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WHO REPRESENTS AMERICA'S BIGGEST COMPANIES

## LIKE MINDS

**KRAFT'S OUTSIDE IP COUNSEL IMPRESSED THE GC WITH HER SMARTS.  
THEY'VE BEEN TOGETHER EVER SINCE.**

**BY SHANNON GREEN**

Foley & Lardner's Jeanne Gills  
and Kraft's Willie Miller

PHOTOGRAPH BY TAYLOR CASTLE

**PLUS: DIVERSITY DIGEST • ALLSTATE SAYS SILENCE IS GOLDEN • HEY, GC, IT'S YOUR TURN TO DRIVE**

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## KRAFT FOODS INC.

## LIKE MINDS

An IP lawyer impresses with her ideas, and her ability to listen.

BY SHANNON GREEN

**WHEN THE PATENTS ON KRAFT'S COUNTRY TIME LEMONADE** and Kool Aid brand drink mixes were targeted in a lawsuit in June 2010, Foley & Lardner's Jeanne Gills saw the case as an opportunity to get a foot in the door. The firm had already been handling labor and employment matters for Kraft Foods Inc. and had helped out with the occasional "one-off IP project," says Gills. As vice-chair of the firm's national intellectual property department, Gills saw a chance to make a lasting impression.

The lawsuit was filed by a *qui tam* plaintiff in Missouri after a federal district court ruled that companies could be penalized \$500 for every item marked with an expired, or otherwise false, patent. With such high-volume products as those at stake, Gills says, "even a penny a product or a fraction of a penny can get you to a large number very quickly."

What happened next was unusual for a company of Kraft's size. Gills was invited to meet with not just the top IP lawyers in the company, but also with general counsel Marc Firestone. "If it's a bet-the-company case," says Gills, "yes, you'd meet with the general counsel." This one had high-damages potential, but it was a relatively routine lawsuit. She was impressed that "all the way up to the GC level," Kraft's lawyers were analyzing the ruling. Like lawyers in her own firm, in-house lawyers were looking beyond the immediate industry at how the decision might be applied in other contexts.

Kraft deputy general counsel Willie Miller saw that same creative and strategic streak in Gills's team. Miller is responsible for the company's patents and trademarks, and he is the lawyer Gills had to work with. He was immediately pleased with the results she delivered: The first lawsuit they worked on was resolved without any payments.

Around the same time, Kraft faced another patent dispute—this one in Texas. Gills advised Miller to go on the offensive. "We filed a declaratory judgment here in Chicago"—where the company and Gills are based—"and sort of flipped the tables," says Miller. "It was the kind of out-of-the-box thinking partnership that we like to see," he says.

The deputy GC was also impressed by "how well they meshed with our team." Miller says at least part of Kraft's outside counsel

selection is based on personal attributes. "We want people that we like to work with," he says. And that's especially true when they're confined together for long periods—when closing a major deal, for instance. "If I'm going to be locked up like that, it's got to be somebody that I'm going to be happy working with," says Miller. "I don't care how smart they are."

Miller has no trouble spending time in the same room with Gills. "She's very bright, and she's very engaging," he says. But one thing that really sets Gills apart in Miller's eyes is her talent for listening. "She listens to the conversations, to the discussions that we're having," he says, "and then she responds in a manner that helps us get to where we want to go."

Gills tries to listen to all her clients. She wants each one to feel they are her top priority. When she gets an e-mail from a client, she tries to respond within an hour. "Certainly, within the day," she says.

Her relationship with Miller has been reinforced by personal interests they share. Multiple generations in both of their families enjoy taking cruises. "I go with my son and my mom, and he's gone with his kids and his parents," says Gills. Sharing cruise stories "has been some of the fun stuff."

As friendly as the relationship is, disagreements do crop up. When conflicts arise, Miller and Gills don't shy from addressing them. "We talk about it," says Gills. "If there's an issue, I'd rather get it on the table and discuss it." Gills has found Miller to be just as up-front, and the similarity of style makes everything run more smoothly. "I don't have that with every client," she says. "You work around it and do what you need to do, but it's nice when your communication style is also compatible." 

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