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WORD PLAY

Firms Tout the Benefits of Nontraditional Names

BY LISA J. CHADDERDON

Chicago lawyer David Berten will never forget how one judge reacted to his firm's name. The judge asked him what firm he worked for, and when he told her, she stopped him—and asked him to repeat it. "The incident stuck with me, because I knew that she would remember the name," he recalls.

The name of Berten's three-lawyer intellectual property litigation boutique is arguably memorable—it's called Competition Law Group. When launching the firm in 1999, Berten says he and his two partners were going for a name that would provide some insight into the way they looked at their law practice.

"One of the problems with traditional names is they all start to sound the same," he says. "We wanted to focus on the ways IP can either give people a competitive edge or can sometimes block competition."

CLG is one of a growing number of firms bucking the tradition of using often-unwieldy partner rosters as official firm names. Firms are adopting adjectives, dropping names and eliminating ampersands in an attempt to gain a leg up in a crowded marketplace, even if it's just to make enunciating easier for existing clients.

Until the early 1980s, state rules of professional conduct generally prevented law firms from using creative or trade names, says George Kuhlman, ABA ethics counsel. It was not unusual for a firm to be required to rename itself if a name partner left or died. Now,



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however, states have become more liberal with the regulation of firm names, he says, allowing firms significantly more latitude.

This paved the way for firms to avoid using partner names—or even English words—altogether. Take the Altera Law Group in Minneapolis, which founding partner Michael Lasky says he so named in part because he liked the letter A. "I do a lot of brand strategy work for other companies, and it was very important to do what I preach," he says.

He created the name according to a marketing formula his firm uses for its clients, but he has since learned the word means "the other" in Latin. "It gets us a lot of attention," Lasky says. "Prospective clients always ask us 'why?' That gives us a chance to tell our story." As a result, he says, the IP firm has "less trouble attracting clients" and scores points when it comes to name recognition.

Lasky says the name has even helped when it comes to attracting lateral talent by sending a message that all lawyers will be treated equally. He adds that the firm's sign, which spells out the firm's name in large letters on the side of its building, piqued enough interest in two lawyers who were driving by that they checked into the firm—and were hired. "Our building fronts a major highway and says 'interesting law firm idea' to about 250,000 cars per day," he says.

Berten points out yet another benefit to nontraditional names. When one of CLG's founding partners left to accept an appointment with the Bush administration and another lawyer joined up, the firm's identity remained intact in part because the firm name remained the same—as did office stationery and the firm's domain name and e-mail address.

Another option is to shorten a longer name. Richmond, Va.'s Hirschler Fleischer, for example, shortened its name two years ago partly because clients were already doing it for them. The firm, formerly Hirschler, Fleischer, Weinberg, Cox and Allen, conducted a client survey and found that most clients referred to it as Hirschler Fleischer anyway. So the firm decided to make it official.

"It wasn't about *dropping* names," explains marketing partner Thom Dillon. "It was really about naming the *institution*." Now, he says, "The name has developed its own, independent secondary meaning beyond the names of the partners." Of course, it doesn't hurt that it's easier for firm lawyers and staff to identify their employer.

On the flip side, Houston-based Baker Botts changed its name to encourage the use of more names rather than fewer by dropping

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the ampersand that once separated the two names. Retired partner Roy Nolen, who had been the firm's administrative partner, explains that back when the firm's official name was "Baker & Botts," many people actually referred to the firm as simply "Baker." This concerned firm lawyers, he says, because several other firms were also known as Baker. To eliminate the possibility of confusion, the firm took action against its ampersand. It worked. "It seems to have more firmly planted in people's minds that we are Baker Botts," he says, "and not Baker."

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