

IMPORTANT INFORMATION FOR INDIVIDUALS AND SMALL BUSINESSES

**PATENTS
TRADE MARKS
COPYRIGHT
DESIGNS**



**Are you considering getting legal
advice about patents, trade marks,
copyright or designs?**

Here are some things you might want to ask your attorney
about the services they provide and the cost.

IPReg sets the rules of conduct for regulated patent attorneys and trade mark attorneys. You can search for a regulated attorney on our **registers**.

Not all individuals working in the field of intellectual property are regulated attorneys. Unregulated attorneys can provide many of the services that regulated attorneys do, such as give you advice or appear on your behalf at the UK Intellectual Property Office.

Instructing a regulated patent attorney or trade mark attorney can give you some extra protection. In order to be on the patent or trade mark attorney register, a regulated attorney must pass a number of professional

examinations to meet minimum standards of competency and must maintain that competency throughout their career. They must act with independence and integrity, be honest and act in the best interest of each client. They must also have professional indemnity insurance in place in case things go wrong. This insurance covers the cost of compensating clients for loss or damage resulting from negligent services or advice provided by a business or an individual.

Here are some things you might want to ask your attorney about the services they provide and the cost.

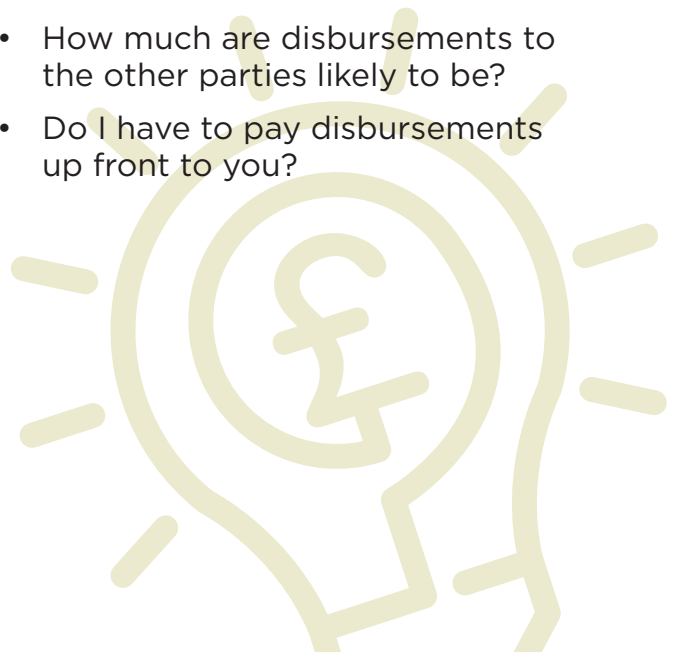
Fees and quality

- How much will you charge me an hour?
- What is your estimate of the time required/total cost?
- Will you give me a fixed cost for all or some of the work?
- Can I do any of the work in order to reduce the total cost?
- How do I know your work will be good quality?
- Can you share relevant client feedback with me? Are you on Trustpilot or a similar website?
- What proportion of your work relates to IP advice?
- Can you tell me about who will be working on this and their experience and qualifications?

Disbursements

Disbursements are payments made to another person or firm on your behalf by your attorney for goods or services. For example, the Intellectual Property Office charges to renew a patent online.

- What parties will you need to pay disbursements to?
- How much are disbursements to the other parties likely to be?
- Do I have to pay disbursements up front to you?



Agents outside the UK

It is very likely that your attorney or firm will need pay disbursements on your behalf to agents and Intellectual Property Offices abroad. These payments are often made in foreign currencies.

- Do you pay disbursements from your own funds in sterling and bill me for that amount?
- If not – what is your approach to foreign exchange conversion? Do you include a foreign exchange “mark up” – why and how much is it? Do you add any other charges such as a “handling charge” – why and how much is it?
- How do you choose your agents abroad? How do I know that the person or firm you have chosen is the best one for me? How do their costs and the quality of their advice compare to other agents in the same country? Can I choose my own agent for you to instruct?
- Do you get a referral fee and/or reciprocal referrals from them? Do you pass that benefit on to me? If not, why not?

Commission received

Many regulated firms legitimately use specialist, unregulated firms to carry out their clients’ renewals. These specialist firms may pay commission to your attorney or firm.

- Do you instruct specialist companies to carry out renewals? Who do you use?
- Do you receive commission (sometimes called a management fee) from those companies? Will that commission be passed on to me? If not, why not?

Other things to ask

Are there any other reciprocal benefits or charges that I haven’t asked about?

Making a complaint

We hope that you will receive a good service from your regulated patent or trade mark attorney. But sometimes things do go wrong.

When they send you their engagement letter, the IPReg-regulated attorney or firm you instruct must provide you with written information about how to make a complaint. Complaints must be dealt with promptly, fairly and free of charge. If your complaint is not resolved by the attorney or the firm, some complaints can also be considered by the **Legal Ombudsman** and some can be considered by **IPReg**.

We hope you found this information helpful. Although we can’t recommend a specific attorney or firm, you are welcome to **contact** us if you have any queries.

You can also find information on the **Legal Choices website**.

IPReg Intellectual Property
Regulation Board

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