How to Evaluate Quality of IP Services?

Gloria Wu, 2016
How do we Know (or Guess) the Quality of an IP Firm before Working Together?
Size of Team

Star Attorneys

Honors & Awards

Famous Clients
ISO9000:2005 defines “quality” as:

A degree to which a set of inherent characteristics fulfils requirements
Evaluate Quality of IP firms? Who & Why?

<table>
<thead>
<tr>
<th>Foreign Associate</th>
<th>In-house Counsel</th>
<th>Government / Association</th>
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</thead>
<tbody>
<tr>
<td>Assessing current cooperation</td>
<td>Assessing current cooperation</td>
<td>Providing guidance Standards</td>
</tr>
<tr>
<td>Selecting new firm</td>
<td>Selecting new firm</td>
<td>Quality + Training + Publication</td>
</tr>
<tr>
<td>Quality + Fee + Reciprocity</td>
<td>Quality + Fee</td>
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</tbody>
</table>

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“Requirements” for IP firms

- Required by clients
- Required by laws, regulations
- Required by professional ethnics
In-House Survey

Figure 15: The eight factors in order

- Practitioner responsiveness
- Knowledge of the relevant industry
- Overall firm reputation
- The track record in court, or at an IP Office
- Fees & billing
- Depth of IP team
- Business intelligence
- Presence in key markets

Source: IP Stars In-House Survey – Walking the Tightrope, Managing IP May 2016
Responsiveness

- Traditional standard: reply in 24 hours
- New trend?

When clients want an answer, they want it **NOW**!

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<th>Time Difference (winter)</th>
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<th>Client COB (Beijing time)</th>
<th>Reply no later than (Beijing time)</th>
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Tailored Strategy

Knowledge of Relevant Industry

Understanding of Business Plan

Preventive Measure

Money + Time Reasonable Chances

Strength & Weakness

Risk (legal, business, publicity)
Win the Case(s)

Victory has a thousand fathers, but defeat is an orphan.

-JFK
Quality of Patent

**Axis Weighting**

- Claims: 12
- Cites: 3
- Industries: 4
- Inventors: 2
- Litigation: 0.000
- Fwd Cites: 3
- Life: 4

US Patents (1970~2014)
Evaluation Sample

**Indicator I**
Responsiveness
85% of the reply in 4 hours with full analysis and advice

**Indicator II**
Tailored Strategy
Knowledge of Industry Business Intelligence

**Indicator III**
Success Rate
- TM opposition: 40%
- TM invalidation: 45%
- Admin Litigation: 35%
- Civil Litigation: 50%

**Indicator IV**
Quality of Patent
- Average claim: 11
- Average features: 28.5
- Fwd cites: 1.3
Standards of IP Services in China

- State Standards
- Industry Standards
- Company Standards