

# Daily Journal

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## Top Boutiques | TRADEMARK & COPYRIGHT



Courtesy of Owen, Wickersham & Erickson PC

From left: Owen, Wickersham & Erickson partners Mel Owen, Greg Owen and Noel Cook

“It’s a classic networking story,” said Noel Cook of his introduction to Owen, Wickersham & Erickson PC, where he’s now practiced for 25 years.

“I was in Chicago for a wedding and told the guy who was getting married that I was looking to get into copyright and trademark,” Cook said.

The groom referred Cook to a fellow Kenyon College alum whose immediate response was, “If you want to practice trademark and copyright in San Francisco you’ve got to go talk to Owen Wickersham—that’s the best firm in San Francisco.”

Greg Owen’s acquaintance with OWE, on the other hand, is more of a classic family story.

Greg’s grandfather, A. Donham Owen, launched the firm in 1933, and Greg’s father, Mel Owen, joined A. Donham in 1956. The firm had a strong focus on patents.

According to Greg Owen, after starting to write his first patent, Mel Owen went to his father and declared, “This is not what I want to do with the rest of my life. I’ll do everything else intellectual property-related but I don’t really want to do patents.”

So by the time Greg Owen joined Mel Owen and his team at OWE in 1985, though the firm had recently won a landmark U.S. Supreme Court patent case (*Diamond v. Diehr*, 450 U.S. 175 (1981)), it had largely shifted its focus to trademark and copyright law — areas that the industry was beginning to embrace as full practices in their own rights.

The firm has stuck with that focus for the past 30 years.

For Cook, it’s the intersection of art, design and

law that keeps the practice interesting. He enjoys working on art, music, furniture and technology cases, all of which involve creative people.

As a painter herself, Linda Joy Kattwinkel—another of the nine attorneys at the firm—brings in a number of clients from the art world.

Greg Owen said he likes seeing his clients’ brands in his everyday life. “When my boys were younger, we’d be walking down the grocery store aisle [and I’d say] ‘Oh, we represent them’ and [the kids would say] ‘Oh, you do? That’s really neat.’”

According to Mel Owen, who is known to play the harmonica at firm events “whether asked to or not,” “If you don’t enjoy [the work], you shouldn’t be doing it.”

“I’ve been [practicing for] 58 years and am still enjoying it,” he said. “Particularly my wine clients because I can use what they produce.”

In terms of clients, the firm has one rule: Return the call the same day.

“Nowadays it’s return the email the same day,” Mel Owen noted, but many of OWE’s attorneys still use the phone regularly, and also make an effort to visit clients whenever possible.

“It’s really easy to fall into just communicating in writing,” Cook said. “And you lose a lot of personal connection.”

The Sherwin-Williams Co. is one client that benefits from OWE’s efforts to maintain relationships. Robert McDonald, associate general counsel for patents and trademarks for the company, described OWE as “very responsive.”

McDonald also complimented the attorneys’ legal writing, which Mel Owen attributed to a conscious

### OWEN, WICKERSHAM & ERICKSON PC

San Francisco

Trademark and Copyright

**Managing partners:** Greg Owen and Noel M. Cook

**Other key senior lawyers:** Melville Owen, Linda Joy Kattwinkel, Lawrence G. Townsend, John C. Baum

- On behalf of Sanrio, OWE manages intellectual property protection for “Hello Kitty” and over a hundred other characters in the U.S.
- Successfully defended Sherwin-Williams, the largest paint company in the U.S., in a copyright infringement action in the Northern District
- Represents many of the University of California campuses to clear, register and enforce their trademark, service mark and related rights
- Represents Salesforce.com on non-patent related IP worldwide, including online and social media legal strategies, and played a leading role in brand protection during the annual Dreamforce convention in San Francisco

effort to “write in plain English.”

“One thing that hasn’t changed, I think, is our training of the young associates that we hire, and that’s to have them get rid of the ‘whereas’es and ‘wherefore’s”—a habit it takes about a year for them to break, he said.

“We had one young lawyer that we’d broken of the habit, and she went to the Supreme Court for a year,” Mel Owen said. “She came back and she was back in the old mode, and it took a little time to get rid of that again.”

McDonald further praised OWE’s attorneys’ “personable” nature.

“They’re very fun and easy to work with,” he said, much as Cook said of his first impression of the firm after his friend’s wedding back in 1989.

“[The firm had] a focus on excellence [that was] balanced by a genuine friendliness—a humanity that I had not sensed in any of the other firms I’d met,” he said.

“A lot of people walk in here and still have that sense,” Cook added. “When I’m interviewing people, the responses I get are similar to the feeling that I had when I got here. They say, ‘This is a really nice place—I’d really like to work here.’”

— Alison Frost