

New Survey Seeks Gender Parity Across IP Practices

A new survey conducted by nonprofit ChIPs and the Diversity Lab seeks to move the needle forward by examining law firms' efforts to promote the inclusion and advancement of women in IP.

By Meghan Tribe
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For decades, the ranks of women lawyers practicing in the intellectual property field have been dwarfed by the number of men.

A new initiative hopes to change that reality by mapping the landscape more clearly with a survey of efforts to promote the inclusion and advancement of women in law firm IP groups.

The Inclusion Blueprint Survey is an initiative launched by ChIPs, a nonprofit founded in 2005 by seven female IP leaders that focuses on advancing women in technology, law and policy.

Conducted in August in collaboration with the Diversity Lab, which has made waves in Big Law with initiatives such as the Mansfield Rule and OnRamp Fellowships, the Inclusion Blueprint Survey attempts to measure gender diversity among law firm leadership and to get qualitative information about the work experiences of female IP lawyers.

"We wanted it to be something that was going to encourage firms to do something, so that's why it's not just measuring head count," said Karen Royer, executive director of ChIPs. "It's really looking at what types of activities are firms either doing now or committing to do in the future to really move that needle, because at the end of the day that's really what we want to have happen."



From left to right: Katherine Minarik, group general counsel at cleverbridge and ChIPs Honor Roll Committee co-chairwoman; Laura M. Burson, a partner with Sheppard Mullin Richter & Hampton; Sangeeta G. Shah of Brooks Kushman; and Noreen Krall, ChIPs co-founder and board chairwoman.

Compared with other areas of practice in the legal profession, women are dramatically underrepresented in intellectual property. A 2017 study by ALM Intelligence found that women made up only 27 percent of lawyers in the IP space in Big Law, making it one of the practice areas with the smallest share of female lawyers.

Though the first iteration of the survey was released to law firms last year, Royer said that ChIPs decided to revamp it, turning to Diversity Lab and its CEO, Caren Ulrich Stacy, for guidance.

A survey of nearly 50 questions was sent to 59 law firms across the Am Law 200; 35 completed it. Law firms were asked about their efforts to monitor and measure lawyers' work experiences, including billable and nonbillable work allocation; gender-neutral leave options; pay equity; sponsorship; involvement in client pitches; origination credit; and other developmental and advancement opportunities.

"The hope is the more of those activities they're doing, the more women you're going to see succeeding," Royer said. "It's not a matter of saying, 'Oh, I have X number of women in leadership.' It's a matter of what are the types of activities that you're doing within a firm to help promote women into those folds and encourage them and give them more exposure."

ChIPs and the Diversity Lab scored firms' responses, ranking some of the legal industry's highest performers. Baker Botts; Brooks Kushman; Dechert; Goodwin Procter; **Morrison & Foerster**; Perkins Coie; Reed Smith; Sheppard, Mullin, Richter & Hampton; Taft Stettinius & Hollister; and White & Case scored the highest, ranging from 36 to 39.5 out of a possible 46 points.

Brooks Kushman, a Southfield, Michigan-based IP firm, and Los Angeles-based Sheppard Mullin had the highest overall point total on the survey and earned the distinction of "Top Honor Roll Awards." Both will have the opportunity to prepare a CLE for other ChIPs members and pitch to two or more



of the 14 participating legal departments, including Amazon Inc., Apple Inc., Broadcom Inc., Cisco Systems Inc., Facebook Inc., Hewlett Packard, Microsoft Corp. and Oracle Corp, for additional work.

Royer said ChIPs and the Diversity Lab intend to issue the survey again next year and are hoping that more firms will participate. They also hope that as the survey progresses, it will be adapted to look at other practice areas and tackle gender parity.

Royer added that ChIPs and the Diversity Lab are working to get their in-house departments to push law firms and demand to see more women, whether that means first-chair or pitching work.

"We're excited, this being the first year, and we'll be really curious to see what happens next year," Royer said.

Meghan Tribe is a reporter covering the changing face of Big Law, from lateral moves and work-from-home programs to diversity initiatives. Contact her at mtribe@alm.com. On Twitter: @TribeMeghan