



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN

Resolution of the Executive Committee, Sorrento, Italy, 29 September – 02 October 2013

“Legal Advice by IP authorities”

FICPI, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession throughout the world, assembled at its Executive Committee held Sorrento, Italy, 29 September to 02 October 2013, passed the following Resolution:

Reminding that Patent, Trademark and Design authorities have had and still have the main roles of receiving applications, examining them and granting the rights,

Observing a trend within these authorities to provide advice to members of the general public, especially when making their first contact with the intellectual property environment, and to develop websites providing extensive information on IP law,

Further observing that intellectual property is a complex legal domain that has given rise to the development of a qualified IP profession in a vast number of countries,

Understanding that authorities should have a role in providing information to the public in the area,

But observing the absence of safeguards regarding the giving of advice by authorities beyond such information,

Noting that providing such advice exposes such authorities to conflicts of interests,

And further noting that in general, no kind of liability insurance protects the public from the consequences of incorrect or incomplete advice by these authorities,

Urges any public authority providing IP information to the public to refrain from giving advice on legal IP issues when assisting the public in dealing with their needs or concerns, and

Further urges such public authorities to include in the information provided a clear indication of the existence of the IP attorney profession in the relevant country or region, the importance of obtaining advice from a qualified IP attorney, and how members of that profession may be contacted, for example, via their professional association(s).