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Doing Pro Bono Is Their Trademark

By Christine Michelle Duffy

This year, the New Jersey State Bar Association will award its first ever Mark Daniel Excellence in Pro Bono Award to recognize “exemplary pro bono efforts of corporate legal departments.” Prior to Mark’s death in 2020, Mark was managing counsel for patents at Merck and led its pro bono efforts for years, setting the national standard by which effective in-house pro bono programs are measured.

While I have no scientific proof for the following proposition, based on our 25 years of providing free legal services to small charitable nonprofits, it seems IP lawyers are particularly drawn to active participation in pro bono service. Like any other business, nonprofits have IP issues, such as protecting their organization and program names from infringement.

Pro Bono Partnership (Partnership), which provides free transactional legal services to other nonprofits that serve economically disadvantaged and traditionally underrepresented populations, working primarily in the areas of health and human services, community development, affordable housing, and neighborhood revitalization, has seen this proposition play out in practice. I am proud to feature here four in-house lawyers who have each worked on 20 or more IP matters for the Partnership's nonprofit clients.

Susan Crane, Group Vice President, Legal for Intellectual Property, Brands, and Marketing at Wyndham Hotels & Resorts, has helped 27 nonprofits with 40 IP projects during the past 12 years. Sue's parents instilled in Sue a belief that we should use our knowledge and expertise to give back to society. According to Sue, "by volunteering through Pro Bono Partnership, I am able to assist nonprofits in protecting some of their most valuable assets, their intellectual property, thus freeing up their resources for the greater good."

Sue generally selects projects that relate to trademark registration because Sue can handle those efficiently and effectively. Other IP projects have been chosen because the particular organization's mission is something important to Sue on a personal level.

As Sue has experienced, providing pro bono legal assistance can lead to new friendships. "Several years ago, I took on a project for a nonprofit in Bergen County. It turned out the client contact lived in my neighborhood in a different county, and our kids swam on the local swim team together. As a result of that project, we have become friends."

One of the nonprofits Sue helped is Hope Loves Company (HLC), which provides emotional and educational support to the children of patients living with ALS (Lou Gehrig's disease). Founder Jodi O'Donnell-Ames advised that "working with Sue was an absolute pleasure. She is a kind and compassionate volunteer. The entire team at HLC appreciated the time and dedication that

Sue committed to our needs as a new nonprofit. We will always be appreciative and grateful to her!”

Patrick Flaherty, Senior Managing Associate General Counsel for Trademarks & Copyrights at Verizon, has helped 12 nonprofits with 20 matters since 2014.

Patrick has a keen interest in—and admiration for—IP, which drives Patrick to learn more about it and help others who have IP problems. According to Patrick, IP has “become a part of my life, which makes working on pro bono IP matters more rewarding for me. Doing pro bono allows me to further develop my craft by working with different clients with different needs.”

Patrick has done several projects for Sea Turtle Recovery (STR), which is dedicated to the rehabilitation, preservation, and conservation of sea turtles. As a result of this work, Patrick “learned all about the rehabilitation of sick or injured sea turtles for their release back to the wild as well as the important ecological role of sea turtles, threats endangering them, and ways to protect their future.”

According to STR’s Co-Executive Officer Bill Deerr, “Patrick was truly amazing to work with! Despite his busy schedule, he always made time for us and our concerns. He is knowledgeable, dedicated, and caring. Patrick adopted our mission as his own and fought for STR as a true member of our team, going above and beyond to ensure that trademark matters were solved.”

Anna-lisa Gallo, Head of Intellectual Property for LIXIL Water Technology Americas and Global Leader of IP for LIXIL Fixtures, has helped 18 nonprofits with 24 matters. Anna-lisa volunteered for the first IP project back in 2012, while with BASF.

According to Anna-lisa, “rolling up my sleeves to help a person in need, my neighbor, and my community in general is so personally rewarding.” Anna-lisa’s family shares an engrained passion to help others. “My children have independently volunteered, donated, and reserved time out of their busy lives to give back, which makes me very proud.”

Anna-lisa connects on a personal level with some clients’ causes, while other nonprofits provide an interesting solution to community needs that Anna-lisa did not appreciate prior to working with them. “Honestly, I have learned so much from my clients about the current state of various

communities. I am the one humbled and truly honored to assist in my small way to their important causes.”

Anna-lisa has encouraged others to volunteer. “Just like me, they initially assumed they don’t have the skills or experience needed by pro bono clients, but I was pleasantly surprised to learn that I can help my clients further their mission and protect their companies’ assets using the skill set I already had.” The [Partnership’s website](#) makes it easy for prospective volunteers to find matters based on practice area, geography, and type of organization to quickly identify projects aligned with a volunteer’s skills and interests.

One of the nonprofits that Anna-lisa helped is [Project Refit](#), which provides a peer-to-peer support system for combating suicide by connecting active duty and retired military personnel to one another using video chat and other means. Co-Founder James Corbett noted that “Anna-lisa was incredibly helpful and professional. She took a complex situation and led with authority. Anna-lisa understood and respected my time restraints, too. Her empathetic approach was incredible.”

Laurence Rickles, Chief Trademark Counsel for Teva Pharmaceuticals, volunteered for his first trademark registration project in 2001, when Larry was with Johnson & Johnson. Larry continued to volunteer after moving to Teva Pharmaceuticals, and Larry’s 32 IP projects to date have benefitted 10 different nonprofits.

Larry believes it’s important for the nonprofits to be able to protect and enforce their IP rights. By volunteering, “I help nonprofits use their limited resources not for legal fees, but to provide their services directly to the underserved communities they serve.” Moreover, “helping nonprofit organizations protect and enhance their brand identities from infringers provides me with a true sense of satisfaction.”

One nonprofit Larry has worked extensively with is [Rising Tide Capital](#) (RTC), which promotes entrepreneurial activity among low-income women, minorities, ex-offenders, and underprivileged youth by creating and assisting small businesses in New Jersey and elsewhere. Larry has assisted RTC with the creation and maintenance of trademarks, the development of

intellectual property agreements, the creation of contract and employment templates, and the resolution of international issues.

Co-Founder and Chief Strategy & Innovation Officer Alex Forrester said “Larry has been sensitive, thorough, and strategic in his assistance. He is willing to go into great detail and translate jargon across disciplines, but is also able to grasp the overarching goal of a project and guide issues to successful resolution.” In addition, “Larry understands the balance between business strategy and legal strategy, and has been able to translate highly complex issues into clear pathways forward for our organization, time after time.”

Larry, Alex, President Obama, and Mayor Fulop are featured in [a video](#) about the volunteer lawyers who have helped RTC since RTC first sought the Partnership’s help with its incorporation in 2004.

Alex nicely summed up the way I and my Partnership colleagues feel about Anna-lisa, Larry, Patrick, Sue, and all of the other wonderful 7,000+ Pro Bono Partnership volunteers who have helped over 4,000 nonprofits during the past 25 years with more than 20,000 legal matters: “We remain deeply grateful for everything that is made possible because of the kind of wisdom and heart that expert attorneys like Larry exemplifies at the core of the Pro Bono Partnership community.”

Christine Michelle Duffy is director of the New Jersey Program of Pro Bono Partnership and a member of the Law Journal’s editorial board.