PHILIP G. HAMPTON II

SB, SM 1977 (chemical engineering) MIT, JD 1980 University of Chicago; admitted to practice law in New York, Court of Appeals for the Federal Circuit, and US Claims Court; registered patent attorney, US Patent and Trademark Office; intellectual property lawyer, Kenyon & Kenyon, 1980-1993, 1998- ; nominated in 1993 by President Clinton to be assistant US commissioner for trademarks; confirmed by US Senate, 6 May 1994, and served until 1998; chair, Independent Judicial Screening Panel, New York County Civil Court, 1987; member, board of governors, National Bar Association, 1989-1994; co-founder, Theta Iota Chapter (MIT, Harvard, and Tufts), Kappa Alpha Psi Fraternity, 1975.

I'm the Assistant Commissioner for Trademarks at the United States Patent and Trademark Office. I've had this job for about four and a half years. This is a presidentially nominated, Senate-confirmed position. I think that my experiences at MIT probably had the greatest influence on me being able to get and do this job.

When you say that, tell me a little bit more—after all the experiences you have had since you left MIT—about why you feel that way in whatever way you can be more specific about it.

I feel that way because MIT was the place where I really developed a lot of skills. I think I really developed my communication skills at MIT through my involvement in the Black Students' Union—I was co-chairman of the Black Students' Union in calendar year 1974—and through my dealings with the student government at MIT. I was chair of Fin Board, I guess, in the '75–'76 school year. Being co-chairman of the BSU, I had lots of meetings with administrators and faculty members who made me think, who forced me to defend my positions and to make rational arguments. I don't know if I would have been able to have a column in the student newspaper at many other colleges, because I wasn't a student newspaper guy in high school. So MIT gave me a lot of ways to develop outside of academic disciplines.

The academics, too, were important. I received a master's degree in chemical engineering. After I went to law school, it allowed me to get a job at one of the largest intellectual property law firms in the country. I started off doing patents, but also did a lot of trademark work. Again, that's how I got this job as the Assistant Commissioner for Trademarks at the United States Patent and Trademark Office, the PTO.

For the layman, explain a little bit more about what this job entails, the responsibilities you have, and how many people follow your leadership role.

As the Assistant Commissioner for Trademarks, I'm responsible for the day-to-day operations and the policy of the trademark portion of the PTO. This fiscal year we will have a budget approaching eighty million dollars. Presently there are about 575 employees in the trademark operations. By January of 1999, we will have close to 800 employees and we will have a budget approaching ninety-five million dollars. Of those employees, by the end of January approximately 400 of them will

Edited and excerpted from an oral history interview conducted by Clarence G. Williams with Philip G. Hampton II in Washington, DC, 13 August 1998.

Downloaded from http://direct.mit.edu/books/book/chapter-pdf/1886773/9780262286305_c004800.pdf by guest on 22 March 2023

be attorneys. What most people don't know is that the United States Patent and Trademark Office is a totally fee-funded agency. Not a dime of my salary or any others here at the Trademark Office is paid by the taxpayers. We are forced to live with the revenues that we generate from people filing for trademark applications and some other minor fees that we charge for various services.

You grew up here in Washington, DC. Coming out of the school system and growing up in probably the most famous city in the country, being our capital, did you ever dream about any possibilities of things you wanted to do? How was that education coming up in Washington, looking at it now? Here we are looking over at the National Airport and you're sitting here in this huge suite. Do you recall any of your highlights in high school and so forth?

I am a DC native, and it really bothers me that people slam DC for everything from Marion Barry to our school system. The DC public schools did a good job by me and a lot of my friends and colleagues. I still have faith in the DC public schools. My daughter attends a DC public school by choice, not necessity. I went to a local neighborhood elementary school, junior high school, high school. I didn't have a concrete dream—definitely didn't dream of being a sub-Cabinet government official with an office that overlooked the National Airport. I always wanted to see what I could do to help other people, particularly other black people. I don't know where I got this desire from, but I've always felt that I need to do more.

I've always understood that, even though my family wasn't affluent, I still had a lot of advantages that a lot of other African-Americans did not have. I had a stable, two-parent family. My mother's father is a college graduate, so going to college was never an issue in my household—it was assumed. The only question was where to go. When I was applying to colleges, even though my dad was a civil servant and my mother was a school teacher, they said I could apply anywhere I wanted. So I took them up on that offer. They were a little bit surprised when I got into MIT and the financial aid was not quite up to what they would have preferred, but going to MIT was never an issue. They came up with the money some kind of way.

When I got to MIT, I looked around and I realized that it was a very, very good institution, but it did bother me that there weren't that many black folks there and that there were very few black faculty and black administrators. I also understood that black people in this country had to be on the cutting edge of the technological revolution. I went to MIT to major in chemical engineering. I was one of the few people who stayed with their first major. I did a fifth year to get a master's degree, probably because I didn't know what I wanted to do going into my senior year. Plus, I figured if I got into the five-year program in Chem E, I only had to write one thesis. I'm not going to tell you that I had this well thought-out plan. It just seemed like the logical thing to do and it was the easiest means to an end.

That sounds very much like you. You actually have always, in my opinion, been a great strategist to accomplish what you wanted to do. I think you need to talk a little bit about some of the highlights as a student. There are a lot of things you did at that school that black students who came in the early '70s did not do. Things they did do, they did them but they didn't take care of their academics. You did both. Talk a little bit about the highlights, when you think about your education on that undergraduate level at MIT.

It was tough. The first time I realized how tough maybe MIT was was actually second semester. I was taking the introductory physical chemistry course, 5.60. I was living in a suite with three Asian-Americans and we were all in this class together. A significant number of students actually got zero on the exam. I think they thought I was one of the students who got zero. I ended up getting a better score than they did. After that there was a different sort of almost like unwritten respect, even within the suite. I was always playing my stereo loud and everything else. So that's when I really realized how difficult MIT was and how it was not just difficult for black students.

But the real highlights to me at MIT were not the academics as much as my involvement in student activities. I was ridiculous enough to run for co-chairman of the BSU as a freshman. We had to have a run-off because I ended up in a tie with the guy who would later become my roommate—Gerald Adolph—and John Murray. Murray won the run-off election, but I became co-chairman in December of 1973, the middle of my sophomore year. That opened a lot of doors, including the one to Paul Gray's office.

Downloaded from http://direct.mit.edu/books/book/chapter-pdf/1886773/9780262286305_c004800.pdf by guest on 22 March 2023

Let me digress a little bit about Paul Gray. When I got there, there were mixed feelings among black students as to whether Paul Gray was good or bad. Paul Gray was recognized as the high-ranking person in the Institute who was behind Project Interphase, which helped get and keep a lot of black students in MIT. When I got to MIT, he was chancellor and he dealt with the day-to-day operations of the Institute. The thing that stands out the most in my dealings with Paul Gray was trying to get the Office of Minority Education founded and funded by MIT. It took almost a year of constant negotiations to get that done. Starting in about October 1974 and lasting to at least April of '75, there was a committee which met twice a week. The committee included Bernard Robinson, who was the other co-chairman of the BSU, and a few other brothers from the BSU. Among the administrators, I know you were there, Paul Gray was there, Carola Eisenberg was there, and Peter Richardson was there. I think Lynne Richardson may have also been on that committee. She's another classmate of mine.

Frank Jones was on that committee, too.

Dr. Frank Jones was on that committee. We met almost every week for at least six months, slowly formulating this office and getting people to understand how necessary it was and how valuable it would be to minority students and minority education. I can't even think of the right word to describe Dr. Gray. He made you dot every "i," cross every "t," and have a rational basis for everything in the document that we put together. At times it was frustrating, but there was a sense I got that Dr. Gray really wanted the office, so long as it would be a credible part of MIT. That was probably the biggest issue that I was involved with Paul Gray on. In retrospect, I think that he took some chances to push the education of African-Americans and other minorities ahead at MIT when, at least from my vantage point, there was no real reason for him to do so. He was really immune from being pressured into doing it, but yet he went ahead and did it anyway.

He didn't appreciate all the things I did at MIT. There was one incident in particular. At the January '76 M. L. King Day program, which was a very nice program, my roommate Gerald Adolph, his then girlfriend Lynne Richardson, John Arnett, who had just finished being head of the BSU, and I passed out fliers to the press saying that if they really wanted to know what was happening to black students at MIT they should come to a press conference after the King Day program. We got the press into the Student Center and told them how black admissions were way down, but MIT was refusing to hire a black person in the Admissions Office. I think at that time John Mims was leaving that office. John Mack, who had been head of the BSU, was eventually hired as an assistant dean in the Admissions Office.

But he took over only because of the pressure you guys put on.

But I knew that I was going to be getting some calls from Dr. Gray and others when I listened to the all-news radio station in Boston that day and they were playing an excerpt from our press conference, every half hour all afternoon during drive-home time. Sure enough, Dr. Gray called and he was upset. But within a few weeks, we had John Mack, who had the trust of the black students. John was co-chairman of the BSU when I first got to MIT in '72, and we were very comfortable with John Mack.

The most important thing about the early and mid-'70s at MIT was that there were a large number of African-American students who, in varying degrees, had a similar focus. Most of us knew that we were not only there because we were good, but because the community helped get us there. We felt in touch with the black community and the need to do something for our community. A lot of times, when we were supposed to be doing academics, we'd be discussing social issues.

Another galvanizing force while I was there was the fact that Boston was a racial hotbed. I remember there was a guy in my class who, in the summer between freshman and sophomore years, got beat up by some white guys in Central Square. Then, at the beginning of my junior year, they started the forced busing program and they were stoning and beating black kids in Southie. All those things kind of galvanized us into understanding that, even though we were working hard, there was more that we could do for our communities.

That's one thing I want to stress. There was an unwritten rule that you had to do your work, you had to do your academics. I was fortunate enough to have Gerald Adolph as a roommate. A lot of

Downloaded from http://direct.mit.edu/books/book/chapter-pdf/1886773/9780262286305_c004800.pdf by guest on 22 March 2023

people knew Ace as a basketball player or a DJ, but he also got two degrees in five years, which a lot of people don't realize. Lynne Richardson got two degrees in four years. These were some of my closest friends when I was up there.

Herman Pettiford ended up getting into the HST program at Harvard. While he was at MIT, he did work under UROP for David Baltimore, who won the Nobel Prize when Herman was applying to medical schools. It helps when your UROP advisor is a Nobel laureate and he is writing your recommendations. But even Herman's experience showed me that although you had to do your academics and you had to be aware of your social responsibilities, you still needed to take as much out of the Institute as you could. Another thing that Herman did that a lot of people don't realize is that he represented the BSU on the Admissions Committee. Peter Richardson, the director of admissions, had asked for a BSU representative to help review applications of people coming into MIT. While important, Herman's task was difficult, for if the number of blacks in the entering class went down, he would have to take the heat.

I took my share of abuse at MIT because I was outspoken to everyone. Dr. Williams and other black administrators thought I was hard on them, but I was even harder on a lot of my fellow students. For instance, I remember being frustrated with what I saw as a lack of commitment by black men to do creative things and help out black students at MIT. So I made a statement in one class—I think it was maybe one of Floyd Barbour's courses—that said brothers were only 9 to 5 revolutionaries and that if you needed some work done, you had to get some sisters to do it. Before I could get back to my room—I lived in Burton House at the time and the class met above the library, in Building 14—brothers were coming out of dorms ready to jack me up, saying, "What do you mean?" So to prove my point—or to call the brothers' bluff—I changed the BSU executive committee meetings to 5:30 on Friday evenings, which made the brothers put up or shut up. I think I proved my point, since while I was head of BSU, most of the people who showed up at the meetings were women.

I also caught the ire of a lot of the older black students, since to some of them, I was too middle-class. I was not invited to Project Interphase, so when I showed up to campus most folks didn't know who I was. And back in high school I used to dress pretty well. I never owned a pair of fatigues or an Army jacket—consequently, I had to be "bourgeois." Then there was an incident, when I was co-chairman. Peter Richardson and the Admissions Office, armed with four or five years of data, proved to me that any student, regardless of race, who got below 600 on the math SAT had only about a one-in-four or one-in-five chance of being successful at MIT. They asked, "Shouldn't there be a minimum SAT score required of everyone?" Of course, I believed then—as I do today—that the SAT is a racially biased examination, as well as being culturally biased, gender biased, and geographically biased. But since it was an accurate indicator of who was going to be successful at MIT, I supported Mr. Richardson. When I agreed with the Admissions Office, I caught much grief from some of the older black students.

But again, that's what I call the price of leadership. Any leader that's too popular probably hasn't made any hard decisions. I probably could never have gotten reelected co-chairman of the BSU because I made people put up or shut up. And there was a cost. To keep up my grades in chemical engineering and BSU activities, my social life was very limited. My mother was right—"You'll never have as much fun in college as you'll have any time later, because you don't have as many responsibilities." That, I think, is another message folks have to understand. There is a cost for being a leader, and you can't always worry about polls or being popular. I viewed being co-chairman of BSU not as being a representative, but as a leader. I wasn't supposed to be a mouthpiece saying what was popular, I was supposed to be helping to lead a group of people in a certain direction.

But I realized as co-chairman that the BSU was not connecting with a lot of black students. Many people who come to MIT, black and white, are not joiners. The BSU was a big monolithic organization when I got there. The only other "black activity" really was the "GHETTO," the folks involved with the campus radio. If you weren't into radio and you weren't a natural joiner, you really didn't connect. I was part of a group—there were eight of us altogether—who at the time did something that people thought was really radical. We pledged Kappa Alpha Psi fraternity and founded Theta Iota chapter. It was difficult, since twenty-five years ago you pledged "the old-school

Downloaded from http://direct.mit.edu/books/book/chapter-pdf/1886773/9780262286305_c004800.pdf by guest on 22 March 2023

way." There were some of the brothers over at Boston University, the chapter we pledged into, who didn't understand why we needed four hours a night to study. But we persevered. Our overall plan came to fruition and other fraternities and sororities came to MIT.

The fraternities and sororities gave black folks another outlet. It also got black students from other schools onto the MIT campus and really helped integrate us even more with other black students. At about the same time, or a little bit after that, is when NSBE, I think, was formed nationally. But at MIT we formed small black organizations in each of the departments, particularly the engineering departments. I particularly liked the one in chemical engineering because it was called Black X—chemical engineering is Course X. You put "Black X" and some folks were intimidated. I hate to admit it, but that was fun.

One year I wrote a column for *The Tech* called "The Black Side, by Phil Hampton." The article I most remember was the one where I talked about the decrease in admissions of black students. I presented a graph such that it appeared as though the admissions of black students were going off the page downward. My somewhat conservative father was outraged because he didn't think MIT was going to let me out if I kept harassing the administration. My mother, conversely, thought that I had let MIT off the hook. Consequently, I always blame her whenever I do anything radical.

The experience with *The Tech* allowed me to have that experience that I probably wouldn't have had at many other schools. At a lot of other schools you have scores of high school newspaper editors vying for ink. But with *The Tech*, I got a half page, sometimes on the front page. I remember the admissions article for another reason. There was an Asian guy in chemical engineering—Bernie Tao—who read the article, looked up at me, and asked if I was the Phil Hampton who wrote the article. Until then, his image of me was totally different—a hardworking chemical engineering student who was friendly and communicative.

You had to keep your grades up and you had to take what MIT offered. That's why I got involved on the committee for the dedication of the Landau Chemical Engineering Building in 1976. A couple of chemical engineering professors were surprised that I got involved, because I was active with the BSU. But I worked very hard, was front and center at the dedication, and I met Mr. Landau.

In the end, I probably took more out of MIT than I gave to it. But at MIT, black students must take away a lot. For me, after doing some of those chemical engineering problem sets at all hours of the day and night, I knew I had left a lot of my blood, sweat, and tears along the Charles River.

I've heard you talk a little bit about the differences you've seen or have experienced in going to other places—universities, I suspect, as well as work places—versus the experiences you have had at MIT, and seeing some of the things that you can now value about MIT that you did not see in some of these other places you have encountered, like the University of Chicago when you went on to get your law degree. Talk a little bit about the differences in terms of that environment versus MIT's environment. I know you have said some things about it, but you have also mentioned some very specific things that you have been able to see, that you can see the value of MIT much more so than some other places.

The thing that strikes me the most about MIT is that it's the closest thing to the true meritocracy that I have seen, probably because of its scientific focus. And I faced less discrimination at MIT than I have at any other institution. I believe that's because quality is recognized and appreciated more at MIT than anywhere else.

Another thing about MIT—and I put a lot of this at Paul Gray's feet—was that Paul actually truly believed in having a diverse America. Probably the only person who stated and acted upon the need for diversity more eloquently than Paul Gray was Ron Brown, the late Secretary of Commerce. I know it's strange for me to mention those two people in the same breath, but I think that Paul Gray had a vision. I think he realized that America, because of its inherent diversity, has an advantage over the rest of the world if we allow all the folks to rise to their fullest potential. I have thought more about diversity since I have been at the Commerce Department. I realize it was part of MIT. But I did not see it much in law school and I haven't seen it in the practice of law, particularly in intellectual property law. I'm not saying that patent lawyers are bad people—they just do not seem to value diversity.

MIT stressed merit. It wanted people who had achieved, could achieve, and would achieve. And consequently, I think race played less of a role

Downloaded from http://direct.mit.edu/books/book/chapter-pdf/1886773/9780262286305_c004800.pdf by guest on 22 March 2023

at MIT than elsewhere in our society. Some people look at the job I have now as just purely affirmative action. In some respects, maybe it is. But people who have gotten to know me, both inside and outside the Patent and Trademark Office, realize I do know a lot of trademark law and I have been trying to push changes that will help the jurisprudence in intellectual property law.

When I say that I am an affirmative action poster child, it is because I know history. In 1968 there were four black freshmen at MIT and in my year there were forty-one of us. We know that black folks didn't get ten times smarter in four years. MIT admitted so many folks, from '69 on, because it felt pressure—be it actual, perceived, or moral—to increase our numbers. If that pressure had not been brought to bear by many African-Americans and others, would I have gotten into MIT? Would I have been one of those four or five? Well, let me see. I can name at least four folks—Sawyer Cooper, Lynne Richardson, Randy Burton, Herman Pettiford—who might have gotten in ahead of me.

I'm getting close as to whether I would have been admitted but for affirmative action. Most of the folks who wouldn't have been one of those four or five survived MIT and often did well. We are not embarrassed because we got into MIT. Moreover, the guy who had the bench next to mine in grad school—and who is a tenured professor in chemical engineering—had lower SAT scores than I did. But maybe that was the SAT being geographically discriminatory—he was a white guy from Colorado. When I was at MIT, the black students with the highest scores were the ones who went from near New York City, probably because the exam is written in Princeton and Stanford. The lowest scores belonged to black students from the Midwest and the deep South. I don't think it's by accident. But this guy got into grad school when I did and stayed for his Ph.D.

People may say that it's affirmative action and that affirmative action is terrible. I think that before we throw out affirmative action, like they're doing in California and Texas, the better way to confront the so-called anti-affirmative action movement is that all the black students—regardless of whether they were below or above the median scores—know that it is incumbent upon all of us to do well, so that when people see a black person they won't say, "Well, he's incompetent, he was affirmative action." I think we really will have made something when people go into a hospital and they say, "I want that black doctor. I want the black guy there." That's when we know we will have arrived. Or when they go to a law firm and they say, "I want the black guy handling my case."

I think one thing that we do have to stress with young black kids is that right now, on some level, there's added pressure. It's not fair—"Why should I have to bear that burden?"—but they do. A black man who gets into college today, I think by definition, must give something back to his community. Through hard work, luck, and the grace of God, he has been given opportunities that a lot of folks haven't. Don't tell me, "Well, I've worked so hard to get here." Most black folks do hard work, and it's usually a lot harder than being a good student. We as a people have done it historically and will continue to do it.

So we do all need to push forward. Where did I get these ideas? Maybe from my family to some extent. I have probably a different background. My mother's family is probably atypical. As I stated earlier, my mother's father—Benjamin Alvin Arnold—was a college graduate. Actually, he finished the course requirements for an MBA from Wharton, but they didn't give black guys MBA's back then. He also had a very interesting past. He was a public school teacher in Carroll County, Maryland, and married the daughter of one of the relatively prosperous black farmers. He was almost lynched because he advocated that colored teachers should get the same pay as white teachers.

This was in the early 1900s. Then he moved to Philadelphia a couple of steps ahead of the Klan. In 1917, the *Philadelphia Inquirer* published his letter to the editor, where he states that men of color should not fight in a racist war. The U.S. Army sent MP's to his house to induct him on the spot. Fortunately, the *Philadelphia Inquirer* met the MP's at my grandfather's house and he wasn't inducted, since he was an ordained Methodist minister with a slew of kids.

My mother had three brothers who attended Ivy League colleges. Her oldest brother actually died at the University of Pennsylvania Medical School, when she was two or three years old. My uncle George graduated from Dartmouth in 1938. He hadn't wanted to go there, but his scholarship

Downloaded from http://direct.mit.edu/books/book/chapter-pdf/1886773/9780262286305_c004800.pdf by guest on 22 March 2023

from Swarthmore had been canceled. He had been the first African-American valedictorian of West Philadelphia High and some white kids boycotted graduation because the valedictorian carried the American flag. The boycott hit the press and Swarthmore, upon reading the story, canceled his scholarship. They hadn't known he was black, since the valedictorian of West Philly High had always been white. When it became known that Swarthmore had canceled its scholarship, some of the Ivies came through with scholarships. Uncle George took the one to Dartmouth. For a few years, there was only one other black guy at Dartmouth, and he was passing for white. Consequently, Uncle George had a very lonely existence for four years. When he got out of there, he thought he would go to a lot friendlier place, the University of Chicago Medical School. But the racism there was worse and he left after one year. Nobody would be his lab partner, so he had to dissect the cadavers alone. No one would talk to him in the cafeterias.

My uncle Fred graduated from Penn in the late '40s with degrees in Greek and Latin, of all things. Since in the '40s there weren't too many jobs for brothers with his degrees, Uncle Fred became a Methodist minister.

I say all that because when I was in high school, going to college was never an issue. I did not have the pressure that some of my classmates had of being the first person in their family to go to college. I was very comfortable with the idea of going to college, of expecting to do well in college. I think because of my grandfather—the things that he did, and my mother being one of the youngest kids and actually spending a lot of time with her dad during her teenage years when her mother was very sick—some of what drove him was transferred to my mother and subtly transferred to me. I have had this almost perverse sense of needing to do more for my community than maybe I should. Sometimes my wife complains that I'm thinking more about the masses than about her and my kids. I don't think that's true, but that's what she says sometimes.

Again, that was only heightened at MIT. I saw what some folks, including Dr. Williams, put up with at MIT really just to help the black students there along. When I think back to MIT, fortunately or unfortunately, Clarence Williams was in a lot of those meetings that I was in, eating those soupy eggs in Lobdell at seven-thirty in the morning trying to get points across. But it took a dedication, I think, on the part of many of the black faculty and administrators. I know some of them will be real surprised to hear me say that. I have been told by one of them—actually, it was Nelson Armstrong, who used to be in the Financial Aid Office when I knew him—after a couple of years there, he said, "Yes, Phil, when I first got here, black administrators said that you didn't like them any more than you like the white administrators." Thinking back now, I remember why that was said. I do remember, in a meeting with black faculty and staff, making the comment—I think I said, "None of you would have a job here if it wasn't for the black students." I admit to having said that.

Well, you were right, too.

But some people didn't take too kindly to my outspokenness at that time. Looking back, when you're eighteen or twenty years old you measure everything from an ideal. I think as you get older you realize that even if folks weren't ideal and perfect, many of the folks were a lot closer to it than I've been able to see since. I think part of it was the administrators and the faculty members also. Even though some were only a few years older and they had come through with some of the same pressures and the same ideals about moving black folks forward, I didn't understand why they were what I thought was as quiet. But now I realize that everybody couldn't rant and rave, and somebody had to be back there actually signing on the dotted line and making things happen. As I get older, I see that. Again, it's always good to have some folks who are truly agitating for change, because it allows us—and unfortunately, I guess I'm going to have to include me in there—to be able to take the smaller steps ahead, where they're advocating for giant steps.

The classic case of that was after the Million Man March, one of the Jewish managing attorneys around here said in a discussion with me—word got back to folks that I was at the Million Man March; nobody in the Clinton administration told me specifically not to go, so I went—that the thing he didn't like about it was that he thought it was terrible that Louis Farrakhan was leading that march and that it should have been led by Jesse Jackson. That just verified the fact that as bad as

Downloaded from http://direct.mit.edu/books/book/chapter-pdf/1886773/9780262286305_c004800.pdf by guest on 22 March 2023

you may be, if another person is perceived as a greater enemy, all of a sudden you become very palatable. For that to be said about Jesse Jackson, I thought basically—in a somewhat different way—it was the same way when some of the students at MIT were protesting and complaining and being vocal, that folks like Dr. Williams, Mary Hope, John Mims, John Mack, and Nels Armstrong were able to get some things done.

That's important and, again, it takes a long time to understand that and also having the respect for them now. I just hope that the next wave of administrators and faculty members continue to understand that the mission is not complete. Maybe things aren't as overtly messed up, maybe black folks are constituting seven or eight percent of the freshman class as opposed to three or four percent, but we still have to work hard to get folks through and get folks to understand that they too have to give something back.

You've had some very remarkable experiences. You have gone into a patent law firm when there were virtually no black patent lawyers in the country. Clearly there was nobody in that probably number one patent law firm in the country or the world, and you were there. So you've had some very unique experiences as an African-American professional. I always ask, particularly those of you who have in my mind really made it, what kind of advice would you give to the young Phil Hamptons coming into a place like MIT, as well as the young Phil Hamptons going into a profession that we actually are not present in, like you had to do when you went into this patent law firm and in the field of patent law?

Well, first thing, any black student who gets admitted to MIT has to understand that they belong there. For various reasons, MIT is not going to let you in, is not going to admit you if you don't belong there. So first thing, "Wipe it out of your mind that you don't belong there."

Second thing, I think you need to always—both going to college and getting into the profession—keep some communications or some contacts with your community from which you have come. When things get tough, those are the only folks who are going to have you back a hundred percent. For me, one of the best things was moving back to DC, and around my best friends from junior high school and my folks. Any time I do something stupid I have people who will tell me it's stupid and I have to respect them. So you have to keep grounded in your community. You have to try to absorb and learn as much as you can from each and every experience, even if you think it's a silly experience.

A quick diversion, case in point. At this patent law firm, there were seven people who came in in 1980. Two of us had by far the better paper credentials than the other five—myself and Judy Sykes, a Jewish woman who went to Harvard, degree in chemistry and then Penn law school. We ended up getting a lot of trademark work. Trademarks was considered a lot easier than patents. Judy, in fact, had clerked for a patent firm, had actually written patent applications by the time she got there. She got almost all trademark work. Judy and I talked about it. I said we could either go off or learn as much as we could, and if in a few more years we wanted to make a change, cool. That's what we both did. Judy left Kenyon & Kenyon, I guess in '85, and is now general counsel to an advertising agency—read trademarks—and I'm the Assistant Commissioner for Trademarks.

The moral is that as long as the slope of your learning curve is positive, you continue to learn from every experience and you can turn what would normally be perceived as a negative into a tremendous positive. At the firm, trademarks was considered to be less than the top-drawer. But I found trademark law interesting, particularly since it related to the sale of products—something you can talk to your friends about. And in the early '80s, when people still thought patent attorneys were weird folks, talking about San Miguel Beer or Marvel Comics instead of about polypropylene or fire-fighting foam helped your social life. So although I got easier work to compensate for my race, I liked trademark law and used it to my advantage.

But it just goes to show that you need to keep focused. As long as your learning curve continues, get as much out of an organization as you can. At the end of the day, when you add up the pluses and minuses concerning a particular school, firm, or company, you always want your side of the ledger to be positive. So at MIT take advantage of all opportunities, including UROP and your advisor. I had two really good advisors at MIT—Professor Merrill for undergraduate, and my thesis advisor, Professor Cohen, who is still there. They were very helpful. You could talk to them about almost anything. I didn't have that experience in law school.

Downloaded from http://direct.mit.edu/books/book/chapter-pdf/1886773/9780262286305_c004800.pdf by guest on 22 March 2023

I think that's very important. And you have to be confident—not arrogant, but confident. You have to know you belong and know that you can do the work.

In terms of being a professional, again you have to stay grounded to your community. While some people say it's an additional burden, you have to do it. If you're a lawyer, you need to be in the National Bar Association. If you're a doctor, you need to be in the National Medical Association. If you're an MBA, you need to be in the National Association of Black MBA's. You need to stay grounded in professional organizations of black folks. Not only are they a potential source of business, but they are also a way to keep your spirits up. You understand that you are not alone in going through the real and perceived inequities.

You have to also, though, try to make a name in the general community. You need to get involved in alumni associations. I admit I have not been as active in the MIT Club of DC as I should. You also need to have a spiritual grounding. When things get tough and you don't think you can handle it, having a spiritual grounding is very, very important. Again, you have to always be flexible and ready to change courses.

I think someone who has submitted to the way things are presently being done or past practices or whatever, really falls down that way also. I think, like in law, that in your first law job you should not plan on it being your only job. If things work out that way, fine, but you need to have a continuous learning curve—continue to learn and to be challenged and always keep your options open. I always made a habit of at least interviewing one time a year, just to keep the interviewing skills up. And hey, maybe there's something out there. Maybe the grass is greener on the other side. You have to always know what's on the other side of the fence. Sometimes it's bright green grass. Maybe you look over there and you see a fifty-foot drop, so look over there before you take the plunge.

But I think it's just real important. You have to be grounded both in your academics or your profession, your community, and your spirituality.

MIT is probably a far distance from you now in terms of how long you've been away, but you have mentioned in the past how you've valued some of the things that you've done at MIT which have helped you in terms of some of the outstanding work you have been doing since you left MIT. On the other hand, there are things that MIT needs to know from all of you. What were some of the weaknesses that you experienced about MIT, and also is there any advice you would give to MIT presently as to how it could do more to enhance the experience of blacks at MIT?

Let me approach this two ways. First, one of the big problems that MIT had when I was there is that you did not have enough black folks. Everyone could not be Frank Jones. Everybody could not be Wes Harris. Everybody could not be Jim Williams. I understand that that situation has improved somewhat. You need to have enough folks that they're really role models. I think that is particularly important for African-American women. Being the father of an eight-year-old girl, I think that's important. A problem when I was up there at MIT was that sisters didn't know what it meant to be a scientist or engineer and female. There needs to be a diverse community of black faculty and staff people, since we, as a people, are not monolithic. Healthy discussion is important within our community.

Now also you're probably getting a more diffuse black community up there just in terms of backgrounds. I will chide MIT and other major institutions that to me seem to have totally forsaken traditional black communities. MIT and like institutions appear to be courting middle- to upper-middle class suburban black kids to the detriment of their urban brethren. I do wonder if MIT would want me today, an urban public school kid. I think that black students from inner cities and urban areas bring a needed perspective to the entire university, even to black students. I'd like to see MIT do that.

As my kids get older, I hope to become more involved in the alumni association. One thing I will tell students and young alumni is that I don't care if it's only fifty or a hundred bucks a year, all of us should be giving back to MIT—especially since you can designate it to the McNair Scholarship Fund or any other fund you want. It also will, I believe, let people know that black folks are just as committed to the university as everyone else.

We have to be truly part of institutions such as MIT. Alumni need to be active, need to give money when there are events for students in the area, need—if at all possible—to come out. I know everybody is busy and won't make a hundred percent of the events. I really think it's wonderful

Downloaded from http://direct.mit.edu/books/book/chapter-pdf/1886773/9780262286305_c004800.pdf by guest on 22 March 2023

when you have people like Leslye and Darryl Fraser who, as a husband-and-wife team, are interviewing kids from DC trying to get into MIT and organizing events to let people really know about MIT. We need more folks like that.

I think MIT should, again, focus more on the entire African-American and minority communities. I think they should continue to undertake studies as to how we can improve SAT scores for black folks, particularly folks from south of New York City. Again, we need our community at MIT as diverse as the black community in this country is.

Is there any topic or issue that comes to mind as you reflect on your own experience or on the experience of other blacks at MIT, or any other comment you want to make that you think would be useful to our next generation of people who will be coming to MIT?

I think one thing is that black students need to make sure they continue to communicate with one another. There are going to be times when things get tough. MIT, I know, hasn't gotten any easier and probably a lot harder. Therefore, you need to communicate. You can talk to whomever, but it's often good to talk to other folks who look like you, have similar backgrounds as you, because sometimes the problems are a mixture of academic and other, academic and social. That's why it's good when you're a professional to be in these black professional organizations, because you don't have to sit down and really explain why this is a terrible situation to someone who doesn't have that underlying base of knowledge.

A couple of other things. Again, I cannot express how much MIT means to me now, looking back on it—and not only the students, because I think you still learn probably more from your peers than anyone else, but also folks like you who have been in the trenches and hung in the trenches with us. I know, looking back on it, I probably said and did some crazy things and some of you guys are probably like, "Hmmm, what is wrong with America? Hampton got an office like this." Also, we cannot overlook the non-African-Americans—the white folks—who played an instrumental role. Again, I keep coming back to Paul Gray. This is the same guy who when I graduated from MIT sent me a handwritten note, "Dear Phil, Glad to see you graduating …"—a nice double meaning. But Dr. Gray really did a lot. He took time out. Some people probably were coaxing him against doing the things that he did in terms of moving the bar along for African-Americans at MIT. So all three groups need to come together.

I think the other thing is that, again, I want to think that I was the greatest person ever, but there were a lot of folks at MIT who have done a lot of great things—black folks who when they got to MIT were somewhat frightened, somewhat worried, but we hung together. I mean, it's just incredible. I was reading something recently about Dr. Don Wesson—I forget, it was some way-out medical stuff he was doing. I saw Jim Hubbard on TV on CNN's science segment. The thing that scares me sometimes is that some of these folks are doing stuff that I can hardly understand, even when they're using layman's terms.

So for young folks coming up, you can do it. If I did it, you can do it. Remember that I'm a person whose mother, a former chemistry teacher, said and continues to say, "You're not a good scientist." So if a non-scientist can get a master's degree in chemical engineering from MIT, most of you guys can do it. Again, it's not going to be easy. You've got to work hard. You've got to stay focused, stay grounded. But for yourselves, for your families, for your church, for your community, it is important. When I was at MIT, I did not understand that progress is an incremental process. Each generation has to build on the successes of the previous generation. We have to continue to push the envelope for all of us, for all our communities. That's one thing that I've tried very hard to do since I've been practicing intellectual property law. Always bring folks along and never be afraid to go back and talk to folks in your high school and your church. If you're a doctor, give free medical advice. If you're a lawyer, give free legal advice. You never know when your inspirational words will affect our community.

On behalf of a lot of black alums, I want to thank Dr. Williams and everyone at MIT who supported Dr. Williams for putting this project together. This has been great, wonderful.

Downloaded from http://direct.mit.edu/books/book/chapter-pdf/1886773/9780262286305_c004800.pdf by guest on 22 March 2023