

# The Patent Lawyer

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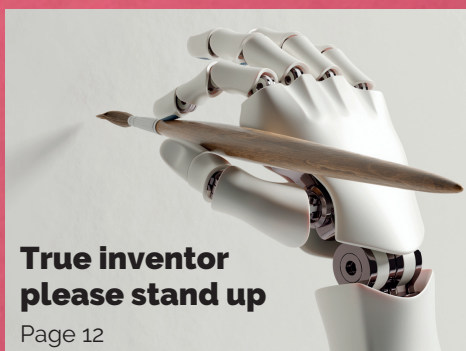
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## The power of paralegals post-pandemic

  
IP TrendMonitor

*The Patent Lawyer* investigates the changing legal landscape that has resulted in a shift in the function of paralegals, discovering how one particular solutions provider is opening the door to new opportunities for leveling up in the patent space.



# Women in IP Leadership

Celebrating achievements and continuing  
the empowerment of women



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We give special thanks to Clarivate for their dedication and support in continuing  
the empowerment of women in IP by facilitating this opportunity.

This segment is dedicated to women working in the IP industry, providing a platform to share real accounts from rising women around the globe. In these interviews we will be discussing experiences, celebrating milestones and achievements, and putting forward ideas for advancing equality and diversity.

By providing a platform to share personal experiences we aim to continue the empowerment of women in the world of IP.

This segment is sponsored by Clarivate, who, like *The Patent Lawyer*, are passionate to continue the empowerment of women. Clarivate's sponsorship enables us to remove the boundaries and offer this opportunity to all women in the sector. We give special thanks to Clarivate for supporting this project and creating the opportunity for women to share their experiences, allowing us to learn from each other, to take inspiration, and for continuing the liberation of women in IP.



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**At Clarivate, we connect you to intelligence you can trust to ensure an IP-empowered tomorrow. We know that bringing people together from different cultures and backgrounds, with different life experiences and perspectives, is a key driver of innovation. This is an opportunity to celebrate all talented women around the world of IP and acknowledge their work which has changed the industry to date and look forward to what they and many more women in IP will do for tomorrow.**



**Gordon Samson, President, IP, Clarivate**

If you would like the opportunity to share your experiences with *Women in IP Leadership*, would like to nominate an individual to be involved, or would like to learn more about sponsorship, please contact our Editor.

# Jamie Soon-Kesteloot: Head of Innovation Protection and Valorisation, EssilorLuxottica & President of I3PM

**An interview: inspirations, experiences, and ideas for equality.**

**J**amie is an IP Strategist, scientist, and advocate for innovation, diversity, equity, and inclusion.

With nine years of academic and 15 years of industrial experience under her belt supporting the biggest French multinational companies in their R&D, she builds the bridge between fundamental research and IP with the aim of extrapolating towards future business objectives.

Currently Head of Innovation Protection and Valorisation at EssilorLuxottica and President of International Institute for Intellectual Property Management, she delivers her skills and passion to the communities she serves professionally and pro-bono.

#### **What inspired your career?**

When asked what I wanted to be when I grew up – and my family won't let me forget this – I would boldly state that I wanted to be the First Lady. They would all laugh at me. The reason why I wanted to be a First Lady was because, at that time, I thought that the president must be a man.



**One of I3PM's key pillars is to promote inclusion in IP as we value the diversity of our ecosystem.**



so if I wanted to be in a position where I could help people then the best available position to me would be the First Lady. That was a very light-hearted episode of my childhood, but it strikes me as an adult that when I was young the notion of gender inequality, biases, and the gender of presidents was already so strong. So, it has remained one of the cornerstone moments of my life.

My second childhood ambition was to be a lawyer because it seemed like a noble profession. I didn't end up being the First Lady or a lawyer, I ended up studying science and I have a PhD in nanotechnology. I work with thin films that are nanometre size in thickness – so thin that they are invisible to the eye! Many industrial applications that are very common today are examples of this technology, such as the antireflective coating that is developed for eyeglasses. I also used to work in the building industry on a special coating for windows that keeps the cold out in the winter and the heat out in the summer. These are just some of the applications of nanotechnology.

**How have you found the pathway to your current position? And can you offer advice from your experience?**

I started my career with nine years as a research scientist in academia and then I switched to industry where I started as a research engineer. I moved up the ladder and started taking care of portfolio projects. This is when top management began asking me what could be protected as IP in the individual projects that I was managing – that's how I began to advise them and that's when my love for IP flourished - it's not just an intellectual concept, it's a real-life strategy that could be applied!

So I decided to go deeper into IP and in 2020 I did my master's in IP Law and Management to complete my PhD in nanotechnology. Now I'm the Head of Innovation Protection and Valorisation for EssilorLuxottica. We are a large company - more than 190,000 people worldwide - and we are owners of brands like Oakley and Ray-Ban. We are licensed to produce for top brands such as Chanel, Prada, etc.

I'm also very active in the ecosystem, notably in promoting diversity, equity, and inclusion in science, technology, and IP. I'm the president of I3PM; one of I3PM's key pillars is to promote inclusion in IP as we value the diversity of our ecosystem. We value people of all genders, sexual orientations, and origins; we want everyone to be able to contribute their unique viewpoints to I3PM to be an opinion leader in the field of IP so we provide the platform to be able to express that.

I think that the code of our society is such that we are often taught that things are black and white - in math there is only one correct answer,



**We make judgments very quickly, and if we are not aware of it ourselves, we might end up making subpar decisions driven by our biases. We are human beings, right?!**



in science there is a standard answer - but society is less like this. Even when I joined the workforce it took me some years to understand that there could be grey zones... grey is great! For example, often when I speak to young girls in school to motivate them to be interested in science and technology, a lot of them are just so afraid that if they choose science and technology then they have to do it for life. But that is not true and I can think of so many people that have changed career paths, myself included having started as a purely technical research engineer and then moving half-way between a technical and strategic-legal role.

I think that we have to tell our young children to stop thinking in black and white, if we stop restricting our minds to think in a binary way then the opportunities are endless. We should encourage young people to explore all opportunities. Some of the best opportunities are beyond our imaginations! The paths that are less walked are the best opportunities because they are imagined by us and tailor-made to us, and I think that would be the best career that anyone could have.

"There are only a few basic colours. Yet you can always mix them. You can never see all the shades of victory."  
Sun Tzu, *The Art of War*

**What challenges have you faced and how have you overcome them?**

I think one of the reasons why I'm such a great advocate for women's diversity, inclusion, and equity in science, tech, and IP is because I think there are still a lot of biases – whether it's conscious or unconscious – in our society today. It is less of a problem if people are outright biased because we can identify the problem and we can manage it. The problem is that a lot of us – including myself – have unconscious biases, sometimes it's just the way our brain works. We make judgments very quickly, and if we are not aware of it ourselves, we might end up making subpar decisions driven by our biases. We are human beings, right?!

So, I think one of the biggest challenges that I have seen is trying to figure out my own unconscious biases and blind spots to be aware of them and to try to correct them the next time. And I'm pretty sure that other people have the same thing towards me. I'm constantly learning how to balance this in terms of relationships with other people to be a more positive society, so I think that is indeed very challenging.

**What would you consider to be your greatest achievement in your career so far?**

Some may think I would talk about the scholarships or awards and prizes, but actually my proudest moment was brought to my realisation by a photo after the fact. It is a photo of me talking to the



French President, Mr Emmanuel Macron, and around me were all these men, well-dressed in ties and suits, looking and listening to me speak. Somebody took that photo for me and when I saw it I felt so proud of myself. I thought back to 16 years ago, in 2008, when I arrived in France alone for a job, I didn't speak a word of French and I didn't have a lot of savings, I was quite young at that time and I was literally nobody in France. Now in 2024, I've picked up French, built a career, have a network, I have a personal calling which is to promote diversity, inclusion, and equity in IP and in STEM and here I am talking to the President in French in a room full of male professionals. I was just so intensely proud of that photo!

**What future career aspirations do you have and how will you work to achieve them?**

The more I work in the field of IP, the more I realize that the term 'IP strategy' is a misunderstood concept even for people within the IP industry. When we talk about IP strategy,

**Jamie speaking to the French President**

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people often think we are talking about in which country we need to file the patent, extend it, meet deadlines, etc. That part of IP is critical – but in my day-to-day role, and also one of my supporting roles for I3PM, is to enforce IP strategy in the sense of how to align IP portfolios with business objectives, not just for this year but the next three, five, 10 years to come to build an IP portfolio that is valuable for the business. Implementing a secure IP strategy can reduce risk and position a business to be less vulnerable to attack.

This is not trivial: having a collection of unrelated patents is not as valuable as a cohesive portfolio. By putting thought into what type of patents we would like to file, what the links between these patents are, and what function each patent is bringing for our product from the onset, we are creating a patent strategy with patents that are very valuable in maintaining a competitive edge for our company.

IP strategy under these terms is not well understood and not a lot of people are competent in doing it so education in this area is needed and I'm determined to help. For example, in December 2023 I presented for the EPO on How to Develop an IP Strategy: A Step-by-Step Guide for Start-ups and SMEs. This is a topic I hold close to my heart and I would like to spread the message so that more people can understand IP strategy and the importance of it.

**What changes would you like to see in the IP industry regarding equality and diversity in the next five years?**

I think that it's still a very male-dominated industry, let's be honest about that, and the problem is not IP specific, the problem is deep-

rooted. A lot of patent engineers have a scientific background; there are still fewer women in science which means there are fewer women becoming IP engineers.

For this to change, more women have to choose science when they are teenagers. So if there are not enough women – or people of color or diverse people with underprivileged backgrounds – who are choosing to study science then this chain effect will continue. For this reason, IP is at the back end of all these problems around a lack of diversity, of opportunities for people with underprivileged backgrounds. If we don't fix the problem upstream, then we are going to continue having these challenges downstream.

I did a fun exercise just last year: I stumbled upon this report from a French organization that studied students in school throughout their childhood and adulthood to assess the correlation between children whose parents were white or blue collar, for example, and what percentage of these children made it to a master's degree or more. A comprehensive table pinpoints by percentage the likelihood of a child's educational outcome based on their parents' profession (see Table 1). The fun part was calculating the score for myself. I come from a middle-class family background, my dad was a small business owner and my mum is a housewife; I calculated that, according to the statistics, the probability of me receiving the education I did is less than 0.5%. And I came from a reasonably privileged position. I think this is very revealing and shows there are deep-rooted societal problems that we must start working on to offer better opportunities for people of all backgrounds to bring about improvement.

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The problem is not IP specific, the problem is deep-rooted.”

**Table 1: Social Origins of University Students by Curriculum<sup>1</sup>**

	Bachelor	Master	Doctoral
Farmers	1.4	1.7	1.4
Craftsmen, retail shop owners and small business owners	7.9	7.4	6.5
Top or Senior Executives	29.3	40.2	40.3
Intermediate professionals	16.0	13.5	11.0
Clerks or junior white-collar workers	19.8	12.8	8.7
Blue-collar workers	12.3	8.5	5.9
Retired or not in the workforce	13.3	16.0	26.2
<b>Total</b>	100	100	100

Reading: 12.3% of students doing a Bachelor's degree have parents who are blue-collar workers.

To be in a position to better promote equality and diversity beyond IP, I have accepted the nomination as a Co-President of the Women@EssilorLuxottica France network, as well as a global Ambassador for the company to build internal engagement for our culture. Independently, I am also appointed jury member for the Cartier Women's Initiative to drive change by empowering impact-driven women entrepreneurs.

**How can we continue to empower women in the IP sector?**

We need to include the voices of women when we talk about IP. In the I3PM committees, we try to have a balance of men and women in committees whenever possible. As I explained before, we are limited by the societal tendency that there are simply fewer women in science and hence fewer women in the patenting space. So we try to create this balance ourselves as the Board of I3PM.

In my professional work, I also keep an eye on the men-women inventor ratio. EPO released a report in 2022 saying that one in seven inventors in Europe are women. I looked at how they calculated the report and I calculated that for my company, we have a much higher percentage of women inventors, both at the European level but also at the French level (my company is a French company) - I was really proud to learn this. I did the calculations year by year and it helped me identify some years where we had fewer women inventors – why is that? Is it something that could be within my control as my role of Head of Innovation for the company? I looked into the statistics and realized that, in one particular year, we conducted several sessions to generate IP and only men were invited to this meeting. In my professional role moving forward it is my responsibility to make sure that when we organize internal working sessions like this, we must invite both men and women. This is a concept that all industries should be implementing to help balance the scales of gender disparity.

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<sup>1</sup> Source: French Ministry of National Education – Data 2019-2020 – Observatory of Inequalities, <https://www.inegalites.fr/Les-milieus-populaires-largement-sous-representes-dans-l-enseignement-superieur>



# Ignite

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# Jacinthe Tay: Qualified European Patent Attorney

An interview: inspirations, experiences, and ideas for equality.



Jacinthe is a qualified European Patent Attorney and a local IP expert for the EUIPO IP Scan and Horizon IP Scan. She has more than 10 years of experience in the IP industry. In addition to patent drafting, she also undertakes IP prosecution, IP management consultancy, and negotiations on behalf of clients. She works closely with clients to conduct IP audits and formulate IP strategies that support their business strategies to maximize the value of their IP assets. She is a current member of INTA's Brands and Innovation leadership committee, I3PM - International Institute for IP Management, and IPOS Society.

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**You really have to pace yourself so you don't get burnout.**

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#### **What inspired your career?**

While working as a trademark examiner at the Intellectual Property Office of Singapore, I actually realized the importance of IP as an economic pillar, a business tool, a legal tool, and also a tool for consumer protection, and a tool for spurring technological innovation. I still hold that very fondly to this day.

#### **How have you found the pathway to your current position? And can you offer advice from your experience?**

To be honest, it was a little bit of a random chance. I chanced upon the job opening of a trademark examiner when I was job searching as a fresh university graduate. As I did my research I thought, 'this is very interesting because it is an area that is an intersection of technology, law, and business'. I thought I would apply and I got lucky – I got it! After two years as a trademark examiner, I wanted to expand my knowledge, so I embarked on a journey of becoming a patent attorney.

For anyone starting on this IP journey, remember that it is a long marathon – it is not a sprint. You really have to pace yourself so you don't get burnout. It helps to constantly remind yourself why you do what you do. It makes the whole

journey more meaningful and purposeful for you and it can help you to take the next step in your career if you go back to your original purpose and meaning of doing something. I find that it helps to become a member of professional associations (for example I3PM - International Institute for IP Management, IPOS Society, INTA – International Trademark Association, EPI – European Patent Institute, etc.) in order to meet and form a network of meaningful connections with other like-minded professionals to support you on your journey.

#### What challenges have you faced and how have you overcome them?

I think it's probably something that most attorneys face, and that is balancing time. The majority of attorneys do what we do because we're doing it out of passion – we really like our jobs. So, sometimes we will forget that we need to put in personal time, not just because, well you need time with your family, right?!, but also because you need to force yourself to rest, again, so that you don't get burnout. It takes a lot of discipline to set aside time for family and for yourself, and it also helps when your family understands your passion. That discipline that a lot of attorneys have with achieving their career goals and their jobs can actually be put into having that discipline to set aside time for other things in life.

#### What would you consider to be your greatest achievement in your career so far?

For me, the greatest achievement so far has been the moments where my clients come back to me and say, 'I adopted the strategy you told me to adopt, and I managed to get investment for the company' or 'I managed to turn the company around, and the business began to survive or to thrive.' For me, those are the best achievements because they go back to why I do what I do – back to the meaning and purpose behind it.

#### What are your future career aspirations and how will you work to achieve them?

I'm trying to work towards updating my qualifications to be a representative for the Unified Patent Court. It's a little milestones that I want to achieve because it will allow me to do more for my clients.

#### What changes would you like to see in the IP industry regarding equality and diversity in the next five years?

I hope to see more female attorneys in the IP industry because it is still a very male-centric industry; less than 50% are female. It will bring a different perspective to things.

#### How do you think the empowerment of women can be continued and expanded in the IP sector?

As a start, it would help if more firms actually recognized and offered flexibility in work arrangements needed by some working females in order to balance the other hats that they wear – be it the hat of a mother or the hat of a caretaker. Having in the back of your mind the knowledge that the firm recognizes the need – recognizes your other hats – and is supportive of it, they will not penalize you for requiring that flexible arrangement, actually provides an emotional safety net to empower the women to continue to work hard and to take more steps to grow in their career. Knowing that I don't have to be in the office at 08:00, meaning I can do some caretaking work in the morning and maybe start a little later, for example, helps tremendously.

We can put in place a lot of other training opportunities or support groups but at the end of the day it goes back to the firm's culture and the human resource policies of the firm; I believe these are the first steps.

