

WOMEN OWNED LAW

Member Spotlight Questionnaire

Nancy Mertzal

Mertzal Law PLLC

Technology, Copyright & Trademark Law

Tell us about your firm including: history, specialization, and years in business.

Mertzal Law PLLC is a woman-owned, LGBT-certified intellectual property boutique law firm based in New York City. After more than 25 years practicing intellectual property law at large and small firms, I launched the firm two years ago so I could dedicate myself to client service, without the distractions or overhead of a larger firm. I provide practical technology, copyright, trademark and related intellectual property counseling to clients ranging from start-ups to Fortune 100 companies engaged in a variety of fields including consumer products, media, insurance, software, technology and financial services.

My practice includes substantial technology, trademark and copyright litigation. I regularly handle disputes over trademark registrations before the Patent and Trademark Office's Trademark Trial and Appeal Board. I also advise clients regarding enforcing their rights online, fair use, and best practices to avoid infringing anyone else's rights.

In addition to my litigation practice, I negotiate copyright licenses and assignments and help clients develop and implement efficient copyright registration strategies. On the trademark side, I clear new brands, register trademarks, and negotiate license agreements. I also prepare website terms and conditions and privacy policies. Additionally, I have experience analyzing prospective legislation and writing "friend of the court" briefs for courts including the United States Supreme Court.

Outside of intellectual property, I handle select commercial disputes and serve as local counsel.

What's an interesting fact about you or your firm most people don't know?

My passion for computers led me to my career in intellectual property law.

I enthusiastically adopted computers in 1984, when I bought a “Fat Mac” – Apple’s first Macintosh computer with extra RAM. In college, I studied computer programming and earned pocket money by providing computer consulting services to small businesses and individuals. In law school, I was the first person in to use a computer in class, and created quite a sensation when my copyright professor allowed me to type my final exam on my Mac. To finance the purchase of an Apple LaserWriter, I learned “desktop publishing” and started a resume and graphics business that I named MacMertz Enterprises. I hired subcontractors to help when demand escalated, and on graduation sold my business to a junior student – along with a temporary license to use the name. I am a proud “tech nerd” and early adopter and regularly draw on my own skills to find and implement technology solutions to increase the efficiency of my practice and help clients, colleagues and friends.

What's a favorite moment of your career so far?

One of my career highlights was testifying before the House of Representatives Judiciary Committee on behalf of the American Intellectual Property Law Association. After summarizing my written testimony on copyright office modernization, I was questioned by Members of Congress and had the opportunity to convince them why a well-functioning Copyright Office is crucial to our system of promoting creativity.

The experience was especially meaningful to me because I was able to bring my father, who was my biggest booster and a government and history buff who had attentively followed the Judiciary Committee’s proceedings over many years. He beamed with pride watching me testify, and was thrilled to get a behind-the-scenes glimpse of the Committee’s offices and workings.

What challenge are you most proud of overcoming?

Like many young lawyers, I eagerly sought the experience of arguing a substantive motion in court. Unfortunately, nobody offered me the opportunity. Instead, I seized the chance to do so one day in federal court. I was “second seat” at the table for a preliminary injunction motion being argued by the partner in a case I was largely handling. When the judge asked about the technology, the partner hesitated. Without missing a beat, I rose to my feet and told the judge in detail how the software at issue was infringing the client’s computer code. She granted our preliminary injunction motion and my career as an intellectual property litigator took off.

Tell us about your morning ritual.

Several days each week, my mornings begin with my alarm going off at 5:15. I get myself ready, rouse sleepy kids, prepare breakfast and make their lunch. I drive them to school and begin my workday shortly after 9. Other days, I have more flexibility and awaken later, preferably with yoga stretches or a morning workout.

What advice would you offer new business owners?

Take the time to learn about the business of law, especially the economics of solo and small firm practice. Set specific goals for yourself and measure your progress over time. Don’t be

afraid of investing in others. As your practice grows, shift tasks off your plate so you can concentrate on your best and highest uses: billable work and carefully selected marketing activities that are likely to yield a good return on your investment.

What do you wish you had known before starting your own business?

I wish I had known more about the resources available to learn the business aspects of running a small firm - like Women Owned Law! My practice has been successful from the beginning, but I could have been even more efficient if I started with that mindset.

How can you help other WOL members improve their business?

I really enjoy talking with other members about their practices, sharing tips, and learning from each other's experiences. As chair of the New York regional steering committee, I work hard to ensure our programs are substantive, and also provide us with opportunities to get to know each other better. As vice president, I work to ensure WOL continues to grow and serve as the best resource there is for women entrepreneurs in the law.

How has your WOL membership been of value to you and your career?

WOL has provided an incredible network. Other members have sent me referrals and I have done the same. I have found mentors as well as opportunities to mentor others, which are both extremely fulfilling. And I'm happy that so many great professional contacts have turned into friends.

Guilty Pleasure: What can you not live without?

I have two: dark chocolate and The New York Times crossword puzzles.

Nominate Someone!

WOL turns the spotlight on members to highlight how they are making a difference and how they have benefited from WOL membership.

It offers an opportunity for you to share your story with colleagues, inspire future entrepreneurs, and strengthen awareness of the profession and association. Member Spotlight appears regularly on <https://www.womenownedlaw.org/>. To nominate another member email: nella@bloomandbloom.net.