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Career series: Lisa Ramsey, University of San Diego

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Lisa Ramsey, professor at the University of San Diego School of Law, explores her love o.



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ongoing need to tackle implicit bias when it comes to promoting diversity in law.

Tell us about the course of your career

While I was a communication studies major with a business emphasis at the University of California, Los Angeles (UCLA) in the early 1990s, I thought I would pursue a job in advertising. However, I decided instead to go to law school after taking a media law class that included disputes involving the right to free speech under the First Amendment in the US Constitution.

At UCLA School of Law, I became interested in IP law and worked on IP cases as a summer associate at Gray Cary Ware & Freidenrich (now DLA Piper) in San Diego. After law school I served as a judicial law clerk for the Honourable Rebecca Beach Smith, a district court judge in the Eastern District of Virginia. Then I returned to Gray Cary in 1997 as an associate and worked in the IP litigation department of the firm.

I worked on several interesting IP matters at Gray Cary and loved my job, but in 2002, I left the firm to live outside the US and travel with my law-professor husband for six months while he was on sabbatical.

During that time, I decided to try to get a job as a law professor since I enjoyed writing and mentoring junior attorneys. I wrote a law review article called “Descriptive Trademarks and the First Amendment” while we were living in Dublin, Ireland, and later it was published in the *Tennessee Law Review* when we returned to the US.

Back in San Diego, I did some appellate work with another attorney who also used to work at Gray Cary while I interviewed at law schools for a tenure-track faculty position. The University of San Diego (USD) School of Law hired me, and I have taught IP law classes there since 2004.

I became a tenured professor of law at USD in 2009 and I am a founding member of the law school’s Center for Intellectual Property Law and Markets.

Outline a typical day in your role

During the academic year, my typical day involves preparing for and teaching my classes. Over the years, I have taught trademark law, trademark litigation, international IP law, and other IP classes.

I also meet with students during office hours, serve as a faculty adviser on student papers, and do my best to serve as a mentor to our students and law school alumni. Some days I attend student events, faculty meetings, or other meetings at the law school or university, and prepare presentations or reports for those meetings.

In addition, I attend monthly committee meetings of the American Intellectual Property Law Association and International Trademark Association (INTA). Over the past few years, I have done significant work on these committees, including providing comments on proposed trademark legislation, strategising with attorneys about the content of *amicus* briefs in trademark disputes, and drafting revisions to INTA's model trademark laws.

"Unconscious gender bias, the pay gap between men and women, and inappropriate comments by senior attorneys or clients still pose problems in some parts of the legal profession."

During the summer and on days that I do not have classes, I work on my scholarship. I have written eight law review articles, four book chapters, and other short papers about trademark law since I joined USD and am working on a book about conflicts between trademark laws and free expression.

Several times a year, I lecture on trademark law in the US and other countries to a variety of people, including professors, students, attorneys, brand owners, and trademark office employees. Throughout the year, I also provide feedback to other academics on their scholarship or presentations at conferences and enjoy mentoring junior professors.

What are the best parts about your job?

I feel lucky that I get to teach IP law classes for a living because this is such an interesting and important field of law. My classes are not required at our law school, so the students want to be there and are usually engaged when we discuss IP cases, news stories, or hypotheticals in class.

It is wonderful when a student tells me that they decided to work in the IP field after taking one of my classes or reports that they got their dream IP job.

Another amazing part of being a law professor is that I get to spend a significant amount of time researching and writing about trademark law. I love talking with other academics, attorneys, and students about how we can improve trademark law so that it better promotes competition and free expression.

What is the most difficult part of your job?

The least favourite part of my job is grading exams. This usually takes place around Christmas after the fall semester, and the week of my birthday in May. I try to make this difficult part of my job more

fun, however, by writing exams with interesting fact patterns. Examples include IP issues involving virtual reality and 3D printing technologies.

Have you faced any barriers or challenges in your career?

I have been very fortunate not to have faced any significant barriers or challenges in my career.

One minor challenge that I have faced in the academic field is that I did not attend an Ivy League university or law school. Most professors do not care where you grew up or went to school as long as you are a top-notch scholar and teacher. Yet some of my law school colleagues who attended prestigious schools on the west coast like me agree that they feel their education is undervalued by some people compared to academics who went to Harvard, Yale, or similar schools on the east coast. Regardless of whether there is or was an east-coast bias in academia, I am hopeful that this will not be an issue in the future.

What is your biggest achievement?

My biggest achievement is probably my work-life balance as a law professor and parent. I love my job at USD and find it very rewarding. I like making a difference in the legal profession through my teaching, scholarship, and participation in IP organisations.

I work hard to achieve my career goals, but I do not work as many weekends and evenings as I did as an attorney at a big law firm. I am actively involved in the lives of my two boys, who are 14 and 10 years old. I drive them to soccer practice and martial arts, take them to fun places like Disneyland or the Comic-Con popular arts convention, and enjoy our time on the weekends watching movies or playing games.

“I love talking with other academics, attorneys, and students about how we can improve trademark law so that it better promotes competition and free expression.”

Over the past decade, I definitely had my moments of mom-guilt. I have missed some important school events held during the day, was out of town at a conference on the first day of school a few years ago, and sometimes forget to schedule the kids’ annual doctor check-ups in a timely manner.

I try not to be too hard on myself and I am lucky to have a supportive husband who does an equal amount of work at home. I think my family knows that my job makes me happy, and they understand when I sometimes have to focus on my teaching, papers, or presentations instead of them.

What advice would you give to those looking to pursue a similar career path?

Someone interested in working as a law professor in the US will need to graduate from a good law school and have a strong record of scholarship in a legal area. If you do not already have a strong publication record, start writing a law review article or book and aim for a prestigious journal or publisher.

A judicial clerkship and at least a few years of practical legal experience at a law firm, government agency, organisation, or other entity is preferred—but not required. Some law schools seek candidates with a PhD or an interdisciplinary background. Others focus on hiring faculty members with expertise in a certain area of the law, such as IP or environmental law.

It is helpful to find a full-time tenured law professor in your field who can serve as a mentor as you seek a law faculty position. They can give you advice about your scholarship (eg, cite papers by other academics in addition to statutes, regulations, and cases) and help you navigate the law school job application and interviewing process.

Consider asking that person—or faculty members from the law school where you graduated—if they will do a mock interview or allow you to practise your 20-minute job talk about a work-in-progress paper before your interviews.

Some law schools hire visiting assistant professors (VAPs) for one or two years. This is something to consider if you find it difficult to write scholarship while working at a law firm or other job that expects you to put in long hours.

VAPs usually teach one or two doctrinal classes, and sometimes teach clinical courses or legal writing. They are often treated like regular tenure-track faculty, but VAPs have more opportunities to devote time to research and writing due to a reduced teaching load and fewer administrative obligations.

This teaching experience and the new publications may be useful when the VAP tries to get a tenure-track position at another law school, but many professors get positions on law faculties without working as a VAP, so this is not required.

Who or what inspires you?

My children and students always inspire me to work as hard as possible to be a better parent and teacher. My parents are also significant role models for me. My mom was a writer and worked as a journalist and in the public relations field. I strive to attain her work-life balance, as she was successful in the workplace and at raising me and my two brothers.

My dad is actively involved in the community and goes to great lengths to help people when he can. He often inspires me to think of ways I can give back to the community and make the world a better place.

What was your most unusual job before becoming a law professor?

When I was in high school, I worked as a walk-around character at SeaWorld one summer. My favourite costumes were the penguin, otter, and walrus—all were popular with the kids. I disliked the orca whale costume, however, due to its big head. When it was hot, we wore vests of ice under the

costumes to keep cool.

Women in law

What are the major issues facing women in law?

While most law schools have equal numbers of men and women, a smaller percentage of women are partners at law firms, tenured faculty members at law schools, and in leadership roles in companies or the government.

Female attorneys and professors who want to be parents may have a difficult time determining when it is best to have children while working in the legal profession, and then discover after making partner or obtaining tenure that they waited too long. Unconscious gender bias, the pay gap between men and women, and inappropriate comments by senior attorneys or clients still pose problems in some parts of the legal profession.

Many people support efforts to increase the number of women leaders, eliminate implicit bias, achieve parity in salaries, and reduce sexual harassment in the workplace. We need to continue to have a dialogue about these issues and consider what can be done to address the concerns of women in law. This is even more important now, as last year many female attorneys with children have reduced their hours or quit their jobs due to the COVID-19 pandemic because they no longer have childcare.

Work-life balance has always been a significant challenge for those attorneys and professors who are expected to be the primary caregiver and person in charge of cooking, cleaning, and other family obligations. I am lucky to be married to someone with the same type of job who is fully involved in parenting and issues that arise at home.

However, many women in the legal field do not have a partner who shares childcare and other household duties in an equal manner. Allowing more flexible hours, part-time positions, and paternity leave in addition to maternity leave may help.

Is the legal profession doing enough to improve gender diversity?

Many law firms, law schools, government bodies, and other companies and organisations are actively seeking to hire more women and help promote them to leadership roles. For example, INTA published the Women's Leadership Initiative Report and Best Practices Toolkit in February this year with the goal to help women progress in their legal careers.

Men and women are serving as mentors for female attorneys, professors, and students. They are creating professional development opportunities and awards or scholarships for women. There are efforts to ensure that panels with speakers include women. Clients are asking their attorneys to

include women on their law firm teams and enquiring about the gender of people who hold leadership positions at the firm.

We should continue such efforts, but more still needs to be done to address the various problems encountered by women in law.

How are you involved in promoting diversity?

When I invite guest speakers to my classes, I always include women. I require all law students to participate in class and welcome diverse points of view. I mentor students and alumni and let them know I am available to discuss work-life balance issues or anything else about the legal profession.

In addition, I have supported our law school's efforts to seek out women law faculty members when we are looking to hire someone to ensure that we have a diverse pool of candidates.

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