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Rainmaker Q&A: Pryor Cashman's Brad Rose

Law360, New York (September 27, 2013, 11:42 AM ET) -- When Grammy-award winning artists, media companies and entertainment moguls like Lady Gaga, Kanye West, Pharrell Williams, Bruno Mars, Pink, Shakira, Russell Simmons, Usher, Justin Timberlake, Britney Spears and Wiz Khalifa need to protect their content, names and likeness from infringement, they turn to Brad D. Rose, chairman of Pryor Cashman's intellectual property practice. Iconic fashion lines, international celebrities and influential American companies also depend on Rose to keep their brands, their reputations and their revenue streams safe.

Rose has earned the reputation as a force inside and outside the courtroom as an aggressive protector of his clients' intellectual property and rights of publicity. He is also a fierce negotiator who has structured and implemented many IP-driven merger and acquisition transactions across multiple business sectors including the fashion, entertainment, digital media, advertising and consumer products industries. Rose is routinely recognized as one of the leading intellectual property attorneys in the United States for both transactional and litigation work on behalf of some of the country's strongest brands and A-list clients. Based in New York, he is also a member of the firm's executive committee.

Q: How did you become a rainmaker?

A: Generally speaking, the touchstone of developing business is having a strong foundation in some aspect of the law so that your clients utilize you as a trusted "go-to" adviser in your area of expertise. You must also be keenly in tune with each of your client's business objectives and never let a client feel that they have more questions than answers after meeting with you. As time goes on, and as you become more and more embedded in your clients' businesses, you will, by necessity, learn new areas of law and continue to adapt your skill set to meet the needs of your clients.

By nature, I have always been an entrepreneurial "go-getter" and Pryor Cashman has thrived and grown throughout its 50-year history by allowing skilled, entrepreneurial, and ambitious attorneys to spread their wings and attempt to bring in business. At many firms I think that an associate or junior service partner is told what to work on and what not to work on depending upon the need to drive near term revenues. Being in an environment that is willing to invest in talented people by helping them carve out time for business origination activities is a huge plus, and establishes the foundation for business development. I don't think I would have been half as successful at originating business had I not had a partnership that believed in me and which tolerated my learning curve, which included many dead ends, some write-offs and a lot of client procurement expenses.

Q: How do you stay a rainmaker?

A: By being incredibly responsive; virtually NEVER shutting down; and by successfully

guiding clients through crisis and noncrisis situations on a repeated basis. Your credibility is determined by your results. We are in a results-oriented business. Once you achieve successful results on a consistent basis, be it winning cases, closing a lucrative deal for your client or successfully managing your client's downside in a losing situation, you begin to develop a reputation as a winner. Word spreads fast when that happens and your circle of contacts and potential contacts starts to expand. Each success has an exponential effect in terms of creating potential for new relationships.

It is also important to effectively market your successes to businesses and individuals that could benefit from your achievements. Communicating regularly with your in-house contacts so you are constantly up-to-speed on business initiatives that could turn into actual legal business and staying in touch with a departing in-house attorney so he or she gives you a call when they join a new legal department, are also ways to develop business.

Q: What advice would you give to an aspiring rainmaker?

A: The old adage that "you can't run until you can walk" comes to mind. In this day and age, with all of us expected to work at hyperspeed, you still must take a deep breath, be patient and work towards building a foundation of expertise before you can achieve credibility as an advisor and ultimately achieve success as a reliable business generator, year in and year out. It may take five years of intense litigation experience or seven years as a dedicated corporate transactional attorney, but at some point, you will gain confidence in your knowledge which will invariably enhance your credibility as a trusted client advisor. Think of the first five or so years as being akin to a physician's residency after medical school. Take the time to learn; to gain experience; to develop a broad skill set; and then take that knowledge and experience and "sell it" as part of a package that exudes confidence and success.

Q: Tell us a tale of landing a big client.

A: My proudest achievement is when an opposing counsel on a deal or in a litigation refers something to me after our work on a matter together has ended. This has fortunately happened to me many times and there is nothing more satisfying than achieving recognition from your peers (and at times adversaries) for your hard work, dedication and success.

The first time that happened for me was when Russell Simmons decided to sell his Phat Farm and Baby Phat brands to Kellwood Company which, at that time, was a NYSE-listed public company. I had worked with Russell for years on all of the legal issues that come into play in connection with the development of fashion brands and I had an organic knowledge of every license agreement, every trademark issue, every enforcement matter and every litigation and business contract that was worked on for the decade prior to the sale.

I then spent several months locked inside of a conference room with the CEO and GC of Kellwood, painstakingly taking them through every document and assisting them with the due diligence process. After the deal had closed, the GC had recommended to the CEO to keep me on as outside counsel instead of transferring the files to Kellwood's usual post-acquisition counsel of choice. It became very apparent to me during this process that being so embedded in Russell's business, and successfully handling virtually everything that came into play during that representation, served me quite well during the due diligence process to the point that my deal counterparty was so impressed that he left all of the legal work with me after the acquisition. That was probably one of the proudest moments of my career and I am forever grateful to Russell Simmons for the trust and confidence that he placed in me.

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