



➤ National Quality Charter
of industrial property attorney firms



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To meet the civil society's aspirations for greater transparency and professional ethics, the **Association of Industrial Property Attorneys (ACPI)** asked **the executives of such Industrial Property (IP) attorney firms** as it brings together, to reassert the ethical values of the profession through a renewed vision and a resolutely ambitious excellence approach.

The national Quality Charter of IP Attorney firms recalls the framework of IP Attorney firms' actions with businesses, public and private research organizations, and innovators, and **values the qualitative objectives** of a profession placed at the heart of the creation of innovation-related values.

The national Quality Charter of IP Attorney firms completes the applicable provisions to the profession, as defined by the regulations (in particular the Intellectual Property code), the CNCPI (a professional body of French industrial property attorneys), the International Federation of Intellectual Property Attorneys (FICPI), and, of course, the ACPI which has founded the organization of the profession and been submitting ever since 1884, the French contributions to the World Intellectual Property Organization (WIPO).

The national Quality Charter defines the practices and commitments of the IP Attorney firms that choose to join the ACPI as members thereof.



3 commitments dedicated to an advice that is...

- **Strategic**
- **Transnational**
- **100 % responsible**



A strategic expertise

Industrial Property Attorney firms bring together jurists and engineers who have graduated from universities and the *Grandes Ecoles*, including many PhDs, i.e. highly qualified representatives who perform as experts on the subject and provide technical and legal advice.

The uniqueness of the profession leads IP Attorney firms to keep closer to the business executives, designers, researchers, engineers, marketing managers, jurists and financiers they succeed in uniting around the innovation language.

The profession provides plural and cross-disciplinary services: watch, IP portfolio audit, rights protection strategy, title contract drawing up and negotiation, offensive or defensive strategy in the event of a dispute... These actions require expertise in IP-related contract laws, title prosecution, and IP office practices and litigation.

IP Attorney firms further propose a competitive IP approach including, in particular, watch, evaluation and business intelligence services.

IP Attorney firms act as guardians of their clients' industrial property rights. ●



The commitment of IP Attorney firms: ensure high performance



Through the voices of their executives, the firms are committed to recruiting high academic standard professionals who are able to provide support to any experienced business or institute manager, researcher, engineer or jurist.

They are committed to strengthening and maintaining the skills of the IP Attorneys and paralegal staff by training actions, organizing the transfer of their know-how, and developing their teams in accordance with the core values of the profession.

IP Attorney firms are committed to conducting *pro bono* awareness actions among the economic players, and providing proactive advice to their clients as well as customized advice depending, in particular, on the specifics of their business line, in France and abroad.

They are committed to implementing an overall protection strategy and proposing development models incorporating Intellectual Property so as to be partners that create business-related values.

In the event of a dispute, IP Attorney firms are committed to advising their clients of a strategy suited to their own situations, and to informing them about potential costs for, and deadlines inherent in, each alternative. They check and analyze the opposing party's titles, provide support for pre-litigations, conduct negotiations, write transactions, and, when appropriate, propose to resort to arbitration.

They represent their clients autonomously in administrative litigations. In the context of court proceedings, they set up the technical and legal components of the file, work with specialized IP lawyers, and thus manage the litigation in the light of the client's legal, strategic and economic situation. ●



An approach with an international dimension

Industrial property is an international activity.

As soon as 1884, the ACPI has made French contributions to the World Intellectual Property Organization (WIPO). The Paris Convention is testimony to the profession's investment. The ACPI has continued its cooperation with its foreign counterparts over time.

With every proposed evolution of the regulation, it submits resolutions for improving the protection level, in particular within the context of the International Federation of Intellectual Property Attorneys (FICPI) which is a creative force with the international bodies.

The ACPI is an acknowledged influential force.

Simultaneously, the ACPI endeavors to work with Community courts as regards trademarks and designs and is taking part in establishing the Unified Patent Court (UPC). ●

The commitment of IP Attorney firms: ensure transnational competence



The firms are committed to promoting working knowledge of international agreements as regards intellectual property as well as a multicultural and multilingual environment.

They are committed to contributing to the ACPI's reflections whereby the ACPI may submit proposals to the FICPI for changes in IP international laws so as to meet their clients' needs and strategies.

To do this, they are committed to listing those cases that require a reflection that goes beyond the hexagonal framework, to actively contributing to the collective works conducted by the ACPI, and to representing the ACPI with the FICPI. Generally speaking, they are committed to adopting a proactive stance in favor of a harmonized European law.

The firms are committed to easing transnational exchanges throughout a network of correspondents chosen for the quality of their practices and in the light of the compatibility of their values with the values that are common to both the ACPI and the FICPI.

They are committed to managing the litigations and pre-litigations of their clients within the strategic and economic interest thereof, while considering the risks and practices of each country.

They are committed to establishing the necessary organization so as to be able to accompany their clients before all the concerned courts, and in particular before the UPC. ●



Values, guarantees and a responsible environment

The industrial property attorney profession is regulated and subject to rules of professional ethics breach of which is punishable. Its cardinal values are probity, honor, delicacy and observance of professional secrecy. The incompatibilities prescribed by law, the prohibition against conflicts of interest, the professional liability insurance, the financial security applied to repayment of funds, the received notes or values... benefit exclusively clients.

The profession does not enjoy any monopoly and accepts competition that is stimulating.

Firm executives are practicing professionals. They constitute a majority both in numbers and in terms of capital. The private practice of the profession partakes of its independence.

They contribute to the balance between protecting intellectual property and observing the public domain: they both act for the owner of rights and for the alleged infringer or opposing party. ●



The commitment of IP Attorney firms: provide an advice that is 100% responsible



The firms are committed through the voices of their executives to providing impartial professional advices in an open manner: they address the information needs of their clients, are available for awareness-raising sessions, ensure that the structure of the fees charged is clear compared with the services provided and that IP procedures and law are explained to their clients for a better understanding and fluidity of IP Attorney-client relations.

The firms are committed to securing their administrative procedures (control of related risks), obtaining titles that would be useful for the clients' strategy, extending the confidentiality obligation to all staff members having access to the files, throughout the employment contract and thereafter.

They are committed to responding promptly, adapting in case of emergency, using secured tools for managing deadlines, reporting on achievements, measuring client satisfaction throughout the provision of services, and considering any opportunity to improve the provision of services.

Firm executives are committed to establishing governance based on the values of the profession combining both entrepreneurial and liberal mindsets.

Firm executives are committed to respecting all individuals without discrimination of any kind, acting fairly, ensuring social diversity and fighting inequality.

Firm executives are committed to strictly complying with safety and health legal obligations in the workplace and considering the impact of their actions upon communities, people and activities. They are committed to implementing both a CSR (corporate social responsibility) and an environmental approach. ●



Who are the IP Attorneys?

A first year of a Master Degree in private law or in sciences, or an engineering degree, is a prerequisite to qualify as an industrial property attorney.

This initial education is generally supplemented by a specialized curriculum completed at the University of Strasbourg's Center for International Intellectual Property Studies (CEIPI).

A second year of a Master degree, in some fields of education, also makes it possible to become an industrial property attorney. In both cases, to exercise fully their expertise, three years in an IP Attorney firm or an IP department will be necessary as well as the qualification issued by the French Patent and Trademark Office (INPI).

Furthermore, high proficiency in English (German, Spanish and Chinese are likewise often practiced) is needed, knowing that the activity has a strong international orientation and also requires that engineers pass European qualifying examinations that are considered to be difficult. ●

I BECOME A MEMBER



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