

Douglas J. Wood, Renaissance Man of Marketing and Advertising Law

GCC Profile

Douglas J. Wood, Renaissance Man of Marketing and Advertising Law By Kenneth Davis

Douglas J. Wood is an attorney who knows how to maximize his skills. In addition to being a partner at Reed Smith, LLP, and chairman of its advertising, technology, and media group, he's general counsel for three different organizations: the Association of National Advertisers, Inc., the Advertising Research Foundation, and the Advertising Council.



Douglas J. Wood

As if that weren't enough, he's also the founder and chairman of the Global Advertising Lawyers Alliance, a network of independent law firms located in more than 50 countries that have expertise in advertising and marketing law. And let's not forget about the hundreds of clients he represents in his practice at Reed Smith.

When asked how he manages to juggle all those responsibilities, Wood answered with a hint of weariness in his voice, "It's not easy."

However, he said he gets a lot of help from his group at Reed Smith.

"The firm has 1,500 lawyers," Wood said. "And my group has 65 that I

supervise and deal with, so it's a matter of dividing up tasks and running a business in that sense."

As General Counsel for the Association of National Advertisers (ANA), Wood handles a number of different matters, including public-interest issues, legislation, and issues relating to First Amendment protection, among many others.

"I deal a lot with white papers on various public issues," he said, "whether it's a la carte cable or various restrictions on advertising—a lot of information that relates to taxation of advertising so they're not overly taxed and that kind of thing. It's a whole potpourri of issues."

Wood, who has been general counsel for the ANA for the past four years, said that the organization has about 400 advertisers as members.

"They constitute about 80 to 90% of what is spent on media," he said. "So they're the top association in the advertising industry, and anything that impacts on the business of advertising is within the purview of the ANA."

He discussed some of the biggest challenges he faces on a daily basis as general counsel for the ANA:

"In a general sense, it would be taxes and the intrusion on the First Amendment rights of advertisers to truthfully advertise, because people want to regulate advertising," he said. "They want to restrict its time, its place, its content, whether it's advertising that's directed to children or advertising for pharmaceutical products. And we want to have as little restriction as possible."

As long as advertising is truthful, it should be protected by the First Amendment."

Wood has been General Counsel for the Advertising Research Foundation (ARF) for three years. He said many of his duties as general counsel for the ARF are similar to those he has with the ANA.

"It's the same type of issues," he said. "And I'll also look at the research reports and the like as to the effectiveness of advertising and those kinds of things from a legal perspective."

He discussed some of the key matters on which the organization focuses its research:

"The ARF's real concerns are the issues of finding ways to measure the effectiveness of advertising—finding ways to determine what the most effective content is in reaching consumers, whether it's emotion or whether it's some other type of an approach. They are also very concerned with how ratings are done and how accurate ratings are; they look at controversies that might be involved with how Nielsen or Arbitron rate commercials."

Wood also writes about law and advertising; he wrote *Please be AdVised—The Legal Reference Guide for the Advertising Executive* and co-wrote *Legal Problems in Advertising*. He said he is currently working on another book, which was originally set for publication in April but has been pushed back to September.

"I think it might get pushed to 2008," he laughed. "Finding the time to do these

types of things is not easy.

Wood received a B.A. in Political Science from the University of Rhode Island in 1972. And in 1976, he earned his law degree from the Franklin Pierce Law Center in Concord, New Hampshire. After graduation, he joined Abeles, Clark & Osterberg, a small litigation firm that specialized in defending record labels for violations of copyright trademark contracts and venues and other related matters.

Wood, who was a litigator at the firm, had no shortage of work.

"One day, it would be defending a copyright claim where a particular person would claim that an act infringed their trademark or their copyright," he said. "And another day, I would be defending somebody because they didn't show up at a concert and breached the contract. And in the 1970s, the record companies defended everything for the performing artists that they had under contract. In those days, they would sign a performer, and they would pay everything. It was a sweet deal. Now they tell the act, 'Here's \$250,000; go out and produce the album and bring it back to us.'"

While practicing at Abeles Clark, Wood was also working on his Master of Laws (LL.M.) in Trade Regulation at New York University School of Law, which he earned in May of 1977. In August of that year, Wood joined Hall Dickler in New York City.

"That's where I started off as an advertising and marketing lawyer," said Wood, who became a partner at the firm in 1985.

After practicing at Hall Dickler for 26 years, Wood moved his advertising and marketing practice over to Reed Smith on February 1, 2004. He brought 22 other attorneys from Hall Dickler with him in the move. He said he came over to Reed Smith because it made business sense to move his practice to a much larger firm with a global reach.

Wood discussed his practice at Reed Smith:

"In terms of content, I'll look at comparative advertising issues, licensing issues, copyrights, trademarks," he said. "I'll do a lot of celebrity endorsement deals; I'll do a lot of contracts between advertisers and their advertising agencies, production companies, talent payroll companies, all their suppliers, licenses, music licenses, art licenses, large media buys on television networks or in print media, and the like."

Wood said that he's not permitted to name his clients but that they're in the major categories of advertisers and include Fortune 100 companies. He's also a sought-after analyst in the field of advertising and media law.

He had the following advice for law students interested in pursuing in-house careers:

Q. Do you have any hobbies or interests?

A. Trying to relax is my hobby and interest. I'm also a big sports fan. The Mets and the Jets are my teams, and I follow them very closely. And I'm a cigar aficionado, so I collect cigars. There's actually a way to collect them—valuable cigars and things like that, as crazy as that sounds. And I collect cigar art; it's kind of different, but it's something you can collect, believe it or not.

Q. What CD was most recently in your CD player?

A. Lucinda Williams. It's a really great CD, but I can't recall the name of it; it's her most recent CD.

Q. What's the last magazine you read?

A. *TIME* magazine.

Q. What's your favorite TV show?

A. *Boston Legal*.

"Be patient and wait for the right job. Don't rush and get yourself into a rut too early. They should look to following where their passion is as opposed to just finding a job. They should do some volunteer work. If they don't have a job immediately, they should find ways to learn more. If they can't get an in-house job quickly enough, they should consider going into government; they should consider going into private practice. There are a lot of different directions they can go."

Wood was an army brat and said that he "grew up all over the world." He was born in Fort Belvoir, Virginia, and some of the places in which he lived while growing up include Pennsylvania, Washington, Hawaii, and Japan.

He has been married for 35 years and has two daughters (23 and 19) and a son (25).

When asked what professional goals he'd like to accomplish in the near future, Wood laughed, "To get my book done. That's first and foremost."

On the Net

The Association of National Advertisers, Inc.

www.ana.net

The Advertising Research Foundation

www.hearf.org

Reed Smith, LLP

www.reedsmith.com