

# The Ethical Traps of Joint Representations

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26<sup>th</sup> Annual Advanced Patent Law Institute  
Austin, Texas Nov 4, 2021

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## Joint Representations



- Co-defendants
- Indemnitor and indemnitee
- Licensor and licensee
- Supplier and customer
- Company and employee
- Joint venture partners
- Manufacturer and distributor
- Partners

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## Traps for the Unwary

- Disclosure
- Scope
- Conflicts (and reevaluation)
- Privileges and confidences
- Settlement



## There's always a risk

Joint representation always presents the potential for **a conflict of interest.**



## Follow the rules



- **Texas Disciplinary Rules Of Professional Conduct**
- Other states' rules
- Local rules
- When in doubt, follow the ABA Model Rules

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## A Lawyer's Responsibilities

- Advisor
- Advocate
- Negotiator
- Intermediary



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First appeared as part of the conference materials for the  
26<sup>th</sup> Annual Advanced Patent Law Institute session

"The Ethical Traps of Joint Representations in IP Cases"