

WOMEN LEADERS IN TECH LAW

SAN FRANCISCO – After the events that have rocked Silicon Valley this year, are you more or less hopeful about the prospects for women in the tech industry? That’s the question that we put to all 65 of The Recorder’s Women Leaders in Tech Law this year.

From a viral blog post about Uber’s culture, a Google engineer’s internal memo suggesting women are biologically less apt to succeed in technical fields, and allegations of harassment at some of the Valley’s most prominent VC firms, this year’s biggest tech stories are a reminder of the challenges that women still face in the field.

But the response from our honorees was a resounding chorus of optimism. They pointed out that you can’t address a problem until you define it and that sunshine is often the best disinfectant.

As lawyers, advocates and advisors, they also have a special role to play in helping the tech industry take on issues of discrimination, bias and harassment. They have tackled some of the industry’s biggest courtroom challenges, negotiated market-moving deals, and helped protect the industry’s most valuable intellectual property assets. Given all these accomplishments, the optimism is understandable.

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TESSA SCHWARTZ

Morrison & Foerster

Schwartz, a managing partner at MoFo, led the IP and privacy teams on Salesforce’s \$6.5 billion acquisition of MuleSoft, the company’s largest-ever acquisition.

Name a lawyer whose work you admire and why?

My dad, who started practicing law fifty years ago. Some things have changed during that time, but his approach stands the test of time. You need to master the facts and the law, and then you need to take a creative approach to meet client objectives.

What’s the best piece of career advice anyone ever gave you?

Attitude is everything. Have a can-do attitude. See new matters and clients as an opportunity, not work.

Engaging with opportunities—no matter how big or small—leads to new relationships and provides great opportunities to learn about new technologies and areas of the law. One of the associates in my group has a framed “Will do!” sign on his desk. I made it for him.

What’s the best part about working in the tech sector?

I’ve had the good fortune of being at the top technology law firm in the Bay Area, the epicenter of the technology sector, where we represent clients on cutting-edge and market impacting matters. The best part of this job is that I get a “first look” at new technologies and new business models. My job is never boring—it is always being reinvented with technology innovations.



Tessa Schwartz, managing partner, Morrison & Foerster

(Photo: Courtesy photo)

What’s the biggest challenge?

Our clients include some of the most innovative companies in the world. They are disruptors in their sectors, in some ways changing

entire business models or creating entirely new product types. Since our clients are trailblazers in their industries, they expect us to be innovative as well. This means that we have to imagine and prepare for the practice of law in five to 10 years so we remain indispensable to our clients.

What piece of advice do you give to lawyers considering a career in tech law?

In tech, you are “always on.” Deals and other matters move quickly. You sometimes have to slow down to see the full picture and align your recommendations with your clients’ business objectives.

What’s one way technology has made your life easier?

More virtual meetings, modes of communication, and collaborative tools enable us to quickly create talented inter-office and global teams. That means I can easily access the best talent for each client.

One way it’s made your life more difficult?

The “always on” mentality and the expectation of instant responses can be challenging. Our job is to provide thoughtful and practical advice for clients. In some

cases, the end work product is a set of easily digestible bullet points or a short recommendation, but we also need the ability and time to ingest large volumes of information and analyze the best approach based on the client objectives and the law.

Name an important opportunity you got early in your career and what you did with it?

I was a litigator out of law school and started to get headhunter calls to join tech companies. Those opportunities helped me understand that I could transition to a technology transactions practice. With the support of two partners at my firm (who are still mentors today), I was given the opportunity to move over to the transactional side. That opportunity jump-started my legal career.

No. 1 survival tip in a work crisis:

Don’t over-caffeinate.

What’s one way you’ve had to change your thinking toward practicing law to succeed with tech industry clients or in-house at a technology company?

In some ways, the technology sector used to be the “Wild West.” Technology companies could create new products with less

focus on the regulatory environment by staying a step ahead of regulation. Now, I think the regulators are becoming increasingly savvy, and our tech clients need to understand regulations and execute their business goals within regulatory frameworks more than ever before. Increasingly, even IP lawyers need to advise clients not just on “IP” issues but also on regulatory issues, including new privacy regulations. We’ve expanded our D.C. regulatory practices to address this shift.

What’s one area of technology that you’re most excited about and why?

I am excited, awed and to some degree concerned about the power of artificial intelligence and robotics to quickly evolve businesses and the economy, and our relationship with technology. On a recent trip, I was sitting on a plane to San Francisco, and seated next to me was a founder of an AI edtech company, as well as the CFO of an enterprise SaaS blockchain company that uses AI. AI is here to stay, and we definitely can’t ignore it.

Ross Todd