2012 Top 10 30-Something: James Derry

Interviews and Profiles





Associate General Counsel and Chief Intellectual Property Officer

Arbitron Inc.

Age: 37

Proudest achievement: “My wife and twin boys. They are a persuasive reminder to try and be a little better husband, father, role model and person each day — at home, at work, everywhere.”

Staying open-minded

On his first day at DePaul University College of Law, James Derry showed up with long, blue and blonde-streaked hair. He never wanted to be a lawyer, but while he was working as a server at a Chicago cafe, his friend was studying for the LSAT and needed a studying partner. “I wasn’t doing anything else, so I figured I would try something new,” he says. “I discovered a completely new way of thinking — it was very interesting.” Derry says being introduced to the legal world with no biases or expectations helped him keep an open mind, both in law school and his following career.

Derry did well in law school and was offered a job at a large law firm’s office in Washington, DC, where he focused on hard and soft IP. He continued to specialize in IP at his first in-house job at a Fortune 50 company, but broadened his skill set thereafter. At Arbitron, he keeps an IP focus but is also responsible for complex licensing, internet, media and entertainment, compliance, antitrust, privacy, data security and international legal matters. However, “No one in the department claims ownership of a kingdom,” he says. His continued open-mindedness is an asset in his working environment, where he and his colleagues are encouraged to diversify their experiences. “All of us are adequately equipped to handle all matters; we’re really building redundancy,” he says. As such, the team of attorneys works collaboratively, filling in and supporting each other as needed.

Still, they have their specialties, and Derry’s is complex licensing, privacy, piracy and protecting Arbitron’s IP — particularly patents, the subject of more than 500 active cases — through negotiations, licensing and litigation. Through favorable settlements, Derry has stopped competitors from entering the market and resolved a “bet the company” case. Internationally, he has led successful EPO oppositions and IP litigation. In addition to managing litigation, Derry has negotiated some of Arbitron’s largest revenue-generating partnerships and high-profile licensing agreements. Again, he attributes his success to transcending preconceptions — evaluating and treating each case uniquely. “Some situations require you to be more aggressive, and some require you to be a bit passive,” he

says. “My negotiation style is applying the right finesse or touch to each situation, which depends upon the set of facts that lead up to the negotiation.” Ultimately, he tries to develop a result that lets both companies move the business forward. “It is not about winning or losing. You simply want to use your limited resources in an efficient manner, while respecting other people and their time, and ultimately, reaching an outcome that benefits your company,” he says.

According to Derry, learning should be constant and ongoing, but approached efficiently. When faced with a seemingly overwhelming project, like creating legally-sufficient data security, storage and privacy policies for an acquired subsidiary that operates in 40+ different countries, Derry, again, says he makes educated decisions based on the information he has. “I cannot look at all 43 countries’ privacy and data security laws in-depth — there are simply not enough resources. So, I’ll look at a handful of the most restrictive countries’ laws,” he says. “If the policies comply with those while meeting our business needs, there’s a 99 percent chance I’m covered in every country.” He applies taking a broad view to discussions with internal business partners, too, in an effort to stay on top of technology and business trends. “I do a lot of reading, and I ask a lot of questions about their observations and goals,” he says. “I think the business people appreciate that because I’m trying to understand their aspirations — what they’re driving toward and how they perceive the future landscape will change. This allows me to anticipate and counsel them more effectively than just focusing on their immediate needs.”

Derry opens dialogue about passions and goals outside of the office in his pro bono involvement, too. He serves as a board member for Volunteer Fairfax and APAFilm-DC. He also works with Friends of the National Zoo, Special Olympics Northern Virginia, Bread for the City and Big Brothers/Big Sisters. “These great organizations allow me to give back what little I can to the local community. Everyone can provide valuable input and make valuable contributions, and being involved helps remove the biases or lenses that we get when we grow older — it keeps us true and humble,” he says. “I definitely learn more from them than any benefit I provide. Telling your kids to be good and decent people when they grow up is one thing. Trying to demonstrate it to them with your actions is another.”



Staff

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