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Robinson & Cole IP Heads See Further Growth After Team Hire

By Christine DeRosa

Law360 (October 25, 2022, 4:28 PM EDT) -- The recent addition of four new members to Robinson & Cole LLP's intellectual property and technology group in Hartford, Connecticut, is not the only planned expansion for the practice area, its co-chairs indicated during an interview.

Jacqueline Pennino Scheib and John L. Cordani told Law360 Pulse that they have been focusing more on patent litigation and patent prosecution, which led to the hiring of attorney John H. Mutchler and his patent team from Murtha Cullina LLP.

Cordani shared in the interview earlier this month that Robinson & Cole's IP group is looking both to expand geographically and to "further complement" the focuses of its client base, with an announcement to be made soon.

Pennino Scheib added, "I think we are excited about where we're headed in this area, and we'd like to keep that momentum going."

The firm announced Mutchler's hiring in September. His team includes a patent agent and two IP specialists.

Cordani said the IP group had been keeping an eye out for ways to expand the practice and add to its depth and that Mutchler and his team's reputation as excellent patent prosecutors presented exactly that opportunity.

Mutchler is experienced in the manufacturing space, a key area for Robinson & Cole's clients, Pennino Scheib said. She added that it's difficult to have a robust IP practice without a strong patent prosecution side that feeds the litigation side.

"I also think that our clients right now are seeking for us to be able to help them, particularly in light of the economy where it is right now, to best capitalize upon what they have developed and ensure that it's being protected and enforced in the most efficient manner possible," Pennino Scheib said. "Adding John Mutchler to our team helps us to have the ability to do that, especially within the space of manufacturing."

The IP and technology team is composed of two sides, which Pennino Scheib and Cordani each have expertise in.

Pennino Scheib has spent most of her 25-year legal career at Robinson & Cole, focused on brand management and intellectual property transactions. Cordani, who joined the firm in 2019, previously worked as a chemist, which made him want to enter patent law. He focuses on the litigation side of the practice.

Mutchler's addition is part of the firm's strong manufacturing practice that has really taken off in recent years, both said.

Expanding an IP and patent-litigation team is the norm for many law firms as the practice area has become more mainstream, said Paul R. Gugliuzza, a professor at Temple University's James E. Beasley School of Law who focuses on IP and patent litigation.

Gugliuzza said IP litigation has been steady for at least the past five years, with some ups and downs in both subject and geographic areas, which is why firms may be trying to grow.

"I think it's firms responding to the fact that it's a steady field in which there's client demand for their services and clients realizing that litigating patents, both offensively and defensively, is just one of the many species of litigation that corporate legal departments consistently deal with," Gugliuzza said.

Cordani said the firm's locations are well-positioned for the IP space, with offices from Boston to Delaware and in Miami. Gugliuzza told Law360 Pulse that the area from Washington, D.C., to Boston is robust with both IP and patent litigation.

"In that region in particular, having at least some degree of expertise and being able to handle those cases would be really important," Gugliuzza said.

In the IP space, Pennino Scheib said she has seen an increase in clients asking her team to be an extension of their in-house team, where she is working alongside the in-house attorneys.

Cordani has been busy as well. He recently filed a patent infringement suit in New York for a Connecticut-based toymaker.

While Cordani would not share his clients' names, public records show the toymaker is Melissa & Doug LLC and the suit was filed against Scholastic Corporation and two other companies.

The defendants allegedly infringed a patent Melissa & Doug uses for its children's books to make and sell their own line of children's board books using the patented mechanism to make a popping or clicking sound.

As for challenges in the space, Pennino Scheib said the IP team is seeing significant turnover among clients' staff. Cordani added that he's seen a recent trend in his trade secrets practice related to employee turnover, as employees leave and move to new companies.

Spending on research and development has not shrunk yet, but Pennino Scheib predicted this may change depending on the economy and that litigation may increase as companies try to protect their assets.

For now though, Robinson & Cole's IP group is looking toward growth.

"Our hope is that we continue to have more exciting things that we're rolling out as we go forward," Pennino Scheib said.

--Editing by Jill Coffey.

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