outside of work, regardless of what those obligations are. Offering the opportunity to step back for a while, or ramp down for a while, but with the availability to come back when you're able will encourage more women to remain in the workforce long term. I can personally attest to the challenges of balancing a career and a family – and all of those demands that go along with it. It is not at all easy and it's difficult to make the choices as to what is best for you and your family. Flexibility has allowed me to stay in the firm, and in the legal industry, long-term.

I would also encourage women who are interested in IP to take the leap and get involved. I get a lot of reach outs from students and women early in their careers just wanting to talk about what I do, and how to get into the field. If someone feels like it's a challenge breaking into the field, I encourage you to reach out to others in the field for informal network opportunities, just to chat about it. It's a great field, it's really interesting and I can't imagine working in another area.

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