

10 QUESTIONS WITH ATTORNEY/INVENTOR KELLY Bagla

Kelly Bagla knows all of the best lawyer jokes—and isn't shy about telling them. Although she loves her profession and has great respect for it, the personable and articulate owner of Bagla Law Firm, APC in the greater San Diego area understands why some people may be wary of working with an attorney. This includes inventors.

The self-described “Queen of Business Law” has experienced the inventing process as both an inventor and an attorney, having enjoyed success with her “Eardorables” plush toys and eventually appearing on the TV show “The Toy Box.” Born and raised in England, she wanted to be a lawyer since she was a child. She moved to California right after college to pursue the American Dream.

Her first job out of school was working for Baker McKenzie, which at the time was the largest international law firm in the world. From there, her career has thrived as an attorney, inventor, entrepreneur and author (among other pursuits). *Inventors Digest* editor Reid Creager spoke with her to learn more, particularly her passion for helping inventors.

How did what you learn at Baker McKenzie prepare you for your own firm, and for helping inventors?

Working for the largest international law firm in the world and learning from some of the brilliant legal minds definitely allowed me not only to become a top attorney well versed in the law, but particularly well versed in many areas of legal specialty. As businesses become more specialized in catering to customers' needs, the law has followed suit.

Today, having one's own law firm frequently requires having knowledge of the law that is both global and local.

How are your services different than at the bigger law firms?

Hiring a large law firm is ideal for some people and brings a certain amount of prestige, but the brutal truth is that it is also very easy for clients to get lost in the shuffle. Many start-ups need extra time, hand holding and customization of their specialized legal needs to walk them through various complex matters, which is nearly nonexistent in the large law



Caption to go here.

firms. And larger firms typically bill at an hourly rate.

When I opened my law firm, I knew I wanted to run a different kind of firm. I love being creative and supporting my clients, especially inventors, because inventing requires thinking outside the box—and being a fellow inventor, that's what I'm particularly good at.

I love the inventive process of creating customized solutions for my clients. I also wanted to make legal services affordable, so unlike many larger firms, I charge flat rates instead of high hourly rates that can get very costly—particularly when the majority of inventors are working on very limited budgets.

Give an anecdotal example of how your knowledge and expertise helped protect a client.

An inventor approached me at one of my speaking events and asked what could be done if his partner was not contributing anymore. Not only was the partner not contributing to the company, the partner's name was on the patent.

What has the partner contributed toward the patent? I asked. The inventor said he thought he had to add the partner to the patent because the partner

gave the inventor some money to start the patent process, and that was it. Big red flags went up everywhere. The invention was the sole work of the inventor, who worked for years to get the patent. Putting someone else's name on the patent who contributed nothing toward it is like giving away half your life savings.

The inventor did not know that there were other ways to secure funding for his invention. After some long talks and negotiations with the partner, we finally resolved the matter whereby the partner gave up all of his rights and interests to the invention.

You're a published author, among other accomplishments. What prompted you to write “Go Legal Yourself”?

Being an inventor myself, I love helping start-ups, particularly inventors. There is so much misleading information out there about how to do things correctly that many business people tend to rely on to their detriment, and that information usually ends up hurting those not specifically familiar with the intricacies of the law. I thought it was time to set the record straight.

The book is a simple-to-read guide that demystifies and explains the complicated process of starting, growing, managing and eventually selling a business...which is really what successful inventors do. And the book provides the explanatory structure that many business people need to support that, and that so many inventors with engineering-like minds can appreciate and apply to help them continue to advance and fully achieve their goals.

Eardorables looks like a fun product with some staying power. What have been your biggest successes and challenges with this?

Not in a million years did I think I was eventually going to invent my own product. But you can see what happens when an attorney gets bored! I decided to invent a line of plush toys called Eardorables because I thought it would simply be fun to create a product with big ears to hold each young person's most important treasures.

Even though I'm an attorney, it took me five years to get my invention on the market, but now I can proudly say that my Eardorables are being made by the world's largest toymaker—Mattel. Like most inventors, I had no idea where to start and like many inventors, I faced many of the same challenges. I started with a basic idea, made some samples, and registered an initial patent. I then chased every conceivable opportunity, not realizing until late in the game that I was actually starting to hemorrhage money in support of my endeavor.

The number one challenge inventors face is not having enough money, as well as not knowing how they want to bring their invention to market. Through the process of facing these challenges, however, I noticed that there were no systems in place that helped make the entire process clearer and easier for me. So I set about creating my own series of systems, refused to allow myself to get

distracted, followed my guidelines, and finally got my Eardorables to market.

My firm now helps inventors navigate the very same process by putting practical, easy-to-follow systems in place—which, though it may have initial costs, helps inventors save tremendous money in the long run by avoiding some of the real-world pitfalls and challenges I faced even with my legal expertise.

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—KELLY BAGLA

Tell us about your experience on “The Toy Box,” where your Eardorables had some early success.

“The Toy Box” is the ultimate toy competition television series, providing talented designers with the chance of a lifetime to bring their toy concept to life. I decided to apply to the show, and within an hour I received a phone call from one of the producers. After we spoke a few times, the producers selected me to be on Season 2.

It felt surreal being on set and watching the judges actually playing with my

own invention. It was at that moment that it really hit me that I was in the middle of an incredible break, as most of America would see my Eardorables when the show aired. A feeling of overwhelming joy took over as I knew then that it was finally my time to shine. It's the same feeling any inventor can relate to upon getting their big break.

There were three toys that made the final cut: the first the judges' pick, the second the hosts' pick, and the third Mattel and Toys 'R' Us pick. And I was lucky enough at the end of the program to find myself in category three, when both Mattel and Toys 'R' Us picked my Eardorables!

In which aspects of business law do you find inventors are most deficient in terms of knowledge, and how can this create problems for them?

As a business law attorney, I find that many inventors continue to experience the same challenges over and over because they simply don't know what they don't know. And they also don't have a skilled advocate to teach them what they do need to know who can stand behind them on their journey to success. Here are some examples of where I've found inventors have consistently lacked having the right knowledge and support to succeed:

- Not having the right contracts in place with the people who are helping them with their invention. Inventors work too long and too hard to allow someone else to take credit for their ideas.
- Not trademarking an applicable name and simultaneously obtaining the identical domain name for an invention to create a consistent and cohesive “brand identity,” through which their invention can become known. It is not only the invention that an inventor has to be mindful of, but it's all the other things that go along with it that give the invention its intrinsic value. Knowledgeable

business people and investors are more inclined to look at your invention if you provide a complete package of assets that are attached to and belong with the invention.

- Not knowing if you want to manufacture or license your invention. Being clear about how to determine that and then establish this fact can wind up saving the average inventor many thousands of dollars—often more.

What is the biggest challenge facing American inventors today?

There frequently is a tremendous amount of trial and error—not only with regard to the first step, which is the process of inventing something, but then in the manufacturing process, the legal process, the distribution process, the marketing process, the promotional process, and so on. In fact, these processes are merely systems that must consistently interoperate with one another. Putting a clear, organizational guideline in place with benchmarks, timelines, and execution strategies and accountability systems can help make one's inventive journey infinitely easier. Here are some of the most important basics I encourage inventors to think about:

- Since not all inventions are the same, it's important to understand that not all attorneys are the same, either. Picking an attorney who specializes in and understands your inventive area and has the specialized experience is vital to the success of your obtaining a patent on your invention.
- The whole inventing process can be very costly. Truly understanding and accurately estimating what you will need from the very outset to get your invention launched can prevent you from wasting a boat load of money. Do your homework and make sure you know exactly what will be



With everything you have accomplished in your varied career, is there a single honor or accomplishment of which you are most proud? Why?

My latest accomplishment is the one I think I'm most proud of: starting my second business, called Go Legal Yourself LLC.

I have always been passionate about helping entrepreneurs become successful, and now I'm proud to have created the proper legal tools and “kits” being offered at an affordable price so that entrepreneurs, and particularly inventors, no longer have to worry about the high cost of legally protecting their invention and eventually their personal assets.

In keeping with my passion to help entrepreneurs, I would be remiss if I didn't mention that my second book, “Go Own Yourself,” will be available on Amazon in June. It provides powerful tools to help you unleash your greatness, because we were all born to do great things.

What inspired you to be an advocate for inventors?

I have had the pleasure of representing many inventors through the years but never really understood why they had to go through so much to achieve success—that is, until I became an inventor myself. After witnessing my clients' struggles time and time again, I finally decided to not only become an adviser but a true advocate for them and be there for them every step of the way.

Inventing is a hard job, but getting one's invention to market can be even harder. It is always nice when you have someone who understands the process and can help shorten that process, as well as make life a little easier. That's why I got into the latest branch of the law that I'm now in. I have to say it's very gratifying. In fact, I'm loving every minute of it! 🍀