

## Desmarais Hires Fish & Richardson Litigator in San Francisco, Beefing Up Tech Portfolio

By **Jessie Yount**

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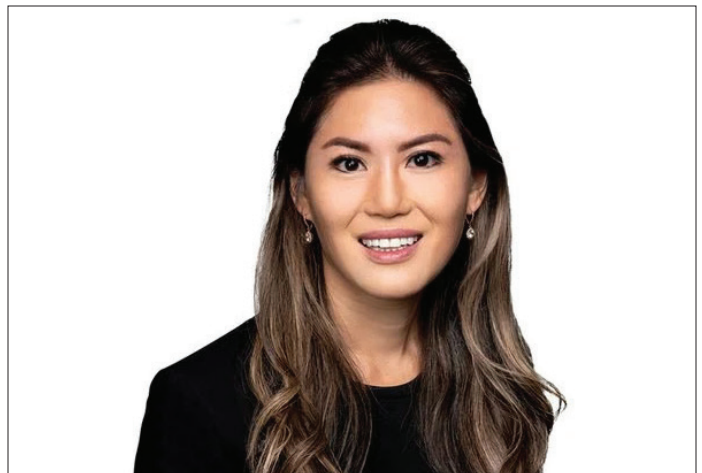
### What You Need to Know

- Desmarais hired Fish & Richardson partner Betty Chen in San Francisco.
- Chen represents Microsoft, Lyft, GoPro and Sun Pharmaceuticals. Zoom is also joining the firm as a client upon her arrival.
- Chen is the 80-attorney firm's second partner hire in San Francisco, setting the firm up to further grow its associate ranks.

Five years after IP boutique Desmarais LLP launched in San Francisco, the firm has found the perfect combination of personality, wits and trial skills in its newest Bay Area partner, according to founder John Desmarais.

Desmarais has hired Betty Chen, an IP litigator who practiced at Fish & Richardson for the past 12 and a half years. Chen is the second lateral partner to join Desmarais in San Francisco, following the arrival of Ropes & Gray partner Gaby Higgins in 2021.

Having spent the majority of her legal career in the Bay Area, Chen brings a number of tech clients to Desmarais, such as Microsoft, Lyft, GoPro and Sun Pharmaceuticals. Zoom is also signing onto the firm as a new client upon Chen's arrival.



**Betty Chen of Desmarais.**

Courtesy photo

"It had always been my plan to find somebody from the West Coast who developed their legal career there, had the contacts and was entrenched in the community," Desmarais said in an interview. "I finally found Betty. She has great trial skills, a nice client base that really likes her, and a great personality, with the skills to help our office grow."

Desmarais, now with 80 attorneys, was founded in 2010 by Desmarais, the former head of the IP practice at Kirkland & Ellis. Desmarais said in a 2019 interview that though he initially planned to focus on New York, "the logic of opening in San Francisco became inescapable" given the firm's client base and the legal talent in the Bay Area.

The firm has seen “broad-based growth” across its base of tech and life sciences clients since then, Desmarais said. During the pandemic, the firm expanded its space at 101 California St. in San Francisco. Now, with five partners who live in or spend significant time in the Bay Area, the firm will focus on growing its associate ranks, Desmarais said.

The firm is committed to remaining independent, Desmarais added, and is on track to have a record year in 2023. “The business has started moving forward smartly because we’re doing good work, winning cases and bringing in strategically important hires,” he said.

Though Desmarais’ smaller size is a change for Chen, she said in an interview she was drawn to its reputation as a “fierce” firm running cases with “lean and powerful teams” and agile nature. “It reminds me of Bay Area companies that go out to disrupt the industry,” Chen said.

Those changes will include nixing the billable hour in favor of flat, monthly fees tailored to matters, and participating in a more “entrepreneurial” environment “where everybody has a can-do attitude,” she added.

Over nearly two decades, Chen has represented tech companies in more than 130 IP cases, and taken about 20 cases to trial in federal district courts, state courts and the International Trade Commis-

sion, according to the firm. She also focuses on IP diligence and negotiations related to technology in the standard essential patents space (5G, WiFi, batteries) and licensing in the branded pharmaceutical space.

Among her recent wins, Chen secured a \$43 million patent infringement verdict for The Chamberlin Group, a garage door manufacturer, in the Eastern District of Texas. Chen explained that, while garage door openers sound simple, the technology is fairly complicated because it involves the ability to connect to a smartphone.

She said she expects to see the connected products space continue to drive demand in IP litigation because these products often involve standard essential patents that lay the ground for a range of potential disputes.

Chen also recently earned a rare exclusion order (GEO) from the ITC for Skull Shaver that blocked the importation of a broad spectrum of knock-off products, and secured a preliminary injunction for DUSA Pharmaceuticals in a trade secret case involving a medical device, which led to a favorable settlement on the eve of trial.

“Betty has been a great colleague and friend for many years,” a spokeswoman for Fish & Richardson said in a statement. “We are grateful for her many contributions to the firm and wish her well in her next chapter.”