



Working with Others

Intellectual property law is no place for dabblers. It's a complex, specialized field. And for clients who want to protect and preserve their IP rights, the stakes couldn't be higher.

That's why Olive & Olive intentionally limits our services to what we do best – and what we've been doing for more than half a century.

Our practice focuses solely on patents, trademarks, copyrights, trade secrets, and intellectual property litigation and disputes. We're not corporate lawyers. We're not tax lawyers. We don't churn out press releases. We don't advertise or market products and services.

What we do is intellectual property law. We've been doing that since 1957 when our founder B.B. Olive opened the first IP practice in what would become the Research Triangle of North Carolina.

Since then, we've represented many thousands of IP clients. Our lawyers have been leaders in the field. B.B. Olive helped found the first Intellectual Property Law Section of the NC Bar Association, and his daughter Susan Olive - who now manages the firm – is in the Business North Carolina Hall of Fame and served on the NC Board of Law Examiners.

Our lawyers are recognized as best in class by our peers. We are a firm of firsts. We pioneer IP legal developments in North Carolina. We chair committees and lead bar groups. We help write local rules of court. We defend other IP lawyers accused of malpractice.

Learn more about our legal team here.

We offer the best of both worlds.

Our clients have diverse needs, and they often have a diverse legal team already in place when they come to us. We fill the intellectual property niche on the team. We happily apply our unique skills, experience, and resources to protect and defend our client's intellectual property - without interfering with the work other lawyers on the team are doing.

The result is the best of both worlds. Our clients and their attorneys get expert patent, trademark, copyright and other IP assistance - including litigation - without having to add a full-time IP attorney to their staff.

We help attorneys help their clients.

If you are an attorney, we are happy to talk with you about whether and how we can help.

Clients come to you with all sorts of questions. Sometimes all you need is a quick affirmation that your advice is on the right track. Or you might need a heads-up warning that your client's planned course of action could lead to problems.

We don't charge for these courtesy consultations. Our goal is to help you help your clients—not to gouge them with unnecessary fees when they don't need our services.

When you refer a client to us, you remain involved as much or as little as you wish. Some lawyers like to be involved at every step. Others find it more efficient to refer a project and simply be kept informed of significant developments.

We help you, but we don't replace you. Whether you and your client prefer turnkey intellectual property services or a more collaborative solution, you can be confident that your client will remain your client.

We fix things when they go wrong.

While we prefer to become involved at the inception of a project, we are here to help whenever and however we're needed.

We understand that sometimes lawyers get involved in what initially looks like a simple matter that quickly spirals out of control.

An example: we're often asked to step in when someone has received bad news or a rejection from the trademark or patent office. We assess the situation. We review what can be done to overcome the rejection. We recommend the best strategy for success. We give you an honest appraisal of whether it's better just to start over, or whether what's been done is fixable – and which alternative is likely to be least expensive.

We've taken over the defense of lawsuits that have spun out of control, usually at the request of the involved attorneys. In at least one case, we replaced counsel that had been removed by the court. Sometimes we step in during disputes to mediate a business-sensible solution.

We are the go-to firm for fixing IP problems for other lawyers.

We are especially proud of the fact that Lawyers Mutual Liability Insurance Company – North Carolina's oldest and largest professional liability carrier – turns to us defend claims of malpractice or potential malpractice against other IP attorneys. Often we are able to swing into action and turn things around.

We pride ourselves on being able to cure problems and repair the damage – whether because non-IP practitioners got in over their head, or because an otherwise skillful practitioner made an error.

We don't guarantee that we can fix your problem. But we guarantee that we'll work hard – and we'll bring half a century of IP expertise with us – to get a good result and protect your dollars and your reputation.

We serve as local counsel for IP litigation.

We regularly serve as local counsel for out-of-state attorneys whose clients are involved in intellectual property litigation in North Carolina, and for those who want to file IP lawsuits in North Carolina, in either state or federal court.

Our attorneys are admitted to practice in all courts in North Carolina—state and federal—and are experienced at all federal and state trial and appellate levels. We are admitted to practice at every level up to the North Carolina and United States Supreme Courts.

We're delighted to talk to outside counsel about how we can help. We'll help you figure out if North Carolina is the best (or only) forum for your client's lawsuit. We'll tell you if we can add value to your case.

We're also happy to work with you at any level of engagement: from doing the bulk of the work ourselves, to serving as second chair, to making sure you comply with local rules. Or we can simply be on call to address any issues that arise.

What we don't do—and it's best to be clear about this from the beginning—is put our name on documents we haven't read, or allow our name to be used by others in circumstances that would violate court rules on local counsel engagements. In federal court, you need to be aware of – and prepared for – judges and magistrates who require each attorney who enters an appearance to be personally responsible for the accuracy of pleadings, and who do not allow local counsel to serve as mere briefcase-carriers. That's true across the state, even in one district that has a “local admission” rule suggesting otherwise. Our work as local counsel will

comply with those requirements. That said, we're always sensitive to avoiding unnecessary duplication of effort, which doesn't serve the client well.

When you engage Olive & Olive as local counsel, you get the benefit of 60 years of experience in intellectual property law—whether you've got a patent, trademark, copyright or trade secret case. You get the benefit of our firm's statewide reputation for excellence, and the knowledge and skills that back that up. And you get the benefit of local counsel who is familiar with the local rules, local judges, and local procedures—rules that in many cases, our lawyers helped write.