

AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION

AIPLA 2023 ECONOMIC SURVEY — FIRMS

Association Research, Inc. (ARI), an independent survey research organization, is conducting this confidential survey for AIPLA.

All responses will be kept completely confidential.

All questions and concerns about the survey or online content should be directed to ARI.

Please e-mail ARI at info@associationresearch.com or call Megan Kirkegaard at 240-268-1262, ext. 100.

Please complete your questionnaire no later than **June 9, 2023**, either online or by email to info@associationresearch.com.

PRIVATE FIRM DATA

1. **What is the position in the firm of the person responding on behalf of the firm?**
 - Managing Partner/Shareholder
 - Administrator
 - Other; please describe _____

2. **a. What is the zip code of the firm's principal office location?** (zip code) _____
b. If you have more than one office of similar size to your principal office location, please list the zip codes of those offices as well.
(zip code 1) _____ (zip code 2) _____ (zip code 3) _____

3. **How many major office locations—staffed by two or more partners—did the firm have in 2022?** _____

4. **Does the firm plan to close any major office locations in 2023 or 2024?** Yes No Not Sure

5. **Does the firm anticipate changing or has the firm changed the amount of office space it leases or owns?**
 - Plan to reduce office space/Have already reduced office space
 - Plan to increase office space/Have already increased office space
 - No changes planned
 - Don't know/Not sure

6. **What percentage of employees:**
 - a. Worked remotely in 2022? _____% Not Sure
 - b. Will work remotely in 2023? _____% Not Sure

7. **In all locations, how many full-time IP lawyers and patent agents are employed by your firm?** _____

8. **Are you a solo practitioner?** Yes No

9. **In each of the following categories, how many attorneys were in the firm in 2022? If the number in any category varied during the year, report the average.**
 - _____ Equity Partner, Shareholder (or equivalent)
 - _____ Partner-track attorney
 - _____ Non-partner track attorney
 - _____ Of Counsel (or equivalent)
 - _____ Contract/Part-time

 - _____ **TOTAL attorneys**

10a. Please report by gender the number of professionals whose practice is primarily IP law that were in the firm in 2022. If the number in any category varied during the year, report the average.

	GENDER			TOTAL
	Male	Female	Other	
Equity Partner, Shareholder (or equivalent)	_____	_____	_____	_____
Partner-track attorney	_____	_____	_____	_____
Non-partner track attorney	_____	_____	_____	_____
Of Counsel (or equivalent)	_____	_____	_____	_____
Contract/Part-time	_____	_____	_____	_____
USPTO-registered Patent Agents (not attorneys)	_____	_____	_____	_____
Technical Advisors/Assistants, including Searchers	_____	_____	_____	_____
Paralegal/Legal Assistants (i.e., billable support staff)	_____	_____	_____	_____

10b. Please report by ethnicity the number of professionals whose practice is primarily IP law that were in the firm in 2022. If the number in any category varied during the year, report the average.

	ETHNICITY							TOTAL
	White/Caucasian	Black/African American	Hispanic/Latino	Asian/Pacific Islander	N. American Indian/ Native Canadian	Mixed Race	Other	
Equity Partner, Shareholder (or equivalent)	_____	_____	_____	_____	_____	_____	_____	_____
Partner-track attorney	_____	_____	_____	_____	_____	_____	_____	_____
Non-partner track attorney	_____	_____	_____	_____	_____	_____	_____	_____
Of Counsel (or equivalent)	_____	_____	_____	_____	_____	_____	_____	_____
Contract/Part-time	_____	_____	_____	_____	_____	_____	_____	_____
USPTO-registered Patent Agents (not attorneys)	_____	_____	_____	_____	_____	_____	_____	_____
Technical Advisors/Assistants, including Searchers	_____	_____	_____	_____	_____	_____	_____	_____
Paralegal/Legal Assistants (i.e., billable support staff)	_____	_____	_____	_____	_____	_____	_____	_____

11. What services, if any, were outsourced in 2022, and if they were not outsourced, did your firm use artificial intelligence (AI) tools?

(CHECK ALL THAT APPLY)

	Yes, Outsourced in the U.S.	Yes, Outsourced Abroad	No, Not Outsourced	If Not Outsourced, Check If AI Tools Were Used By Your Firm
a. Docketing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Paralegal Support	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. IDSs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Searching	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Prosecution Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Litigation Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. International filing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Annuity payments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12. How many professionals whose practice is primarily IP law became associated with the firm in 2022? If the number in any category varied during the year, report the average.

- _____ Equity Partner, Shareholder (or equivalent)
 - _____ Partner-track attorney
 - _____ Non-partner track attorney
 - _____ Of Counsel (or equivalent)
 - _____ Contract/Part-time
 - _____ USPTO-registered Patent Agents (not attorneys)
 - _____ Technical Advisors/Assistants, including Searchers
 - _____ Paralegal/Legal Assistants (i.e., billable support staff)
- _____ **TOTAL IP Professionals**

13. Of all attorneys hired in 2022, what percentage were hired through a recruiter (head hunter)?

- Less than 25%
- 25% - 50%
- 51% - 75%
- More than 75%

14. What was the average fee, as a percent of salary, paid to a recruiter (head hunter)? _____%

15. How many professionals whose practice is primarily IP law left the firm (including retired) in 2022?

- _____ Equity Partner, Shareholder (or equivalent)
 - _____ Partner-track attorney
 - _____ Non-partner track attorney
 - _____ Of Counsel (or equivalent)
 - _____ Contract/Part-time
 - _____ USPTO-registered Patent Agents (not attorneys)
 - _____ Technical Advisors/Assistants, including Searchers
 - _____ Paralegal/Legal Assistants (i.e., billable support staff)
- _____ **TOTAL IP Professionals**

16. How many associates in 2022 were promoted to:

- a. Non-equity partner? _____
- b. Equity partner? _____

17. How many non-billable support staff devoted primarily to the support of the IP practice were employed by the firm in 2022? _____

18. Does the firm plan to hire more summer associates in 2023 than in 2022? Yes No

19. Please report the following information for 2021 and 2022:

	In 2021	In 2022
a. How many summer associates devoted primarily to the practice of the IP law did you have:		
b. How many of these summer associates identified above received full-time offers:		
c. How many summer associates identified above accepted the firm's offer:		

20. How much did you pay summer associates devoted primarily to the practice of IP in 2022? \$_____ per month

21. How many summer associates devoted primarily to the practice of the IP law do you expect to have:

in 2023? _____ Not Sure

in 2024? _____ Not Sure

22. What percent of the firm's practice by billings is in IP law in 2022? _____%

23. Approximately what percent of the firm's billable IP hours in 2022 were actually billed to clients (hourly or other basis)? _____%

24. What percent of the firm's 2022 IP billings were for:

a. Patent applications and prosecution? _____%

b. Trademark registration and prosecution? _____%

c. Copyright registration applications? _____%

d. Licensing? _____%

e. Litigation (not including post-grant actions at the USPTO)? _____%

f. PTAB/TTAB proceedings? _____%

e. Privacy/Cybersecurity? _____%

g. Other IP work? _____%

100% TOTAL

25. What were the firm's total 2022 billings for professional legal services? \$_____

26. What was the ratio of the firm's collections to the firm's billings for 2022? _____%

27. As a percent of total 2022 collections (for services performed in any year), what was the firm's overhead in 2022? Overhead is all expenses other than client reimbursed expenses and compensation to attorneys and patent agents (including partner and shareholder profits). _____%

28. What was the percent change in the firm's billings for IP legal services from 2021 to 2022?

Calculate as (2022 billings – 2021 billings)/2021 billings) x 100. _____%

29. What was the percent change in the firm's revenue for IP legal services from 2021 to 2022?

Calculate as (2022 revenue – 2021 revenue)/2021 revenue) x 100. _____%

30. What were the firm's minimum, maximum, and average 2022 attorney billing rates for non-IP work?

- \$_____ per hour was minimum rate
- \$_____ per hour was maximum rate
- \$_____ per hour was the average rate
- Not Applicable (only perform IP work)

31. What were the firm's minimum, maximum, and average 2022 attorney billing rates for IP work?

- \$_____ per hour was minimum rate
- \$_____ per hour was maximum rate
- \$_____ per hour was the average rate

32. What is the firm's current starting salary for a first-year associate? \$_____ per year

33. What is the firm's average salary for a patent agent? \$_____ per year

34. What is the firm's average salary for an IP paralegal? \$_____ per year

35. Does the firm provide tuition reimbursement or tuition loan forgiveness for patent agents or technical assistants attending law school? Yes No

PROFESSIONAL LIABILITY INSURANCE

36. What was the firm's maximum liability insurance coverage in 2022?

- \$_____ each claim
- \$_____ total

37. Does the information provided in Q36 include cyber liability insurance? Yes No

38. If no, does the firm have cyber liability insurance? Yes No

39. What was the liability insurance deductible in 2022?

- \$_____ each claim
- \$_____ total

40. What was the firm's liability insurance cost per attorney in 2022? \$_____

41. How many liability claims for IP matters have been made against the firm in the last five years (2018 – 2022)?

42. Who is the firm's professional liability insurance underwriter?

- | | |
|--|---|
| <input type="checkbox"/> ALAS | <input type="checkbox"/> Kemper/Lumberman's |
| <input type="checkbox"/> ALPS | <input type="checkbox"/> Lloyd's of London |
| <input type="checkbox"/> American Home Assurance Company | <input type="checkbox"/> Minnesota Mutual Lawyers Insurance Co. |
| <input type="checkbox"/> CNA Insurance Companies | <input type="checkbox"/> Oregon Professional Liability Fund |
| <input type="checkbox"/> Columbia Casualty | <input type="checkbox"/> National Casualty |
| <input type="checkbox"/> General Star | <input type="checkbox"/> St. Paul |
| <input type="checkbox"/> Great American | <input type="checkbox"/> Westport |
| <input type="checkbox"/> Jamieson (New Jersey) | <input type="checkbox"/> Other insurer (SPECIFY) _____ |

TRAINING

43. How much did the firm spend on outside providers of attorney training and external attorney training programs as a percentage of gross revenue in 2022? _____%
44. Other than through one-on-one mentorship/review, does your firm provide formal training to its attorneys regarding (CHECK ALL THAT APPLY):
- Business development
 - Leadership
 - Personal growth or development
 - Practice skills (e.g., claim drafting, case law review, etc.)
 - Team dynamics or team building

ASSOCIATES' BILLING REQUIREMENTS

45. Does the firm give associates "billable hour" credit toward their billing requirement for time spent on the following activities:
- | | Yes | No |
|--|--------------------------|--------------------------|
| a. Marketing | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Pro bono work | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Bar association participation | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Professional organization participation | <input type="checkbox"/> | <input type="checkbox"/> |
| e. RFP process | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Newsletter drafting | <input type="checkbox"/> | <input type="checkbox"/> |

USEFULNESS OF DATA AND REPORT TO YOUR FIRM

46. What data or types of data have you found most useful when using the *AIPLA Report of the Economic Survey* in the past? _____
- _____

47. What data or types of data would be useful to you if it could be collected in a future *AIPLA Economic Survey*? _____
- _____

OPTIONAL: TO RECEIVE THE BENCHMARK SPREADSHEET TOOL, PLEASE ENTER YOUR CONTACT INFORMATION BELOW. THE DATA COLLECTED FOR THE PURPOSES OF PROVIDING THE BENCHMARK SPREADSHEET TOOL IS KEPT ENTIRELY SEPARATE FROM OTHER RESPONSE DATA.

NAME: _____

FIRM: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

TELEPHONE NUMBER: _____

E-MAIL ADDRESS: _____

THANK YOU VERY MUCH FOR COMPLETING THIS SURVEY.
YOU MAY EMAIL YOUR COMPLETED QUESTIONNAIRE TO ARI AT INFO@ASSOCIATIONRESEARCH.COM.