



rader**IP**consulting.com

—Terrance **®**rader:INTELLECTUAL PROPERTY CONSULTANT—

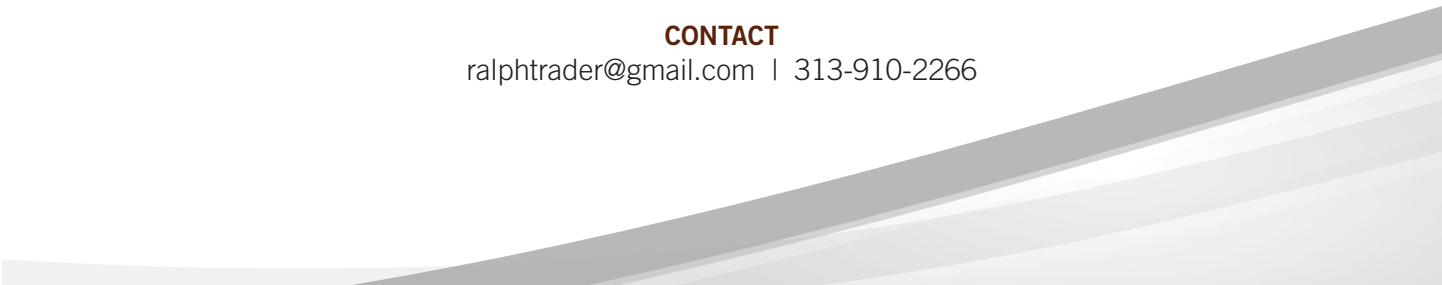
Super Lawyers (2010)

The Star-Studded Career of R. Terrance Rader

Written By: Adrienne Schofhauser

CONTACT

ralphtrader@gmail.com | 313-910-2266





The Star-Studded Career of R. Terrance Rader

Meet the attorney who trademarked the KISS faces and patented Neil Young's model-train control—and hadn't even planned to go into law

R. Terrance Rader grew up in northwest-ern Pennsylvania, humming Crosby, Stills, Nash & Young tunes as he worked around his family's dairy farm.

Who knew he'd grow up to become Neil Young's lawyer?

Rader didn't even plan to become an attorney; engineering was more in his comfort zone.

"I learned how to be a mechanic, electrician, plumber and carpenter," says Rader of his rural childhood. "If it was broke or needed repair, we had to do it ourselves."

The problem-solving led him ultimately to a career as an internationally known patent attorney and intellectual property litigator—with a star-studded client list.

Rader couldn't have been more thrilled when Young retained him in 1993. "When I first met with Neil to talk about the intellectual property needs," says Rader, "I wanted to talk about the music. But he didn't want to talk about the music; he wanted to talk about his inventions." Young, a model train enthusiast, had created special remote controls so that physically impaired train-lovers such as his two sons needn't struggle with manual controls.

Rader did get the engineering degree, but he was drawn to IP law at a work-study job where he learned the ins and outs of patents. In 1970 he got a job at the U.S. Patent and Trademark Office, where he climbed the ranks, eventually approving all patents in his department.

"I was looking at the evolving—actually beginning—of patent technology in, for example, ink-jet printers," Rader says. He reviewed patents submitted by companies the likes of IBM, Xerox and Hewlett-Packard.

Intrigued by the legal aspects of the process, Rader decided to spend his evenings earning a law degree at American University. After graduation, he set up a real estate practice on the side.

But his heart, it turned out, lay in litigation. Leaving the patent office after seven years, he joined Cullen, Sloman & Cantor, a small IP firm in Detroit, to get trial work sooner. Which he did. Plus he got the stars.

In addition to Young, Farrah Fawcett, Aretha Franklin, KISS, Michael Douglas and others came knocking on the door.

The *Charlie's Angels* star was the first. "We did some things for Farrah Fawcett in connection with the litigation of copyright infringement on her poster, to keep her in a position where she didn't have to go to court," he says. Rader helped Fawcett assign the copyrights to her famous poster—posing in a red swimsuit—to Pro Arts Inc. She wanted to avoid being pulled into infringement litigation. Although Rader doesn't generally get star-struck, he admits Fawcett could cause a few butterflies. "We were the same age—and I'm married, I've been married 41 years—but she did leave an impression on a young man, as you can imagine."

Soon after, he was involved in a right-of-publicity case defending Pro Arts over a poster of Elvis Presley. Then KISS called.

"The original manager for KISS, Bill Aucoin in New York, contacted us because he had heard about the work we did for Farrah Fawcett," says Rader. Four guys in their mid-30s at the time, the KISS band members had the idea to paint Japanese Kabuki characters on their faces and put on incredible stage shows. "I spent a week in 1979 at the United States Patent and Trademark Office, to convince them to allow us to register the faces of KISS as trademarks," he says. "The only thing similar to that at the time was the Ronald McDonald clown."

As for Neil Young, in addition to songwriting he is a model railroad buff who bought a part-interest in Lionel Trains in the early 1990s. Rader helped his client through the steps to achieve the patents for his remote controls.

In 1996, Rader started his own firm. Rader, Fishman & Grauer has grown to 45 attorneys, with three offices across the country and one in Tokyo. Together, they've handled 380 federal cases in the areas of trademark, patent and trade-secret litigation.

Patent awards can be huge. Rader has



prevented billions of dollars from leaving the hands of clients. He's also won verdicts or settlements in the hundreds of millions.

In one case, he represented a Hungarian citizen who patented technology for extracting methane gas from deep coal lines. Several large oil companies expressed no interest when he approached them but, Rader says, proceeded to use the technology anyway—to the tune of more than \$2 billion in extracted methane gas. He filed five lawsuits. While the outcomes were favorable, his client never got to rejoice; he passed away during the litigation. The money went to his family.

In 30-plus years as an IP litigator, Rader has encountered scores of inventors whose heads are full of ideas. "I had a client—a doctor—who would call me up driving down the road and say, 'I have a new idea on making sure trash-can lids don't come loose,'" he says.

All the bright ideas help make the job fun. After all these years, Rader loves IP work "as much today as I did when I went into the patent office."

It's a long way from the dairy farm.

—Adrienne Schofhauser