

THE AMERICAN LAWYER

An ALM Publication

americanlawyer.com

SEPTEMBER 2015

LIFETIME ACHIEVERS

Our 12th annual awards honor lawyers whose remarkable careers have shaped the legal profession.

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WILLIAM A. FENWICK | Fenwick & West

WHEN SILICON VALLEY WAS JUST A FLAT PLACE BETWEEN San Francisco and San Jose, William Fenwick had an epiphany: Computers were “going to be the most powerful force in the world in my lifetime,” he says.

In 1972, he followed his vision from New York, where he was a fifth-year associate at Cleary Gottlieb Steen & Hamilton, to Palo Alto. That’s where he and three other ex-Cleary associates launched a firm to service the nascent high tech industry.

Now 77, Fenwick imbued the 300-lawyer firm that bears his name with an egalitarian culture and a reputation for cutting-edge work.

Fenwick recalls the day in 1976 when Steve Jobs and Steve Wozniak came to the firm’s office, asking him to incorporate Apple. They were wearing sandals and “looked like a couple of adult urchins,” Fenwick says. They paid their first legal bill with proceeds from selling a VW bus. (Fenwick declined their offer of stock instead—his prescience wasn’t foolproof.)

Apple became a major client, drawn by Fenwick’s work on behalf of stereo maker Pioneer Electronics Corp. in establishing a distribution and retail network for hi-fi audio components.

Fenwick helped Apple solve a difficult problem: how to protect IP rights for home computer software. Fenwick came up with a “shrink-wrap license,” where the customer by opening the software packaging accepts the terms of the license.

Over the years, the firm’s client roster has been a who’s who of Silicon Valley, including Cisco Systems Inc., Oracle Corp., Facebook Inc., eBay Inc., Electronic Arts Inc. and Intuit Inc.

The firm exists “because of Bill’s vision and because of his soul,” says Fenwick partner Gordon Davidson, who chaired the firm from 1995 to 2013. Davidson recalls an emergency meeting of the partners



Best Advice He Ever Received About the Law:

“Resist responding to an adversary’s outrageous statement when a judge has already ruled in my favor.”

in the early 1980s in Fenwick’s kitchen. The firm had hit a rough patch and had an offer to be acquired. “Bill recommended that we accept, but he said, ‘I won’t be going with you,’” Davidson says. “We said, ‘Whatever you’re doing, we’re doing.’” The partners rejected the offer, “buckled down, things got better and we never looked back,” he says.

Raised on a Kentucky farm, Fenwick worked in various trades—as a plumber’s assistant, in a steel mill—before heading to Vanderbilt Law School in 1964. To help pay tuition and support his wife and son, he worked part-time in a warehouse for shoe giant Genesco Inc. It was one of the only companies using computers (which took up half an acre) to track inventory. Fenwick’s revelation: “Technology was going to be the key.”

Fenwick helped shape the Privacy Act of 1974, recognizing that it might choke the young industry. He provided drafting assistance to scale back the act on information disclosure.

He applied his technical acumen to the practice of law, too. Before the term “extranet” was even used, Fenwick saw the potential for sharing information with clients, says chief information officer Matt Kesner. The firm now has 30,000 extranets. “He grasps the concepts of technology better than anyone I’ve ever met,” Kesner says. —JENNA GREENE

DREW KELLY