



Photo by Bill Sumner

New law partners (from left) Dennis Dupray and Scott Hawranek helped put together a blend of different backgrounds and areas of expertise.

Aspire IP

<http://aspireip.com/>

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Attorneys: 4

Practice areas: copyright, cyber risk services, cyberspace and cyber law, licensing, litigation, opinions and counseling, patent services and patent transactions, trade secrets and trademarks

New law firm marries different missions

SMALL BUSINESS

By Amy Gillentine
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Four local lawyers with experience in government cyber security, patent law and intellectual property protections have joined to create a new firm with locations in Colorado Springs and Denver.

All four worked within large government bureaucracies and very large law firms. But these attorneys wanted to do something different — provide a marriage between cyber-security breaches and intellectual property protections.

"We wanted a boutique setting for our clients," said partner Scott Hawranek. "So often, when it comes to patent law or intellectual property law, clients get kicked down to the junior level. We won't do that here."

Aspire IP was born in June from a collaboration between Dennis Dupray, Doug DePeppe, Eric Sheets and Hawranek. The four have expertise in different areas, but thought that together they could provide a complete set of services to business firms who worry about keeping clients' privacy, maintaining research and development secrets and securing patents and patent protection.

Hawranek worked at the U.S. Patent and Trademark office, as well as several large firms. DePeppe, on the other hand, has worked for the Department of Homeland Security, created the Western Cyber Exchange and is fighting on a global level for international cyber-security laws.

The two had a chance to work together on a cyber-security issue, and Hawranek felt there was a synergy between the two practice areas.

"We were talking about the amount of cyber attacks in the United States, targeting economic wealth in America," DePeppe said. "We saw an opportunity to continue the traditional protections for IP, and add cyber protections as well."

Educating the world

The law for cyber security is in its infancy, and DePeppe spent this week at a United Nations summit in Bangkok, Thailand, working to teach emerging nations what is needed to secure networks and punish those who invade companies' clouds and sneak away with valuable intellectual property.

But the law firm does more than just push for better cyber-security controls.

"Sometimes, a company can be doing its very best to make sure that the networks are secure and a breach still happens," Hawranek said. "It's not their fault, but there could still be some liability."

And that's where Aspire comes in. If the law firm researches the breach and obtains evidence about what was taken, who's responsible and what violations of network security took place, then that product is confidential under attorney-client privilege.

"Recently, a case in Maine determined that a bank was at fault for direct deposits that were diverted from a company's online banking program," DePeppe said. "The court said the bank was at fault — but the breach took place at the company. The message is clear: if you have people's information on your network, in your cloud, then you are the one responsible for it."

But because the law firm has decades of experience with intellectual property protections and patent law, it can do more than just protect cyber networks.

It can also protect patents from the popularly known "patent trolls."

"We don't really like that term," said Dupray. "It's pejorative. We prefer 'non-practicing entities.'"

Basically, a patent troll is a company that enforces its patent aggressively, with no intent to use the patent or to manufacture or market a product. The company files lawsuits to force other people using the patents to pay to use them.

"We have one client that we handled in that regard," Dupray said. "And we have defended someone in copyright litigation."

Different priorities

But despite recent attention from Congress and the president regarding non-practicing entities, Dupray says that isn't the firm's focus.

"What we want to do is help companies develop a quality patent portfolio," he said. "By using all the assets together, each division of the company — research and development, innovation vector to draft a quality patent portfolio around that space. We add the value of providing licensing and cyber security."

The firm is cutting-edge, Hawranek believes.

"Most full-service firms provide some sort of intellectual property protection," he said. "But there are only a handful that provide the kind of services we do. We're really breaking new ground."

And they're breaking that new ground in Colorado Springs because of the high number of defense contractors in the city, and the close proximity to the new U.S. Patent Office in Denver.

"The president has paid very close attention to cyber breaches," DePeppe said. "And so many government contracts require certain levels of cyber security. Most corporations don't even know the requirement is there. Colorado Springs is home to critical national security assets that it's important to protect. That's one piece of what we do."

The two areas — intellectual property and cyber security — might not seem like an easy relationship at first. But the law firm's members believe integrating the two is important for companies who want to protect their property from cyber breaches — and unethical uses.

"Companies need to think of the two things together," Hawranek said. "It's all a matter of protecting their best interest. We see real value there." • CSBJ

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DePeppe