

AIPLA

2019

Report of the Economic Survey

Prepared Under Direction of
Law Practice Management Committee

American Intellectual Property Law Association
1400 Crystal Drive, Suite 600
Arlington, VA 22202

www.aipla.org



Report of the Economic Survey 2019

Prepared Under Direction of the
American Intellectual Property Law Association
Law Practice Management Committee

Frank L. Gerratana, Chair

September 2019

Prepared by:



910 Clopper Road, Suite 210N ■ Gaithersburg, Maryland 20878
TEL: (240) 268-1262 ■ ARI@associationresearch.com

AIPLA Law Practice Management 2019 Economic Survey Participants

We would like to thank those who helped put together and review
this year's AIPLA Economic Survey:

Frank Gerratana: Fish & Richardson, PC – Chair of LPM Committee

Arlene Neal: Neal Bilbo, LLC – Vice Chair of LPM Committee

Stephanie Sanders: Kilpatrick Townsend & Stockton, LLP – Co-Chair of the Economic Survey Subcommittee

Ariana Fleishman: PiVerse, Inc. – Co-Chair of the Economic Survey Subcommittee

DeAnn Smith: Foley Hoag – Board Liaison

Economic Survey Subcommittee Members:

Ashraf Abdul-Mohsen: ARI

John Gorecki: Anderson Gorecki, LLP

Iasha Chaudhry: Smart & Biggar

Megan Kirkegaard: ARI

Ryan Dean: Umberg Zipser, LLP

Joshua Kresh: DLA Piper LLP, US

Meghan Donohoe: AIPLA

©2019 AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION

ALL RIGHTS RESERVED. NO PART OF THIS BOOK MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY AN INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM THE PUBLISHER.

Printed COPIES OF THIS REPORT ARE AVAILABLE FROM AIPLA AT A COST OF \$75 PER COPY FOR MEMBERS AND \$495 PER COPY FOR NON-MEMBERS.

AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION

1400 CRYSTAL DRIVE, SUITE 600

ARLINGTON VA 22202

(703) 415-0780

WWW.AIPLA.ORG

Table of Contents

INTRODUCTION	1
DATA COLLECTION	1
CHANGES TO THE SURVEY	1
DESCRIPTION OF STATISTICS AND FORMATTING CONVENTIONS	2
RESPONDENT BACKGROUND	4
IP BUDGET FOR CORPORATE PRACTITIONERS	9
INCOME RECEIVED IN 2018 AND PROJECTED FOR 2019, BILLING RATES, AND BILLABLE HOURS	11
SUMMARY OF SURVEY RESULTS BY PRACTICE TYPE	15
SOLO PRACTITIONER	15
PRIVATE FIRM, EQUITY PARTNER	18
PRIVATE FIRM, PARTNER-TRACK	21
PRIVATE FIRM, NON-PARTNER TRACK	24
PRIVATE FIRM, OF COUNSEL	26
HEAD OF CORPORATE IP DEPARTMENT	29
CORPORATE IP DEPARTMENT, ATTORNEY	31
PRIVATE FIRM, PATENT AGENT	33
CORPORATE IP DEPARTMENT, PATENT AGENT	34
TYPICAL CHARGES FOR IP LAW SERVICES	35
TYPICAL TYPE OF FEE FOR IP LAW SERVICE CHARGES	45
TYPICAL COSTS OF LITIGATION	50
CHARACTERISTICS OF FIRMS	71
NUMBER AND TYPE OF ATTORNEYS	71
ASSOCIATE STARTING SALARY AND SUMMER MONTHLY PAY	73
PATENT AGENTS AND SUPPORT STAFF	75
BILLING RATES AND PRACTICES	79
LIABILITY INSURANCE	82
STATISTICAL TABLES	Appendix A
INDIVIDUAL DATA	I-1 to I-225
FIRM DATA	F-1 to F-30
SURVEY INSTRUMENTS	Appendix B

STATISTICAL TABLES

INDIVIDUAL DATA

All Respondents	I-1
Background	I-1
Work remotely (Q3a and Q3b)	I-3
Work full-time (Q4).....	I-4
Major field of academic study (Q10).....	I-4
Total Gross Income for 2018 from your primary practice (Q12a).....	I-5
Amount of year-end cash bonus (Q12b).....	I-5
Employer's 2018 contribution to 401(k)/403(b) retirement and savings plans (Q13)	I-6
Expected total cash income for 2019 (Q14).....	I-6
Full-time IP lawyers and patent agents at all locations (Q18).....	I-7
Familiarity with the Global Dossier (Q20).....	I-9
Billable hours, Billing rate, Dollars billed (Q36, Q37, Q34).....	I-9
Percent of services in 2018 that were billed (or will be billed) by type of basis (Q35)	I-10
Percentage of work billed at discounted hourly billing rate (Q38)	I-10
Average hours per week spent on business development (Q40)	I-10
Solo Practitioner	I-11
Background Information	I-11
Total Gross Income for 2018 from your primary practice (Q12a).....	I-12
Total Gross Income for 2018 by type of work (Q12a)	I-13
Employer's 2018 contribution to 401(k)/403(b) retirement and savings plans (Q13)	I-13
Expected total cash income for 2019 (Q14).....	I-14
Percent of time devoted to types of work, by Income Level (Q17)	I-15
Percent of time devoted to IP areas, by Income Level (Q15).....	I-15
New priority US and PCT Patent applications prepared and filed in 2018 (Q19).....	I-15
Billable hours recorded in 2018 (Q36)	I-16
Average hourly billing rate in 2018 (Q37)	I-17
Percent of services in 2018 that were billed (or will be billed) by type of basis (Q35)	I-18
Dollar amount billed for legal services performed in 2018 (Q34).....	I-19
Private Firm, Equity Partner	I-20
Background Information	I-20
Total Gross Income for 2018 from your primary practice (Q12a).....	I-21
Total Gross Income for 2018 by type of work (Q12a)	I-22
Amount of year-end cash bonus (Q12b).....	I-23
Employer's 2018 contribution to 401(k)/403(b) retirement and savings plans (Q13)	I-24
Expected total cash income for 2019 (Q14).....	I-25
Percent of time devoted to types of work, by Income Level (Q17)	I-26
Percent of time devoted to IP areas, by Income Level (Q15).....	I-26
New priority US and PCT Patent applications prepared and filed in 2018 (Q19).....	I-27
Billable hours recorded in 2018 (Q36)	I-28
Average hourly billing rate in 2018 (Q37)	I-29
Percent of services in 2018 that were billed (or will be billed) by type of basis (Q35)	I-30
Dollar amount billed for legal services performed in 2018 (Q34).....	I-31
Private Firm, Partner-Track Attorney	I-32
Background Information.....	I-32
Total Gross Income for 2018 from your primary practice (Q12a).....	I-33
Total Gross Income for 2018 by type of work (Q12a)	I-34
Amount of year-end cash bonus (Q12b).....	I-35
Employer's 2018 contribution to 401(k)/403(b) retirement and savings plans (Q13)	I-36
Expected total cash income for 2019 (Q14).....	I-37
Percent of time devoted to types of work, by Income Level (Q17)	I-38
Percent of time devoted to IP areas, by Income Level (Q15).....	I-38
New priority US and PCT Patent applications prepared and filed in 2018 (Q19).....	I-39
For the first 10 years of experience, total gross income for 2018 (Q12a)	I-40
Billable hours recorded in 2018 (Q36)	I-41
Average hourly billing rate in 2018 (Q37)	I-42
For the first 10 years of experience, billable hours recorded in 2018 (Q36)	I-43

For the first 10 years of experience, average hourly billing rate in 2018 (Q37).....	I-43
Percent of services in 2018 that were billed (or will be billed) by type of basis (Q35)	I-44
Dollar amount billed for legal services performed in 2018 (Q34).....	I-45
Private Firm, Non-Partner Track Attorney	I-46
Background Information	I-46
Total Gross Income for 2018 from your primary practice (Q12a).....	I-46
Total Gross Income for 2018 by type of work (Q12a)	I-47
Expected total cash income for 2019 (Q14).....	I-47
Percent of time devoted to types of work, by Income Level (Q17)	I-47
Percent of time devoted to IP areas, by Income Level (Q15).....	I-48
New priority US and PCT Patent applications prepared and filed in 2018 (Q19).....	I-48
Average hourly billing rate in 2018 (Q37)	I-48
Percent of services in 2018 that were billed (or will be billed) by type of basis (Q35)	I-49
Dollar amount billed for legal services performed in 2018 (Q34).....	I-49
Private Firm, Of Counsel	I-50
Background Information.....	I-50
Total Gross Income for 2018 from your primary practice (Q12a).....	I-51
Total Gross Income for 2018 by type of work (Q12a)	I-51
Expected total cash income for 2019 (Q14).....	I-52
Percent of time devoted to types of work, by Income Level (Q17)	I-52
Percent of time devoted to IP areas, by Income Level (Q15).....	I-53
New priority US and PCT Patent applications prepared and filed in 2018 (Q19).....	I-53
Billable hours recorded in 2018 (Q36)	I-54
Average hourly billing rate in 2018 (Q37).....	I-55
Percent of services in 2018 that were billed (or will be billed) by type of basis (Q35)	I-56
Dollar amount billed for legal services performed in 2018 (Q34).....	I-57
Corporate IP Department, Head.....	I-58
Background Information	I-58
Total Gross Income for 2018 from your primary practice (Q12a).....	I-59
Total Gross Income for 2018 by type of work (Q12a)	I-60
Total Gross Income for 2018 by Number of Subordinates (Q12a).....	I-60
Amount of year-end cash bonus (Q12b).....	I-61
Employer's 2018 contribution to 401(k)/403(b) retirement and savings plans (Q13)	I-62
Expected total cash income for 2019 (Q14).....	I-63
Percent of time devoted to types of work, by Income Level (Q17)	I-64
Percent of time devoted to IP areas, by Income Level (Q15).....	I-64
New priority US and PCT Patent applications prepared and filed in 2018 (Q19).....	I-64
Direct and indirect reports (Q21).....	I-65
Percent of activities handled by in-house counsel other than liaison with outside counsel, by Income Level (Q22).....	I-65
Annual gross revenues for company in 2018 (Q23).....	I-66
Annual IP budget for company for 2018 (Q24).....	I-66
Corporate IP budget per full-time IP lawyer or agent in 2018 (Q24)	I-67
Percent of IP budget used for US prosecution and non-US prosecution (Q25)	I-68
Change in IP budget for company from 2017 to 2018 (Q26)	I-69
Reasons for change in corporate budget (Q27)	I-70
Technology focus of company or business unit (Q28)	I-70
Percent of annual corporate IP budget devoted to types of work, by Income Level (Q29).....	I-71
Percent of annual corporate IP budget devoted to types of work, by Technology Focus of Company (Q29)	I-71
Corporate IP Department, Attorney	I-73
Background	I-73
Total Gross Income for 2018 from your primary practice (Q12a).....	I-74
Total Gross Income for 2018 by type of work (Q12a)	I-75
Total Gross Income for 2018 by Number of Subordinates (Q12a).....	I-75
Amount of year-end cash bonus (Q12b).....	I-76
Employer's 2018 contribution to 401(k)/403(b) retirement and savings plans (Q13)	I-77
Expected total cash income for 2019 (Q14).....	I-78
Percent of time devoted to types of work, by Income Level (Q17)	I-79
Percent of time devoted to IP areas, by Income Level (Q15).....	I-79

New priority US and PCT Patent applications prepared and filed in 2018 (Q19).....	I-80
Direct and indirect reports (Q21).....	I-80
Private Firm, Patent Agent.....	I-81
Background.....	I-81
Total Gross Income for 2018 from your primary practice (Q12a).....	I-81
Total Gross Income for 2018 by type of work (Q12a).....	I-82
Expected total cash income for 2019 (Q14).....	I-82
New priority US and PCT Patent applications prepared and filed in 2018 (Q19).....	I-83
Billable hours recorded in 2018 (Q36).....	I-83
Average hourly billing rate in 2018 (Q37).....	I-84
Percent of services in 2018 that were billed (or will be billed) by type of basis (Q35).....	I-84
Corporate IP Department, Patent Agent.....	I-85
Background.....	I-85
Total Gross Income for 2018 from your primary practice (Q12a).....	I-85
Total Gross Income for 2018 by type of work (Q12a).....	I-86
Amount of year-end cash bonus (Q12b).....	I-86
Employer's 2018 contribution to 401(k)/403(b) retirement and savings plans (Q13).....	I-87
Expected total cash income for 2019 (Q14).....	I-87
New priority US and PCT Patent applications prepared and filed in 2018 (Q19).....	I-88
Direct and indirect reports (Q21).....	I-88
Technology focus of company or business unit (Q28).....	I-88
Typical Charges.....	I-89
Trademarks by Location	
Trademark Clearance Search, Analysis, and Opinion (Q41a).....	I-89
Trademark Registration Application (Preparation and Filing) (Q41b).....	I-89
Trademark Prosecution (Total, including amendments and interviews but not appeals) (Q41c).....	I-89
Trademark Statement of Use (Preparation and Filing) (Q41d).....	I-90
Trademark Appeal to the Board (Briefed and Argued) (Q41e).....	I-90
Trademark Section 8 and 15 Declaration (Preparation and Filing) (Q41f).....	I-90
Trademark Renewal Application (Preparation and Filing) (Q41g).....	I-91
Filing of Foreign Origin Trademark Registration Application Received Ready for Filing (Q41h).....	I-91
Filing for an International Trademark (Q41i).....	I-91
Preparing a UDRP Petition (Q41j).....	I-92
Responding to a UDRP Petition (Q41k).....	I-92
Preparing and Filing Assignments or Other Formal Documents (Q41l).....	I-92
Trademarks by Type of Practice	
Trademark Clearance Search, Analysis, and Opinion (Q41a).....	I-93
Trademark Registration Application (Preparation and Filing) (Q41b).....	I-93
Trademark Prosecution (Total, including amendments and interviews but not appeals) (Q41c).....	I-93
Trademark Statement of Use (Preparation and Filing) (Q41d).....	I-94
Trademark Appeal to the Board (Briefed and Argued) (Q41e).....	I-94
Trademark Section 8 and 15 Declaration (Preparation and Filing) (Q41f).....	I-94
Trademark Renewal Application (Preparation and Filing) (Q41g).....	I-95
Filing of Foreign Origin Trademark Registration Application Received Ready for Filing (Q41h).....	I-95
Filing for an International Trademark (Q41i).....	I-95
Preparing a UDRP Petition (Q41j).....	I-96
Responding to a UDRP Petition (Q41k).....	I-96
Preparing and Filing Assignments or Other Formal Documents (Q41l).....	I-96
US Utility Patents by Location	
Original (not divisional, continuation, or CIP) non-provisional utility patent application on invention of minimal complexity (Preparation and Filing) (Q42a).....	I-97
Provisional Patent Application (Preparation and Filing) (Q42b).....	I-97
Original utility application, relatively complex biotechnology/chemical (Preparation and Filing) (Q42c).....	I-97
Original utility application, relatively complex electrical/computer (Preparation and Filing) (Q42d).....	I-98
Original utility application, relatively complex mechanical (Preparation and Filing) (Q42e).....	I-98
Patent application amendment/argument of minimal complexity (Preparation and Filing) (Q42f).....	I-98

Patent application amendment/argument, relatively complex, biotechnology/chemical (Preparation and Filing) (Q42g).....	I-99
Patent application amendment/argument, relatively complex, electrical/computer (Preparation and Filing) (Q42h).....	I-99
Patent application amendment/argument, relatively complex, mechanical (Preparation and Filing) (Q42i)	I-99
Appeal to Board in utility patent application without oral argument (Q42j).....	I-100
Appeal to Board in utility patent application with oral argument (Q42k)	I-100
Issuing an allowed application (All post-allowance activity) (Q42l).....	I-100
Ex parte re-exam (Q42m).....	I-101
Paying a Maintenance Fee (Q42n)	I-101
Utility Patent Novelty Search, Analysis, and Opinion (Q42o).....	I-101
Validity/Invalidity Only Opinion, per patent (Q42p)	I-102
Infringement/Non-Infringement Only Opinion, per patent (Q42q)	I-102
Combination Validity and Infringement, per patent (Q42r).....	I-102
Preparing and filing Information Disclosure Statement (IDS), less than 50 references (Q42s).....	I-103
Preparing and filing Information Disclosure Statement (IDS), more than 50 references (Q42t)	I-103
Reference management (typical portfolio size) (Q42u).....	I-103
Patent Term Adjustment calculation (Q42v)	I-104
Formalities, including preparing and filing formal declarations, assignments, and powers of attorney, responding to pre-examination notices, and preparing papers to make corrections (Q42w)	I-104
Preparing and filing formal drawings (Q42x)	I-104
Preparing for and conducting examiner interview (Q42y).....	I-105
Providing a continuation recommendation (including proposed claim strategy) (Q42z)	I-105

US Utility Patents by Type of Practice

Original (not divisional, continuation, or CIP) non-provisional utility patent application on invention of minimal complexity (Preparation and Filing) (Q42a).....	I-106
Provisional Patent Application (Preparation and Filing) (Q42b)	I-106
Original utility application, relatively complex biotechnology/chemical (Preparation and Filing) (Q42c).....	I-106
Original utility application, relatively complex electrical/computer (Preparation and Filing) (Q42d)	I-107
Original utility application, relatively complex mechanical (Preparation and Filing) (Q42e)	I-107
Patent application amendment/argument of minimal complexity (Preparation and Filing) (Q42f).....	I-107
Patent application amendment/argument, relatively complex, biotechnology/chemical (Preparation and Filing) (Q42g).....	I-108
Patent application amendment/argument, relatively complex, electrical/computer (Preparation and Filing) (Q42h).....	I-108
Patent application amendment/argument, relatively complex, mechanical (Preparation and Filing) (Q42i)	I-108
Appeal to Board in utility patent application without oral argument (Q42j).....	I-109
Appeal to Board in utility patent application with oral argument (Q42k)	I-109
Issuing an allowed application (All post-allowance activity) (Q42l).....	I-109
Ex parte re-exam (Q42m).....	I-110
Paying a Maintenance Fee (Q42n)	I-110
Utility Patent Novelty Search, Analysis, and Opinion (Q42o).....	I-110
Validity/Invalidity Only Opinion, per patent (Q42p)	I-111
Infringement/Non-Infringement Only Opinion, per patent (Q42q)	I-111
Combination Validity and Infringement, per patent (Q42r).....	I-111
Preparing and filing Information Disclosure Statement (IDS), less than 50 references (Q42s).....	I-112
Preparing and filing Information Disclosure Statement (IDS), more than 50 references (Q42t)	I-112
Reference management (typical portfolio size) (Q42u).....	I-112
Patent Term Adjustment calculation (Q42v)	I-113
Formalities, including preparing and filing formal declarations, assignments, and powers of attorney, responding to pre-examination notices, and preparing papers to make corrections (Q42w)	I-113
Preparing and filing formal drawings (Q42x)	I-113
Preparing for and conducting examiner interview (Q42y).....	I-114
Providing a continuation recommendation (including proposed claim strategy) (Q42z)	I-114

US Utility Patents of Foreign Origin by Location

Filing foreign origin utility patent application in USPTO, received ready for filing with formal papers, assignment, and priority documents (Q43a)	I-115
Filing non-PCT patent application abroad (per country, not including associate or government fees) (Q43b).....	I-115
Filing previously prepared US patent application as PCT application in US Receiving Office (Q43c).....	I-115
Entering National Stage in US Receiving Office from foreign origin PCT application (Q43d).....	I-116
Entering National Stage in each foreign Receiving Office from US origin PCT application (Q43e)	I-116
Paying an annuity or maintenance fee (Q43f)	I-116

Patent application amendment/argument of minimal complexity, where foreign counsel or the client provides detailed response instructions (Preparation and Filing) (Q43g).....	I-117
Patent application amendment/argument, relatively complex, biotechnology/chemical, where foreign counsel or the client provides detailed response instructions (Preparation and Filing) (Q43h).....	I-117
Patent application amendment/argument, relatively complex, electrical computer, where foreign counsel or the client provides detailed response instructions (Preparation and Filing) (Q43i).....	I-118
Patent application amendment/argument, relatively complex, mechanical, where foreign counsel or the client provides detailed response instructions (Preparation and Filing) (Q43j).....	I-118

US Utility Patents of Foreign Origin by Type of Practice

Filing foreign origin utility patent application in USPTO, received ready for filing with formal papers, assignment, and priority documents (Q43a).....	I-119
Filing non-PCT patent application abroad (per country, not including associate or government fees) (Q43b).....	I-119
Filing previously prepared US patent application as PCT application in US Receiving Office (Q43c).....	I-119
Entering National Stage in US Receiving Office from foreign origin PCT application (Q43d).....	I-120
Entering National Stage in each foreign Receiving Office from US origin PCT application (Q43e).....	I-120
Paying an annuity or maintenance fee (Q43f).....	I-120
Patent application amendment/argument of minimal complexity, where foreign counsel or the client provides detailed response instructions (Preparation and Filing) (Q43g).....	I-121
Patent application amendment/argument, relatively complex, biotechnology/chemical, where foreign counsel or the client provides detailed response instructions (Preparation and Filing) (Q43h).....	I-121
Patent application amendment/argument, relatively complex, electrical computer, where foreign counsel or the client provides detailed response instructions (Preparation and Filing) (Q43i).....	I-121
Patent application amendment/argument, relatively complex, mechanical, where foreign counsel or the client provides detailed response instructions (Preparation and Filing) (Q43j).....	I-122

Filing US Applications Abroad

Top Countries for US Applications Entering Foreign National Phase (Q44a).....	I-123
Top Countries for US Applications Directly Filed with Foreign Office (Q44b).....	I-124

Filing US Applications Abroad – Europe (EPO) by Location

Filing US origin utility patent application in foreign office, received ready for filing with formal papers, assignment, and priority documents (Q44a).....	I-125
Entering National Stage in foreign Receiving Office from US origin PCT application (Q44b).....	I-125
Paying an annuity or maintenance fee (Q44c).....	I-125
Patent application amendment/argument of minimal complexity, where US counsel or the client provides foreign counsel with detailed response instructions (Preparation and Filing) (Q44d).....	I-126
Patent application amendment/argument, relatively complex, biotechnology/chemical, where US counsel or the client provides foreign counsel with detailed response instructions (Preparation and Filing) (Q44e) ..	I-126
Patent application amendment/argument, relatively complex, electrical computer, where US counsel or the client provides foreign counsel with detailed response instructions (Preparation and Filing) (Q44f).....	I-127
Patent application amendment/argument, relatively complex, mechanical, where US counsel or the client provides foreign counsel with detailed response instructions (Preparation and Filing) (Q44g).....	I-127

Filing US Applications Abroad – Europe (EPO) by Type of Practice

Filing US origin utility patent application in foreign office, received ready for filing with formal papers, assignment, and priority documents (Q44a).....	I-128
Entering National Stage in foreign Receiving Office from US origin PCT application (Q44b).....	I-128
Paying an annuity or maintenance fee (Q44c).....	I-128
Patent application amendment/argument of minimal complexity, where US counsel or the client provides foreign counsel with detailed response instructions (Preparation and Filing) (Q44d).....	I-129
Patent application amendment/argument, relatively complex, biotechnology/chemical, where US counsel or the client provides foreign counsel with detailed response instructions (Preparation and Filing) (Q44e) ..	I-129
Patent application amendment/argument, relatively complex, electrical computer, where US counsel or the client provides foreign counsel with detailed response instructions (Preparation and Filing) (Q44f).....	I-129
Patent application amendment/argument, relatively complex, mechanical, where US counsel or the client provides foreign counsel with detailed response instructions (Preparation and Filing) (Q44g).....	I-130

Other US Patents and Copyrights by Location

US design patent application (Preparation and Filing) (Q45a).....	I-131
Formal drawings for design patent application (Q45b).....	I-131
Preparing and filing international design patent application under the Hague agreement (Q45c).....	I-131

Responding to Office action in design patent application (Q45d)	I-132
US plant patent application (Preparation and Filing) (Q45e)	I-132
Copyright registration application (Preparation and Filing) (Q45f)	I-132

Other US Patents and Copyrights by Type of Practice

US design patent application (Preparation and Filing) (Q45a)	I-133
Formal drawings for design patent application (Q45b)	I-133
Preparing and filing international design patent application under the Hague agreement (Q45c)	I-133
Responding to Office action in design patent application (Q45d)	I-134
US plant patent application (Preparation and Filing) (Q45e)	I-134
Copyright registration application (Preparation and Filing) (Q45f)	I-134

Transactional Work by Location

Due Diligence (Q46a)	I-135
Preparing licenses, including negotiations (Q46b)	I-135

Transactional Work by Type of Practice

Due Diligence (Q46a)	I-136
Preparing licenses, including negotiations (Q46b)	I-136

Type of Fee Primarily Used

Trademarks (Q41a-l)	I-137
US Utility Patents (Q42a-z)	I-138
US Utility Patents of Foreign Origin (Q43a-j)	I-139
Filing US Applications Abroad – Europe (EPO) (Q44a-g)	I-139
Other US Patents and Copyrights (Q45a-f)	I-140
Transactional Work (Q46a-b)	I-140

Total Costs of Litigation I-141

Litigation-Patent Infringement, All Varieties by Location

Less than \$1M at risk–Initial case management (Q47Aa)	I-141
Less than \$1M at risk–Inclusive of discovery, motions, and claim construction (Q47Ab)	I-141
Less than \$1M at risk–Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Ac)	I-141
Less than \$1M at risk–Cost of mediation (Q47Ad)	I-142
\$1-\$10M at risk– Initial case management (Q47Ae)	I-142
\$1-\$10M at risk– Inclusive of discovery, motions, and claim construction (Q47Af)	I-142
\$1-\$10M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Ag)	I-143
\$1-\$10M at risk– Cost of mediation (Q47Ah)	I-143
\$10-\$25M at risk– Initial case management (Q47Ai)	I-143
\$10-\$25M at risk– Inclusive of discovery, motions, and claim construction (Q47Aj)	I-144
\$10-\$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Ak)	I-144
\$10-\$25M at risk– Cost of mediation (Q47Al)	I-144
Greater than \$25M at risk– Initial case management (Q47Am)	I-145
Greater than \$25M at risk– Inclusive of discovery, motions, and claim construction (Q47An)	I-145
Greater than \$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Ao)	I-145
Greater than \$25M at risk– Cost of mediation (Q47Ap)	I-146

Litigation-Patent Infringement, All Varieties by Type of Practice

Less than \$1M at risk–Initial case management (Q47Aa)	I-147
Less than \$1M at risk–Inclusive of discovery, motions, and claim construction (Q47Ab)	I-147
Less than \$1M at risk–Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Ac)	I-147
Less than \$1M at risk–Cost of mediation (Q47Ad)	I-148
\$1-\$10M at risk– Initial case management (Q47Ae)	I-148
\$1-\$10M at risk– Inclusive of discovery, motions, and claim construction (Q47Af)	I-148
\$1-\$10M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Ag)	I-149
\$1-\$10M at risk– Cost of mediation (Q47Ah)	I-149
\$10-\$25M at risk– Initial case management (Q47Ai)	I-149
\$10-\$25M at risk– Inclusive of discovery, motions, and claim construction (Q47Aj)	I-150
\$10-\$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Ak)	I-150
\$10-\$25M at risk– Cost of mediation (Q47Al)	I-150
Greater than \$25M at risk– Initial case management (Q47Am)	I-151
Greater than \$25M at risk– Inclusive of discovery, motions, and claim construction (Q47An)	I-151

Greater than \$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Ao)	I-151
Greater than \$25M at risk– Cost of mediation (Q47Ap)	I-152

Litigation-Patent Infringement, Hatch-Waxman Act by Type of Practice

Less than \$1M at risk–Initial case management (Q47Ba)	I-153
Less than \$1M at risk–Inclusive of discovery, motions, and claim construction (Q47Bb)	I-153
Less than \$1M at risk–Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Bc).....	I-153
Less than \$1M at risk–Cost of mediation (Q47Bd).....	I-154
\$1-\$10M at risk– Initial case management (Q47Be).....	I-154
\$1-\$10M at risk– Inclusive of discovery, motions, and claim construction (Q47Bf)	I-154
\$1-\$10M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Bg)	I-155
\$1-\$10M at risk– Cost of mediation (Q47Bh)	I-155
\$10-\$25M at risk– Initial case management (Q47Bi).....	I-155
\$10-\$25M at risk– Inclusive of discovery, motions, and claim construction (Q47Bj)	I-156
\$10-\$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Bk)	I-156
\$10-\$25M at risk– Cost of mediation (Q47Bl)	I-156
Greater than \$25M at risk– Initial case management (Q47Bm)	I-157
Greater than \$25M at risk– Inclusive of discovery, motions, and claim construction (Q47Bn).....	I-157
Greater than \$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Bo).....	I-157
Greater than \$25M at risk– Cost of mediation (Q47Bp)	I-158

Litigation-Defending Claims of Patent Infringement by Non-Practicing Entity by Location

Less than \$1M at risk–Initial case management (Q47Ca)	I-159
Less than \$1M at risk–Inclusive of discovery, motions, and claim construction (Q47Cb)	I-159
Less than \$1M at risk–Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Cc).....	I-159
Less than \$1M at risk–Cost of mediation (Q47Cd).....	I-160
\$1-\$10M at risk– Initial case management (Q47Ce).....	I-160
\$1-\$10M at risk– Inclusive of discovery, motions, and claim construction (Q47Cf)	I-160
\$1-\$10M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Cg)	I-161
\$1-\$10M at risk– Cost of mediation (Q47Ch)	I-161
\$10-\$25M at risk– Initial case management (Q47Ci).....	I-161
\$10-\$25M at risk– Inclusive of discovery, motions, and claim construction (Q47Cj)	I-162
\$10-\$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Ck)	I-162
\$10-\$25M at risk– Cost of mediation (Q47Cl).....	I-162
Greater than \$25M at risk– Initial case management (Q47Cm)	I-163
Greater than \$25M at risk– Inclusive of discovery, motions, and claim construction (Q47Cn).....	I-163
Greater than \$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Co).....	I-163
Greater than \$25M at risk– Cost of mediation (Q47Cp)	I-164

Litigation-Defending Claims of Patent Infringement by Non-Practicing Entity by Type of Practice

Less than \$1M at risk–Initial case management (Q47Ca)	I-165
Less than \$1M at risk–Inclusive of discovery, motions, and claim construction (Q47Cb)	I-165
Less than \$1M at risk–Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Cc).....	I-165
Less than \$1M at risk–Cost of mediation (Q47Cd).....	I-166
\$1-\$10M at risk– Initial case management (Q47Ce).....	I-166
\$1-\$10M at risk– Inclusive of discovery, motions, and claim construction (Q47Cf)	I-166
\$1-\$10M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Cg)	I-167
\$1-\$10M at risk– Cost of mediation (Q47Ch)	I-167
\$10-\$25M at risk– Initial case management (Q47Ci).....	I-167
\$10-\$25M at risk– Inclusive of discovery, motions, and claim construction (Q47Cj)	I-168
\$10-\$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Ck)	I-168
\$10-\$25M at risk– Cost of mediation (Q47Cl).....	I-168
Greater than \$25M at risk– Initial case management (Q47Cm)	I-169
Greater than \$25M at risk– Inclusive of discovery, motions, and claim construction (Q47Cn).....	I-169
Greater than \$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Co).....	I-169
Greater than \$25M at risk– Cost of mediation (Q47Cp)	I-170

Litigation-Section 337 Patent Infringement by Type of Practice

Less than \$1M at risk–Initial case management (Q47Da).....	I-171
Less than \$1M at risk–Inclusive of discovery, motions, and claim construction (Q47Db)	I-171
Less than \$1M at risk–Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Dc)	I-171
Less than \$1M at risk–Cost of mediation (Q47Dd)	I-172

\$1-\$10M at risk– Initial case management (Q47De)	I-172
\$1-\$10M at risk– Inclusive of discovery, motions, and claim construction (Q47Df)	I-172
\$1-\$10M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Dg)	I-173
\$1-\$10M at risk– Cost of mediation (Q47Dh)	I-173
\$10-\$25M at risk– Initial case management (Q47Di)	I-173
\$10-\$25M at risk– Inclusive of discovery, motions, and claim construction (Q47Dj)	I-174
\$10-\$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Dk)	I-174
\$10-\$25M at risk– Cost of mediation (Q47Dl)	I-174
Greater than \$25M at risk– Initial case management (Q47Dm)	I-175
Greater than \$25M at risk– Inclusive of discovery, motions, and claim construction (Q47Dn)	I-175
Greater than \$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q47Do)	I-175
Greater than \$25M at risk– Cost of mediation (Q47Dp)	I-176

Patent Infringement

Correlation between the amount at risk and the overall attorney hours required to litigate (Q47E)	I-177
Total cost of asserting compared to total cost of defending (Q47F)	I-178
Cost of asserting as percent of cost of defending (Q47Fx)	I-178

Post-Grant Proceedings: Covered Business Method (CBM) Review by Location

Through filing petition (Q48i)	I-179
Through end of motion practice (Q48ii)	I-179
Through PTAB hearing (Q48iii)	I-179
Through appeal (Q48iv)	I-180

Post-Grant Proceedings: Covered Business Method (CBM) Review by Type of Practice

Through filing petition (Q48i)	I-181
Through end of motion practice (Q48ii)	I-181
Through PTAB hearing (Q48iii)	I-181
Through appeal (Q48iv)	I-182

Post-Grant Proceedings: PGR/IPR – Electrical/Computer by Location

Through filing petition (Q48i)	I-183
Through end of motion practice (Q48ii)	I-183
Through PTAB hearing (Q48iii)	I-183
Through appeal (Q48iv)	I-184

Post-Grant Proceedings: PGR/IPR – Electrical/Computer by Type of Practice

Through filing petition (Q48i)	I-185
Through end of motion practice (Q48ii)	I-185
Through PTAB hearing (Q48iii)	I-185
Through appeal (Q48iv)	I-186

Post-Grant Proceedings: PGR/IPR – Mechanical by Location

Through filing petition (Q48i)	I-187
Through end of motion practice (Q48ii)	I-187
Through PTAB hearing (Q48iii)	I-187
Through appeal (Q48iv)	I-188

Post-Grant Proceedings: PGR/IPR – Mechanical by Type of Practice

Through filing petition (Q48i)	I-189
Through end of motion practice (Q48ii)	I-189
Through PTAB hearing (Q48iii)	I-189
Through appeal (Q48iv)	I-190

Post-Grant Proceedings

Total cost of filing a petition compared to total cost of defending (Q48B)	I-191
Cost of filing as percent of cost of defending (Q48Bx)	I-191

Litigation-Trademark Infringement by Location

Less than \$1M at risk– Initial case management (Q49Aa)	I-192
Less than \$1M at risk– Inclusive of discovery, motions, and claim construction (Q49Ab)	I-192
Less than \$1M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q49Ac)	I-192

Less than \$1M at risk– Cost of mediation (Q49Ad).....	I-193
\$1-\$10M at risk– Initial case management (Q49Ae).....	I-193
\$1-\$10M at risk– Inclusive of discovery, motions, and claim construction (Q49Af).....	I-193
\$1-\$10M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q49Ag).....	I-194
\$1-\$10M at risk– Cost of mediation (Q49Ah).....	I-194
\$10-\$25M at risk– Initial case management (Q49Ai).....	I-194
\$10-\$25M at risk– Inclusive of discovery, motions, and claim construction (Q49Aj).....	I-195
\$10-\$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q49Ak).....	I-195
\$10-\$25M at risk– Cost of mediation (Q49Al).....	I-195
Greater than \$25M at risk– Initial case management (Q49Am).....	I-196
Greater than \$25M at risk– Inclusive of discovery, motions, and claim construction (Q49An).....	I-196
Greater than \$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q49Ao).....	I-196
Greater than \$25M at risk– Cost of mediation (Q49Ap).....	I-197

Litigation-Trademark Infringement by Type of Practice

Less than \$1M at risk– Initial case management (Q49Aa).....	I-198
Less than \$1M at risk– Inclusive of discovery, motions, and claim construction (Q49Ab).....	I-198
Less than \$1M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q49Ac).....	I-198
Less than \$1M at risk– Cost of mediation (Q49Ad).....	I-199
\$1-\$10M at risk– Initial case management (Q49Ae).....	I-199
\$1-\$10M at risk– Inclusive of discovery, motions, and claim construction (Q49Af).....	I-199
\$1-\$10M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q49Ag).....	I-200
\$1-\$10M at risk– Cost of mediation (Q49Ah).....	I-200
\$10-\$25M at risk– Initial case management (Q49Ai).....	I-200
\$10-\$25M at risk– Inclusive of discovery, motions, and claim construction (Q49Aj).....	I-201
\$10-\$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q49Ak).....	I-201
\$10-\$25M at risk– Cost of mediation (Q49Al).....	I-201
Greater than \$25M at risk– Initial case management (Q49Am).....	I-202
Greater than \$25M at risk– Inclusive of discovery, motions, and claim construction (Q49An).....	I-202
Greater than \$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q49Ao).....	I-202
Greater than \$25M at risk– Cost of mediation (Q49Ap).....	I-203

Trademark Infringement

Correlation between the amount at risk and the overall attorney hours required to litigate (Q49B).....	I-204
Total cost of asserting compared to total cost of defending (Q49C).....	I-205
Cost of asserting as percent of cost of defending (Q49Cx).....	I-205

Litigation-Trademark Opposition/Cancellation by Location

End of Discovery (Q50a).....	I-206
Inclusive, all costs (Q50b).....	I-206

Litigation-Trademark Opposition/Cancellation by Type of Practice

End of Discovery (Q50a).....	I-207
Inclusive, all costs (Q50b).....	I-207

Litigation-Copyright Infringement by Type of Practice

Less than \$1M at risk– Initial case management (Q51Aa).....	I-208
Less than \$1M at risk– Inclusive of discovery, motions, and claim construction (Q51Ab).....	I-208
Less than \$1M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q51Ac).....	I-208
Less than \$1M at risk– Cost of mediation (Q51Ad).....	I-209
\$1-\$10M at risk– Initial case management (Q51Ae).....	I-209
\$1-\$10M at risk– Inclusive of discovery, motions, and claim construction (Q51Af).....	I-209
\$1-\$10M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q51Ag).....	I-210
\$1-\$10M at risk– Cost of mediation (Q51Ah).....	I-210
\$10-\$25M at risk– Initial case management (Q51Ai).....	I-210
\$10-\$25M at risk– Inclusive of discovery, motions, and claim construction (Q51Aj).....	I-211
\$10-\$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q51Ak).....	I-211
\$10-\$25M at risk– Cost of mediation (Q51Al).....	I-211
Greater than \$25M at risk– Initial case management (Q51Am).....	I-212
Greater than \$25M at risk– Inclusive of discovery, motions, and claim construction (Q51An).....	I-212
Greater than \$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q51Ao).....	I-212
Greater than \$25M at risk– Cost of mediation (Q51Ap).....	I-213

Copyright Infringement

Correlation between the amount at risk and the overall attorney hours required to litigate (Q51B).....	I-214
Total cost of asserting compared to total cost of defending (Q51C)	I-214
Cost of asserting as percent of cost of defending (Q51Cx)	I-215

Litigation-Trade Secret Misappropriation by Type of Practice

Less than \$1M at risk– Initial case management (Q52Aa)	I-216
Less than \$1M at risk– Inclusive of discovery, motions, and claim construction (Q52Ab)	I-216
Less than \$1M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q52Ac).....	I-216
Less than \$1M at risk– Cost of mediation (Q52Ad).....	I-217
\$1-\$10M at risk– Initial case management (Q52Ae).....	I-217
\$1-\$10M at risk– Inclusive of discovery, motions, and claim construction (Q52Af)	I-217
\$1-\$10M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q52Ag)	I-218
\$1-\$10M at risk– Cost of mediation (Q52Ah)	I-218
\$10-\$25M at risk– Initial case management (Q52Ai).....	I-218
\$10-\$25M at risk– Inclusive of discovery, motions, and claim construction (Q52Aj)	I-219
\$10-\$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q52Ak)	I-219
\$10-\$25M at risk– Cost of mediation (Q52Al)	I-219
Greater than \$25M at risk– Initial case management (Q52Am)	I-220
Greater than \$25M at risk– Inclusive of discovery, motions, and claim construction (Q52An).....	I-220
Greater than \$25M at risk– Inclusive of pre-trial, trial, post-trial, and appeal (when applicable) (Q52Ao)	I-220
Greater than \$25M at risk– Cost of mediation (Q52Ap).....	I-221

Trade Secret Misappropriation

Correlation between the amount at risk and the overall attorney hours required to litigate (Q52B).....	I-222
Total cost of asserting compared to total cost of defending (Q52C)	I-222
Cost of asserting as percent of cost of defending (Q52Cx)	I-223

Mediation/Arbitration

Total cost of resolving dispute through arbitration compared to resolving dispute through litigation (Q53).....	I-224
Cost of arbitration as percent of cost of litigation (Q53x)	I-224
Frequency mediation/arbitration initiated in 2018 (Q54)	I-225

FIRM DATA

Background	F-1
Position of the person responding on behalf of the firm (Q1)	F-2
Number of office locations in 2018 by size of firm (Q3)	F-2
Number of attorneys in the firm in 2018 by size of firm (Q5).....	F-3
Number of attorneys whose practice is primarily IP in the firm in 2018 by size of firm (Q6)	F-4
Number of agents and assistants involved primarily in the IP practice of the firm in 2018 by size of firm (Q7a)	F-5
Number of attorneys whose practice is primarily IP law who joined the firm in 2018 by size of firm (Q8).....	F-6
Percentage of attorneys hired through a recruiter (head hunter) by size of firm (Q9)	F-7
Average fee paid to recruiter as a % of salary by size of firm (Q10)	F-7
Number of attorneys whose practice is primarily IP law who left the firm (including retired) in 2018 by size of firm (Q11).....	F-8
Number of attorneys and agents, by gender and size of firm, whose practice is primarily IP law in the firm in 2018 (Q12)	F-9
Number of attorneys and agents, by ethnicity and size of firm, whose practice is primarily IP law in the firm in 2018 (Q13)	F-10
Distribution of support staff by size of firm in 2018 (Q14a)	F-11
Number of support staff by size of firm in 2018 (Q14a)	F-11
Number of support staff per IP attorney by size of firm (Q14a)	F-11
Number of summer associates in 2018 devoted primarily to IP law by size of firm (Q15-Q17)	F-12
Monthly pay for summer associates by size of firm (Q18).....	F-12
Percent of firm's activities outsourced to an external provider by size of firm (Q19-Q20)	F-13
Percent of firm's billings in IP law by size of firm (Q21-Q22)	F-13
Allocation of firm's IP billings by size of firm and by type of work (Q23-Q24).....	F-14
Allocation of firm's IP billings, by size of firm and by type of work, where IP law is 75% or more of practice (Q23-Q24).....	F-15
Allocation of firm's IP billings, by size of firm and by type of work, where IP law is less than 75% of practice (Q23-Q24).....	F-16
Total 2018 billings for professional legal services (Q25)	F-17

Total 2018 billings per attorney (Q25b)	F-18
Firm collections, billings, overhead, and percent change in billings (Q26-Q28)	F-19
Minimum and maximum 2018 attorney billing rates for non-IP work (Q29a-Q29b)	F-20
Average billing rate for non-IP work (Q29c)	F-21
Minimum and maximum 2018 attorney billing rates for IP work (Q30a-Q30b)	F-22
Average billing rate for IP work (Q30c)	F-23
Current starting salary for a first-year associate (Q31)	F-24
Average salary for a patent agent (Q32)	F-24
Liability insurance coverage and deductible in 2018 by size of firm (Q34-Q35)	F-25
Liability insurance cost per attorney in 2018 (Q36)	F-26
Number of liability claims for IP matters made in the last five years (Q37)	F-26
Number of liability claims for IP matters made per attorney in the last five years (Q37)	F-26
Number of liability claims for IP matters made per IP attorney in the last five years (Q37)	F-27
Total dollar value of IP liability claims, including attorneys' fees, paid in the last five years by the insurer or directly by the firm (Q38-Q39)	F-27
Professional liability insurance underwriters used by firms (Q40)	F-28
Liability insurance cost per attorney in 2018 by insurance underwriter (Q40)	F-30