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crisis management and counseling  
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# APLF Roundtable

## ARE YOU TALKING TO THE PRESS?

**Cari Brunelle**  
**Vice President, Media Relations**  
**Jaffe Associates**



**JAFFE ASSOCIATES** | Making It Happen

# Today's talk...

- Section 1: IP Media Outlets, the ones you know and lots more
- Section 2: IP Story Development, proactive and reactive – the lingo we use – pitch, release, bylined article, etc.
- Section 3: The Interview, what typically happens
- Section 4: How you get started, contact Kevin

# Here's what Media Relations "looks like"

The Bloomberg logo is displayed in white, bold, sans-serif font on a dark red rectangular background.

## **Nokia Licenses Patents From Research In Motion Rival (Update2) 2004-06-15 16:17 (New York)**

By John Stebbins and Susan Decker

"There is a reasonable likelihood that they might not get all the patents thrown out," said patent lawyer Brad Hulbert of McDonnell, Boehnen, Hulbert & Berghoff LLP in Chicago. "It's better to pay now than pay more later."

# Here's what Media Relations "looks like"



## Demise of IP Firms Greatly Exaggerated Intellectual Property Litigation Reporter

Volume 10; Issue 18

"It is always interesting to consider the source of the dire predictions concerning the impending fate of the intellectual property boutique. Such predictions normally emanate from a former IP boutique attorney who has joined a general practice firm or from an attorney who is with a firm that is breaking up. Witness the recent stories about IP boutique Pennie & Edmonds.

"As a member of a growing IP boutique firm, Thomas, Kayden, Horstemeyer and Risley of Atlanta, and the current president of the Association of Patent Law Firms, I can report, with all due respect, the reports of our collective demise are, as usual, greatly exaggerated..."

James W. Kayden, Esq., is president of the Association of Patent Law Firms and a partner with Thomas, Kayden, Horstemeyer & Risley in Atlanta.

# Here's what Media Relations "looks like"



## **Yours, mine or ours?; Intellectual property conflicts arise from new ways of working**

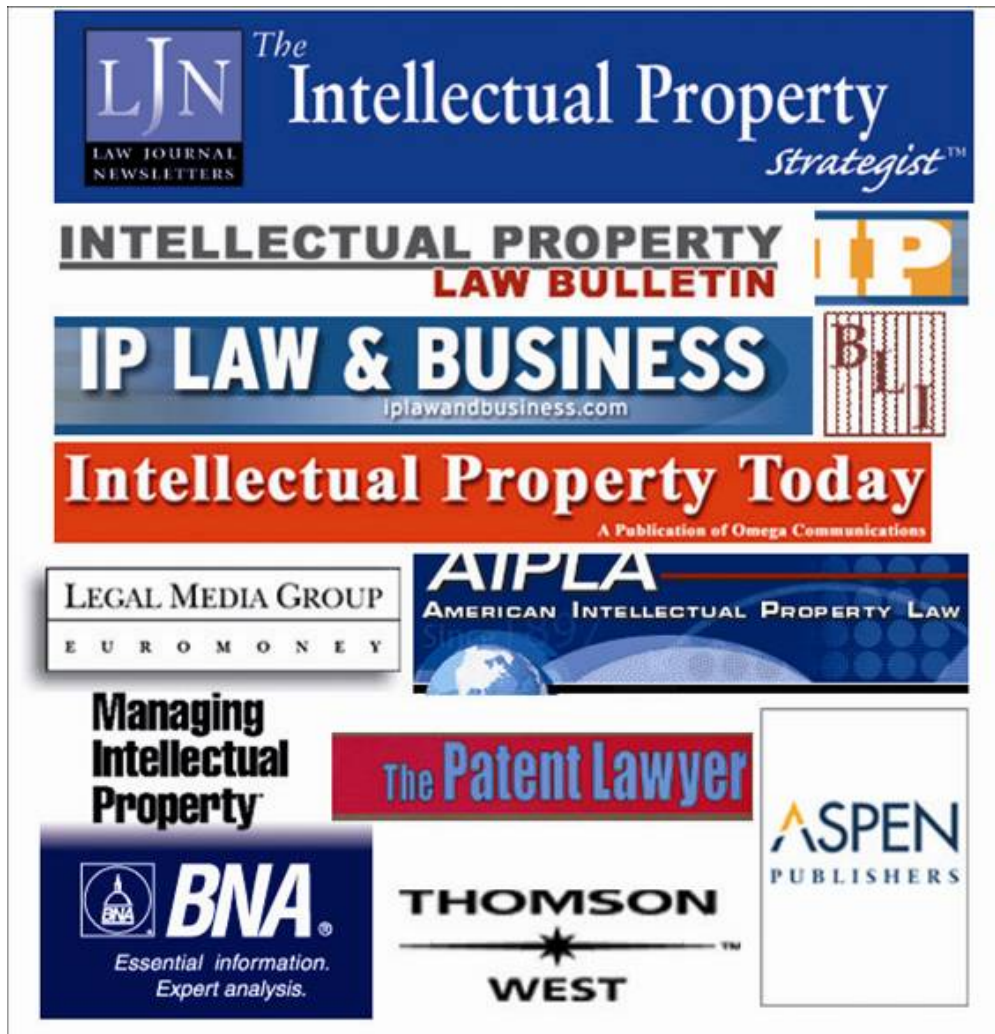
The problem is "huge and underappreciated," says R. Mark Halligan, a trade secret expert and principal at the Chicago law firm Welsh & Katz Ltd.

It's a complicated mixture of ownership and privacy issues.

"It's ownership from the standpoint of who owns the equipment," Mr. Halligan says. "The privacy issue relates to whether the employer has the right to see, read and review files stored in the computer."

Business technology has evolved more quickly than the law, meaning disputes these days are settled on a case-by-case basis, largely because U.S. privacy laws are underdeveloped, Mr. Halligan explains.

# What IP professionals read...



# What GCs read...



# And other ways GCs get news...

**BusinessWeek**

**THE WALL STREET JOURNAL**

Dow Jones Business News

**AP** Associated Press

**Bloomberg**

**The New York Times**  
ON THE WEB

# Ways you can get into the news – the lingo

- Give your expert opinion
- Suggest a legal trend
- Write a bylined article
- Issue a press release
- Be named on a “List”
- Publicize a verdict or settlement

# What do the media want?

- REPORTERS want:
  - Easy to understand, non legalese information about your cases, and about other IP cases
  - Story ideas that will resonate with their readers
  - Compliance with deadlines
  - Best of all, a quotable comment
- EDITORS want:
  - Articles relevant and important to their readers

# How do you come up with ideas...

- We call this Proactive PR
- You are essentially CREATING news
  - Journalists don't always have story ideas
- Suggestions
  - Read the publication and know what they cover
  - Follow a reporter's coverage, then react
  - Verdicts, settlements
  - Press releases about firm news
  - Trends and issues you see in practice
  - Brainstorm with Kevin

# Now what?

- Notify Jaffe Associates of your idea
- Do you have clearance to give an interview?
  - First consult the head of your practice group
  - Consider potential client conflicts or political ramifications
  - Check with Marketing
- Work with Jaffe to prepare your answers and anticipate questions

# Interview tips

- Pause before you answer
- Keep your answers short
- Repeat your key points several times
- Know that print interviews will be more detailed
- In broadcast interviews, first ask if it is live or taped

# Interview tips

- In broadcast, know the interview may take 30 minutes but they may only use 10 seconds of it
- There is a greater risk of being misinterpreted in print media than in broadcast
- Know that the story will be edited. Also, reporters don't usually write their own headlines

# “Top 20” ways to work with reporters

## 1. Don't avoid reporters

- If a reporter calls and you are too busy to talk at the moment or need time to formulate a response, find a better time to call them back

## 2. Get the important details

- Find out their name (and spelling), media name, phone number, story description, and their deadline

## 3. When calling reporters, always ask if it's a good time for them to talk

- They may be on a deadline and need you to call back

## 4. Anticipate questions and opposing points of view

- Develop answers that clearly state your ideas without seeming defensive

## 5. Don't overestimate a reporter's knowledge of the subject

- If a reporter bases a question on information you believe is incorrect, don't hesitate to set the record straight. Offer background information to support you when necessary

# “Top 20” ways to work with reporters

## 6. **Remain in charge**

- Hook – Take a piece of the question and move to the point you’d like to make
- Bridge – Answer the question and then say “But what’s really important is...”

## 7. **Be helpful**

- Provide examples to illustrate your point, but don’t talk about matters outside your area. If you don’t know, say so

## 8. **Never say “no comment”**

- Just explain why you can’t elaborate

## 9. **There is no such thing as “off the record”**

- Never tell a reporter anything you are not willing to see in print or on air. Have your facts straight and sources readily available

## 10. **Be brief**

- Stop talking when you are finished, even if the reporter waits in silence for more. Otherwise you may say more than you intended. If you feel you need to say more, reiterate a key point

# “Top 20” ways to work with reporters

## 11. **Speak in complete thoughts**

- In broadcast, the reporter’s question is usually edited out so your response should stand on its own

## 12. **Avoid excessive statistics or numbers and technical jargon**

- Numbers can detract from your point. Use language for the layperson

## 13. **Be sure of your facts**

- Have your facts straight and sources readily available

## 14. **Avoid flippant comments and humor**

- They often backfire

## 15. **Track it**

- Ask when the story will appear or if broadcast, ask for a tape of the show and critique your performance

# “Top 20” ways to work with reporters

- 16. If you are unhappy with the story, call your publicist first, then call the reporter before contacting his or her editor**
  - Think relationship building – Be polite and realize a retraction isn’t likely to happen
- 17. If you are pleased with a story, give positive feedback**
  - Like most of us, they usually only hear the complaints
- 18. After the interview, ask the reporter to identify you as a part of your firm**
- 19. Let them know how to reach you**
  - Give them contact info for after the interview and be prepared for follow up calls
- 20. Create a list of reporters who have interviewed you**
  - Keep their contact information, and don’t hesitate to call or e-mail with news, to build on your relationship

# How do you get started?

- Get to know Kevin
- We're always here to chat about stories, strategy, etc.
- It's your benefit to use, make the most of it
- Reaching Kevin
  - Email: [aschk@jaffeassociates.com](mailto:aschk@jaffeassociates.com)
  - Phone: 604-689-1159

# Questions?

The logo for Jaffe Associates, featuring the word "Jaffe" in a white serif font inside a dark purple square.

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