

Issue 7

Fighting Tanks with Brand Banks

Brands in Arms: Judgment Day
for Law Law Land



TECHNOLOGY IN

LAW LAW LAND

Candid. Controversial. Cathartic.

Meet the Tech Ambassadors



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HELLO and welcome

to our 7th issue of Technology in Law Law Land (TiLLL). I always think of 7 as a lucky number therefore I was chuffed to bits to learn that the overarching theme for the Modern Law magazine (MLM 58) was going to be the subject of 'BRAND'. WooHoo ... one of my, and The Naked Lawyer's, fav topics!

But before we begin the usual roundtable sparring with our eclectic bunch of aficionados (a mix of stalwarts and newbies btw), permit me to introduce you to two guest tech ambassadors who will be contributing to this issue due to their obvious expertise on this fascinating topic.

Firstly, Mitch Jackson, from across the pond in the good ol' US of A, whom you may recall I lost my metaverse virginity to in the previous issue of TiLLL? Mitch is a real legal whiz attorney, a Californian 'super-lawyer' litigator and enthusiast on 'branding' per se both online and offline. He is also a front-runner in 'branding in the metaverse'. More on that later.

Secondly, Liz Ward, a fabulous lady and a multi-award-winning IP lawyer residing in my beloved home county of Yorkshire, England, who truly leads by example and is a real devotee in representing company, product and personal brands of all types whether helping to protect, or exploit them, locally or internationally.

As always, I'm honoured to be chairing, cajoling and prompting this 'Think-Tank' whilst The Naked Lawyer zooms around on her Segway throwing muse bombs into the boxing ring, agitating and sparking inspiration.

Speaking of the provocative and sexy little vixen ...



****Whizz-bang* *Whoosh*
Zing ... Incoming ... The
Naked Lawyer hurled her first
muse bomb into the ring to
officially begin the roundtable
gathering.***

So, without further ado, let's dive in ...

I'm guessing that most of you, not unlike myself, over these past couple of months, will have faced (and may still be contemplating) your worst fears. As I sat glued to the 24/7/365 newsfeed in utter disbelief as war broke out between Russia and the Ukraine due to Putin's unprovoked murderous attack, listening intently as he threatened to unleash terror unlike the world has ever witnessed before, my mind leapt to the unthinkable. The potential of something far beyond a Cold War 2 as the tensions intensified and battle escalated.

Armageddon.

The possibility of World War 3, where nuclear weapons rain down on our fragile precious Earth like a tornado, hurricane and tsunami in a collective perfect storm, had me questioning humankind's mortality. Could we seriously be on the brink of experiencing the end of the world? Is this really happening????!!



brand

As I gorged on the plethora of reporting and opinion in the media (both authoritative and lay) across the global spectrum portraying varying degrees of opposing and shared views on the many elements related to the invasion – geopolitical, social, economic, political, cultural, human-rights, ‘the future’, technological, legal, the Rule of Law etc - one of the poignant articles I came across caused me to stop and draw breath. The author made this remark:

“You can’t fight tanks with banks!”

As Western governments double-downed on severe sanctions rather than overt military action in its attempt to prevent escalation into World War 3, I had to wonder how an economic ‘soft’ aggression would fare against Putin’s armed forces ‘hard’ aggression. Could the court of public opinion and market forces with a collective ‘Brand Bank’ power play a crucial part in crippling Putin’s land-grab tyrannical regime? Could fighting tanks be done with consumer and business ‘brothers in arms’ (figuratively) collaborating with behemoth ‘Brand Banks’?

And then it happened...

Almost overnight, and progressively over the ensuing days and weeks, many household brands, companies, charities, associations, law firms, sport teams and leagues in Europe, the U.S. and beyond took unprecedented action against Moscow. Major leagues dropped their Russian sponsors. A bevy of key global brands and chains including McDonald’s, Starbucks, Pizza Hut, KFC, Taco Bell, Coca-Cola, Pepsi, Heineken, Nike, Louis Vuitton, H&M and more, suspended operations, announced closures or ceased the shipping of products to the countless consumers and businesses based in Russia. The mighty ‘Tech Brand Banks’ Google, Meta, Twitter and TikTok blocked or labelled Kremlin-backed media outlets as misinformation. Apple and Oracle cut off services.

Consumers, overall, seemed supportive in abject horror and collegiate protest of ‘Putin’s War’. Any company that failed to act swiftly and/or dropped a huge clanger, such as Shell Oil & Gas, suffered an international backlash. According to a recent Forrester survey of 800 adults in the U.S., U.K. and Canada, 83% wanted businesses to pull their operations out of Russia immediately.

However, as major brands (of all types) distanced themselves from Russia, the legal profession (globally) had some very difficult decisions to make. As is the Rule of Law, balance is to be achieved. Tensions invariably arose between UK government politicians and the legal fraternity, particularly as Stephanie Boyce, president at The Law Society of England & Wales, stressed that “it’s the job of solicitors to represent their clients, whoever they may be, so that the courts act fairly”.¹ Or, as a British Virgin Islands (BVI) judge asserted “even pariahs have rights” when refusing to allow Ogier to stop representing sanctioned Russian bank VTB in an ongoing case.

Even though we continue to hope for a stay of execution on Armageddon for the world, judgement day has already arrived for Law Law Land ...

1. https://www.lawgazette.co.uk/news/city-firms-prepare-to-drop-russian-clients-after-ukraine-invasion/5111685.article?utm_source=gazette_newsletter&utm_medium=email&utm_campaign=Law+firms+set+to+drop+Russian+clients+%7c+Economic+crime+bill+arrives+after+four-year+wait+%7c+Rule+of+law+is+not+divisible_03%2f01%2f2022

bank

The Law Society has supported law firms representing Russian clients, particularly those working to ensure sanctions imposed by the UK government are lawful. Nonetheless, there have been many reports on law firm giants reviewing and/or severing their Russian ties and shuttering up their offices either permanently or temporarily in Russian cities due to the invasion of the Ukraine by Putin.

And so, what's your views on all this, ladies and gents?

In the decision-making process, in your opinion, how much of this do you think was influenced by:

- the potential 'tarnishing' of the law firm brand (Brand Firm), or personal brands (Brand Me), or product brand (Brand Product) which would invariably affect clients' choice of whether to continue to associate with the firm, lawyer/person, or product if they kept Russian links (i.e. a decision being mindful of the economic impact for the firm, lawyer, product); and/or
- government pressure; and/or
- public or peer pressure; and/or
- actual general abhorrence (i.e. a moral/ethical stance).

Martyn: "Be judged by the company you keep" - and there is a major part of the answer. This tragic, generally unbelievable and entirely unwarranted attack by Russia on Ukraine deserves to be reversed as quickly as possible, and by whatever legal and influential means as possible.

Our governments, rightly or wrongly have hampered their own actions to those not involving fighting fire with fire - debate that one in the school playground when dealing with a bully. Therefore sanctions and actions of every kind need even greater focus.

It is very encouraging to see our law firms acting in such a supportive manner.

The cynics amongst us (surely not) may add another layer to these decisions, and certainly brand protection must be amongst that thought process. There has to be what you may call a "first-mover advantage" in taking the early decision here, and there will certainly be a "last-mover deficit" and for sure a "lack of action" impact - just look at M&S and their hugely bad PR in this matter.

For any business to retain a connection, or any perceived economic support for Russia is just not viable. There will undoubtedly have been a mix of genuine human compassion within any decision, and of course impact on the brand. A blemish of this nature on any brand can be permanent, and I am sure many have taken the view that losing a connection to what surely is a failing regime is a long-term better decision.

I knew we could count on you, Martyn, to get this candid ball rolling *wink*. As it's your first time joining us, David, we'd love to hear from you. A huge welcome from us all btw. What's your opinion?

David: No doubt it's a combination of all these drivers, although reputational damage by association is probably foremost on decision-makers' minds. I think that the public, which by default includes clients, have become increasingly interested in the moral and ethical stance of the firms they do business with, whether it's an association with a regime, political ideology or the fossil fuel industry, and law firms understand that these kinds of ties can have an economic impact for the firm.

I'm sure that many individuals within law firms will also be asking the leadership team what the firm is planning to do. The brand is just as important to the people within the firm as it is to clients, so ignoring concerns raised internally could equally have an impact on employee and customer retention.

Ah-ha, I see you are fidgeting, Liz. Keen to chirp up, I hope? Please, go ahead ...

Liz: This question made me smile. I honestly believe that very few firms take a moral view on Russia's invasion of Ukraine and for whom they act. They're totally driven by being associated and tarnished by links to Russia's oligarchs and others. So, they've now cut them high and dry. Anyone with half an eye on current affairs knew that a lot of money coming to the UK from Russia (and elsewhere) was funded by corruption and similar illegal practices. In truth however, it is difficult to pinpoint exactly where funds are coming from and to be fair to the Russians, they've used some quasi-legal practices and corporate structures to make it all look legitimate.

Martyn Best
Managing Director,
Document Direct



Also, much of the money that came to the UK and to the legal profession came over here at least 10 years ago and the truth about what went on has only come out in the last 3 or 4 years as journalists researched books on Putin and his cronies.

Which then begs the question ...

If you have Russian clients – or imagine you did/do – or a LegalTech / LawTech product that has Russian users – are you continuing (would you continue) to work with them or have you severed (would you sever) ties with them? Why? Why not?

- are you concerned your brand will be tarnished?
- was it a moral / ethical or economic choice?
- how do you balance / justify this conflict, expectation, narrative?

Such: Were inCase to have any Russian clients, I would seriously be reviewing that relationship. Our Core Values dictate how we conduct ourselves, both internally and externally. On the face of it, any Russian client would compromise those Values in view of the ethical, moral, political and economic pressures at play. However, I'd remind myself that it is not necessarily right that a client be punished merely because of its origin. We would certainly assess the situation and probably even seek input from our appointed advisor at the Department of Industry & Trade. However, I think any business would struggle to maintain the status quo where a Russian client has direct links with the state.

A well-balanced commentary with many valid points here, Such. I read a recent survey by Gartner of 300 U.S. marketing leaders which illustrated the evolution of consumer sentiment not unlike what you have just shared with us. The week after the Russian invasion began (aka late February) 60% of respondents said brands should reconsider doing business in Russia or partnering with Russian companies. Meanwhile, 46% said companies should minimize disruptions that could lead to consumer goods shortages or price increases. Just 14% said they should make public statements about the war, and 16% thought they should do nothing.

Martyn: Let us examine who is the aggressor here? Is it your client - nope. Is it the Russian people - nope. Is it even 'Russia'? It is apparent in virtually every perspective that it is the actions of a failing leader, and so the decision to sever any ties with long standing relationships needs to be managed carefully. I've no doubt that very discrete conversations are being had which will balance the very public withdrawal of support. Who would want to sever a tie with a billionaire?

David: I'm not in that situation, thankfully, but if I was, I would definitely be reviewing the relationship. I guess it would depend on who the Russian users were. If we had clients in the charity sector or human rights, we might make a different decision than if our product was used by the Kremlin!

Liz: There is a big difference between the people of Russia and the ruling elite. I'm not sure I would judge anyone because of what a few people in authority did, so I'm pretty sure I'd think long and hard about acting for people of any nationality that needed my help. The first question to ask is 'are these people you want to work with, regardless of where they're from?' If they pass that test, then keep collaborating with them unless you can't because of sanctions etc, which may mean you won't get paid.

Elizabeth Ward

Principal and Founder,
Virtuoso Legal



Boom! Bang on the nose, Liz and Martyn. We must not judge, and pariah, the many by the actions of the autocratic despot few, imho. Nor should we treat all Russian clients the same, as some lawyers have been urging; one partner has been so bold as to say they do not believe law firms should be acting as "judge, jury and executioner"².

I'm confident that many Russian lay-people and business people who did not, and do not, agree with Putin's tyrannical regime and murderous activities will also be suffering as a direct result of Putin's actions, therefore we must not be too quick to cut ties where our support, help and business may be needed. And so, just a thought³ ...

2. <https://www.globallegalpost.com/news/even-pariahs-have-rights-judge-refuses-request-by-ogier-to-stop-representing-sanctioned-russian-bank-vtb-63640154>

3. https://www.lawgazette.co.uk/news/cc-and-everheds-latest-to-announce-russian-client-reviews/5111746.article?utm_source=gazette_newsletter&utm_medium=email&utm_campaign=More+City+giants+review+Russia+ties+%7c+CoA+urged+to+%27develop%27+common+law+on+champerty+%7c+Prosecuting+war+crimes+in+Ukraine_03%2f04%2f2022

name

Do you think a lawyer's personal brand and/or a law firm's brand and/or a LegalTech/ LawTech product brand is affected positively or negatively if (s)he continues to associate with a) Russian lawyers, and/or b) Russian companies, and/or c) companies associated with the Kremlin and its regime? Is there a difference? Why? Should there be? Should the civilians and business people of Russia be pariahs as a result of 'Putin's War'?

David: Yes, without doubt, and I don't think there is a difference how you behave as an employee at work or as a human being. Sanctions are harsh on the citizens of any country being targeted but they are designed to create change of regime in a country. Not as harsh as being bombed however.

Martyn: This is the nub - innocents are affected.

We can all have 100% compassion and support for the Ukraine people, and we can even have some sympathy for soldiers of both sides who are following their loyalty, and following orders. But - can we feel any sympathy for a business that has made significant sums supporting the great Russian wealth that has been acquired in questionable circumstances?

Did Marx really say, "Is profit, theft?" - and did he have today's Oligarchs in mind? Should a lawyer have any moral qualms over the origin of wealth, or should we just do our KYC and carry on?

This war, and the response by business, has certainly brought these moral dilemmas back into the spotlight.

Liz: I strongly believe that anyone, regardless of who they are, is entitled to be legally represented. However, we're back here on a moral stance of who they are and what they wish to achieve. If that doesn't align with our goals as a firm, then I would turn them away. We would do that regardless of origin.

If we did act for them then yes, the Virtuoso Legal brand would be tarnished but wrongly in my view. The mainstream media would just love to hang you out to dry over it!

Indeed, Liz. It is crucial that law firms and lawyers remain apolitical, in my opinion, a view which is held by many in the legal profession, the Law Society and by Paul Hodgkinson, Editor-In-Chief of Law.com International, who, on 27 March in The Global Lawyer weekly summary was at pains to convey the need for law firms to remain apolitical in order to avoid injustice. Quoting Paul directly here so that he is duly credited with his brilliantly valid argument imho:

"Largely thanks to the growth of social media, institutions such as law firms are under scrutiny like never before. Even if they remain silent on political issues their stance will be assumed by observers, meaning public statements are required to leave no doubt whatsoever where firms stand. They have to actually say they are anti-racism, anti-sexism and anti-war.

What about anti-autocratic states? Well, that's more awkward.

Imagine a world where law firms were purposely political. A world in which some always advised on behalf of certain governments and not others. Where lawyers would choose to join a Democrat or a Republican firm. Where it was rare to have any major legal institution defend oligarchs, oil giants and tobacco companies from claims of any kind.

Such a world would frequently see injustice occur, whether through lack of access to decent legal advice or through a disproportionate focus on a political stance rather than the facts and merits of a particular case.

To work properly the legal industry needs to shy away from political stances. But there is a problem. As much as law firms try to remain apolitical, they can often find they are judged to have picked a side even by trying to stay out of the debate. They choose by not choosing.

The last month has brought this issue into sharp relief. Firms had to choose whether to remain open in Moscow or to close, there was no middle ground. Inaction did not denote an apolitical stance, quite the opposite. The fact that one German firm has decided to retain its Moscow presence, even though it won't work with any Russian state enterprises, is notable as it is the only one."

Thinking more on the above...

Are brand and reputation inextricably linked? If so, in what way? Positively and/or negatively? For example, there have been reports that there has been conflict within law firms where individual lawyers cannot agree as to what is the best course of action (or inaction) in the circumstances i.e. "show me the friends you keep and you will be judged by who they are."

Such: A person's or company's reputation is entirely subjective to the individual assessing it. I've been at our Boardroom table where around the room, the reputation of a person or company outside of the room varies but the one constant is their Brand identity. I rarely see vast differences in the assessment of a Brand as often it is linked to something tangible like a logo or catchphrase.

However, a weak view of the reputation will certainly influence brand recognition. The converse is true for a strong reputation. Look at Amazon... started selling books online. It's reputation in that service was so strong that it had the trust of its consumers to branch into 'anything you need' and beyond. See the Amazon logo and I immediately link it to its ability to consistently deliver (quite literally!).

Jeroen: An old Dutch saying says: "trust comes by foot but leaves on a horseback", reminding people that trust takes time to build, but is quickly lost. The same goes for brands and their reputations. We believe that both brand and reputation are inextricably linked. Although there are cases that prove otherwise, like the emission scandal with BMW and Volkswagen, which hurt for a while but they seemed to recover pretty fast because in the end, the consumer didn't think much of it and never stopped buying their products.

David: I would agree that they are inextricably linked and would also add company culture into the mix too. Culture should help align the people and the brand. After all, the actions of an individual can have an impact on the brand and reputation, and many people actively choose to work for a specific law firm, or not work for them, because of the brand and firm's reputation.

So, in regard to all three i.e. Personal Brand, Product Brand, Firm Brand, how far would you go to protect your 'brand reputation'?

Jeroen: All three types of brands are intertwined. Understanding the dynamics between the three is the responsibility of the brand manager of the company. It's his/her job to map and understand the relevant stakeholders and assess the impact of world events, social issues or political legislation on these different levels by facilitating conversations around these topics, both internally and externally.

Liz: Brand and reputation go hand in hand. We're a 'values lead' law firm. Our values are clearly set out on our website, and we live by our brand and reputation. If you ask most law firms what they stand for or are led by, they couldn't tell you. We'd rather turn you away than compromise our values.

Martyn: Interestingly, would you invade a country to protect your reputation? Well, in Putin's mind, there seems to be an argument - but how far should a business go to protect its brand.

For me - you should do everything possible to protect your reputation. Most decisions are fairly easy - act honestly, and with integrity, at all times, provide great customer service and responses, treat others with respect and as you would wish to be treated.

With Russia, any far-thinking firm must distance themselves to protect their wider reputation. It is FOMO (Fear Of Missing Out) and the fear of being highlighted as one who didn't show wider support for Ukraine and the abomination of disrespect for democracy that will feature in this brand-reputation exercise for firms.

Sucheet Amin
(aka Such)

CEO and Founder,
inCase



reputation

A very interesting variety of views expressed here gang. Not many muse bombs being hurled by *The Naked Lawyer*, as yet. That's a good thing considering what happened in our last roundtable session, n'est ce pas?! *guffaws* *chuckles* *belly-laughs*

The Naked Lawyer cruised by on her Segway, poised for a muse bomb onslaught should the occasion necessitate ...

So, do you think that 'brand' and 'loyalty' are inextricably linked?

Jeroen: I don't. Again, the laws of brand and loyalty don't seem to apply for Volkswagen and BMW in the long term.

A fair point, Jeroen. But if that is the case, we'd welcome your opinion on this:

What do you need to do to achieve 'brand loyalty'?

Jeroen: Brand loyalty is best described by customers that exhibit brand loyalty by being completely devoted to a product or service, which is demonstrated by their repeat purchases despite competitors' efforts to lure them away. You achieve that level of loyalty by excessively focussing on the problem you solve for a customer. If you keep doing that in a consistent and persistent manner, customers come to rely on your product and services. As you also establish a personal relationship with the customer, he or she will not be impressed by a cheaper option from a competitor, as they've built their best setup with you.

David: In respect to legal tech products, loyalty to the product brand only comes about when the product "does what it says on the tin". Those of us in sales and marketing do a fantastic job of marketing legal tech products, and persuading clients to buy into cool looking brands. But we're only going to get customer loyalty when the product delivers the value promised.

For many legal tech products, achieving brand loyalty means doing a lot more than selling a plug and play solution. Our approach starts with really understanding what our clients want to achieve, their pain points, their environment, the people who do the job and their workloads and capacity. We then take them on the legal transformation journey with us, rather than imposing a technology solution on them. Technology adoption is key to building brand loyalty and getting value from your technology investment.

Liz: Brand loyalty is created by one thing and one thing only. Do what you say you will do and doing it well – everything springs from there. If work is late, overpriced, poorly done, not explained, your clients will go elsewhere. We like to blow our clients' socks off! Every time.

We have some good digital campaigns, and it makes me sad when I hear how so many lawyers treat their clients. The thing is that people are becoming more and more aware of what makes a good legal service, and they demand higher levels of service.

I note that there are some "cheap and cheerful" legal services springing up. The profession needs to be very aware of that as we see people ripped off every day by such poorly trained and qualified people. They end up costing clients a great deal more in the longer run – and they're diminishing the profession in the eyes of the public. In my view the Law Society doesn't protect the public or the profession from these third-rate services.

It has been said many times, and is a common understanding, that it takes a long time to build a great brand, but it can very quickly be destroyed.

How do you stay 'on brand' in relation to the Company Brand (Brand Firm) with a collective message, so that the collective message is portrayed through individual brands? And, how do you position your Personal Brand so it:-

doesn't tarnish (negatively affect) Brand Firm or Brand Product? and helps bolster Brand Firm or Brand Product positively?



Jeroen Versteijne
Legal Tech Expert,
Betty Blocks

loyalty

personal

David: Communicating what the brand stands for, and in respect to Russia and Ukraine the company line, is an internal exercise as much as a customer-facing one. Essentially you need to market the brand to the internal team, and any suppliers such as marketing agencies, so they live and breathe it and ensure the brand identity is consistent across all individual brands. Going back to my earlier point about how company culture should help align the people and the brand, culture also ensures your personal brand doesn't negatively impact Brand Firm and actually enhances it.

Martyn: Leading by example is the way to help support consistency of brand. Clear communication of what our brand wants to be is vital, and a clear expression of what our brand values are must be stated and reinforced everywhere.

Corporate brand has to be some reflection of personal brand in any organisation, especially the smaller ones, or where strong personalities exist. There is no harm in highlighting personal brand in that context - people buy from people - but clear awareness needs to be present on this.

For example, do I highlight my other interests, such as being a Tranmere Rovers director, or a co-owner of PROGRESS Wrestling when I'm promoting Document Direct.

For me, there's no direct conflict of interest, and hopefully conversations find some mutual ground, and so all aspects benefit. Could a larger organisation allow that - possibly not, but could a founder-led business benefit from highlighting the owners interests - there may be good support for that.

Certainly, my PROGRESS co-owner, Lee McAteer, used his own personal brand to huge benefit when he led AmeriCamp to become one of the world's leading student travel businesses, and his personal standing has been vital in helping us in establish PROGRESS now as the UK's leading professional wrestling enterprise.

Fabulous names, Martyn. Which makes me wonder ...

How important is a 'name' (whether an individual surname, or company name, or product name) as a foundation and/or hook to attract (or repel) people and/or companies to your service offering?

Jeroen: As a company that is named Betty Blocks, we both experience the good and bad of having a name that stands out. The name was actually on purpose. When the company was founded in 2012, the founders decided for a more human name, which, through different iterations, eventually ended up as Betty Blocks. Betty because it is a fun name and is common in the area Betty Blocks was conceived, and Blocks because of the reusability of the different components in our platform clients can use to faster build their software. The downside of having such a name is that we sometimes need to repeat the name and explain it. But that usually serves as the start of great conversation :)

I LOVE it! Particularly as your name is linked to a story and leads to further conversation due to the obvious question "why Betty Blocks?". Very smart!



**Whizz-bang* *Whoosh* *Ping* *Ping* *Ping*
SPLAT!!! #!?!... Incoming ... Noting one or two of the Tech Ambassadors had been rather quiet and maybe it was time for a wee change in focus The Naked Lawyer hurled a handful of muse bombs in every direction to draw everyone's attention.*

Receiving the message loud and clear I began again ...

Do you think lawyers are more concerned nowadays about their personal brand even where they work in a firm that has an obvious brand?

Martyn: Personal vs law firm brand is always a delicate question. Where does the goodwill value lie in a relationship? This is always about the length of a relationship - a lawyer with 20 years standing is totally linked with a law firm - but what happens when (s)he leaves? There are very sweet conflicts at play here, and it's all about your own personal timeline.

How did you create your personal brand, product brand, company brand? Why is it important? What do you feel is its strength and/or purpose? Alex, you've been rather quiet. Let's have your input please ...

Alex: Building the brand was from the beginning something clearly important for us. We were moving in B2B software for professionals. We were very interested to see how B2C brands could create a closed relationship with their users (Tiktok, Google, Strava, etc.) and how users could become a fan of the brand as much as they are fan of the value created by the product. We really wanted to build this relationship with our customers and make them fans of the brand. Brand is something which unified the community and which transforms something intangible in something which could be touched by users.

Alex Grux
CEO and
Co-Founder,
Hyperlex



We had a lot of fun creating Hyperlex's brand! As a contract management SaaS, we find it very important to show the team, the human behind the tech. The whole brand lies on one idea: the need to "zenify" contract processes; decomplexify them.

How did we come up with this? We asked questions around and brainstormed with the team. Many people in our team told us that contract management could be many things (costly, risky) but also... frustrating sometimes! That's how we thought, well, working with Hyperlex is a bit like practising legal yoga!

Our claim goes like this: with Hyperlex, you can say goodbye to lost contracts between teams, to missed deadlines and to unnecessary expenses. Our AI analyses data, tracks business activity in real time and turns the management of your contracts into a precise, smooth and fast experience. Storing your data, renegotiating, adding new clauses to your contracts or signing your documents has never been easier. And ultimately, you can focus on other things like the relationship with your partners or the analysis of your business.

We are still in the creation process because our team grows very fast, and we really want the brand to be the reflection of the team and the company's culture. For instance, we all like to make puns, and on our website and the app, we make tons of them!

It is important to have a brand and spread it around, not only for our clients but also for our future colleagues.

Practicing 'legal yoga' eh? I simply love love love that analogy and image! So too does **The Naked Lawyer**. I see she has put aside her Segway and is now on her favourite mat at the foot of the ring behaving like a contortionist seductress! Tsk tsk ...

Such, my jolly good man, if you can tear your eyes away from her ladyship, I'm confident you will have something favourable to add here ...

Such: Creating and building a brand is big business...I'm sure many companies spend tens of thousands and maybe even millions on brand identity and management. For example, it is a well know tactic that if there is a negative online report about your company, which typically goes right to the top of any Google Search, the most effective management technique is to flood the internet with positive news stories which gradually push that negative PR beneath the fold and onto page 2. That takes time and money. Personally, having a clear brand identity is more important that spending time managing it. I've always taken the approach that if I/my companies are clear in the message we are putting out there and we are happy to be judged against them, then that is the best way to create a strong brand.

product

Doing a great job is expected as the norm these days (I'm not sure it ever was enough to do an OK job but I've encountered my fair share of OK services in the past). Everyone is judged against meeting expectations regardless of whether they are reasonable or not. That is why setting expectations with a client is so important at the outset. It helps protect your brand because you are being open and honest about what is to come...most clients are very happy with that. Where I think we are all truly judged is how we handle a situation where a client has complained. Whether that client is right or not to complain is really irrelevant...they have felt 'wronged' in some way so there has been a failure of some sort during the journey. I'd rather spend the time resolving that complaint and making the best out of a challenging situation than attempt to spend effort defending previous actions. This has the power to turn a client into a 'raging fan' reinforcing brand identity.

Martyn: For me, operating in the legal sector, but with different commercial interests, it's about being different, but not too different. This sector is a cautious one, so it's vital that one can demonstrate professionalism and integrity in every aspect. My other interests are harmonious with that culture, and so any association should be mutually beneficial.

Association with my "other brands" needs to reflect the values of all of my interests, or danger lies ahead. So it's important that tone is consistent, that values are aligned, and that a similar, if nuanced, culture exists throughout.

David: Our marketing team did it! Seriously though, the process started with input from the people in the organisation. To be authentic, the brand has to reflect the business, the people, the culture, as well products and services. Our brand is all about challenging our customers to view technology from a different perspective. To focus on what they want to achieve and how to help their people do their best work, not leading with the technology.

David Wybourne

Head of Legal AI,
Cloud Business



Any tips in how to get Brand You, Brand Product, and Brand firm 'out there'?

David: I couldn't possibly reveal our secrets... my top tip is segmentation. Segment your data, create content for an exclusive target audience, really understand who they are and how you can help them. Use the channels and platforms your target audience are on, speak to them in their language, be relevant and timely.

Such: In a World where there are so many channels to use, I don't think there is a magic recipe to promoting brand identity. There is however a lot of noise 'out there' and readers can find it hard to cut through it all and find what is of value to them. Being genuine is key for me...authenticity and bringing value is the how I prefer to get my brands out there. I'm not saying that is the only way or even the most effective, but it is by far the easiest to stand by and support.

Yes indeed, Such. Authenticity, that is, 'getting naked' as The Naked Lawyer would advocate is one of the key ways to express your brand and reach out and relate to your audience.

Alex: We spread our brand everywhere: on our product, on our website, and particularly on our blog. But also on social media notably with LinkedIn. The first key action is to declare your brand on every medium so that you can strengthen your image in the eyes of your audience with every encounter. The second key action is to have a voice, because the brand is not "just" the logo and the colours of your website; it's the subjects you choose to write about on the blog; it's the events you sponsor; it's the interviews you choose to answer.

Hey, Sam. This is your forte too. Can you step in and share your wisdom with us all here please? ...

As google loves brands, what can support law firm and/or any company website (brand) rankings?

Sam: Brand-building marketing activity can support your google rankings, from social media, to PR, backlinks, citations, brand searches etc.

I talk to lots of 'B2B' law firms who don't realise the volume of searches in Google each month for their services or for searches relating to their services. Securing new cost-effective work from Google is not just for 'consumer' (private client) law firms.

media

SEO

Google does love brands, because it loves EAT (Expertise, Authority, Trust) signals. Lots of people talking about your brand across multiple platforms, is a good indicator to Google that you are well respected – this fits in with the EAT criteria.

I've said it before, but it's worth repeating, this does not include throwing crappy blog posts onto your site for the sake of having content. Please stop doing this!

If you have developed a proper content strategy based on in-depth keyword research, then you'll have a comprehensive list of blog post titles to create each month.

Make sure every page is 'authored' and do this strategically - pick your authors carefully, using partners or senior staff, not someone who's likely to leave the company in the short term (even if they wrote the blog post). We're not working with sentimentality here, your website is a lead generation tool, and should be your best. Leave the emotions at the door and focus on making some money from your investment!

Well said, Sam. I totally agree with the content strategy remarks. 'Crappy blog post' eh?! *chuckles* What say you, Alex?

Alex: I strongly believe in optimising the SEO (search engine optimisation) of your website. Why? Simply because SEO is a work on the content and the source code of a website; and is very effective. It is a work on the content as well as on the form, with the objective of facilitating the understanding of the site by Google's robots. And it's very powerful!

61% of marketers say improving SEO and growing their organic presence is their top inbound marketing priority. At Hyperlex, content and SEO are very important because it significantly contributes to the business.

My advice? Try it, you won't be disappointed!

Anything to add, Martyn?

Martyn: On-line presence and influence need to be consistent and regular. The nature of social media and their logarithms demand this. A tweet or a blog every few weeks might just as well not happen. A drip, drip, steady approach of interesting output is vital. It also needs to be recognisable - whether that's by a distinctive logo, the suite of colour, imagery, a consistent theme, or familiar content and style.

With all this talk about the variety of inputs and outputs etc it does beg these two questions be answered:

How can, or should, a law firm and/or any company website make the most of a personal brand, product brand and/or firm (company) brand? Do you think the brand a firm portrays on its website truly represents the brand 'behind the scenes'?

Sam: It's easy to say all the right things on your website but many firms fail to deliver as soon as the phone rings. I've mystery shopped dozens of law firms over the years to determine how optimised their sign-up and onboarding process is. From calls not being answered at all, to being passed around multiple people, or no-one actually being available to speak to me etc. It all puts potential clients off and sends them down the road to your competitor.

It amazes me how little attention some firms have given to handling that initial enquiry. You should be aiming for 100% conversion rate from a legitimate enquiry into a signed up client. Oral retainers, effective sales techniques, anything to take that enquirer 'off the market' and fully signed up (or at least feeling like they are signed and committed to your firm) you need to employ the full gambit. If you haven't got a strong sales team in place dealing with new enquiries, then you should consider it as an urgent necessity.



Sam Borrett
CEO and Founder,
Legmark

Martyn: The brand of a law firm at the end of the day must be an extension of the people who work there, manage it and own it. AI has not yet won the day, and so the distinction for me is PEOPLE.

PLEASE, PLEASE, PLEASE, law firm website, you don't need to say that you focus on client service, and act differently. Don't say these things - but show by example that it is clear that you do. Highlight your own personal story and experience, have enticing case studies, and bring your website to life with personality, anecdotes and elements that will resonate with your target audience.

Don't say you are superb at client service, and then have an out of office saying you respond to emails within 48 hours. Ensure all aspects of communication, marketing and media are in harmony.

In other words, BE ON BRAND! You must truly LIVE your BRAND in every respect. Unfortunately, too few law firms (Brand, Firm) do this well as a cohesive collective of lawyers, albeit a handful of lawyers (Brand, You) within their firms do, in my experience. Ergo ...

Is a strong company brand a hindrance or blessing to employees with strong personal brands?

Martyn: If any lawyer has a focus on their own personal brand or standing, it is inevitable that there will be conflicts with a strong corporate brand. They will be vying for position, and care needs to be taken not to damage either. If both parties are open and honest this can work well and benefit both. Strong corporate brand can provide the support for a lawyer to leverage their own reputation.

I've always advocated that it's not about conflict or 'vying for position' but finding a position, a niche, a message, a complimentary personal brand that resonates and aligns with the company brand and product brand which sits within the law firm's overall strategy. It is possible to do this, and successful lawyers who have strong personal brands both within and without a law firm can verify the same. If you'd like to learn how to achieve this, as there simply is not enough time or space here in this roundtable gathering and article, I have three words for you...

READ ... MY ... BOOK

guffaws *chuckles* *winks* *elbow-nudges*.

Which one? Came the reverberating echo around the room! HaHa, well, both, actually, but I'd start with The Naked Lawyer 1, aka "The Naked Lawyer: RIP to XXX - How to market, brand and sell you!"⁴ You will find the fundamentals on the topic of 'the magic brand trio' (personal, product, company brand) there starting with how to devise a powerful personal brand, but it is also covered again with fresh material of that time in The Naked Lawyer 2 aka "Tomorrow's Naked Lawyer: NewTech, NewHuman, NewLaw - How to be successful, 2015 to 2045"⁵

First of its style 'The Naked Lawyer' series and brand was poised to become a global brand overnight. I'm curious what your views are on this...

Is being first at something a good way of positioning and/or strengthening your brand (whether Brand Me, Brand Product, Brand Firm)?

For example, Gunnercooke LLP was the first Top 200 UK law firm to take cryptocurrency payments.⁶

Such: 'First-mover' advantage most certainly has massive benefits in positioning and strengthening a brand. Although those benefits will take time, maybe even years to realise. I can speak first hand to this.

When I dreamt up and built inCase, I only did so as there was nothing in the market to solve the problems I saw communicating between my law firm and its clients. Taking inCase to the legal market after the potential was uncovered gave us 'first-mover' advantage. However, potential customers were sceptical because no one else was doing it...but that has all changed and clients take comfort and confidence that 'we were the first' because it demonstrates experience and knowledge which can never be taken away from us.

4. <http://entrepreneurlawyer.co.uk/products-services/ebook/>

5. <http://entrepreneurlawyer.co.uk/tomorrows-naked-lawyer/>

attention

Let me put this into context: ever been somewhere like a team-building event and the facilitator explains a group activity and asks, “who wants to go first?” Typically, the room goes silent for a few minutes before some brave soul finally succumbs putting themselves forward and ‘jumps first’. They’ve got ‘first-mover’ advantage, but the benefits won’t sink in till later. Probably at the end of the day or even in the following days. Be assured though that person will be applauded by their colleagues and their bosses with the ‘benefits’ flowing in time.

Being first means you start learning before everyone else...one thing no one can change is time. As time passes, the sooner you are ‘in’ the earlier you will be rewarded.

Alex: Yes! Especially in the legal field. We are operating in an environment that didn’t see many innovations for centuries. Laws have been laws for centuries! But today, thanks to technology, the legal field is seeing a great deal of innovation. And that’s amazing!

But as always with innovation, first movers always have an edge, and even more in our field. Being first typically enables a company to fail earlier and improve earlier. But also to establish strong brand recognition and customer loyalty before competitors enter the arena. When you’re a first mover, you steer your brand as a modern brand because you innovate. You end up being able to strongly differentiate yourself from competitors.

Do you agree with Such and Alex, David?

David: Not necessarily. Being first doesn’t mean being the best. Being the first brand to have a legal tech service that does what it promises is a better way of positioning the brand!

So, I’m guessing that if I was to ask you, which do you think is the most important when considering personal brand, product brand, or firm brand you would say the latter?

Yes. For us it’s the overall firm brand. That’s because we don’t try to shoehorn our customers into particular products or services. Our brand is all about taking a people-centric approach to legal transformation, so the actual technology takes a back seat.

Your view reminds me of the mantra: “You don’t have to be the first. You just have to be better than the rest!” I’m certain Martyn will have something candid or controversial to add to this debate too. Martyn?

Martyn: Is taking crypto as a means of payment, or opening an office in the metaverse, legitimate marketing ideas? Are they forward thinking? Or are they a gimmick of jumping upon a short-lived or even inappropriate trend? There’s a fine line between visionary and crassness.

Gulps ... *Gasps* ... *Wheezes* ... *Catches Breath* ... Even the wide eyed *Naked Lawyer* came to instant halt with an ear-piercing screeeeeeeeeeeech!!! Oh-oh ... I feel a feisty fisty-cuffs coming on ... you mentioned THAT controversial word again, Martyn ... METAVERSE ... Oh, and did you really say “CRASSNESS”? Eek!!!

Methinks you deliberately put the cat amongst the pigeons with THAT statement. Ouch!!!

Whizz-bang *Whoosh* *Zing* *Ping* *BANG!!! #!?!*... Incoming ... the final muse bombs spray like a crazy sprinkler snaking across the ring as The Naked Lawyer went full-throttle performing a perfect 360.

Let’s bring this to a grand finale then shall we folks? ...

How can brands be successful in the metaverse?

I guess we need to consider do you simply do what you’ve always done? For example, behave in the same way. Or is there a new and/or better way to be exploited/experimented? Will brand and authenticity be inextricably linked in this medium?

6. <https://www.globallegalpost.com/news/gunnercooke-becomes-first-top-200-uk-law-firm-to-take-cryptocurrency-payments-1380724754>

metaverse

David: As we're already seeing, clients want to know what technology law firms are using and have access to it. Similarly, the next generation of lawyers coming into the workplace expect the latest technology. If they want to work in the metaverse, brands need to be there too. You've got to have tech, otherwise you're not invited.

Sam: I think the metaverse is going to present new ways and opportunities to be able to showcase legal services to people in the same way that the internet did. Because it's very early days, it's hard to see just how this will shape out. But the likelihood is that we will be able to gain a much deeper form of contextualisation as users seek a more personalised experience.

For example, you could have your staff in the metaverse talking to people as though they were at an event, rather than just on a chat or email which adds to the personal human element of selling and will likely help increase conversions in the first instance.

Physical events could well be the walking dead at this moment in time! The exciting thing is that the firms who are fast to embrace this technology are the ones that will shape how it works initially, so early adopters will likely see big rewards as people try out new things. Initially you could just do something fun and simple like host a few meetings in your virtual office to get a feel for it and see how people react. Long term the opportunities are literally limitless.

Indeed, Sam, we touched on some of this kind of stuff in the previous TiLLL issue. I ardently believe that first movers in the metaverse will likely clean up, even if, like Such suggests, it may take time before it bares fruit and isn't realised until a point much further in the future. The challenge, at the moment, is figuring out where to get in and what steps to take in devising effective 'metaverse branding' to help in this exercise. I guess the sooner you jump, the earlier you will be rewarded.

Mitch, any chance you can share with us your tips, aka 5 steps, on effective 'Metaverse Branding' for lawyers and law firms please?

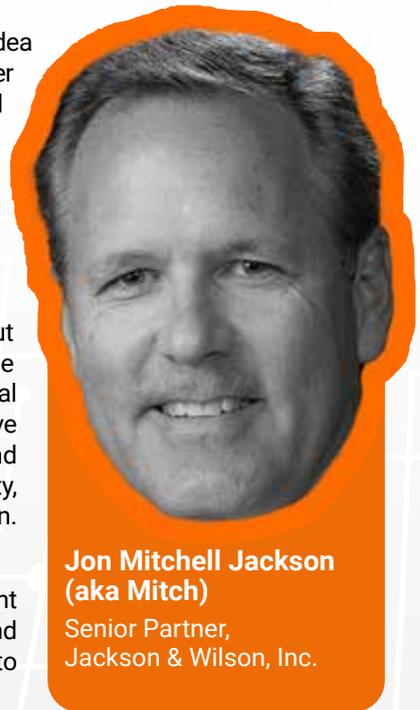
Mitch: If you know me offline or engage with me online, you have a good idea of who I am and what I believe and stand for. You know my brand. Whether I'm standing in an actual courtroom or speaking to CEOs in our virtual conference room space, my brand is consistent. Transparency in my branding builds trust and propels me forward in my business and practice.

For purposes of this roundtable gathering, my definition of a legal brand is *"what your clients, lawyers, judges, and other people in the community think and say about you when you're not in the room."*

Today, these "rooms" are both real and virtual. What people think about us is no longer limited to what they see us do with our cases or because of the results that we get for our clients in the courtroom. Today, personal branding is much more. Personal branding involves how others perceive our social currency (how consumers measure the credibility of our brand based on our social media or digital presence) and how we link our identity, values, and personality with effective personalized brand communication. The days of interrupting, creating hype, and manipulation are over.

I share these thoughts because when developing strategic and consistent brand equity using the five steps below, being true to who you are, and embracing the reality of building a solid digital footprint all go a long way to creating a powerful brand in the Metaverse.

So how do you build virtual brand equity that is beneficial for your firm's reputation, trustworthiness, and market reach? It takes a bit more work than just putting your logo and business name in as many places as possible in the Metaverse. Here's how to build your brand in the Metaverse.



Jon Mitchell Jackson
(aka Mitch)
Senior Partner,
Jackson & Wilson, Inc.

Step #1: Establish a Law Firm Vision

You're ready to offer clients new ways to meet with your team and interact with your firm. The new digital welcome mat you will be using is a Metaverse-based virtual office or conference room. You share a password-protected link with a client, and instead of meeting you on Zoom, they will meet with you in one of your Metaverse platforms of choice like EngageVR.io, Spatial.io, Glue.work or Oculus.com/workrooms.

Getting everyone involved with your vision and how to use your new Metaverse spaces is key to making this happen. A shared understanding and vision are crucial to building familiarity and acceptance by your partners and team. Share how all the tools work with your team so they are just as comfortable walking into a virtual office as an avatar as they are in an actual in-real-life conference room at the office. Just like we all did when we started to use Zoom, easy-to-understand instructions can be shared with clients to accomplish the same result.

Step #2: Identify Your Strategic Approach and Target Audience

Not all of your clients and contacts are candidates, at least for now, to meet with you in the Metaverse. We've found that while many of our younger technology clients enjoy our virtual conference room options, some of our older clients would never consider this digital option and instead would prefer to meet with us in our traditional office space or over lunch. And that's fine. For branding purposes, the idea is to get everyone talking about our Metaverse meeting option, whether they took advantage of the opportunity or not.

The key to incorporating this new element into your brand is to make your new Metaverse option available to the right clients. Selecting the right platform(s) and devices to compliment your efforts will leave a favourable impression in their minds. Clients will know that your firm is a leader in embracing new technology and that you have taken the initiative to create an opportunity for new superior client experiences.

Step #3: Be Consistent in Your Branding

Do what you can to make your new Metaverse branding efforts complement your traditional in-real-life branding experiences. How your avatar is dressed (I usually wear a jacket and tie) and the logos and photographs in your virtual conference room should reflect the favourable offline brand you've worked hard to create over the years. Your choice in Metaverse office and conference room themes, colours, sounds, and architecture should be consistent with what you're already sharing offline.

If you are not happy with your existing branding, this is an excellent opportunity to create a new, more modern brand that incorporates the intersection of traditional law with Web3 and the Metaverse.

Step #4: Make Sure Your Metaverse Brand Marketing Follows Through in Real Life

As lawyers, I firmly believe that substance takes precedence over form. It doesn't matter how we look or sound offline or in the Metaverse if we don't get the job done for our clients. Because of social media, digital, and the importance of having positive social currency, walking our talk and doing what we say we're going to do is more important today than ever before. If you follow through and do good things, people will share their experiences about you with others.

We need to make sure that whatever we say, do, and promise in the Metaverse actually happens. For example, talking about entering into a contract with a client and then getting the agreement signed in the same meeting needs to be a friction-free experience. Accepting payment in the Metaverse needs to be easy. Using digital signature tools like DocuSign, and offering easy "tap, click and pay" options via a digital wallet are essential things you need to provide to your client to make the virtual experience seamless. Doing so will add value to your brand.

I'm assuming that in the real world, everything you do has been tried, tested, and then over time, perfected. You need to create the same experience in the Metaverse for your clients. How you greet a new client when she walks into your Metaverse office needs to be consistent with how you've been greeting clients for years in your traditional office space.

Consistency and excellence, offline and on, go a long way to acceptance and creating a favourable and memorable client experience. From training to implementation, do all you can to get your team ready for virtual meetings. See what works and identify the challenges team members are having. Consistently improve the virtual process until it flows as well as what you've been doing for years in real life.

opportunity

Step #5: Draw Emotion While Communicating Through Your Avatar

I've noticed many professionals who try to tap into the power of the Metaverse don't bring their communication skills to the virtual world. When you're using an Oculus Quest 2 or similar headset, the movement of your body, hands, and head are all observed by the other participants. Be appropriately animated when having a conversation and move your avatar around the space using anchor points. Just like in the real world, your body language matters in the Metaverse.

What you say and how you say things in the Metaverse matter. Use effective storytelling techniques to keep your audience's attention. Use metaphors to compliment, persuade, and close deals.

Remember, even though you are interacting as digital avatars, emotions are important. People may not always remember what you said, but they will remember how you made them feel. For these reasons, double down on improving your team's virtual communication skills when expanding into the Metaverse. To conclude, if you want to blend in and be like everyone else in town, do what everyone else is doing. If you want to stand out above all the noise and build a unique brand, be different. Give yourself permission to try new things, embrace new technology, and do what others aren't doing by expanding your practice and brand into the Metaverse.

Complimenting your existing brand with a presence in the Metaverse allows you to embrace new technology and be different. Take action, right now, on these five steps to stand out in a sea of sameness and go from unknown to unforgettable.

Hear hear, Mitch! What strikes me about the Metaverse is that you are only limited by your imagination. Why be vanilla when you can be all the colours of the rainbow? And I just love that you shared this popular mantra: "People may not always remember what you said, but they will remember how you made them feel." *Facta non verba. Actions not words.*

Anyone stepping into a metaverse platform for the first time will be wowed by it, but, whether the metaverse per se is the future of human interaction in digital environments remains to be seen. It does not, however, negate the fact that brands of all kinds – personal, product (including LegalTech and LawTech) or firm/company – must explore it.

I also came across a helpful article in Fast Company recently about building a brand in the metaverse; feel free to read it at your leisure, particularly the proposition that e-commerce is turning into i-commerce, that is, some of the most successful brands, tech brands, and entrepreneurs have moved beyond electronic-commerce into immersive commerce.⁷

One thing is for sure, the metaverse holds the opportunity for LegalTech and LawTech brands to be present in marketing, sales, PR, events, exhibitions and meeting activities – for the purpose of business, social, leisure, family or even ... sex, romance and love. Virtual land-grabs are also for the taking or bidding - without the catastrophic human suffering and slaughter! Could there be a LegalTech or LawTech brand currently, or soon, that engages in immersive commerce for the betterment of humankind, I wonder?

Although "brand integrity and managing consistency always matter, regardless of the platform"⁸, it isn't everything. It is, in fact, fabulous to be different and a little bit kooky *wink* ...

The Naked Lawyer flashed me a pearly white smile as she fluttered her captivatingly long curly lashes, whispered gently into my ear "there's nothing so seductive as a dangerous idea" and glanced in the direction of the guys. She laid her Segway aside, held out her hand to David and waltzed him away for his baptismal first dance around the ring ...

Applause *Oohs* *Ahhhs* ... Awww, soooooo sweeeeeeeeeeeet ... Hmmm ... She's such a flirt! Tsk Tsk ... I think it's time we wrap this up gang ...

7. <https://www.fastcompany.com/90723566/building-a-brand-in-the-metaverse>

8. *ibid*

reflection

The metaverse certainly prompts us to rethink things and offers us ... no ... I shall rephrase ... promises us ... the opportunity for humankind to do things better - in business, technology, law and life. We could imagine the unimaginable. We could, if we dared, use it in a completely new way. To start again, perhaps?

We should not underestimate the positive impact of powerful brands, whether they be company, product or personal – in the metaverse or on planet Earth.

Even a sanctioned oligarch's involvement and presence (intrigue aside and whether I/you/we agree or not) in the Ukraine-Russia 'peace' talks is not to be ignored or undervalued where a multi-billionaire influencer appears to be trusted by both sides. If President Zelensky recognises Abramovich's potent personal brand value in the (mistaken or not) belief that Russia's 8th richest man who obviously has the 'brothers in arms' love and support from football sporting fans across the world (particularly in Chelsea, London) can be an integral bridge and play a vital part in bringing about the end of the war and direct suffering for the innocent people of Ukraine (and Russia), then we should take note.⁹

There is hope ...

While international conflict raged on the Earth below them, the Russians and Americans working together aboard the International Space Station (ISS) have signalled that in space, at least, there's still peace.

Roscosmos cosmonaut Anton Shkaplerov formally handed command of the ISS orbital lab over to NASA astronaut Thomas Marshburn recently as a sign of ongoing cooperation in space amid strained relations on Earth. In a "genuine and friendly" exchange during this moment of international solidarity, Shkaplerov briefly referenced the Earth-bound tensions, but said on orbit they were "space brothers and space sisters."¹⁰ This ought to give us some optimism for the future.

As above, so below?

I can't recall the name of the author who expressed the opinion (rightly or wrongly) that the West was immoral in not stepping up to the plate and fighting tanks with tanks. I made a note of the quote though:

9. <https://www.nytimes.com/2022/03/29/world/europe/ukraine-russia-abramovich-oligarchs.html?referringSource=articleShare>

10. New York Times, 29 March 2022, 'Russian cosmonaut hands over command of space station to NASA astronaut', by Noor Al-Sibai

rule of law

“So the rather decadent view - that the only weapon the West would ever need is economic sanctions - is out of fashion now. You can’t fight tanks with banks.”

Actually, you can.

Mighty ‘Tech Brand Banks’, ‘Energy Brand Banks’, ‘Consumer Brand Banks’, ‘Sporting Brand Banks’, ‘Retail Brand Banks’, ‘Legal Brand Banks’ ... and simply ... banks ... distancing themselves from Russia supported wholeheartedly by the global court of public opinion and action appears (for now) to have thwarted Putin’s atrocious strategy and plan.

Brothers and sisters in arms around the world have banded and branded together in soulful solidarity crying PEACE NOT WAR. BANKS NOT TANKS!

In the olden days the mantra went something like this: ‘The pen is mightier than the sword’. Nowadays, perhaps, the fashion is: ‘The brand is mightier than the tank?’

But not too mighty ... It seems like something else eclipses brand ...

Whilst this geopolitical tragedy unfolded and continues for the foreseeable future, it was, and is, for the legal profession, industry and ecosystem to carry out its duty and uphold the Rule of Law.

Unequivocally, the Rule of Law trumps brand reputation. This was made abundantly clear by Mr Justice Jack in BVI recently who held that Russian bank VTB’s right to litigate had not been curtailed by the UK’s sanctions therefore offshore firm Ogier’s duty to the court outweighed other considerations, including reputational damage.¹¹

Clearly, the legal profession and the courts continue to have a crucial apolitical role to play in the checks and balances that are essential to achieve law and order in civilised societies throughout the world, particularly during times of war.

Law trumps brands, banks and tanks!

Yes, it is a bitter pill (and potentially poisonous pie) to swallow where even pariahs have rights. But, when Judgment Day came to Law Land, the Rule of Law prevailed ... rightly or wrongly?

11. <https://www.globallegalpost.com/news/even-pariahs-have-rights-judge-refuses-request-by-ogier-to-stop-representing-sanctioned-russian-bank-vtb-63640154>

By Chrissie Lightfoot Chief Tech Advisor and Writer to Modern Law (Chair of the ‘Technology in Law Land’ roundtable).

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