

Member Spotlight: Peggy Millikin

A Question of Trust and a Labour of Love



Peggy Millikin is a registered patent attorney and has been practicing law for 28 years. She has managed the global intellectual property (IP) portfolios for a number of international businesses, counselling clients on aspects of portfolio creation and management and also protection and enforcement.

Starting a business should be a labour of love and building trust is a key element of success. This is the philosophy espoused by Peggy Millikin, as she embarks on her sixth year as an entrepreneur with her own intellectual property (IP) law practice, Millikin McKay.

Peggy has built an enviable international client base, capitalising on her specialism in petrochemical engineering. She decided to follow her engineering degree with a law degree, after she realised how the economy was changing and how important intellectual property was becoming to organisations in an increasingly technological environment. After serving in-house to manage the IP portfolios for several Fortune 500 and 100 companies and a stint with a general civil law firm helping to establish their IP practice, she decided to go it alone following advice from her father and another early mentor.

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She says: “Patent law wasn’t considered to be proper law 50 years ago, just something for engineers rather than attorneys. That has now changed. If you looked at the S&P 500 50 years ago, you would find that 80 per cent of the assets were tangible bricks and mortar. Now, 80 per cent of the value is intangible, including IP – just look at Google for instance.”

“I credit my father with challenging me to set up my own firm 10 years ago and also my first mentor, who taught me all about patent law and infringement and showed me how fun, challenging and rewarding it could be. She is still one of the best lawyers I know.”

Peggy’s expertise extends to fluid dynamics and industrial engineering and she is able to use this to good effect across a range of industries and IP areas. She has clients in software, aerospace engineering and manufacturing, which are all growth sectors in Oklahoma, where she is based. The applications she has worked on range from polymers used in the manufacture of car bumpers to parts for aircraft engines.

The nature of her work also means her client base has a strong international flavour, as she helps US clients apply for patents or IP rights overseas and also files application in the US for overseas clients. Peggy has spearheaded the IP function of international transactions, guiding the due diligence, the negotiation of the IP transaction documents and the integration of the assets post-closing.

She says: "I act as US counsel for several international firms and I work with several law firms overseas on a regular basis. IP by nature is global, because each country has its own laws around what must be done in order to get a patent or a trademark. There are also international treaties relating to patents or trademarks, that facilitate worldwide rights in territories that are signatories to the agreement."

Peggy says the recent escalation of protectionism and trade tensions between the US and China hasn't affected worldwide IP registration. The major issues to be dealt with concern the requirement for export control licences, that ensure the country, entity or individual concerned is not a threat to the national security of the USA. These licences can be blocked if the IP being shared could possibly be adapted for military, terrorism or energy-related uses.

Another, perhaps more surprising, area of Peggy's client portfolio are museums, art galleries and charities that exhibit art or other works with IP rights attached to them. This often involves copyrights and can be a fiendishly complicated area to navigate.

She says: "Museums often negotiate specific promotional rights when they receive pieces for display. When they acquire those rights, they need to know exactly what they are allowed to do. They

may not have the right to take a derivative image of the piece and use that for promotional or merchandising reasons.

"As an example, I recently visited the Tate Museum in London and bought a pair of Salvador Dali socks from the gift shop as a Christmas present. The museum would have negotiated the right to sell merchandise bearing the image of the Salvador Dali painting."

Over five years of practice ownership, Peggy has expanded Millikin McKay to four staff, with two lawyers, an IP associate and a receptionist. Growth of the business had been a labour of love and she has taken the approach of growing slowly and organically, taking the time to find the right people who share her philosophy.

"The hardest challenge in running my own business, has been finding the right people. I started hiring people with experience in IP law so they could come in as fee earners straight away, but I have realised it is more important to have shared values. We look for people who enjoy change and doing something new, looking for opportunities to grow. If they have these traits, then I am happy to train them."

"Treating clients with respect, fairness and understanding, while showing them you care about their business, are key to engendering trust and are a major factor in client retention"

Client service is also at the centre of Peggy's success and she credits trust as the bedrock of every client relationship. She says treating clients with respect, fairness and understanding, while show-

ing them you care about their business, are key to engendering trust and are a major factor in client retention.

Running a successful practice can take its toll on personal passions, but Peggy is involved in several city and state-wide initiatives, away from IP law, that confirm her love for architecture, travel and culture.

She is a member of the Oklahoma Governor's International Team, which has a mission to increase the state's interaction with other cultures and people around the world. It attempts to foster understanding of different cultures and languages, with the aim of improving business and life opportunities. She is also secretary of the Tulsa Metro Area Planning Commission and was nominated by the city's mayor. The commission is responsible for planning the city and its surrounding area, hearing cases on zoning changes.

She says: "Part of our focus is to rejuvenate public areas that have become dilapidated or crime-ridden. We recently worked on an area around the convention centre in Tulsa which hosts professional sports games and concerts. This area also has a 50-year-old library which has been completely renovated and modernised.

"Another interesting project was re-zoning to cope with the legalisation of medical marijuana in the state. This involved travelling to other cities such as Denver and Phoenix, to see how they were facilitating outlets to grow, produce and sell medical marijuana, without being a threat to public services such as schools."

It's clear from talking to Peggy that her labour of love extends beyond IP law and that her philosophy of creating a solid base of trust with clients is paying dividends. As technology continues to develop at pace she appears to be extremely well placed to benefit.



Peggy Millikin

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Millikin McKay assist clients in creating and identifying intellectual assets and leveraging these assets to achieve organizational goals through creative strategies. We advise clients in the creation, protection and management of intellectual property assets, including patents, copyrights, trademarks, trade secrets and other intellectual property assets and applications.