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Getting the message across

Here's something that I bet only a few people know. Since June, Microsoft has had a full-time Director of Intellectual Property Communications Strategy. Her name is Lori Harnick and her role is to identify and then develop the company's key communications strategies in all the areas of its business where IP is important; in other words, in just about all of them. Working with her on a consultancy basis is David Kline, co-author with [Kevin Rivette](#) of the seminal *Rembrandts in the Attic*.

As I understand it, Harnick's job is to develop a coherent message from Microsoft that not only explains the way it uses its own IP in a language that people can understand, but also to facilitate a more general appreciation of the role that IP plays in the economies of developed and developing countries – something that, of course, will also be to Microsoft's benefit.

I am sure that the many legions of Microsoft haters will say that Harnick and Kline are nothing more than spin doctors, but that is equally an accusation that can be thrown at them. From where I sit, it is a move that makes perfect sense for a company that has a very powerful interest in seeing IP develop in certain ways and also has an important message to send out about issues such as open source and patent reform – a message that if not delivered effectively runs the risk of being drowned out, distorted or ignored. For every [quote from Steve Ballmer](#) about suing open source companies for patent infringement, there are countless [thoughtful speeches from the likes of Marshall Phelps](#) explaining how Microsoft actually wants to work with open source because that is the reality of the market in which it now operates. But whose quotes are the ones that are picked up?

Who knows, maybe Harnick and Kline have a line into Ballmer's office that gives them the opportunity to rein in some of his more provocative musings before he starts talking in public. If you want to ensure you get across the points that you want to make without supplying ammunition to your detractors, it is important that everyone inside a company speaks with one voice. A good director of communications is pivotal in such a process. It is always worth remembering that, whatever Ballmer says, Microsoft has never sued another company for patent infringement; though it has been on [the receiving end](#) of any number of writs and judgments.

I know of some companies – Philips, IBM and AT&T, for example - where someone is employed specifically to deal with IP communications, although roles and responsibilities will obviously differ (the Microsoft brief seems to be far more expansive than any of the others). But overall there are not many businesses that take this route. When you think about it, that is a strange state of affairs. In many cases you are talking about well over 50% of a company's entire value, so you would think it would be a good move to ensure that IP strategies and principles are explained clearly and effectively both internally and externally. But for that to happen you need boards of directors to understand what it is they are dealing with as well. And, as we all know, most do not.

In fact, given the importance of IP to so many companies it also surprises me that there are so few people that specialise in IP communications. There is Kline, who is based in Portland, Oregon, and IAM's very own [Bruce Berman](#), who operates out of New York and has a large client base in the US and a growing one in Europe. But those two apart I can think of no-one that offers companies expertise in getting across an IP-related message. And if anyone should know of such operators it should be me, I suppose. I always enjoy getting press releases sent out by communications firms on behalf of property companies announcing the purchase of a piece of land or something similar. In the same way, I can't help thinking that right now a lot of IP deals end up being announced to journalists that specialise in covering real estate.