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Today's Discussion

1. Will technology upend the legal industry.
2. Will clients pay for judgment and not information they can get free online.
3. Are most firms doing well to create value for their clients.
4. Has the billable hour model given law firms little reason to innovate or to use technology to enhance efficiency.
5. Does the structure of law firms make change hard and slow.



Introduction to the Panel



Paul Lippe
Founder
Legal OnRamp



Barend Blondé
Co-Founder
FrahanBlondé



Gary Levine
President and CEO
Two Step Software, Inc.

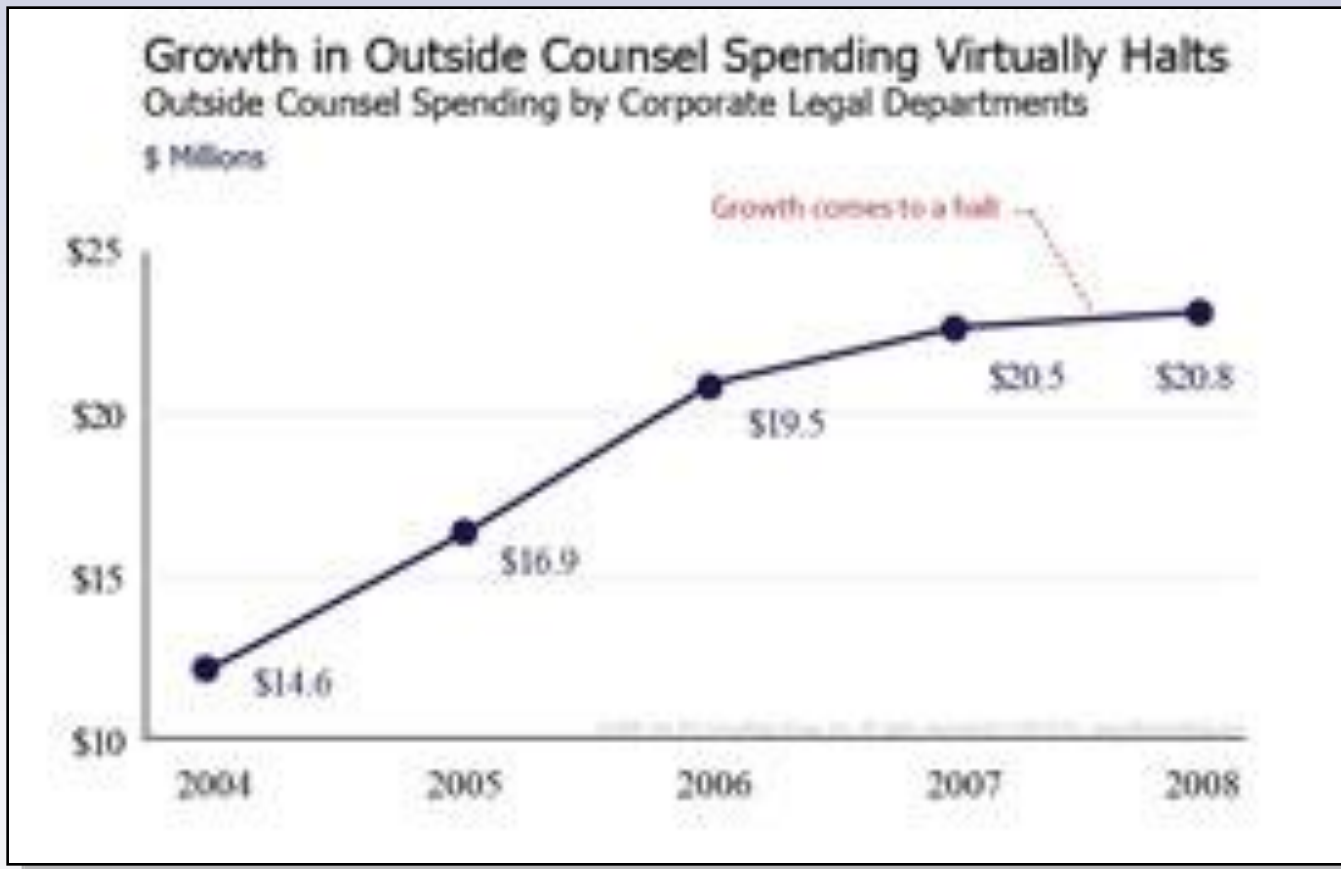


A close-up photograph of a man in a dark suit, white shirt, and dark tie. He is holding a small, transparent globe in his right hand, positioned in front of his face. The globe shows a map of the world with labels for 'CANADA' and 'USA'. Overlaid on the globe is a white circular graphic containing the text 'Current Trends' in a bold, dark blue font. The background is a bright, slightly blurred sky.

Current Trends



BTI's Premium Practices Forecast 2009: Survey of Corporate Legal Spending



A close-up photograph of a white piggy bank lying on its side, surrounded by a large pile of Canadian coins. The piggy bank has two small black dots for eyes and two vertical slits for a mouth. The coins are a mix of copper and silver, with some clearly showing the word 'CANADA' and the number '200'. The background is filled with more coins, creating a textured, metallic look.

**It can no longer be about
the firm**

The Past:

- Growth for growth's sake
- Increased leverage of associates
- Fewer partners
- De-equitizing partners

Now, it has to be
about the **clients**



Turbulent Times: Clients Want Change



Fred Paulmann, head of Legal Operations at Pfizer, :

"To remain competitive in the global economy, our businesses are adopting productivity improvements at a much faster rate than the legal profession has. This includes process, technology and communication.

That imperative has migrated to corporate legal departments, who in turn are pressing law firms to join them in improving legal productivity and meeting company mandates.

But it's fair to say that the "change curve" will be very steep in the coming years (as opposed to linear and gradual).

Legal OnRamp ... and similar organizations are poised to significantly influence this evolution by presenting a new way of collaborating and assessing the traditional processes."

- 1992-2008 legal costs growing faster than corporate revenues
 - Client thought leaders disaffected
 - But legal demand greater than capacity, so firms grew fast
- "Reset, not Recession" means change
 - Double-whammy of structural change and cycle
 - Best example of "way forward" is Cisco model

*Doing nothing riskiest choice of all ...
Cost Cutting alone not a Winner*

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Welcome to ORX

Welcome to ORX, a Cisco Legal department collaborative site that facilitates know-how exchange, automates knowledge capture, centralizes know-how in a searchable repository, promotes knowledge re-use for training, reduces redundant questions, and provides each person with access to Legal's institutional knowledge 24x7.

- ORX training tutorials are [here](#).
- ORX vendor support contacts are [here](#).
- Important notice about replying to ORX postings: (1) Use "Reply," do not use "Reply to All" (duplicate replies occur with "reply to all"); (2) "Reply" will forward your reply to all previous recipients ("reply" functions like a "reply to all"); (3) ORX currently does not allow you to delete any previous recipients (unless you delete the "system" address).

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 Sales: IronPort	 Sales: NDA Playbook	 Sales: Public Sector RFP
 Sales: Public Sector Reps & Certs Playbook		 Sales: Relationship Building

Last changes

1. Sales: ECLM - How-to Guide
2. *Proposed*Sales: ECLM - How-to Guide
3. *Proposed*Sales: ECLM - Reference Materials
4. Sales: ECLM - Reference Materials
5. Sales: ECLM - End-to-End Processes
6. *Proposed*Sales: ECLM - End-to-End Processes
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8. Sales: ECLM - Training Calendar
9. Sales: ECLM - Cheat Sheets
10. *Proposed*Sales: ECLM - Cheat Sheets

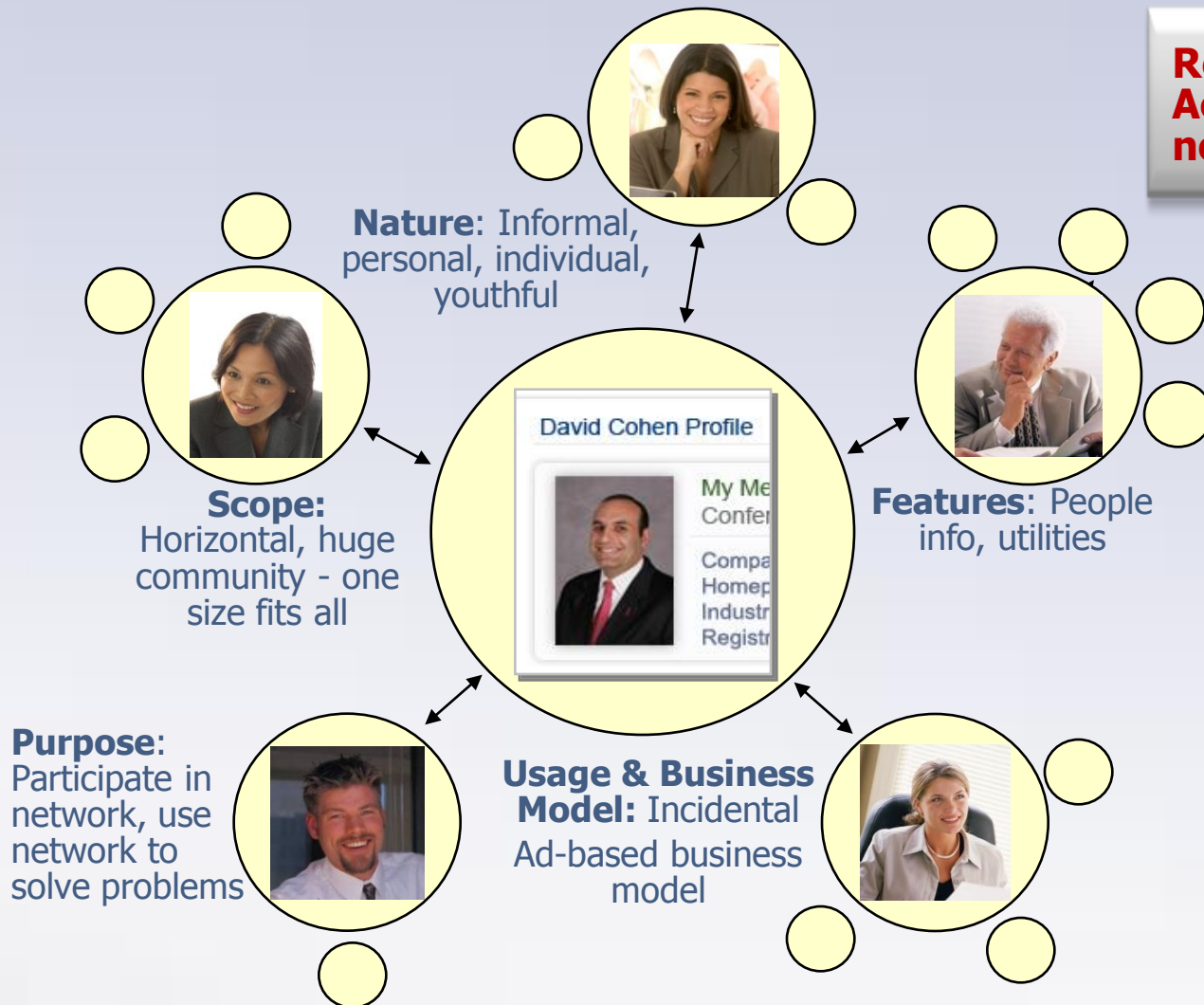
[...more](#)

Last forum posts

1. Donations: Revised Cisco BV Product Donation Template
2. Advanced Services: Tier-2

Network 1.0 – ‘Social’ Network to *Keep in Touch*

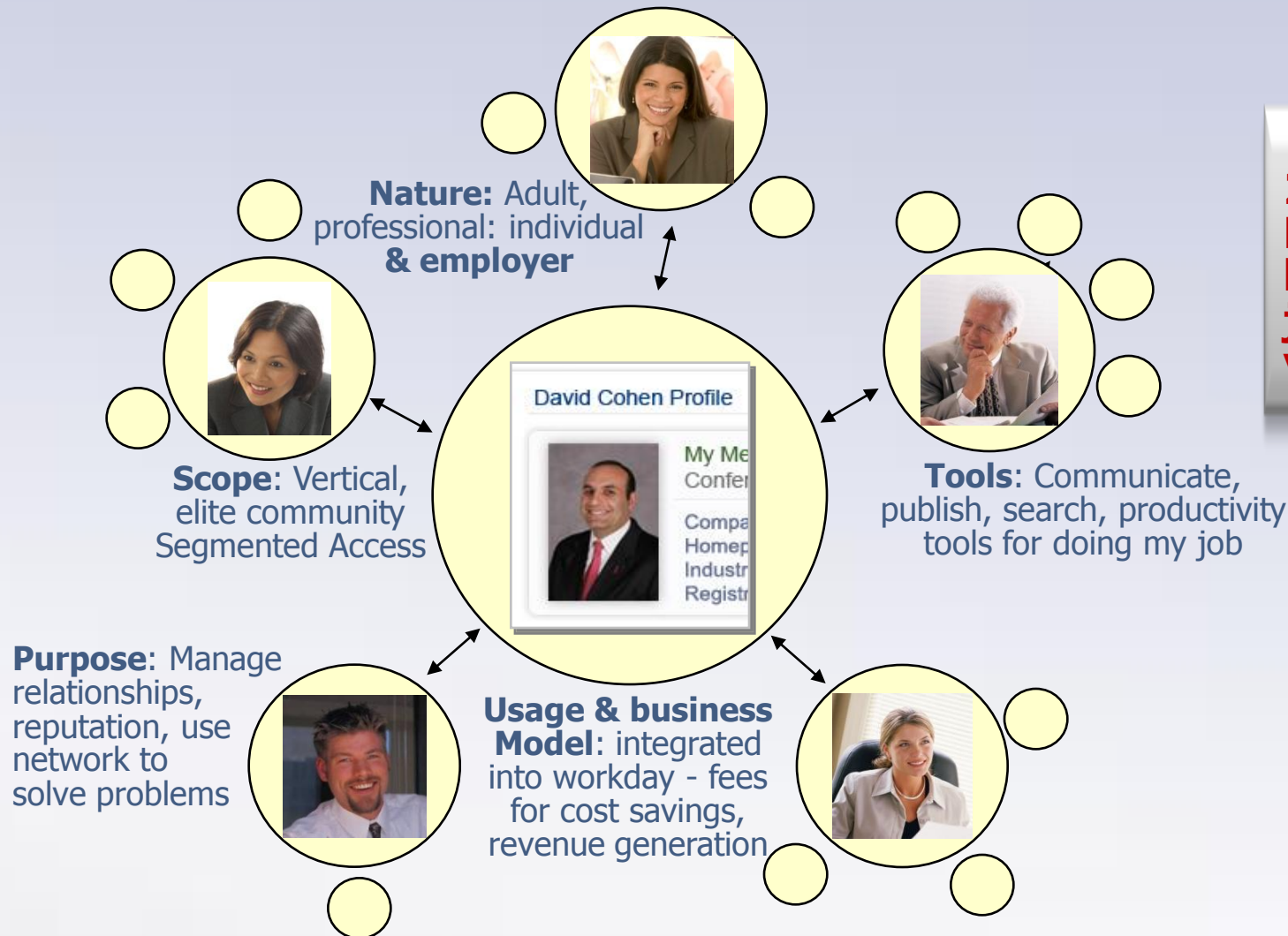
Reflects Deeply Human Activity -- Beginning, not End of the Story



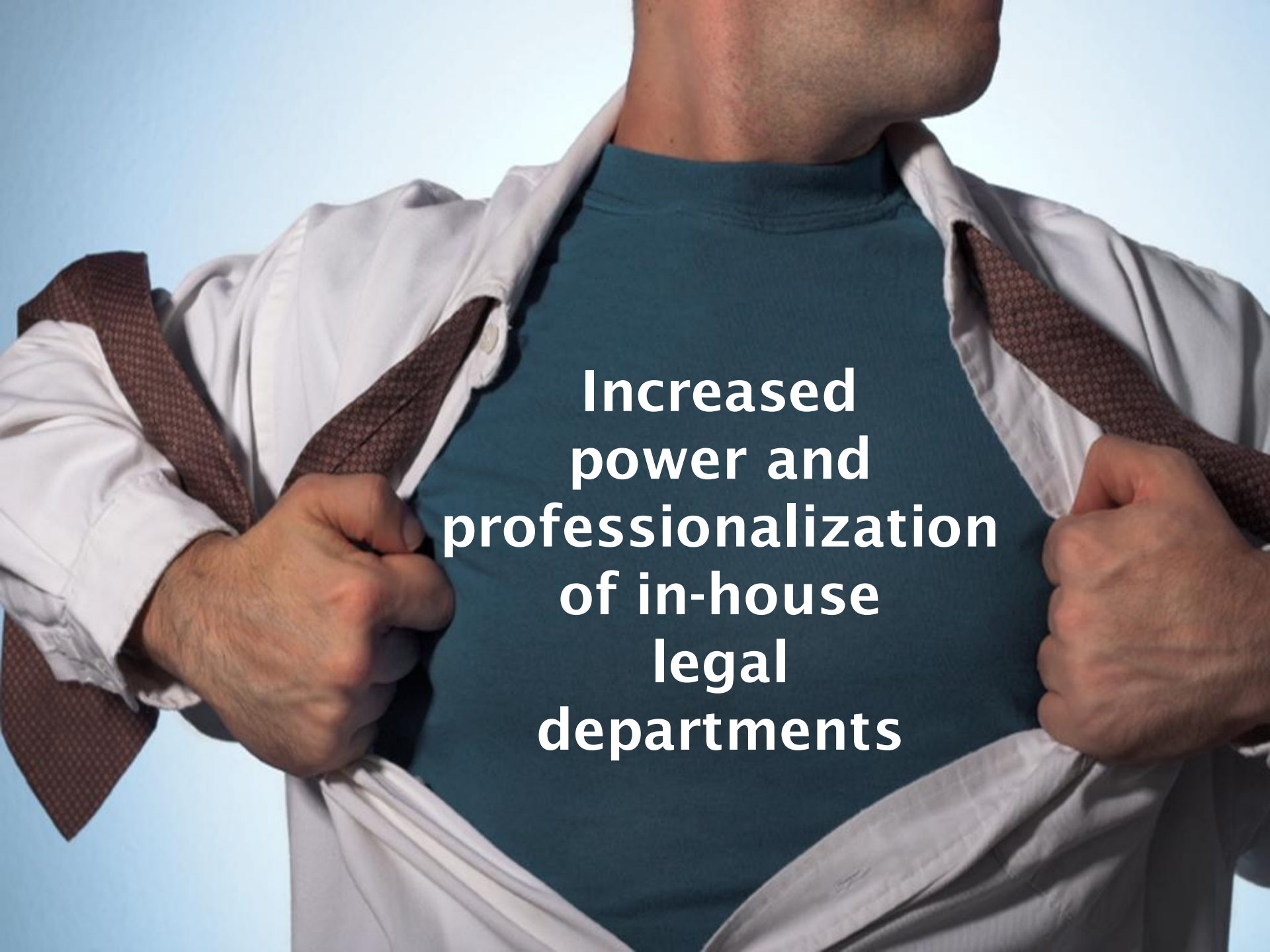
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**2009 Tool for
How Lawyers
have Done their
jobs for 200
years**

A man in a white dress shirt and a brown patterned tie is pulling open his shirt with both hands. Underneath, he is wearing a dark blue t-shirt. The background is a solid light blue.

**Increased
power and
professionalization
of in-house
legal
departments**

“The greatest vulnerability of the legal industry today is a failure to drive models based on value and efficiency and to make information more accessible to clients. The present system is leading to unhappy lawyers and unhappy clients. The center will not hold.”



Marc Chandler
General Counsel of Cisco

Poll 2008:

What are the priorities of legal departments?

	In-house counsel		Attorneys	
	%	Rank	%	Rank
Reducing costs	18%	8	63%	1
Improving efficiency in outsourcing work to law firms	20%	7	46%	2

Our poll had no scientific ambitions, yet it attracted hundreds of visitors and participants.

Death of the billable hour

New trends:

- Alternative, value-based billing methods
- Higher levels of efficiency
- More client access to information



Law Firms

Operating like

Businesses



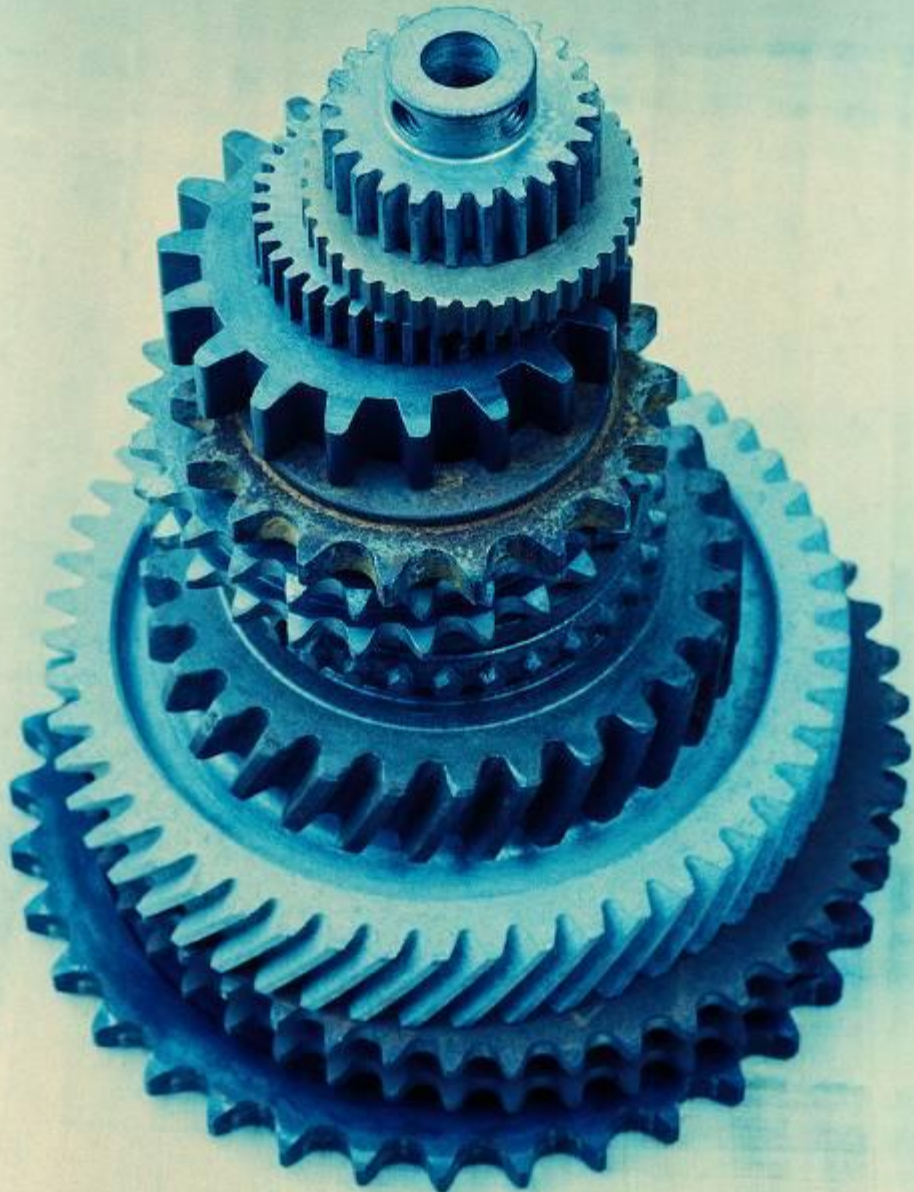
A close-up photograph of a man in a dark suit, white shirt, and dark tie. He is holding a small, transparent globe in his right hand, positioned in front of his face. The globe shows a map of the world with labels for 'CANADA' and 'USA'. Overlaid on the globe is a semi-transparent white circle containing the text 'Impact of Technology' in a bold, dark blue font. The background is a bright, slightly blurred sky.

Impact of Technology

"For all the imprecise discussion, the change agenda boils down to a bid to disaggregate the functions of large firms ... examining what firms do, finding the tasks that really aren't worth their bespoke costs, and developing new systems for doing this work more cheaply and efficiently."



Aric Press
American Lawyer



Impact of Technology

“One of our key law firms created a dedicated extranet for us; they call it a Client Room.

Please don't tell them, but I have not even visited it yet.”

General Counsel of a
FT 500 Bank

Source: FrahanBlondé's General
Counsel Survey 2009

Clients aren't going to keep
paying for information ...
**...they can get for free
online**

"There is no question in my mind that technology will upend the legal industry. Clients aren't going to keep paying for information they can get for free online. They will pay for judgment, for talent aggregation, for things that increase their profits or peace of mind ... Candidly, the dominance of the billable hour model has meant that there has been very little reason for law firms to innovate or to use technology to enhance efficiency."

David Baca, Chairman
Davis Wright Tremaine

*Welcome to the Future:
A View from the Left Coast
February 17, 2009*



Clients Already Networking



home control information-sharing vehicle. Why back in the late 1990s, Bruce MacEwen, a New York lawyer and author of *Adam Smith, Esq.*, a widely-read publication on the economics of law firms, founded Pro/Se Systems Inc., a remarkably similar venture, he says, that nearly achieved the necessary capitalization the dot com boom.

Legal OnRamp, edge, the most ambitious, roughly speaks Fortune 500. The fiction is that corporate law firms provide the

Strategies | 09.08 V10.N08 The Journal of Legal

LAW 2.0

10 Tips for Using Technology to Connect Law Firms and Clients

by Paul Lippe

When I first joined my old firm straight out of law school, I had the opportunity to work on an important project that had a large marketing/business-development component. Having also spent

what law firms do and on how much their work. Unlike corporate finance departments and their professional accounting firms, law firms and law departments have strikingly similar roles. For the purpose of what you'll read and what you'll learn, however, there really have been some special needs. (See "The Law and Ethics," on p. 76.)

When I discuss this topic with law departments or law firms, none ever disputes that Law 2.0 will happen or will be beneficial. But many are skeptical about how soon, arguing (somewhat tautologically) that since the change

Talk to Law Firms

Mark Hersh and Paul Lippe, "The Way to Success: Connect the Law to Your Firm," 402 Business 11, in 10th Annual Conference (SBC) 10-10.

November/December 2008

402 Business 39

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THE FIRMS

November 24, 2008 5:45 AM

Welcome to the Future: Pro/Se Partners, Hears or CyberP?

Posted by Paul Lippe

In The American Lawyer's October 2008 (10th) feature the most of search law?

Some sources that do:

In a recent on Law OnRamp, the new law partner said:

The fact is our profession has become increasingly unhappy over the past couple of decades. I am convinced the real tragedy of what happened to law firms is a single, seemingly innocuous event in the July 1990s. The American Lawyer magazine stopped publishing the Am Law 100 and ended the publication of the 100 Most Profitable Firms. Unlikely as it may seem, in this country, immediately, though in its last edition as the only credible measure of success. The point was clear: lawyers would now have to measure themselves by their money, at least in terms of what was available elsewhere. Without paychecks, client lists, services, and professional reputations, but how we measured ourselves was money.

The October 2008 of PPP can be summarized as follows:

1. It is impossible to do it.

This argument seems not as clear-cut. With many lawyers today to achieve a self-fulfilling prophecy, they quickly turned to their own. It is important to the strong future of the profession. Of course, lawyers of attorney-client communications must be confidential and privileged, and certain client and other matters are confidential and not to be

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6. Bad News: Bankruptcy, Bank of New York
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8. Who is the Case Pro/Se Partners in Pro/Se Partners
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Ways In-house Counsel Can

PHOTOGRAPHY 2008

IT IS A HARD CON- crete that these days of increasing something like this is often the best way to do it. The best way to do it is to look at the law of the firm in the future.

There are two perspectives on this. One is a future of business development from company's industry, especially technology. Another is that the economics of law firm are important. (See "The Law and Ethics," on p. 76.)



LEGAL TRANSFORMATION STUDY EXECUTIVE SUMMARY

Peer-Peer Discussions

Chadwick C. Busk ()



OFFLINE PROFILE

#314

Patent Trolls

5 Months, 2 Weeks ago

What strategies have members used to fend off patent trolls? Did you pay a license fee to avoid an expensive patent infringement suit or did you tell the troll to pound sand and then fight them in court? Or did you tender the lawsuit to a manufacturer or vendor who indemnified you? If sued, what court were you sued in and why? If sued in the ED of Texas, a popular jurisdiction for these actions, did you file a motion to dismiss for lack of jurisdiction? If so, how did that turn out?

I consider patent trolls to be a scourge on our judicial system and a good reason for patent reform. Their business models exist only because our patent laws are totally outdated. Response?

Logged IP: 204.74.134.95

QUICK REPLY REPLY QUOTE DELETE MOVE EDIT STICKY LOCK

Mark Chandler ()



OFFLINE PROFILE

#315

Re:Patent Trolls

5 Months, 2 Weeks ago

Each case needs to be handled on an individual basis. We are not afraid to fight back in the litigation system where the merits are on our side. The settlement issue is driven by uncertainty over damages -- so where there may be a small but legitimate chance of losing, the risk of absurd damage awards unrelated to economic value drive settlements. The licensing entities exist to take advantage of an imbalance in the system. They can't be "blamed". Getting courts in the EDTX or anyplace else to walk away from cases is hard for a global company whose products are sold in every judicial district in the country. The solutions is legislation, which is pending. So Chad, please write to Sen Stabenow and Sen. Levin asking them to support the legislation and help bring it to the floor soon. And if you have clients who have been victimized, letters from companies will help A LOT too.

Logged IP: 171.70.235.12

QUICK REPLY REPLY QUOTE DELETE EDIT

Marty Collins ()



OFFLINE PROFILE

#316

Re:Patent Trolls

5 Months, 2 Weeks ago

This is the group working on patent reform. <http://www.patentfairness.org/>

Logged IP: 70.222.129.112

QUICK REPLY REPLY QUOTE DELETE EDIT

Chadwick C. Busk ()



OFFLINE PROFILE

#333

Re:Patent Trolls

4 Months, 3 Weeks ago

Mark's perspective on this is somewhat different than mine. His Company produces technology that these trolls want a piece of, and the cost of fighting the troll or paying a license fee can be factored into the cost of the goods produced. But consider my client. We are buyers of technology. When we license or buy a widget from Mark's company, we expect to obtain it free of all third party liens, claims and encumbrances, including claims of patent trolls. We don't and can't budget for these cases and the substantial amounts that we have to pay to fight them or pay license fees to make them go away. It is well known that patent litigation is the most expensive commercial litigation around. And it seems that vendors often find ways to avoid their contractual obligations to defend and indemnify their customers using the technology that the troll claims to have rights to

Recommendations

Werner Bachmann Profile Page

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Law Firm:	Graf von Westphalen
Homepage:	www.grafvonwestphalen.com
Role:	Partner
Phone:	+49 (0) 761 21808 125
Phone 2:	+49 (0) 177 3925548
Country:	Germany
Registration Type:	Firm: Lawyer

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Alexander Eichler

Recommendations

Werner Bachmann has 1 Recommendations:

Comment	Recommended By
Mr. Bachmann is highly recommended in his areas of expertise in Germany and in Brussels.	Alexander Eichler 

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_____ is committed to maintaining a workplace where employees are free to raise good faith concerns regarding the Company's business practices, specifically: (1) reporting suspected violations of law on the part of the Company; (2) providing truthful information in connection with an inquiry or investigation by a court, agency, law enforcement, or other governmental body; and (3) identifying potential violations of Company policy. This whistleblower policy has been put in place to provide a mechanism for employees to raise good faith concerns and to protect employees who take such actions from retaliation.

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To report a suspected violation of law or Company policy, you can contact the Chief Compliance Officer:

_____, Chief Compliance Officer

If the suspected violation implicates the Chief Compliance Officer, contact the General Counsel:

_____, General Counsel

You may also anonymously report a violation through the Company's "Hotline." You can access the Hotline in the office or at home and choose your communications method: telephone or the internet. The hotline has been designed to maintain your confidentiality and anonymity.

The hotline telephone number is: _____
(International) _____

The hotline website: _____

If you are uncertain if a situation violates company policy, is illegal or constitutes retaliation, please contact the Chief Compliance Officer or use the Hotline to obtain clarification. We would much

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Fred Bartlett



CPA, CFP®

✚ **Is the litigation market at last ready for a new business model?** 2 Days, 7 Hours ago

When we started down this journey I proposed the following structure for our discussions:

First: I will discuss the litigation market generally

Second: I will consider how this market has been the captive of a terrible business model

Third: I will elaborate on how our model perfectly aligns interests of client and lawyer and aligns quality with cost

Fourth: I will point out many unexpected "spin off" benefits of a better model, in terms of quality and life style

Fifth: Finally, I will consider why, if the innovative model is so superior, none of our competitors has adopted, or even experimented with, the innovative model"

We have covered 1. The litigation market generally.

My conclusions were:

The litigation market is significantly north of 100 billion, maybe nearing 200 billion.

What is so anomalous about the litigation market is that this huge market, uniquely, has:

1. no competition
2. no innovation
3. no metrics
4. A market where the suppliers, not the customers, dictate terms and conditions

We have also, in other blogs, touched on 5 - why the traditional firms stick to selling hours

This post will be devoted to how the billable hour business model has been the main driver of an very unusual and anomalous market. While we are all generally aware of the impact of this model on quality, cost, and life style, I propose that there are a number of other downsides driven by this model which are not generally discussed.

Here is a summary of where the "selling of hours" business model has taken the litigation market:

1. First: The most discussed downside of the hourly model is, of course, that there is a big incentive to generate more hours than are needed to accomplish the task.

Profiles Highlight Expertise

Nick Akerman Profile Page

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Law Firm:	Dorsey & Whitney
Homepage:	www.computerfraud.us
Role:	Partner
Phone:	212-415-9217
Phone 2:	917-848-3783
Country:	USA
State:	New York
Registration Type:	Firm: Lawyer

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German Insolvency FAQ

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Dirk Otto
Phone: +49-69-5050960
Email: dirk.otto@nortonrose.com

01. When does German Insolvency Law apply?



Under applicable conflict of law rules German insolvency law applies if the insolvent/bankrupt entity has its "center of commercial interest" ("COMI") within Germany. The COMI is detached from the place of incorporation or registration. COMI is the place where the affairs and interests of the insolvent entity are managed - that means usually the country where the insolvent entity's real administration is located. This is not determined by some address but by the presence of real people. A mere letterbox or an empty office is thus insufficient. As an exception to this concept, the insolvency laws of other jurisdictions may become relevant in case of, inter alia, rights in rem with regard to property, labor contracts, set-off rights or the termination of derivative contracts (close-out netting).

No Comments.

 [Discuss in forum](#)

02. What are the German Insolvency Code's objectives?



The objective of German insolvency proceedings (Insolvency Proceedings) is to satisfy creditors either by (i) liquidation of the insolvent entity's assets and distribution of the proceeds (Liquidation Proceedings), or (ii) by reaching an arrangement by means of an insolvency plan procedure in

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- Welcome to the LeDIS Checklists Group!**

If you click on "See all" under "Latest forum threads" you can comment (starting 1st January, 2009) on the new legal opinion reports for approx. 4 weeks before the data is transferred into LeDIS.

Posted by: Dana Kazmeier on 12-12-2008 at 07:13

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- ReISDA CA, 28 Nov, 2008 (until 31 Jan, 2009)
by [Victoria McWilliam](#) (09-02-10)
- ReISDA CSA DK, 12 Dec, 2008 (until 31 Jan, 2009)
by [Wilfried F. Schuetz](#) (09-02-10)
- ReISDA JP, 22 Dec, 2008 (until 16 Feb, 2009)
by [Cornelia Dr. Gerke](#) (09-02-10)

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1. Intellectual Property
Patent Litigation in China and the United States: What Every Patent Holder Ought ... overview of patent litigation in the United States and China, highlighting their ...
<http://www.aicc.com/practicesareas/intellectualproperty.cfm?paid=176>

2. Microsoft Word - 803 cover
Asia Pacific region with operations in Hong Kong, Mainland China, and the United States ... in the areas of intellectual property litigation, licensing, ...
<http://www.aicc.com/resource/803>

3. 601 2008 Olympic Dreams IP Law in China
several patent pools managed by MPEG LA and in China has been a member of the AVS ad hoc ... an intellectual property litigation associate at the intellectual ...
<http://www.aicc.com/resource/601>

4. ACC
... the General Counsel's office and the Chief Technology Officer's office in China ... patent reviews of CN, US and IP patents, and rendering IP related litigation ...
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Future Trends



“The most important shift in business today is from 'ownership' to 'partnership' and from 'individual tasks' to 'collaboration.' The successful organization is not the one with the most brains, but the most brains acting in concert.”

"For any successful journey, the crew must all work together. But law faces basic structural issues, as the gap grows between the efficiency companies demand and the incentives created by the traditional law firm business model. Without some change, this gap can only grow to the detriment of all. Lawyers must apply their problem-solving skills to develop and articulate a positive vision of change, finding ways to get back in synch with their clients that are also good for them."

Paul Lippe and Mark Chandler

Legal Transformation Study

co-published by Decision Strategies
International (DSI) and Legal Research
Center, Inc. (LRC)



Questions



Two Step Software, Inc.
Call: (800) 223-8900
Email: info@twostep.com
Web: www.twostep.com