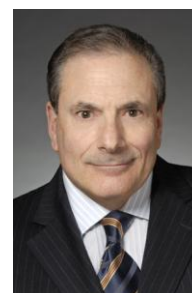


Most Admired Attys: Katten Muchin's Floyd Mandell

By Nick Malinowski

Law360, New York (August 25, 2010) -- Known among his peers for his strategy, vision, knowledge of intellectual property matters and passion for advocating for trademark holders even while off the clock, Floyd Mandell of Katten Muchin Rosenman LLP has earned a place on Law360's list of the 10 Most Admired Intellectual Property Attorneys.

The national co-chair of Katten Muchin's IP practice, Mandell is also one of the firm's longest-tenured attorneys, having joined the firm in 1976 when the now 700-attorney group had only 30 working lawyers.



Floyd Mandell, Esq.

Along the way he compiled an enviable client list representing some of the biggest global brands, including Microsoft Corp., Arcadia Group International, Fruit of the Loom Inc., Allstate Insurance Co., Sears Roebuck and Co., Bausch & Lomb, Motorola Inc., Universal Studios and the Chicago Bulls.

"A lot of lawyers that do what we do know the law, but they don't have a feel for the particular case and how to present it, and Floyd being Floyd, that's pretty much what stands out in my mind," Mitchell Silberberg & Knupp LLP's Russell Frackman said. "In [complex] cases it's invaluable to have a lawyer who is probably smarter than you are in the area to work with."

The son of a policeman and a cosmetician, Mandell, who was raised in Chicago, is the first lawyer in his family. He developed an interest in the law at an early age and knew from his first day in law school that he was in the right place.

"I've thought about practicing law since grade school," Mandell said. "I'm very fortunate to have been able to find a career that is so fulfilling and rewarding and interesting. In my area I'm not only protecting what in some cases are the most important assets of my clients, but in many cases protecting the public interest as well."

Mandell joined Katten Muchin three years out of law school and was "thrown in the fire" as part of a three-lawyer litigation team, he said.

His first big break as an IP practitioner came with a particularly successful outcome defending Sears in a trade dress suit. After this win Sears started sending him more and more work, and he was able to build up credibility and gain opportunities with other large companies and clients important to the firm.

What sets him apart from other great litigators is his ability and expertise in every facet of the law, according to Greenberg Traurig LLP's Susan Heller, who first met Mandell when she was an examiner and has continued a professional relationship with him since.

"He's truly a 360 attorney in that he does everything," Heller said. "He's strategic, he litigates, he's committed to public policy, he's in management at his firm, he has written, he teaches."

Mandell is on Heller's short list of colleagues she will call not just to ask about case law, but to get a global perspective on a problem, she said.

He is also on that list for Eldon Ham, a Chicago-based attorney who has known Mandell for more than a decade, as a co-counsel, as a referring lawyer and as a client.

"Whenever I get anything around property rights I think of Floyd, but especially when it's particularly tricky," Ham said of his referrals.

Ham's first introduction to Mandell was as a client, in a case where he and several partners had invented a line of greeting cards that were designed to be paired with a license from the National Football League. Their idea was misappropriated, and the case went to federal court before eventually being resolved in binding arbitration with a positive result for Ham.

"I was a client of his for four years, and I felt like I was participating in a clinic," Ham said, acknowledging that he has been able to leverage those lessons in his own practice.

In one particularly fulfilling experience, where he was representing a former colleague in a case that was eventually decided at the Montana Supreme Court, Mandell was told that there was no way a "big shot Chicago lawyer" would be able to win over a mountain jury, but he was able to nonetheless, he said.

While Mandell, like all other good attorneys, certainly knows his subject matter cold, Ham said, it is in the courtroom where his unique litigation and strategic strengths come to bear.

In one case the two worked on together, Mandell devised a clever way to boil down a complex set of 40 facts so they could be easily digested to prove their case.

Mandell had a board with each of the key facts written on it, but covered, and identified only by a number. As the testimony progressed at the hearing, with each statement that supported one of the facts, Mandell uncovered the corresponding key fact. The case literally unfolded before everyone's eyes, Ham said.

"It was not only a fabulous way of sticking with the plan, it was such a compelling, graphic representation that we had proved our case," he said.

"Not only is he result-oriented, he is not afraid to win," Ham said. "He focuses on achieving the right results. It's not a scorched earth, win-at-all-costs mentality, but he's not afraid to do the right thing. He goes to bat for his client."

Although he is tough to go up against, Mandell is always a gentleman, which is a rare combination, according to Frackman, who first met Mandell as opposing counsel 15 years ago.

“I thought I had a strong case, and Floyd stepped up to the plate and was able to get it resolved very quickly,” Frackman said.

The two have remained friends and colleagues, having worked together on other cases and represented some of the same clients individually.

“Normally when you get into an adversarial position and it's the first time you are dealing with a lawyer, you are naturally cautious and wary,” Frackman said. “I quickly believed that I could trust him.”

When you put Mandell in the litigation forum he is especially good at thinking on his feet, according to Ham.

“It's very difficult for someone to get a step ahead of him,” Ham said. “When he is cross-examining someone from the other side, he doesn't allow them to stray from the point. He puts their feet to the fire and they stay there, and everyone subjected to it is thrilled when it is finally over.”

That Mandell has long relationships with most of his clients is not surprising, and counts for a lot in the legal business, Heller said.

“He has vision and he gets results, but he also has heart. He puts himself into every case and is very loyal to his clients. He has a real sense of what's fair,” she said.

According to Frackman, he is one of the most responsive lawyers out there.

“Floyd is the quickest to respond to an inquiry of any lawyer that I have experienced,” he said. “I'm sure his family doesn't appreciate it, but I can pretty well trust that if I give him a call or send him an e-mail, I'll hear back by the end of the day.”

He is equally responsive to his clients, colleagues and opposing counsel, Frackman said.

“It's a question of personal work ethic. I confess that I'm not always the quickest to respond to opposing lawyers or clients. It's a question of how you view what your job is,” Frackman said.

In addition to being a great advocate for his clients and getting results, Mandell cares deeply about the wider trademark community, Heller said.

Recently Mandell brought to the International Trademark Association a plan to ensure that there were safeguards in place to protect property owners from new regulations proposed by the U.S. Environmental Protection Agency.

The EPA rules had to do with certain marks, such as the word “green,” that could be used to mislead consumers, Heller said, noting that Mandell wanted to ensure that brand owners who have used one of these terms in the past were taken into account.

“He wasn't on the committee, it was just something he felt strongly about. Enough to do something off the meter, outside of the workday,” Heller said.

While Mandell has built a track record of considerable success, he says the best part of his job is the people — the clients, colleagues, associates and partners that he has worked with.

He gets tremendous satisfaction out of the success of his former associates who have gone on to have remarkable careers with the firm, as general counsel for major companies, or as in one case, a judge.

“One of the parts of the job I've always liked is mentoring people the way I was mentored as a young lawyer,” he said.

Though Mandell says he never pushed his two sons to pursue the law, both are attorneys and one practices in the copyright and trademark field.

“There are many attorneys I know that are good, but I haven't met anyone who does all of these as well as Floyd,” Ham said. “There are a lot of good lawyers. Floyd is a little different to me. Floyd is the whole package.”

Methodology: From May 25 through June 11, Law360 invited readers to nominate attorneys they admire to be profiled for the "Most Admired" series. Readers were asked: "Is there an attorney you've argued against in court who you respect — or whose briefs you fear? What about a lawyer whose views on the latest hot-button issues you eagerly seek out? Or a former classmate who is practicing the law in novel ways?" Survey participants were not permitted to nominate attorneys from their own firms and submissions from public relations and marketing professionals were not considered.

Separately, Law360 sought out nominations from practice group heads at the 100 largest law firms in the United States. In total, 1,016 nominations were received.

Nominations were reviewed by a board comprising experienced lawyers and Law360 editorial staff. Sixty-five attorneys covering seven practice areas of the law were then selected to be profiled for the "Most Admired" series.

All Content © 2003-2010, Portfolio Media, Inc.

Katten
KattenMuchinRosenman LLP