

CORPORATE COUNSEL

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WHO REPRESENTS AMERICA'S BIGGEST COMPANIES



Welcome/Willkommen/Bienvenue/Benvenuto to the latest edition of our survey of companies and the law firms that represent them. You'll find our customary wealth of charts in these pages, but this year law firm mentions have expanded, thanks to a broader survey of court documents.

We like to do something different each year as we examine that close client-law firm relationship. Last year we stayed home and talked to U.S.-based companies and firms. This year we decided to cross the pond to see if Europe's continuing financial woes have sparked a reappraisal of how legal work is done. We wanted to know whether the crisis has left in-house lawyers—the clients—dictating the terms when it comes to fees and staffing and such. Lawyers over there had much to say.

PAUL DILAKIAN

FORTUNE 500 RANK	COMPANY 2012 REVENUE (MILLIONS)	CONTRACTS LITIGATION *	IP LITIGATION	LABOR LITIGATION	TORTS LITIGATION	PATENT PROSECUTION
92	ALLSTATE \$33,315	Akerman Senterfitt Akin Gump Baker & Hostetler Ballard Spahr Bennett Bricklin Bowles Rice Brown & James	N/A	Drinker Holland & Hart Meckler Bulger & Tilson Seyfarth Shaw	Cozen Huie Fernambucq & Stewart Littler Mendelson Meckler Bulger & Tilson Thompson Coe Turner Padgett White & Williams	Banner & Witcoff DLA Piper Kirkland & Ellis
126	NIKE \$24,128	Gibson Dunn King & Spalding	Banner & Witcoff Benesch Friedlander DLA Piper Haynsworth Sinkler Boyd Lewis & Roca	N/A	N/A	Banner & Witcoff DLA Piper Lewis & Roca
136	KIMBERLY-CLARK \$21,063	Bryan Cave Foley & Lardner Godfrey & Kahn	Banner & Witcoff Katten Muchin Rosenman LeClairRyan	Foley & Lardner Godfrey & Kahn	Segal McCambridge	Banner & Witcoff Bryan Cave Godfrey & Kahn Knobbe Martens Morris James Perkins Coie
292	MGM RESORTS INTERNATIONAL \$9,160	N/A	Lewis & Roca	Seyfarth Shaw	Wilson Elser	Baker Donelson Banner & Witcoff Winston & Strawn
300	CAESARS ENTERTAINMENT \$8,798	N/A	Lewis & Roca	Fisher & Phillips Jackson Lewis	N/A	Akin Gump Baker Donelson Banner & Witcoff Fenwick & West Winston & Strawn
363	WEYERHAEUSER \$7,059	N/A	Banner & Witcoff Lewis & Roca	N/A	Forman Perry McGuireWoods	N/A
439	LIVE NATION ENTERTAINMENT \$5,819	Duane Morris Greenberg Traurig	Banner & Witcoff Katten Muchin Rosenman	N/A	Bradley Arant	Fulbright & Jaworski
450	CON-WAY \$5,819	Banner & Witcoff	N/A	N/A	Bradley Arant	N/A

*Full chart can be viewed on <http://www.law.com/corporatecounsel/PubArticleCC.jsp?id=1202618047395>



BANNER & WITCOFF, LTD.
INTELLECTUAL PROPERTY LAW



WHO REPRESENTS AMERICA'S BIGGEST COMPANIES

THE BRAIN TRUST

THE FORTUNE 500 TENDS TO RELY ON big law firms for intellectual property litigation. But when filing patent applications, these companies are hiring a wider range of outside counsel.

In our rankings of law firms used for IP litigation by the most powerful companies, all but two of the top 30 have more than 150 lawyers. Lewis and Roca, a 180-lawyer West Coast firm, topped our rankings by handling seven IP litigation matters for the Fortune 500 (on September 1, after we finalized our rankings, Lewis and Roca merged with Rothgerber Johnson & Lyons, a 75-lawyer firm, to form Lewis Roca Rothgerber). Rounding out the top three were 500-lawyer Davis Wright Tremaine and 300-lawyer Loeb & Loeb. The only law firms on the list with less than 150 attorneys were Buchalter Nemer and **Banner & Witcoff**. Buchalter was tied with several firms for third place. The IP-only firm **Banner & Witcoff** slotted into fourth, along with several other firms, with four cases.

When it comes to patent prosecution, midsize firms are giving big firms a run for their money. Morris Nichols Arsht & Tunnell, an 80-lawyer firm based in Delaware, topped our rankings with 50 patent filings. Rounding out the top three were Fish & Richardson, a large firm specializing in IP (with 36 cases), and the midsize Delaware-based firm Potter Anderson & Corroon (with 27 filings).

Only a few firms could claim spots near the top of both our IP litigation and patent prosecution rankings. One of them is Fish & Richardson, which complemented its second place in the prosecution rankings

with four IP litigation matters for the Fortune 500. Kirkland & Ellis placed near the top of both rankings, with four IP

litigations and 19 patent prosecutions. DLA Piper, one of the world's largest firms, had 21 patent prosecutions.

IP LITIGATION

FIRM	MENTIONS
Lewis and Roca	7
Davis Wright	6
Loeb & Loeb	6
LeClairRyan	5
Kirkland & Ellis	5
Kilpatrick Townsend	5
Gibson Dunn	5
Greenberg Traurig	5
Fish & Richardson	5
Buchalter Nemer	5
Mayer Brown	5
Alston & Bird	5
Arnold & Porter	4
Banner & Witcoff	4
Winston & Strawn	4
Quinn Emanuel	4
Orrick	4
Robins Kaplan	4
Perkins Coie	4
DLA Piper	3
Reed Smith	3
Finnegan Henderson	3
Fenwick & West	3
Katten Muchin Rosenman	3
Troutman Sanders	3
Weil	3
Edwards Wildman	3

PATENT PROSECUTION

FIRM	MENTIONS
Morris Nichols	50
Fish & Richardson	36
Potter Anderson & Corroon	27
Potter Minton	26
DLA Piper	21
Kirkland & Ellis	19
Richards, Layton & Finger	18
Fulbright & Jaworski	17
Winston & Strawn	16
Alston & Bird	16
Morgan Lewis	15
Vinson & Elkins	15
Wilmer	14
Kilpatrick Townsend	13
K&L Gates	12
Quinn Emanuel	12
Greenberg Traurig	11
Weil	11
Duane Morris	11
McDermott Will & Emery	11
Lewis and Roca	10
Wilson Sonsini	10
Ropes & Gray	9
Jones Day	9
Gibson Dunn	9
Bracewell & Giuliani	9
Banner & Witcoff	5

HOW WE DO IT

To determine which law firms represent America's largest corporations, the editorial group searches Lexis CounselLink and other public records to find outside counsel used for seven key litigation areas (with corresponding "nature of suit," or NOS, codes):

- Contracts Litigation (110-196)
- Labor Litigation (710-791)
- Torts Litigation (240, 245, 310-385)
- Intellectual Property Litigation (820, 840)

This year, we added the following areas:

- Patent Prosecution (830)
- Securities Law (850)
- Labor/Employment Law (442, 445)

We searched LexisNexis CounselLink, which provides access to cases by NOS codes. For contracts litigation, we included categories such as insurance and contract product liability, while for torts litigation, we included personal injury and personal property. Included in our labor litigation search categories were the Fair Labor Standards Act and other labor-related suits; intellectual property litigation encompassed copyrights, patents, and trademarks.

Research is conducted in July and August, and looks at a calendar year time period (January to December) for the previous calendar year. The main chart contains firms with one or more mentions in contracts, labor, torts and IP litigation, and labor and employment, securities and patent prosecution areas. Although we generally focus on NLJ 350-size firms, we do include smaller firms that may have an unusual amount of activity in any one or multiple NOS areas.

—JENNIFER TONTI