

Popular Threads on Solosez

What's In a Firm Name?

Can anyone think of a law firm name that does not include the name of at least one attorney? Is there some prohibition on so naming? Other reasons why not?

Craig McLaughlin, Irvine, California

I remember something from the Prof Resp. class in law school about this. I don't recall the rule but it had to do with advertising and somehow, I remember that the name of at least one attorney had to be in the "firm name." You should check the ethics opinion on Calbar-- probably something in there on this issue.

Gabriel Jimenez, California

I was curious so I did check the Calbar webpage and checked their ethics opinions. Here's the index:

Recent ethics opinions:

- CAL 2005-169: Client Trust Accounts<<http://calbar.ca.gov/calbar/pdfs/ethics/2005-169.pdf>>
- CAL 2005-168: Law Firm Website Disclaimers<<http://calbar.ca.gov/calbar/pdfs/ethics/2005-168.pdf>>
- CAL 2004-167: Misleading Law Firm Trade Names<http://calbar.ca.gov/calbar/pdfs/ethics/2004-167_02-0004.pdf>

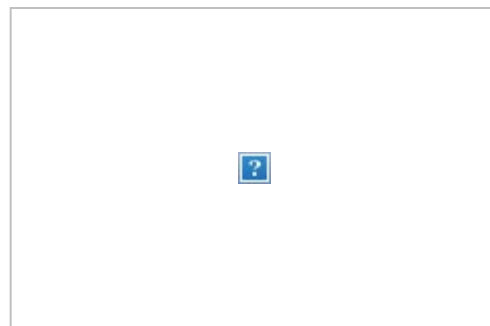
As you can see, the issue has been covered in California.

Gabriel Jimenez, California

My recollection from researching this issue just last year is that the firm name need not include the name of an attorney. However, it must not be misleading in any way. So Irvine Law Group or California IP Firm is probably fine, but Best Intellectual Property Legal Bureau is probably not. The firm name is basically considered a "communication" or "advertisement" under the Rules of Professional Conduct.

Eugene Lee, Los Angeles, California

In MA you can now have law firms without the attorney's name in them (The New Law Center for example). I think you need to check your state



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rules.

Andrea Goldman, Newton, Massachusetts

Yeah, so it seems. I think they (the CA bar) are concerned that a name misleads consumers into thinking it's a government agency, etc. (so "California IP Firm" might not be a good example).

Gabriel Jimenez, California

It is a law that varies from state to state. In some states law firm must use the names of attorneys. In other states there need be no real name in the firm name, in fact my firm is a made up name because my last name is a mouthful. In Pennsylvania we can use trade name (Such as the Asinine Law Firm, or Jackass Professional Corporation). There are some rules as to propriety such as we can't use the name of a current judge or disbarred attorney (I may be wrong on that) or a name that is intended to defraud the public into thinking we are associated with someone we are not.

Again, check your state rules of professional conduct as that is where you will find your hard and fast rules. If you are going to be practicing in more than one jdx then you should either follow the rules in the most strict jdx or establish your trade name in your most liberal jdx first.

Roger Traversa

Sure - here in the Bay Area, "Venture Law Group" was pretty active for awhile - I think they may have merged into another firm recently.

Another example is a pretty well-known (locally, anyway) estate planning attorney in the building next to mine - he uses "WealthPlan Inc." as far as I know - see <<http://www.wealthplan.com>>.

I know there are other CA examples, just can't call them to mind immediately. I'm pretty sure there's another estate planning attorney around here who uses "FamilyWorks" or something like that.

I think it's a good idea, to the extent that it encourages/allows attorneys to think about their practices as businesses, not just expensive hobbies that accidentally make money sometimes. One of the ways that people get money out of operating businesses is to sell them to others at retirement - and that's easier if the firm isn't named after you. I guess people at the big firms where all of the name partners are dead eventually get over clients thinking they're being snubbed if they're not talking to someone whose name isn't on the door - but I think there's still a perception that there's something special about being a "name partner".

Greg Broiles, San Jose, California

I dunno. What about Venture Law Group in Silicon Valley?

Norman Solberg, Osaka, Japan

There ya go, perfect example of a CA-permissible firm name: Venture Law Group. Thanks, Norman!

Gene Lee, Los Angeles, California

Craig, Cindy Jones is a business attorney and owns this firm:

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Tel: (858) 793-980 www.avatarlegal.com

Hope that helps,

Sharmil McKee, Philadelphia, Pennsylvania

I used to work at Sierra Patent Group, a patent law firm at Lake Tahoe, NV.

Michael Blake

----- One of my past employers, whose owner/managing partner is now my client, was the Red Hot Law Group Ashley, LLC. We were an IP boutique in Atlanta specializing in assisting small firms and start-ups with their IP needs and we did very well. So well, that a larger firm acquired us. My client wanted to remove her last name, Ashley, but was prevented from doing so by Georgia rules which state that the name of at least one partner must be in the firm's name. The rules must vary by state.

Lyza Sandgren, Georgia

You beat me to the punch (I've been out of the office). Anyway, VLG merged with/was acquired by Heller Ehrman about two years ago. I think Heller Ehrman kept them separate in something called "the Heller Ehrman Venture Law Group" or something like that for a while. I don't know if they still do. I know a few partners jumped ship about a year ago for Orrick.

Andrew Diaz-Matos

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