

# UK Patent Attorney Regulation

What happens if things go awry?

Complaints Against Patent Attorneys

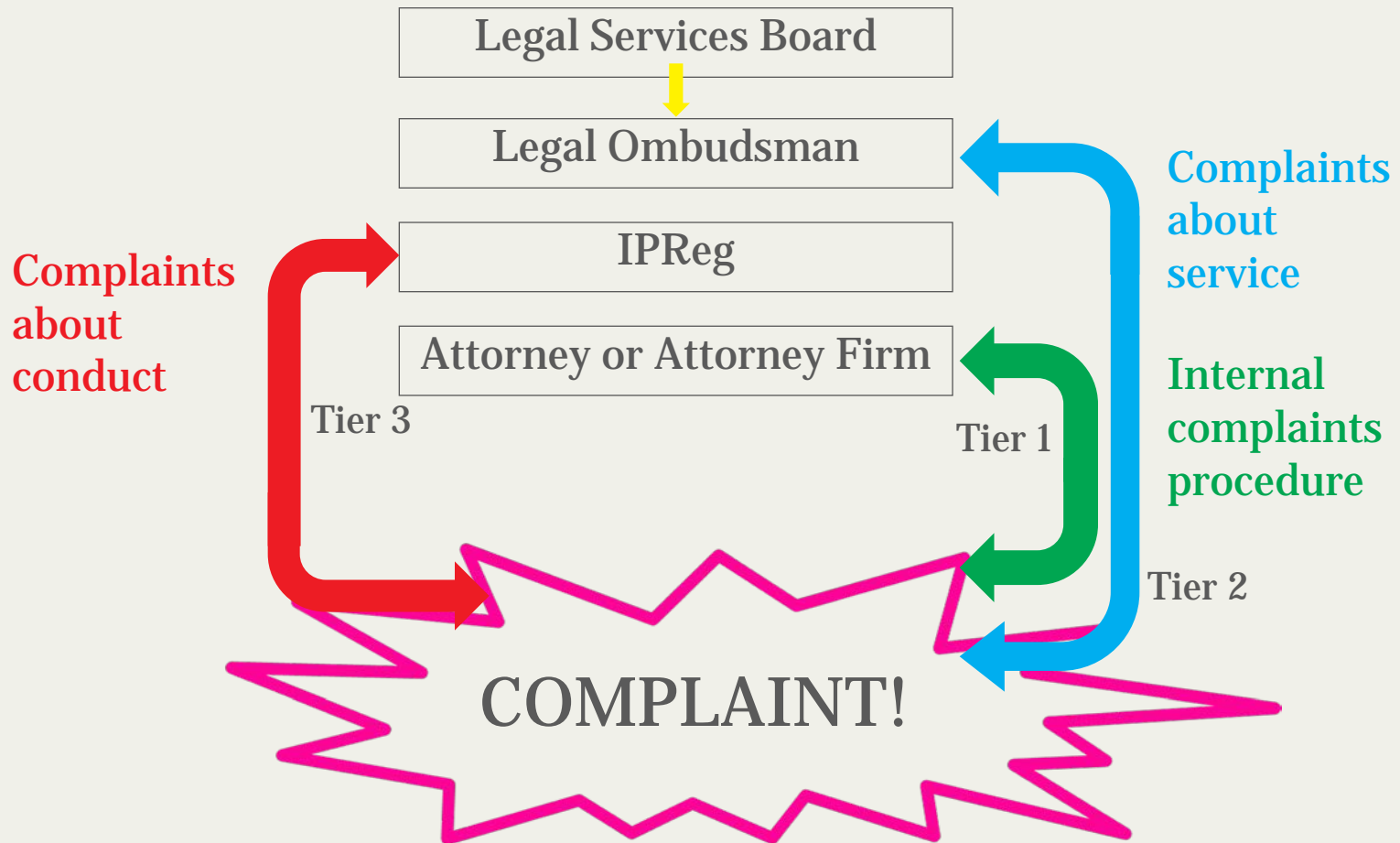
Presented by

Huw G. Hallybone

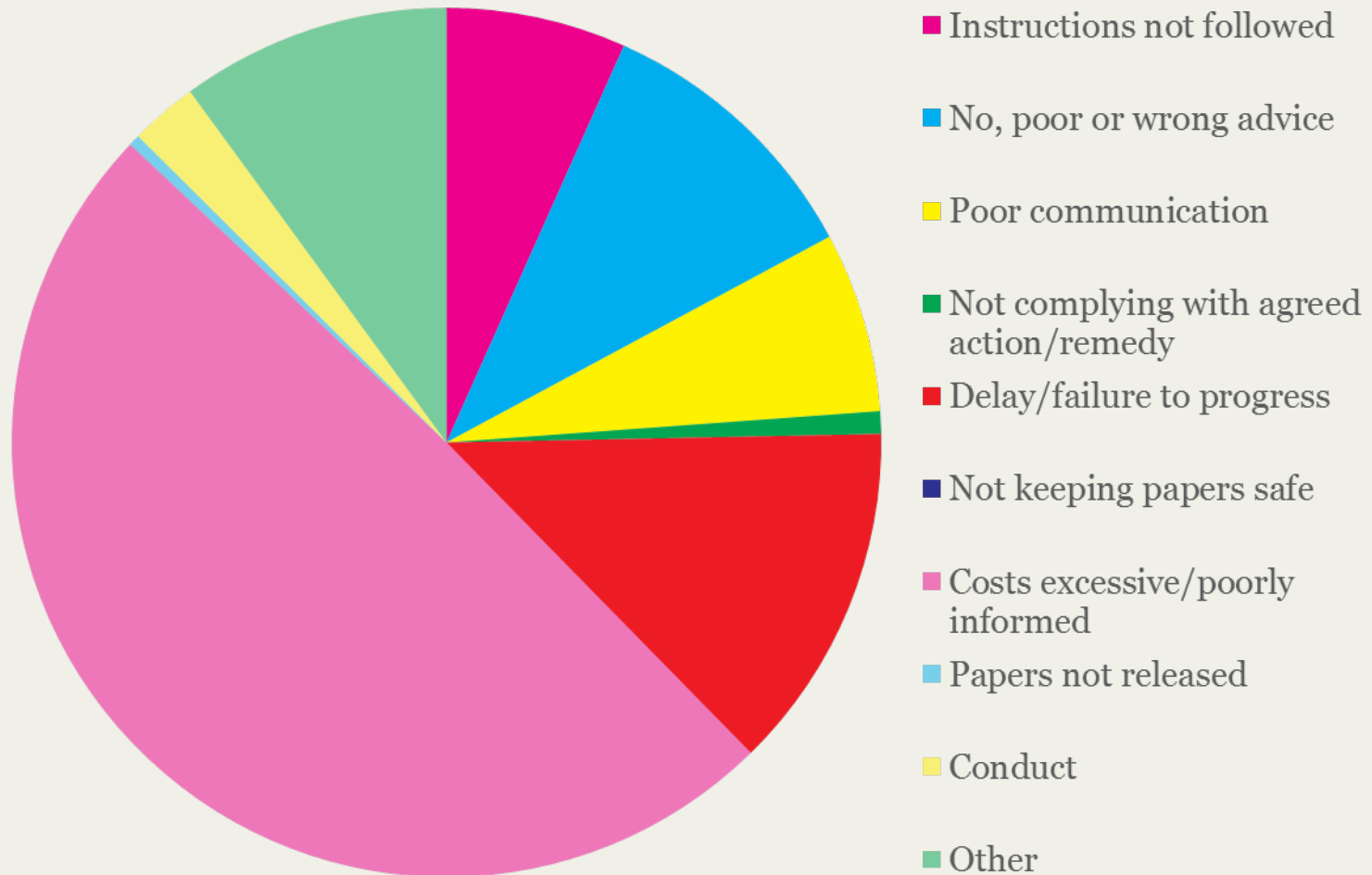
Partner

7<sup>th</sup> November 2014

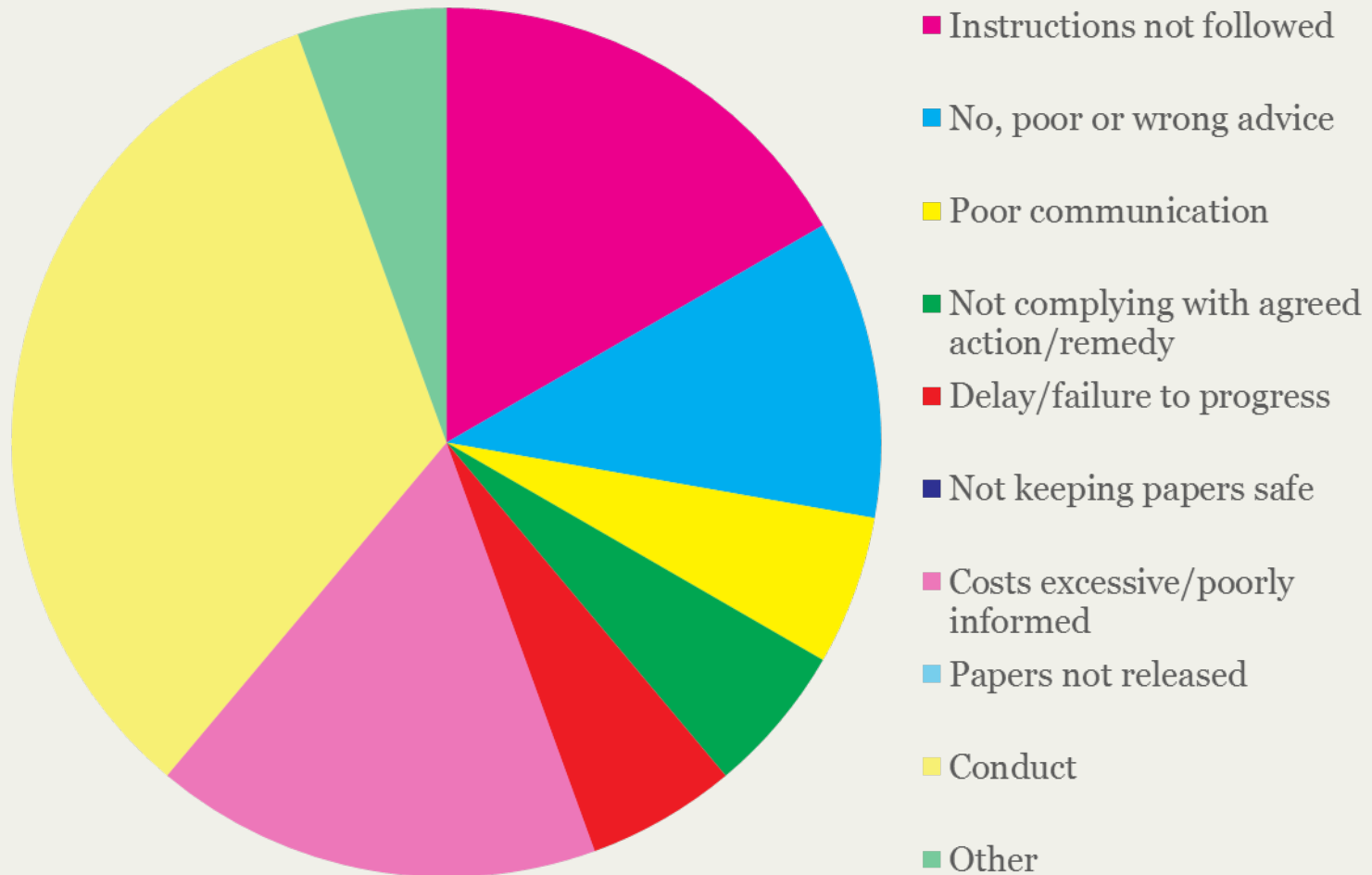
## Regulatory Framework



## First Tier Complaints



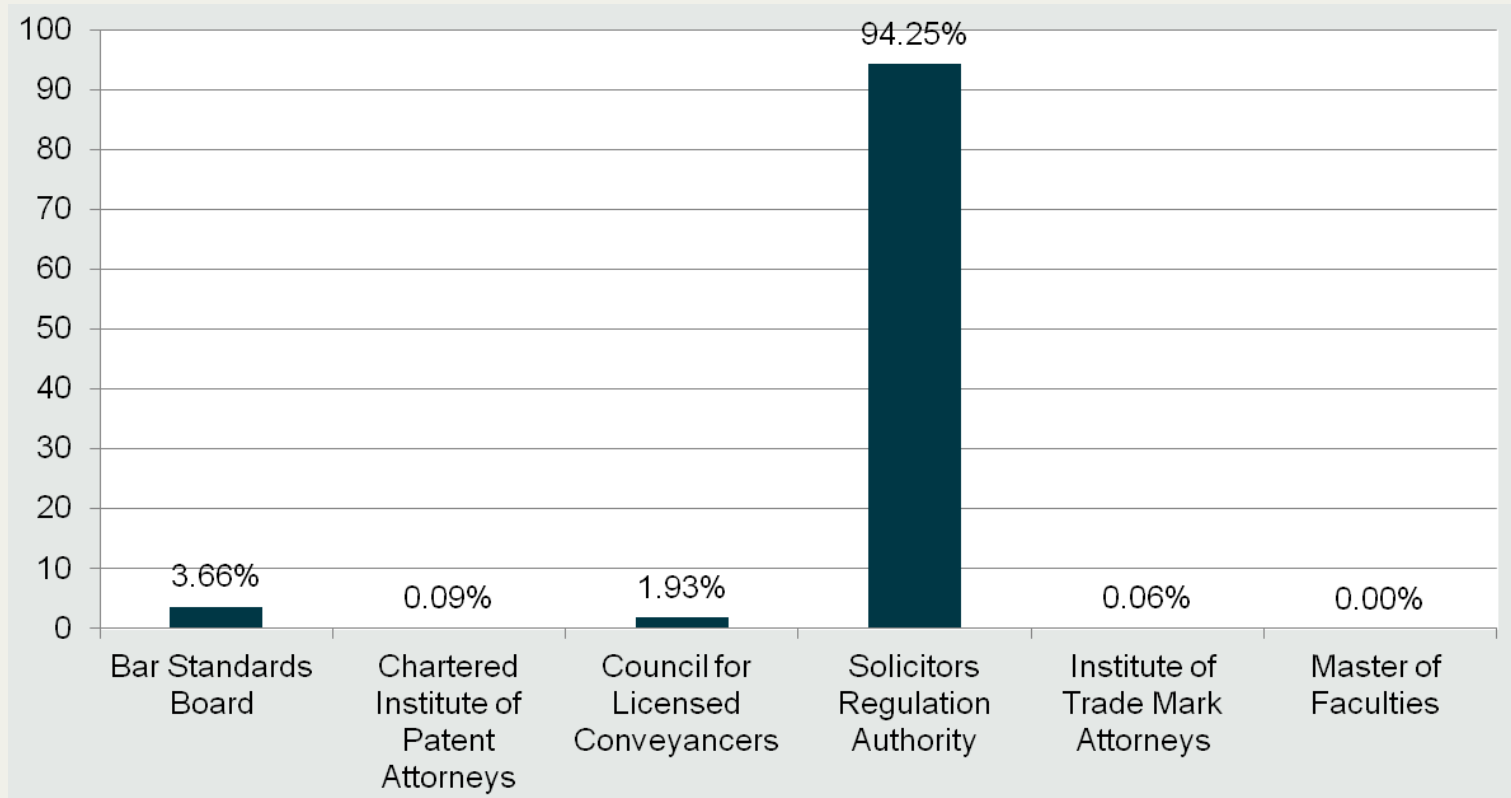
## Second Tier Complaints



## Third Tier Complaints

- IPReg deals with matters of professional misconduct determined by the Code of Conduct
- Relatively few cases have been before IPReg
  - Two decisions
    - Conflict of interest
    - Failure to put in place a proper internal complaints procedure

## How “Good” Are IP Attorneys?



## Practical Lessons

### — Conclusions

- Complainants often lay clients
- Lack of communication is nearly always involved
- Money issues are always involved
- A simple matter may get more complex if not dealt with directly, quickly and honestly

## Practical Lessons

- Professional Attitude
  - A professional always puts his client's interests first
  - Recognise limitations
  - Be transparent on costs
  - Keep up-to-date with continuing education
  - Ensure good client communication



## Practical Lessons

- Office Management
  - Use Terms of Business
  - Establish a defined in-firm complaints procedure
  - Maintain adequate insurance
  - Give good, considered, estimates
    - and track them to ensure there are no surprises!
  - Maintain good records of instructions

## Practical Lessons

- If trouble looms....
  - Admit failures early
  - Ensure even better client communication if there is dissatisfaction
  - Don't deal with a really dissatisfied client yourself
  - Try hard to conciliate

## Useful Links

- [UK Legal Ombudsman](#)
  - [Data and Statistics](#)
- [IPReg](#)
  - [Guide to Procedure](#)
  - [Code of Conduct](#)
  - [Decided Cases](#)
- [European Patent Institute \(epi\)](#)
  - [epi Codes of Conduct and Disciplinary Matters](#)