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Greenberg IP Gurus Launch Boutique In Dallas

By **Samuel Howard**

Law360, New York (February 26, 2010) -- Three Greenberg Traurig LLP heavyweights have parted ways with the firm to found Buether Joe & Carpenter LLC, a Dallas-based boutique that specializes in intellectual property litigation — and giving clients big firm know-how without the sticker shock.

Since opening its doors Feb. 8, Buether Joe & Carpenter has hit the ground at full tilt and is already winning clients over with substance of its founding promise, to combine top-notch lawyering with the flexibility and cost-effectiveness large firms can't offer, according to the boutique.

Devoted to the full gamut of intellectual property and business issues, including trade secret, antitrust and trademark disputes, Buether Joe & Carpenter is particularly focused on patent litigation and is poised to make its presence felt in the hotbed of the Eastern District of Texas, it said.

Barely three weeks old, the firm may be gleaming, but its practitioners are as proven as they come.

Founded by Eric Buether, former head of the IP litigation group at Greenberg Traurig's Dallas office, and two other former Greenberg standouts, Chris Joe and Brian Carpenter, the firm combines legal expertise — the fruits of big firm practice — while avoiding the downsides of the outsized billable hour, the boutique said.

"There's been a lot of upheaval in the business of law in the last couple years and an emphasis on lowering costs for clients without compromising service," Buether said. "We believe that a boutique practice allows flexible billing arrangements and creative litigation approaches that larger institutions simply can't accommodate."

Standing by the pledge to deliver marquee service at a less daunting price, the lawyers lowered their rates by 10 percent across the board.

Buether Joe & Carpenter's clients instantly benefit from the minimal overhead and streamlined machinery of the boutique, but soon realize that the fleet group of attorneys accumulate savings, Buether said. With roughly 65 years of legal experience between them, the founding threesome know exactly how to litigate effectively and don't squander resources on issues of secondary importance, he said.

"We don't cut corners, but pick our battles very carefully," Buether said. "Efficient representation isn't about making quick work of things as much as knowing what's most important and how best to achieve the client's objectives."

Boutique work is especially attractive because it enables contingency fee arrangements, where payment largely hinges on performance, rather than letting the billable hour dictate the work flow, Joe said.

"Institutionally, the value of a lawyer is viewed as a billable hour and while it's a direct way of accounting, that structure is laden with inherent inefficiencies," he said. "We can get together and vet cases, evaluate the merits and work on problems without having to always worry about keeping other lawyers busy or notching billed time."

A smaller firm also has distinct advantages for practitioners too often constrained by institutional conflicts, Carpenter said, adding that setting up shop enables him to do more of the work he excels at without the encumbrances of being at big firm.

"I've been wanting to do more licensing and monetization of patents but often found that it became harder do that work as I was hemmed in by firm conflicts," he said. "It's really exciting to now counsel clients and negotiate deals without the constraints I had before."

Recognizing that big firms have a cachet that eludes even the most elite boutique, clients often realize that it's individual attorneys and not institutions that ultimately win the day, Buether said.

"Certainly law firm reputations are relevant in a general sense, but when it comes to litigation in particular, it is the quality, experience and dedication of the individual lawyers handling the litigated matter which usually makes the difference," he said.

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