

## Merchant & Gould trademark lawyers excel at marketing

BY NICOLE GARRISON-SPRENGER  
STAFF WRITER

Scott Johnston, Andrew Ehard and Christopher Schulte aren't your traditional attorneys.

Rather than sit by their phones, waiting for new business to come their way at Merchant & Gould's trademark-law practice, the three young leaders — ages 39, 37 and 40, respectively — are often found out of their offices peddling their services.

It's a new way of doing business at the firm, they say, and it's working.

In 2002, Merchant & Gould's trademark practice brought in an average of 11.25

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**Scott Johnston**  
Chair, Merchant &  
Gould trademark  
practice

has landed a combined 121 new firm clients — including Farley's & Sathers Candy Co. Inc.

“Historically, we had talented attorneys who were talented attorneys,” said Johnston, who took the reins of the trademark group in January. “Today, the focus is on talented attorneys who are talented marketers.”

The practice even has its own tag line: “Protecting 20,000 brands every day.” The motto is imprinted on Nalgene bottles and

new clients per trademark attorney. In 2005 — after Ehard and Schulte had joined the firm — that number rose to 17.11 new clients per attorney. That's a 52 percent increase. Between 2002 and 2005, revenue on work originated by the trademark group increased 23 percent.

And since 2004, when Ehard joined, the energetic trio



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**(Left to right) Attorneys Scott Johnston, Andrew Ehard and Christopher Schulte together have landed 121 new clients for Merchant & Gould since 2004.**

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Company: **Merchant & Gould, trademark practice**  
City: **Minneapolis**  
Practice chair: **Scott Johnston**  
Revenue: **Not disclosed**  
No. of attorneys: **17**  
Web site: **www.merchantgould.com**

clients with trademark issues forced the firm to develop a more aggressive marketing strategy.

One insider said attorney-initiated marketing is becoming more common.

“It's not the kind of approach that was traditional with lawyers in the past, but increasingly, these up-and-coming attorneys realize that's what it takes to build

other give-away items. The three lawyers make a special effort to be regular speakers at events, which has developed into a reliable marketing technique.

A surge in competition for

a presence in the business community,” said Brian Freeman, author and former director of marketing for Minneapolis-based Faegre & Benson. “You are seeing a lot more of that, particularly in what might be considered niche practices.”

And Ehard and Schulte are both spending more and more time speaking at events and traveling across the United States and abroad to meet with prospective clients.

Schulte, in particular, is spending a lot of time in Germany, Croatia and London speaking to potential clients. While it's a big investment of his time and the firm's money, it's important if the firm is to compete there.

Said Schulte: “You can't fax a handshake.”

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