



SPOTLIGHTS

Daniel Valenzuela: Reflections On Hispanic Heritage Month

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I am a Mexican-American patent attorney, born and raised in El Paso, Texas. I have always appreciated the opportunity to pursue the American Dream and became the first in my family to graduate at the top of my high school class, earn a degree in electrical engineering, and receive a juris doctor degree. As I began new chapters in my life, I also began to notice that there were fewer Hispanic people following the same path. For example, I was one of only three Hispanic students in my law school's graduating class. I was also one of the first Hispanic students to serve on law review and to have authored and published a law review article in the school's 100-year history.

Once I graduated from law school, I had an opportunity to serve as a law clerk to a state judge in my hometown. Following my three-year judicial clerkship, I moved to Dallas, Texas, and began practicing law at a boutique firm while working on a variety of civil litigation cases. However, I aspired to specialize in patent litigation in order to merge my engineering skills with my passion for litigation. I researched local intellectual property attorneys and contacted Mark Nelson, an IP partner at the Dallas office of an international law firm. Although Mark did not have a need for an associate at that point, we stayed in regular contact.

Meanwhile, I decided to study for the patent bar exam during the evenings and weekends. Soon thereafter, I passed the patent bar exam and am among the 2 percent of all attorneys in the United States who are registered patent attorneys. Fortunately, because Mark and I continued to stay in touch, approximately two years after our initial meeting, he provided me with the opportunity to work with him and focus on patent litigation.

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Once I started practicing at an international law firm about eight years ago, I immediately noticed that I was only one of two Hispanic attorneys out of more than 70 attorneys in that firm's Dallas office. I later learned that only about 2 percent of U.S.-based attorneys in the entire firm were Hispanic, and I was the only Hispanic registered patent attorney at that time. While working there, I had a profound appreciation for the opportunity to work with talented attorneys who allowed me to develop skills in patent litigation while strengthening other skills to advance my career, such as serving as the first-chair trial attorney on behalf of pro bono clients. However, I also experienced disappointment when a different litigation department included me in a pitch for high-stakes litigation in which the client sought a diverse legal team, but the partners on that case later failed to assign me to the matter once they landed it. Instead, the team was comprised entirely of non-minorities. In contrast to my experience with those attorneys, I always felt welcomed and valued by my mentor, Mark Nelson.

After working at that firm for about six years, I followed Mark and joined Barnes & Thornburg's Dallas office in spring 2018. Fortunately, Barnes & Thornburg appreciates the benefits of diversity and inclusion by recognizing that diverse teams bring multiple perspectives and problem-solving skills to the table for the benefit of our clients. I noticed this from my first days at Barnes & Thornburg, through its more diverse attorney makeup. Moreover, the firm has demonstrated its commitment to fostering relationships with diverse clients by approving my request to sponsor the Hispanic National Bar Association Corporate Counsel Conference for two consecutive years. This sponsorship affords me the opportunity to network with talented Hispanic attorneys from across the nation and meet with counsel from companies such as Microsoft, Apple, Google, and Amazon that seek diverse legal teams.

I appreciate the firm's efforts to recruit diverse attorneys and ensure that minorities play a vital role in our clients' cases by allowing us to share our perspectives, develop strategies to overcome legal issues, and showcase our oral advocacy skills. Barnes & Thornburg should continue to support diversity and inclusion efforts given that collaboration between attorneys of various backgrounds and experiences will allow us to provide well-rounded advice to our clients in order to achieve the best outcome for them.

Although a firm's commitment to diversity and inclusion efforts are important, I have personally found that support and sponsorship from individual partners are especially crucial. On a personal level, I am grateful that Mark has given me the gift of inclusion by welcoming me into his practice and including me in countless pitches that culminated into my representation of various high-profile clients in complex patent litigation matters. Because of the opportunities that he has given me in my professional career, I have been able to hone my litigation skills by taking a lead role in cases in which he encourages me to provide a perspective unique to my background.

In fact, I have been the central player in a civil rights action for a pro bono client over the last two years. Our client is the mother of a 41-year-old African-American male who was shot four times and killed by a Los Angeles Sheriff's Department deputy in the company of three other LASD deputies. I took depositions of multiple witnesses, including the LASD deputies involved in the incident, and inquired about their unreasonable

use of deadly force against a victim with signs of mental illness. This incident raises another example of racial injustice in our country that requires the implementation of new laws, such as increasing minimum hours of appropriate mental health training, alternative use of force against mentally ill individuals, and legal ramifications to deter police officers' misconduct. Fortunately, I was able to brief and argue motions that led to favorable court orders for this client, including terminating sanctions against the opposing parties.

As a result, diversity and inclusion translates to providing unique skills and perspectives to our clients.