



Committing to innovation: How IP law firms can implement technology that sticks

Anaqua's Joe Bichanich, client director, global law firms, takes a long, hard look at the barriers to change – and how to overcome them

Over the last decade, most law firms have scaled back their paper operations, either out of necessity or to get ahead of impending, industry-wide changes. Although firms are not as dependent on hard copies as once they were, business processes and technology adoption have not kept pace with this development. In the new paperless or paper-light world, law firms have a unique opportunity to capitalise on technologies to streamline their operations and better serve clients, but this requires full commitment to the innovation process, including identifying and removing roadblocks to innovation, adopting the right tools and embracing emerging trends.

Examine the barriers

Before any law firm can act and implement changes, they must consider any and all obstacles to innovation that they face internally. From what I have observed in my career, for many law firms the biggest issue may be time. Most law firm leaders – those with the power to implement change – are also partners, many of whom still maintain full-time law practices. They are balancing competing priorities like overseeing junior associates, managing their own book of business, generating business for the firm and delivering legal services. These activities may take precedence over time devoted to the process of innovation.

Another block might be the unique business structure of law firms. While a typical business operates with a CEO at the top directing decision making, partners in a law firm need to find ways to work together to drive decisions, maintain revenue and serve clients. Without a corporate leadership hierarchy, the partnership structure facilitates more collaboration and input from multiple partners. This can make decisions related to innovation and technology challenging at times, as it requires partners to reach agreement on innovation priorities and process, as well as how to move the firm forward without too much disruption.



Law firms that are unsure of where exactly their internal pain points exist should not be afraid to look to outside partners. In my experience, it can be challenging to see what is happening in the wider world and how other firms may be succeeding. Bringing in an external vendor can shed light on previously undetected roadblocks.

Another benefit of seeking outside support is that this can help a firm focus on long-term resilience versus short-term priorities. Vendors can help firms to look ahead across a longer period, to examine what will matter to their clients years down the line.

Innovation to drive results

Instead of seeking innovation for its own sake, I recommend that law firms attack change from the other end first, focusing on the result and return on investment. Emphasising priorities such as greater efficiency, client retention, profitability and survival, rather than change for the sake of change, will be vastly more appealing to partners and owners. Focusing on the end goal first, then stepping back to examine how law firms can achieve this will naturally lead to innovation and gives firms a definite advantage over others.

Arguably, a law firm's most important resources are its knowledge assets – the know-how and experience of current and former partners and employees. In my role, for example, I have seen firms attempt to grow these assets by working to bridge information silos, collect and store information about matters they handle in a structured format and reduce administrative work for attorneys. For many law firm IP professionals double docketing has become a more permanent reality that creates additional work (entering the same information into two systems), and increases the risk of error (eg, missing a critical date and potentially losing a client's strategic assets). In IP law, knowledge management tools can streamline trademark administration and other tasks to enable attorneys to spend more time analysing IP data and sharing actionable insights with their clients; ultimately supporting law firms trying to grow, innovate and manage their operations more effectively.

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Gaining buy-in

Since many business processes developed around paper – and sometimes over long periods of time – it is unlikely that firms can address all problems by replacing them with off-the-shelf technology. Simply writing a cheque for a piece of software does not equate to innovation, and it will not return the value invested. Instead, law firms must be able to offer a compelling description of the benefits that new technology will offer and guide users through the transition. They should take the time to learn how the software works and how it can be configured to set them apart from the competition. When firms are willing to make these additional, necessary investments, innovation and positive change start to become reality. It will also drive the internal user adoption needed to inform change.



Once a consensus is achieved, all other parties within a law firm – from paralegals to attorneys – must then accept these new ways of working. It is human nature to resist change, and law firms are no different. Some workers may even fear that the technology could replace them – although in my experience, their jobs may change but they will seldom be eliminated. Others might be nervous about learning a whole new set of skills. Technology is great but it is not perfect and there is always a learning curve.

The tools and technology that matter

Finally, there are plenty of emerging technology trends that firms can take advantage of to gain a competitive edge and increase efficiencies. For example, automation can significantly affect law firms through digitising operations, handling the steady flow of incoming mail, and ingesting data and instructions from all parties. Once workflows and business processes are codified, including tasks and milestones a law firm must complete for its clients, the legal team – attorneys, paralegals, patent agents and renewal specialists included – can still divvy up the work, but manage the handoffs much more efficiently. Another process that can benefit from automation is document assembly. Using standard templates to autogenerate client reports or written legal opinions will increase a firm's work productivity, creating a baseline document to fill in any gaps.

Beyond automation, law firms should take advantage of technology that helps them to navigate the world of data. By integrating systems, combining data sets and implementing analytics tools, firms can gain fresh insights. Having a

dedicated database to track people's experiences can be very useful, while knowing what the collective legal minds in a firm have worked on throughout their careers can help a firm staff new matters more efficiently. Acquiring a deeper understanding of issues such as attorney experience, workload distribution, employee performance and even client tendencies can help a firm improve its service to existing clients. Such insights can also aid them in attracting new business as well.

Another trend that law firms need to embrace is leveraging technology to construct matter budgets on the front end of new legal engagements – and to do so with pinpoint accuracy. IP prosecution work is often carried out on a flat-fee basis; billable hours are fading and law firms are required to inform their clients upfront what the legal work is going to cost. This information has previously not been at attorneys' fingertips. However, if law firms become better at tracking the attributes of the matters they handle, they can more easily analyse historical information and have more accurate cost projections for clients before the next job comes through the door. I predict we will continue to see players in the industry try to solve this challenge.

By fully committing to the innovation process and capitalising on these technologies, law firms will be able to streamline their operations and better serve their clients. When they overcome the roadblocks to innovation, embrace emerging trends and adopt the right tools for their organisation, firms ensure that they remain competitive and keep up with an industry facing constant technological disruption, more than ever before. 