

Chicago Daily Law Bulletin

51, No. 12

Tuesday, January 18, 2005

Forty pages in two sections

95 cents

Book Polygamy precedent license

4 WL 2904311 (7th Cir., Dec. 16). When the Wurlitzer Co. split up in 5, its organ and piano business it to Baldwin Piano, and a man subsidiary — Deutsche Wurlitzer — was sold to an Australian company, Nelson Group dings. Deutsche Wurlitzer obtained a use to use the Wurlitzer mark in manufacturing and ng jukeboxes. Without giving any ons, Baldwin declared a ination of the license in 2003 filed a complaint in the U.S. rict Court for the Northern rict of Illinois, seeking an action barring Deutsche Wurlitzer from using the Wurlitzer mark. Illinois law applied. he District Court — concluding *Jespersen* applied and that the use was terminable at will, even if e were no breach by the licensee njoined Deutsche Wurlitzer from g the trademark. n appeal, the 7th Circuit luded that the trial judge erred rpreting the agreement as g terminable at will. Nelson p would have been a "sucker" if l purchased Deutsche Wurlitzer out a license that afforded some ction. And *Jespersen* did not pel an unnatural reading of the act." ere are some highlights of Judge c H. Easterbrook's analysis various omissions not noted in uoted text): [T]he 1985 transaction as a e is hard to understand unless

Today's hot property: real estate associates

By JERRY CRIMMINS
Law Bulletin staff writer

Five or more years into the real estate boom, real estate lawyers are still a hot commodity in Chicago law firms, maybe the hottest.

"Areas in law get hot and cold all the time," said Alan J. Rubenstein, executive vice president of Chicago Legal Search Ltd.

But with real estate lawyers, "When we start getting into a five-year cycle of constant demand, that's unusual," he said.

Seventeen Chicago-area law firms currently are asking his company to find high-quality associates for commercial real estate work, Rubenstein said.

Vanessa K. Alvarez, recruiter at the Chicago office of BCG Attorney Search, a national firm, said real estate law is prac-

lice area in greatest demand right now.

"A year ago," she said, "it was bankruptcy."

Out of 20 job openings for lawyers on BCG's national Web site Monday, six were for real estate lawyers.

In Chicago, Rubenstein said, some firms "are looking for multiple associates. That's very unusual."

Asked why the field continues to boom, Stephen L. Berger, head of the real estate group at Neal, Gerber & Eisenberg LLP, responded, "Everybody talks about interest rates."

But Berger thinks more is involved. "It has to do with the availability of debt and equity ... which fuels real estate activity," he said. "Perhaps people can get a higher rate of return in real estate investments."

Because of that, people and corpora-

tions with money to invest and banks and insurance companies with money to lend want to put that money in real estate, he said.

At Neal, Gerber's real estate group, "As quickly as we add people," he said, "we find there's still demand and still need to fill a slot."

The firm represents many real estate trusts and privately held companies that invest, Berger said.

Lee M. Smolen, head of the Chicago real estate practice group for Sidley, Austin, Brown & Wood LLP, said the high activity is "not just a Chicago phenomenon."

Real estate business also is brisk at Sidley's offices in New York, Los Angeles and Washington, D.C., he said.

"Sidley is very much out there looking for good quality people because of the

explosive growth in our real estate area," Smolen continued.

Real estate business for Sidley is especially brisk in the finance area, Smolen said, the type of business known as CMBS, or commercial mortgage backed securities.

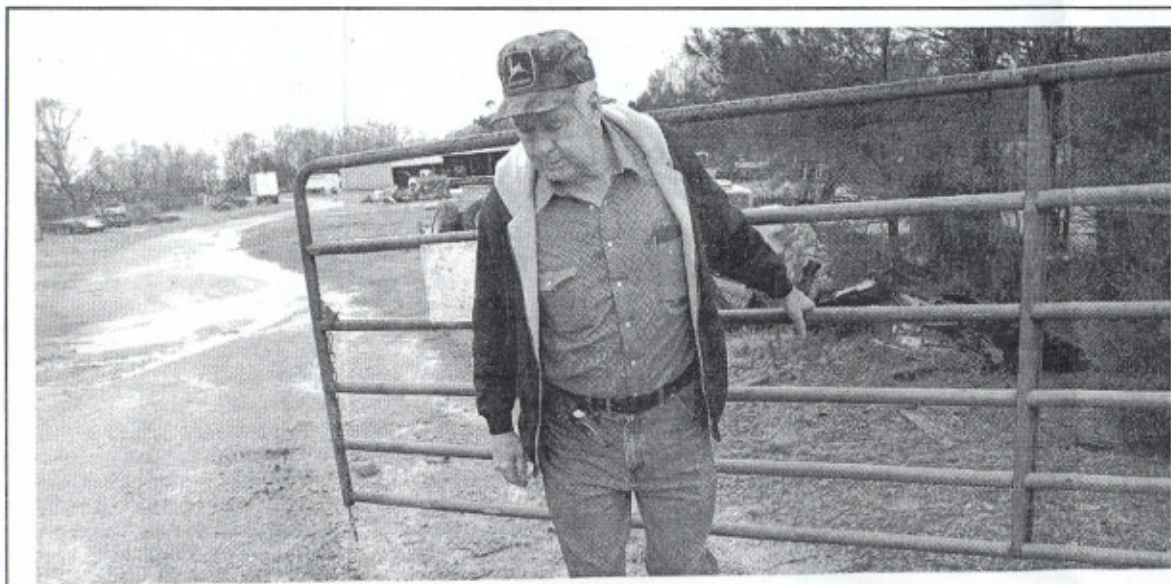
He said this means "origination of commercial real estate loans for securitization" or to sell the loans as securities.

Robert T. Buday, a partner in the real estate practice group at Kirkland & Ellis LLP, said he joined the firm in 1999 as the 12th real estate lawyer. The firm now has nearly 40.

Kirkland's core real estate practice, he said, is representing institutional investors.

Asked what sort of lawyers qualify for the openings, Rubenstein said law firms

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Court: Woman in harassment case entitled to benefits

By KELLEY QUINN
Law Bulletin staff writer

A woman who quit her job after allegedly being sexually harassed by her boss cannot be denied receiving unemployment benefits, a state appeals panel ruled on Tuesday.

The 1st District Appellate Court upheld a ruling that Khristina Petrovic was exempt from the disqualification of

the old technology," Heck said.

The company said the licensing agreement protects its more than 600 biotech-related patents and ensures a return on its research and development expenses, which amount to more than \$400 million annually.

"We have to balance our obligations and our responsibilities to our customers, to our employees and to our

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Continued from page 1

typically seek associates with at least two to three years of experience, generally in the real estate field.

"But in the last year or two, I placed a couple folks with no real estate experience," Rubenstein added.

Those lawyers were hired "based on their smarts, based on their academic background and the firm they were coming from."

A young lawyer who wants to get out of litigation, for example, and go into real estate usually cannot announce this at his firm because it's "political suicide," Rubenstein said.

The firm might not have an instant opening for a real estate lawyer, and the heads of the litigation group would sour on this person.

Such a young attorney might seek to go to a new firm. She might tell a recruiter, Rubenstein said, "I'd be willing to take a step back in class year or a step back in compensation in exchange for somebody training me in this new practice area."

Sometimes a lawyer will make such a switch, Rubenstein said, because he or she in the long run wants to switch to working as an in-house corporate lawyer for a better quality of life.

It's much easier to go from a law firm to in-house if one has a transactional or real estate background, he said.

According to Alvarez, the opposite change, from in-house attorney to law

to altered plants in 2001. Earlier this year, a Washington D.C. federal appeals court specifically upheld Monsanto's license.

"It's sad. It's sickening. I'm disillusioned," said Rodney Nelson, a North Dakota farmer who settled a Monsanto suit in 2001 that he said was unfairly filed. "We have a heck of an uphill battle that I don't think can be won."

firm associate, is very hard to do in the real estate field — despite desire.

She said her company gets a lot of calls from in-house lawyers who want to go into real estate at a law firm because this is hot.

But law firms want real estate lawyers from other law firms, Alvarez said, in the belief that associates from other firms bring the most easily transferred experience.

In Alvarez' opinion, the demand for real estate attorneys got hotter in the last year or so because investment money on the sidelines came back into play when the economy started to improve.

Another factor, she said, is that real estate practice groups in law firms have historically been among the smaller and lesser known practices.

Thus, summer associates don't hear of it and don't choose it, she said, so firms go into the lateral hiring market for real estate associates.

No one interviewed for this story could predict how long the high activity in real estate will last. Rubenstein said if interest rates rise sharply, "This will start to wind it down."

Berger did not entirely agree.

An attorney for 34 years, he said real estate has been active except for a real estate recession in the late 1980s and early '90s.

E-mail: jcrimmins@lbpc.com

student; \$10 optional lunch
Info: 630-762-1915; fax: 630-762-9395

Wing-Tat Lee Lecture in International & Comparative Law

Sponsor: Loyola University Chicago School of Law
6 p.m. One E Pearson St
Info: Elisabeth Brookover at 312-915-7854

Labor & Employment Committee Meeting

Sponsor: DuPage County Bar Association
Noon
Info: 630-653-7779; fax: 630-653-7870

JANUARY 27

Law in Literature Group

Sponsor: DuPage County Bar Association
4 p.m. Courtroom 2015
Info: 630-653-7779; fax: 630-653-7870

Criminal Law Committee Meeting

Sponsor: DuPage County Bar Association
Noon
Info: 630-653-7779; fax: 630-653-7870

Taxes and The Undocumented Worker

Sponsor: Federal Bar Association and Loyola University School of Law
3 p.m. Loyola 25 E Pearson
Info: Margaret McCormick at 312-427-6163 or Carolyn at 815-464-9068

Post Judgement Collection Procedure Training and Pro Bono Program

Sponsor: Chicago Bar Association Young Lawyers Section
3-6 p.m. 50 W Washington Rm 1401
Info: 312-554-2056

Seminar - Insurance Brokers: The Impact of Allegations of Corruption

Sponsor: Chicago Bar Association Continuing Legal Education
Noon-1 p.m. CBA 321 S Plymouth Ct
\$25 member; \$35 non-member
Info: 312-554-2000 or 312-554-2054

Meeting - The untold story of The St. Valentine's Day Massacre

Sponsor: Bohemian Lawyers' Association of Chicago
6:30 p.m. cocktails; 7 p.m. dinner Bohemian Crystal Restaurant 639 Blackhawk Dr Westmont
Guest speaker: Mr. Arthur J. Bilek
Info: 312-782-1318; fax: 312-782-1319

FEBRUARY 1

Executive Committee Meeting

Sponsor: DuPage County Bar Association
Noon Library
Info: 630-653-7779; fax: 630-653-7870

Estate Planning Committee Meeting

Sponsor: DuPage County Bar Association

Sponsor: Illinois Institute for Continuing Legal Education
9 a.m.-4:30 p.m. UBS Tower & Conference Center One N Wacker Dr
Info: 800-252-8062; fax: 217-787-5986

Memorial Celebration of the Life of Professor James M. Forkins, Sr. (1918-2004)

Sponsor: Loyola University Chicago School of Law
6 p.m. Rubloff Auditorium
Info: Elisabeth Brookover at 312-915-7854

Seminar - Alternative Careers for Lawyers Part II

Sponsor: Chicago Bar Association Young Lawyers Section
Noon-2 p.m. CBA 321 S Plymouth Ct
\$40 member; \$60 non-member
Info: 312-554-2000 or 312-554-2054

Meet the Agencies

Sponsor: Illinois State Bar Association
2:30-4 p.m. ISBA 20 S Clark St Suite 900
\$35 per person
Info: 800-252-8908

FEBRUARY 3-5

13th Annual Fair Housing Litigation Skills Training Program

Sponsor: John Marshall Law School Fair Housing Legal Support Center
9 a.m.-5 p.m. 315 S Plymouth Ct
\$520
Info: Elaine Morey at 312-427-2737 x492

FEBRUARY 9

General membership meeting

Sponsor: Winnebago County Bar Association
Noon Forest Hills Country Club
Guest speaker Dr. Dennis Thompson
\$17 member & Guest
Info: 815-964-4992

Publication Board Meeting

Sponsor: DuPage County Bar Association
Noon Boardroom
Info: 630-653-7779; fax: 630-653-7870

FEBRUARY 10

8th Annual Employment Law Update & Workshop

Sponsor: Illinois Institute for Continuing Legal Education
8:30 a.m.-4:30 p.m. UBS Tower & Conference Center One N Wacker Dr
Info: 800-252-8062; fax: 217-787-5986

FEBRUARY 11

Appellate Law Committee Meeting

Noon Library
Info: 630-653-7779; fax: 630-653-7870

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