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## IP Vet Volpe Forms Mediation Practice for Business Disputes

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*Of the Legal Staff*

Anthony S. Volpe, a veteran intellectual property litigator and co-founder of intellectual property boutique firm Volpe and Koenig, is backing away from litigation and taking on another approach to business disputes, establishing BusinessMediation.com.

Volpe announced the launch of his new venture Tuesday. He will continue his leadership at the firm, he said, but will focus more of his time on mediation than litigation. Business Mediation will be based at the firm's offices, but Volpe said he is willing to travel to meet mediation clients.

"People, especially in the commercial area, tend to jump into litigation," Volpe said. "The parties have decided to go to war and there are so many things they don't anticipate. ... I'm hopeful that those types of things will encourage people to seek mediation ahead of time."

Business Mediation will broaden Volpe's focus, he said, taking him from mainly intellectual property matters to more kinds of business issues. While he does not plan to focus only on patents, trademarks and copyrights, he noted, it's likely he will mediate more intellectual property cases.

"It gets very difficult to be all things to all people," he said.

While there are many mediators in certain practice areas, such as personal injury or divorce, Volpe said, there seem to be fewer focusing on commercial matters. And in those cases, a larger sum is often at stake.

"Business mediation to me has been largely something that has been relegated to the courts ordering someone into mediation. ... I think that builds a certain resistance," Volpe said. "I've never been a huge fan of arbitration but I've always encouraged mediation."

It has a "pretty good ROI," he said. It's easy to spend a few million dollars on a patent infringement case, Volpe said, but the same case could be mediated for \$25,000.

Mediation also provides the opportunity to have a conversation, Volpe said, rather than an argument structured in terms of complaint and answer, motion and opposition, brief and reply. It's something he advocated as a litigator as well, he said. The main difference in his new role, Volpe said, is that he will no longer be advocating for either party.

For now, just Volpe will manage Business Mediation, perhaps with some help from associates and staff of his firm, he said. Throughout the next five to 10 years, he said, his goal is to create a more "viable solution"



**VOLPE**

for companies in disputes through the business.

He compared his goal with the new business to his perspective when he and C. Frederick Koenig III started Volpe and Koenig.

"Success for us would be being able to leave an organization that would survive and go on without us," Volpe said.

Volpe and Koenig, an intellectual property boutique, opened in 1987. It now has more than 50 attorneys, patent agents and technical advisers.

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