

AIPLA

**Report of the
Economic Survey**

2013

**Prepared Under Direction of
Law Practice Management Committee**

**American Intellectual Property Law Association
241 18th Street South, Suite 700
Arlington, Virginia 22202
www.aipla.org**

AIPLA

American Intellectual Property Law Association
Serving America's Legal and Creative Community

REPORT OF THE ECONOMIC SURVEY 2013

**PREPARED UNDER DIRECTION OF THE
AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION
LAW PRACTICE MANAGEMENT COMMITTEE**

**DAVID A. DIVINE, CHAIR
RICHARD W. GOLDSTEIN, VICE CHAIR**

July 2013

ARI **Association
Research, Inc.**

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

AIPLA LAW PRACTICE MANAGEMENT 2013 ECONOMIC SURVEY PARTICIPANTS

**WE WOULD LIKE TO THANK THOSE WHO HELPED PUT TOGETHER AND REVIEW THIS YEAR'S
AIPLA ECONOMIC SURVEY:**

DAVE DIVINE: LEE & HAYES – CHAIR OF LPM COMMITTEE

RICHARD GOLDSTEIN: GOLDSTEIN PATENT LAW – VICE CHAIR OF LPM COMMITTEE

COLLEEN SCHALLER: HOWSON & HOWSON LLP – CHAIR OF ECONOMIC SURVEY SUBCOMMITTEE

JOHN THUERMER: SQUIRE SANDERS – VICE CHAIR OF ECONOMIC SURVEY SUBCOMMITTEE

ASHRAF ABDUL-MOHSEN: ARI

SALVATORE ANASTASI: – BARLEY SNYDER

RHONDA BOGART: LEE & HAYES

MEGHAN DONOHOE: AIPLA

NEIL KARDOS: HARRITY & HARRITY LLP

MEGAN KIRKEGAARD: ARI

DAVID MORELAND: MARKS & CLERK

DOUGLAS NEMEC: SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

MOLLY WEISBLATT: AIPLA

©2013 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.

COPIES OF THIS REPORT ARE AVAILABLE FROM AIPLA AT A COST OF \$45 PER COPY FOR MEMBERS AND \$495 PER COPY FOR NON-MEMBERS.

**AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION
241 18TH STREET, SOUTH, SUITE 700
ARLINGTON VA 22202-3694
(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	6
INCOME RECEIVED IN 2012 AND PROJECTED FOR 2013, BILLING RATES, AND BILLABLE HOURS.....	7
SUMMARY OF SURVEY RESULTS BY PRACTICE TYPE	11
SOLO PRACTITIONER	11
PRIVATE FIRM, PARTNER	14
PRIVATE FIRM, ASSOCIATE.....	17
PRIVATE FIRM, OF COUNSEL	20
HEAD OF CORPORATE IP DEPARTMENT	23
CORPORATE IP DEPARTMENT, ATTORNEY	24
PRIVATE FIRM, PATENT AGENT	25
CORPORATE IP DEPARTMENT, PATENT AGENT	26
TYPICAL CHARGES FOR IP LAW SERVICES	27
TYPICAL TYPE OF FEE FOR IP LAW SERVICE CHARGES	31
TYPICAL COSTS OF LITIGATION	34
CHARACTERISTICS OF FIRMS	42
NUMBER AND TYPE OF ATTORNEYS	42
ASSOCIATE STARTING SALARY AND SUMMER MONTHLY PAY	44
SUPPORT STAFF AND SERVICES	46
BILLING RATES AND PRACTICES.....	49
LIABILITY INSURANCE.....	52
BUSINESS DEVELOPMENT	52
STATISTICAL TABLES.....	APPENDIX A
INDIVIDUAL DATA	I-1 TO I-192
FIRM DATA.....	F-1 TO F-44
SURVEY INSTRUMENTS	APPENDIX B

INTRODUCTION

The AIPLA Economic Survey, developed and directed by the Law Practice Management Committee of the American Intellectual Property Law Association (AIPLA), reports the annual incomes and related professional and demographic characteristics of intellectual property (IP) law attorneys and associated patent agents. Conducted every other year by AIPLA, this survey also examines the economic aspects of intellectual property law practice, including individual billing rates and typical charges for representative IP law services. All AIPLA members were invited to participate.

The Law Practice Management Committee took an active role in reviewing the Economic Survey with a goal of improving the usefulness and value of the data that are collected and analyzed.

DATA COLLECTION

An e-mail invitation to participate in the 2013 AIPLA Economic Survey was sent to a list of 12,605 AIPLA members; accounting for bounces and requests to be removed from the database, the actual sample surveyed was 11,870. The e-mail included an individualized direct link to the Web-based questionnaire along with an attached letter requesting additional participation in the Firm portion of the Economic Survey. The initial e-mail was followed up by several e-mail reminders, including notices specifically directed at collecting additional Firm responses.

A total of 1,799 individuals responded by completing some or all of the Individual questionnaire, yielding a 15.2% response rate, similar to 2011. This is the fourth time the survey has been conducted online.

The additional efforts to gather data for the Firm portion of the survey garnered 246 responses—lower than in 2011, when 287 firm representatives completed the firm questionnaire.

All data submitted by respondents were reviewed and evaluated for reasonableness and consistency; data anomalies and outliers were analyzed and corrected or deleted.

In many cases, respondents did not answer every question, so the total counts for each table may vary.

CHANGES TO THE SURVEY

A number of enhancements were made to the 2013 Individual Survey instrument. Questions were added and wording was refined, based on comments and questions received from past surveys. A new question asking about the percentage of the total time spent by respondents in business development was added in Part III for Private Practitioners. Also in Part III, a clarifying phrase, 'If you use billable hours', was added to the question about the number of billable hours recorded in 2012. Furthermore, the question for private practitioners, that was added in 2011 to define who is primarily represented by each firm (plaintiffs, defendants or both equally), was removed from this year's survey because it was decided by the committee that the data collected in 2011 did not bring additional value to the report. For Part IV—under Patent Infringement—several options were added including: All Varieties, Pursuant to the Hatch-Waxman Act, Defending Claims of Patent Infringement by Non-Practicing Entity, and Section 337—Patent Infringement Action in the International Trade Commission. Additionally, the \$1-\$25 million at-risk option for estimating the total cost of litigation was divided into two new categories—\$1-\$10 million and \$10-\$25 million at risk. For historical comparisons, a combined risk category (\$1-\$25 million) was calculated using the averages of total costs from the newly created risk categories.

Finally, a new section about business development was also added to the 2013 Firm Survey instrument, along with a question evaluating the format in which the Report of the Economic Survey would be delivered in future surveys. This format question was also added to the end of the 2013 Individuals Survey instrument.

In the data tables in the report, a minimum of three responses was required to show composite values. **The term “ISD” is used in the tables to show insufficient data.** Different this year, table rows with one or two respondents have been omitted to protect the anonymity of respondents and tables with no valid rows have likewise been omitted. Also, tables with less than 20 respondents overall were not shown in order to maintain statistical reliability of the data.

DESCRIPTION OF STATISTICS AND FORMATTING CONVENTIONS

Quartiles: In tables that report incomes, billing rates, typical charges, and other distributions of real numbers, responses are described by three quartiles: the first quartile, the median, and the third quartile. Quartiles identify interpolated locations on a distribution of values and do not necessarily represent actual reported values. Another label for quartiles is percentiles; the first quartile is the same as the 25th percentile, the median is the 50th percentile, and the third quartile is the 75th percentile. For example, when all reported values are listed from highest to lowest, the third quartile identifies the point on the list that is equal to or greater than 75 percent (three quarters) of the reported values and equal to or less than 25 percent (one quarter).

Median (midpoint): The median identifies the point in the distribution of reported values that is equal to or larger than one-half of reported values and equal to or smaller than one-half—that is, the mid-point.

A median is reported when three or more values were reported by respondents. The first and third quartiles are reported when five or more values were reported by respondents. Quartiles and medians based on values reported by survey respondents are estimates of the quartiles and medians that could be determined if the characteristics of the entire population represented by survey respondents were known. In general, the more values that are reported, the more accurately quartiles estimate the distribution of values among all AIPLA members.

Mean (average): The sum of all values divided by the number of values.

It should be noted that if the mean exceeds the median, it is because high values affect the calculations. It is also possible, especially with a small number of values, for the mean to exceed the third quartile.

Percentages in some tables and some graphs may not sum to exactly 100% due to rounding.

Other definitions useful in understanding tabular information presented in this report are:

Income: Defined as *“total gross income in calendar year 2012 from your primary practice...including any partnership income, cash bonus, share of profits, and similar income you received, and any deferred compensation in which you vested in 2012.”*

Typical Charges: Respondents were instructed to respond *“only if you have been personally responsible for a representative sample of the type of work to which the question pertains, either as a service provider (an attorney in private practice) or as a purchaser of such services (corporate counsel).”* In thinking of a typical charge, respondents were directed to assume *“a typical case with no unusual complications,”* and asked *“what did you charge (or would have charged) or what were you charged (or would have expected to be charged), in 2012, for legal services only (including search fees, but not including copy costs, drawing fees or government fees) in each of the following types of US matters?”* Respondents were also asked to indicate the type of fee primarily used in 2012 (i.e., fixed fee, hourly, other).

Estimated Litigation Costs: Respondents were instructed to respond to these questions “only if you have personal knowledge either as a service provider (attorney in private practice) or as a purchaser of such services (corporate counsel) of the costs incurred within the relatively recent past, for the type of work to which the question pertains. In each of the questions, ‘total cost’ is all costs, including outside legal and paralegal services, local counsel, associates, paralegals, travel and living expenses, fees and costs for court reporters, photocopies, courier services, exhibit preparation, analytical testing, expert witnesses, translators, surveys, jury advisors, and similar expenses.” Respondents were further instructed to estimate these based on a single IP asset, such as one patent at issue or one trademark.

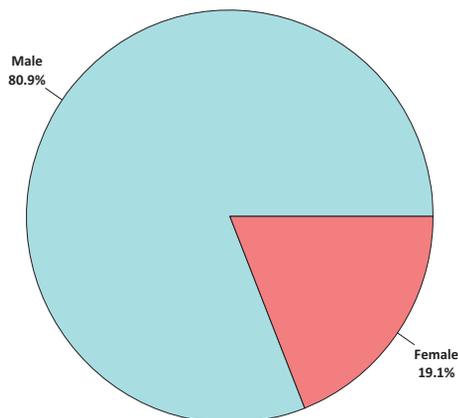
Location: The metropolitan areas of Boston, New York City, Philadelphia, Washington (DC-MD-VA), Chicago, and Minneapolis–St. Paul include all localities—central city and surrounding areas—within the primary metropolitan statistical area. One state—Texas—had sufficiently large numbers of respondents to be reported separately. There were sufficient responses to breakout Los Angeles and San Francisco separately; California firms outside of those metro areas were included in “Other West.” Other categories exclude those named metropolitan areas.

LOCATION		
METROPOLITAN AREAS	PERCENT	COUNT
Boston CMSA*	4.9%	89
New York City CMSA*	8.4%	151
Philadelphia CMSA*	2.9%	53
Washington, DC CMSA*	16.5%	296
Other East: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and West Virginia	5.9%	107
Metro Southeast: Raleigh–Durham, Greensboro–Winston-Salem, and Charlotte, NC; Atlanta, GA; and Miami–Ft. Lauderdale–West Palm Beach, FL	4.2%	75
Other Southeast: North Carolina, South Carolina, Georgia, and Florida	3.0%	54
Chicago CMSA*	5.4%	97
Minneapolis–St. Paul PMSA**	4.4%	79
Other Central: Minnesota, North Dakota, South Dakota, Wisconsin, Michigan, Ohio, Indiana, Illinois, Iowa, Nebraska, Kansas, Missouri, Kentucky, Oklahoma, Arkansas, Louisiana, Mississippi, Alabama, and Tennessee	16.3%	293
Texas	7.3%	132
Los Angeles CMSA*	3.2%	57
San Francisco CMSA*	5.4%	97
Other West: Montana, Wyoming, Colorado, New Mexico, Idaho, Utah, Nevada, Arizona, Washington, Oregon, California, Alaska, and Hawaii	12.2%	219
*CMSA: Consolidated Metropolitan Statistical Area— a metro area with a population of one million or more.		
**PMSA: Primary Metropolitan Statistical Area— a component of a CMSA.		

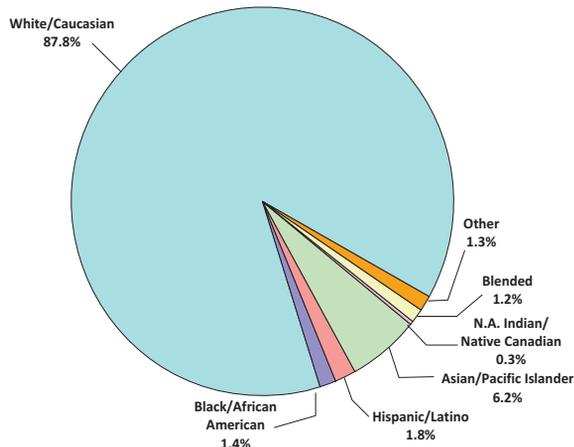
RESPONDENT BACKGROUND

- A total of 1,799 individuals participated in the survey.
- The majority of survey participants were male (80.9%) and white/caucasian (87.8%).
- Six in 10 respondents (60.7%) were under the age of 50, with nearly one-third ranging in age between 40 and 49. The proportion of respondents aged 60 or more was 15.9%, up from 8.5% in 2011.
- Other than a law degree, more than one-third of all respondents (37.2%) reported holding an advanced degree such as a Master’s or Ph.D. A majority of respondents (58.1%) reported holding a Bachelor’s degree.
- Over half (53.7%) of all respondents were Private Firm, Partner and Private Firm, Associate, followed by Corporate IP Department, Attorney (11.2%), Solo Practitioner (8.6%), and Corporate IP Department, Head (6.7%)—all very similar to 2011 and 2009.
- A great deal (88.3%) of all respondents had been admitted to the patent bar.
- About two-thirds of all respondents (68.8%) had fewer than 20 years’ experience practicing Intellectual Property Law, compared with 70.3% reported in the 2011 Economic Survey. 16.0% reported having fewer than 5 years’ of IP law experience in 2012, down slightly from 16.8% for 2010. In 2012, there were fewer respondents with 10-14 years of experience than in 2010 (18.1% vs. 20.8%, respectively).
- Respondents were asked to report their percent of time spent in various areas of technical specialization. The most common IP technical specialization, representing over 50% of respondents’ time, was mechanical (28.4%), followed by computer software (17.5%), chemical (15.6%), and electrical (14.6%).
- Nearly four in 10 respondents (38.6%) practiced in the Mid-Atlantic or New England area, including 16.5% in the Washington, DC, Consolidated Metropolitan Statistical Area (CMSA). The Central region represented 26.1%, and one in five (20.8%) were located in the West—very similar to 2011.
- Similar to the previous two surveys, respondents reported that they were not very likely to have changed employment (87.8%). Of those who had changed employment in 2012 (12.2%), 5.0% had switched from one private firm to another private firm.

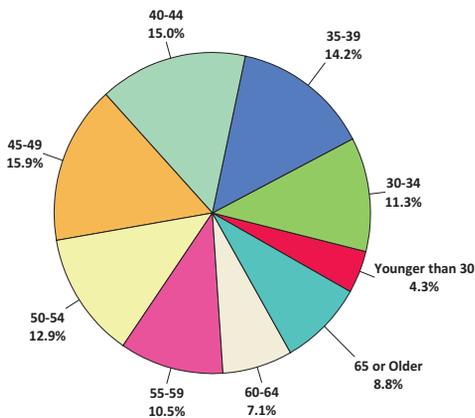
GENDER (P. I-1, Q8)



ETHNICITY (P. I-1, Q9)

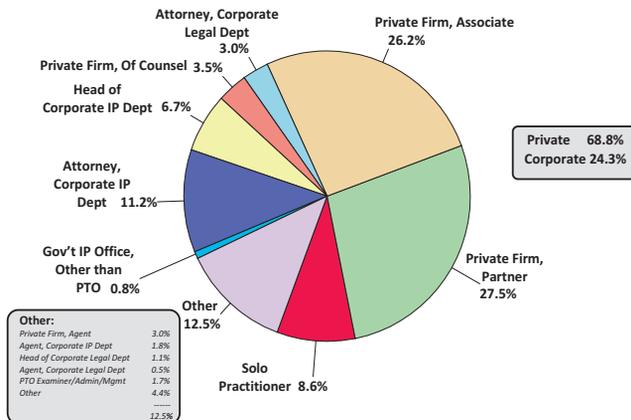


AGE (P. I-1, Q7)

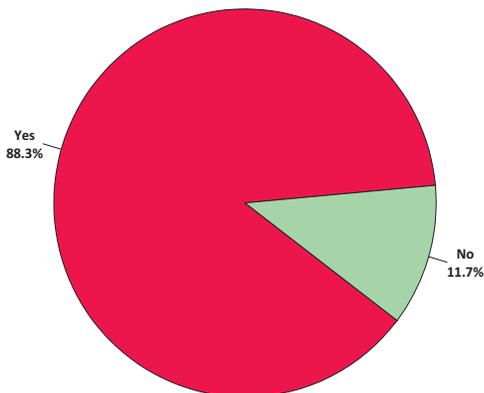


PRIMARY PRACTICE (P. I-1, Q2)

Background of All Respondents

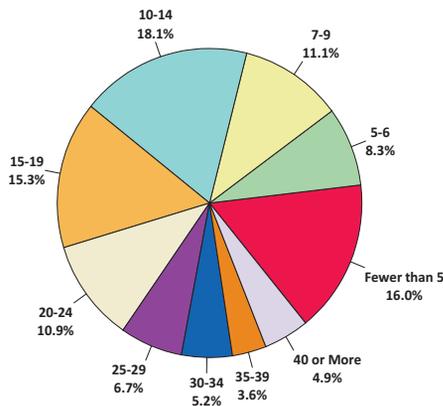


ADMITTED TO THE PATENT BAR (P. I-1, Q4)

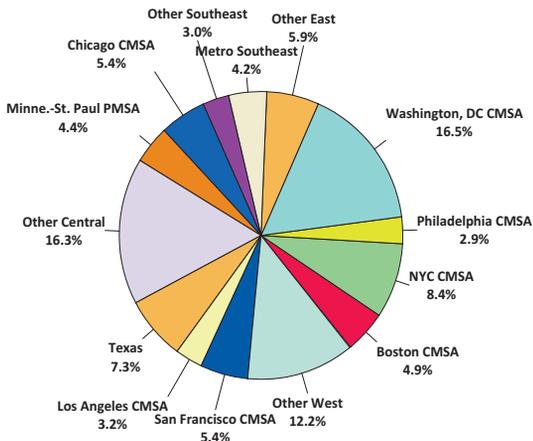


YEARS OF INTELLECTUAL PROPERTY LAW EXPERIENCE (P. I-2, Q10)

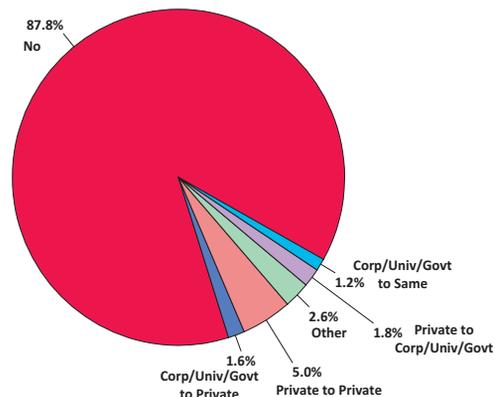
Background of All Respondents



LOCATION (P. I-2, Q1)

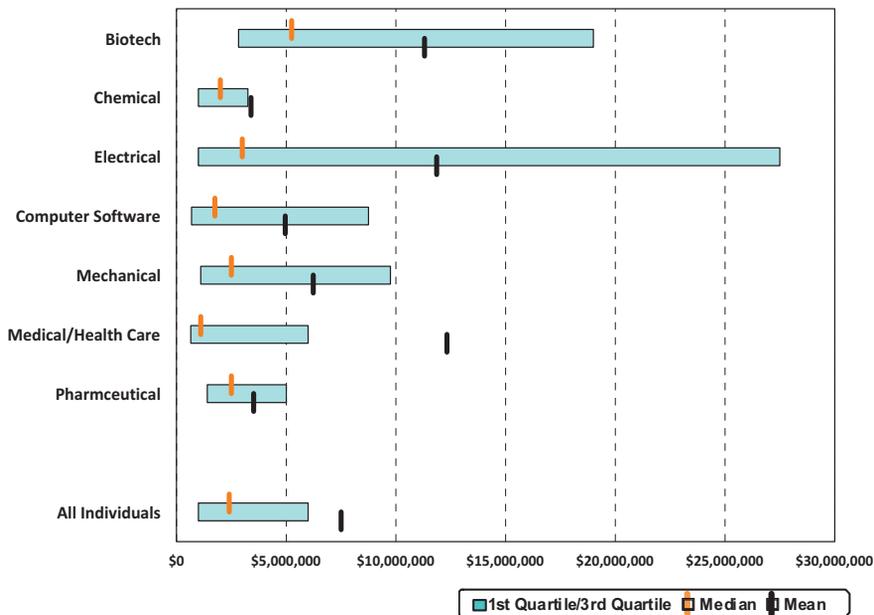


CHANGED EMPLOYMENT IN 2012 (P. I-1, Q5)

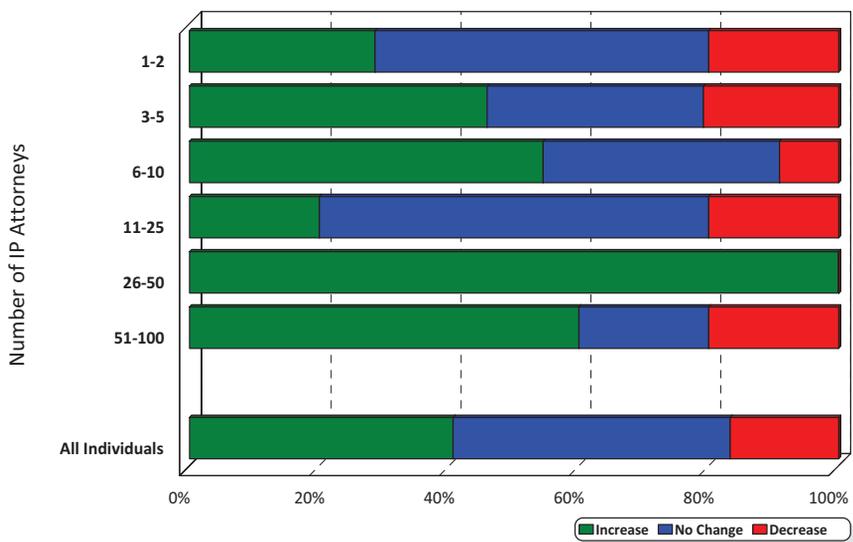


IP BUDGET FOR CORPORATE PRACTITIONERS

**ANNUAL IP BUDGET FOR COMPANY (P. I-73, Q27)
CORPORATE IP, HEAD**
By Technology Focus



**CHANGE IN IP BUDGET FOR COMPANY:
2011-2012 (P. I-74, Q28)**
Reported by Corporate IP, Head



- As reported by Corporate IP Department Heads, six in 10 (60.0%) of the IP budgets for companies with 11–25 full-time IP lawyers and agents stayed the same from 2011 to 2012, more than the 42.7% who reported no change in IP budgets for all responding companies.
- Responding Corporate IP Heads at companies with 6–10 full-time IP lawyers and agents were much more likely to report an increase in their budget from 2011 to 2012 (54.5%) than was reported in 2011 for 2010 budgets compared to 2009, where only 18.8% of firms with 6–10 employees reported an increase in their IP budgets.

INCOME RECEIVED IN 2012 AND PROJECTED FOR 2013, BILLING RATES, AND BILLABLE HOURS

Compensation was measured broadly by gross income, which includes salary, partnership income, bonuses, shares of profits, and deferred compensation. Also covered were retirement and savings plans as well as expected total cash income for 2013. In addition, for private practitioners, data were collected for billable hours and rates and the amount billed for legal services. Findings are summarized below:

- Primary practice median gross income for 2012 was \$210,000 for all participants. This is slightly up from \$205,000 reported for 2010. Among the highest earners was private firm partner with a median income of \$400,000, up from \$374,328 in 2010, but still below levels reported in 2008 (\$415,000).
- Median income in 2012 for those in private practice was \$225,000, 7.1% more than in 2010. On the other hand, corporate practitioners experienced a decrease in income over the past two years to a level of \$211,000, down from \$214,000—a 1.4% decline.
- For 2012, the median employer contribution to 401(k) and 403(b) retirement & savings plans was \$8,500. The median reported by private firm partners was nearly twice the overall—\$16,250—however, slightly lower than the figure reported for 2010.
- The median employer contribution to all other pensions (defined benefit, defined contribution & capital accumulation plans) was \$16,000, based on 211 responses.
- Anticipated total cash income (median) for 2013 was \$220,000, a 4.8% increase over the actual level reported for 2012. Private firm partners reported the highest median anticipated income in 2013, \$400,000, reflecting no change from actual income for 2012.
- Non-cash income for 2012 from law practice stock options, stock sales, and in-kind compensation was \$60,000 (median) for 219 respondents, up from the \$45,000 reported for 2010.
- Median billable hours recorded for all individuals in 2012 was 1,650, exactly the same as median hours reported for 2010. Private firm associates billed the most hours, 1,805 (median), slightly higher than 2010. Private firm partners typically billed 1,650 hours during 2012, similar to 2010.
- The median billing rate for all attorneys was slightly higher in 2012 (\$350 per hour) than in 2010 (\$340). Median billing rate was the highest for private firm partners (\$425) and the lowest for solo practitioners (\$288).
- For 2012, the median dollar amount billed for legal services was \$493,000, up slightly from two years earlier (\$486,500). The highest median was generated by private firm partners (\$610,000), followed by private firm associate (\$455,000); the lowest median was generated by solo practitioners (\$180,000).
- Hourly billing continues to be the predominant billing basis for 2012, used by 72.9% of all respondents, followed by predetermined fee (23.9%). However, solo practitioners bill on an hourly basis 55.7% of the time and use a fixed or predetermined fee 38.7% of the time, very similar to the pattern observed for 2010.
- The percent of billable hours actually billed to clients (hourly or any other basis) was 95% for 2012, unchanged from the median percent reported for 2010.

TYPICAL CHARGES FOR IP LAW SERVICES

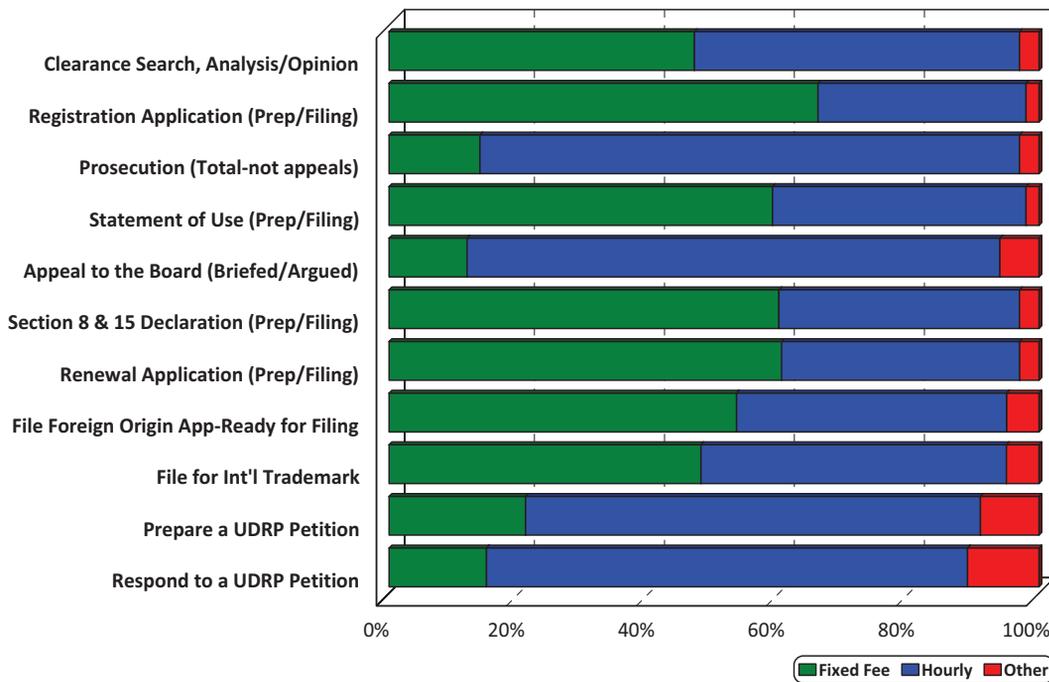
Survey respondents were asked to report typical charges for 38 IP law services—but only if they had been personally responsible for a representative sample of the work involved either as a service provider or as a service purchaser. Charges were to be based on cases with no unusual complications and were to include legal services only (no copy, drawing, or government fees). The 38 services were grouped under four headings: Trademarks (including Service Marks) (11 services), US Utility Patents (18 services), Foreign Origin and Foreign Patents (six services), and US Design Patents, Plant Patents, and Copyrights (three services). The median charge for each service in 2004, 2006, 2008, 2010 and 2012 is provided below.

MEDIAN CHARGES FOR SERVICES	2004	2006	2008	2010	2012
TRADEMARKS					
Clearance search	\$950	\$1,000	\$1,000	\$1,000	\$1,000
Registration application	650	673	700	700	700
Prosecution	1,000	1,000	1,200	1,000	1,000
Statement of use	300	300	350	350	350
Appeal to the Board	3,000	3,000	3,500	3,000	2,500
Section 8 and 15 declaration	400	400	450	450	463
Renewal application	500	500	500	500	500
Filing foreign origin registration application received ready for filing	500	500	500	500	500
Filing for an international trademark	700	700	800	750	700
Preparing for a UDRP petition	N/A	N/A	N/A	2,400	2,400
Responding to a UDRP petition	N/A	N/A	N/A	2,000	1,500
US UTILITY PATENTS					
Original (not divisional, continuation, or CIP) non-provisional application on invention of minimal complexity	\$6,000	\$6,500	\$7,000	\$7,000	\$6,500
Provisional application	3,000	3,500	3,500	3,500	3,500
Original application, relatively complex—biotech/chemical	12,000	12,000	12,000	10,500	10,000
Original application, relatively complex—electrical/computer	10,000	10,000	10,000	10,000	10,000
Original application, relatively complex—mechanical	8,000	8,600	9,000	9,000	8,500
Application amendment/argument of minimal complexity	1,500	1,600	1,850	1,800	1,800
Application amendment/argument, relatively complex—biotech/chemical	3,000	3,000	3,200	3,000	3,000
Application amendment/argument, relatively complex—electrical/computer	2,800	3,000	3,000	3,000	3,000
Application amendment/argument, relatively complex—mechanical	2,500	2,500	2,500	2,500	2,500
Appeal to Board without oral argument	3,600	4,000	4,500	4,000	4,000
Appeal to Board with oral argument	6,500	6,500	8,000	7,500	7,000
Issuing an allowed application	500	500	500	500	500
Ex parte re-exam	7,500	9,500	10,000	10,000	15,000
Paying a maintenance fee	200	250	250	250	250
Novelty search	1,500	2,000	2,000	2,000	2,000
Validity/invalidity only opinion per patent	10,000	13,000	12,000	10,000	10,000
Infringement/non-infringement only opinion per patent	10,000	10,000	10,000	10,000	10,000
Combination validity and infringement per patent	15,000	20,000	18,000	15,000	15,000
FOREIGN ORIGIN AND FOREIGN PATENTS					
Filing in USPTO, received ready for filing	\$900	\$1,000	\$1,000	\$1,000	\$950
Filing non-PCT application abroad, per country	800	900	900	875	800
Filing previously prepared US application as PCT application in US	900	1,000	1,000	1,000	998
Entering National Stage in US Receiving Office from foreign origin	800	900	1,000	1,000	1,000
Entering National Stage in each foreign receiving office from US origin	606	750	800	800	760
Paying an annuity or maintenance fee	200	250	250	250	250
US DESIGN PATENTS, PLANT PATENTS, AND COPYRIGHTS					
US design patent application	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500
US plant patent application	2,000	2,000	2,000	2,300	1,500
Copyright registration application	300	300	350	395	350

TYPICAL TYPE OF FEE FOR IP LAW SERVICE CHARGES

For a Trademark Prosecution (total, including amendments and interviews but not appeals), 83.1% of respondents primarily billed hourly. Additionally, the larger firms (60 or more attorneys) were more likely than the smaller firms (1-3 attorneys) to bill hourly, 84.4% compared to 74.5%, respectively. Regarding US Utility Patents charges, approximately one-third of respondents reported using a fixed fee for Original (not divisional, continuation, or CIP) non-provisional utility patent applications on inventions of minimal complexity, e.g., 10 page specification, 10 claims (Preparation and Filing). More specifically, respondents reporting in Philadelphia (20.0%) and San Francisco (29.0%) were less likely than the average respondent (36.3%) to primarily use fixed fees for this type of charge. For most Foreign Origin and Foreign Patent fees, respondents are split with approximately half using fixed fees and the other half using hourly fees. The smaller firms (1-3 attorneys) are less likely to be primarily charging hourly fees than the larger firms (60 or more attorneys) for these types of charges. US plant patent application preparation and filing was reported as being billed on an hourly basis by 67.2% of respondents.

**TYPE OF FEE PRIMARILY USED IN 2012 FOR TRADEMARKS:
(P. I-126, Q37a-Q37k)**



TYPICAL COSTS OF LITIGATION

Survey participants were asked to provide cost estimates, *but only for the types of litigation they had personal knowledge of, either as a service provider (attorney in private practice) or as a purchaser (corporate counsel), and were engaged in recently.* “Total cost” was requested, including outside legal and paralegal services, local counsel, associates, paralegals, travel and living expenses, fees and costs for court reporters, photocopies, courier services, exhibit preparation, analytical testing, expert witnesses, translators, surveys, jury advisors, and similar expenses.

The following table reports median litigation costs for Patent Infringement, Trademark Infringement, Trademark Opposition/Cancellation, Copyright Infringement, Trade Secret Misappropriation, Two-Party Interference, and Inter Partes Reexamination. In this year’s survey, more varieties were added under the patent infringement suit. In addition, the \$1-\$25 million at-risk option for estimating the total cost of litigation was divided into two new categories—\$1-\$10 million and \$10-\$25 million at risk. For historical comparisons, a combined risk category (\$1-\$25 million) was calculated using averages of the total costs for the newly created risk categories.

Median costs for Inter Partes Reexamination have experienced the most growth compared to 2011, while median costs for other types of suits have seen ups and downs. Median litigation costs for patent infringement suits have not changed much since 2011, with the exception of cases with more than \$25 million at risk inclusive, all costs, which has actually increased 10% when compared to 2011.

MEDIAN LITIGATION COSTS	\$000s				
	2005	2007	2009	2011	2013
PATENT INFRINGEMENT SUIT, ALL VARIETIES					
LESS THAN \$1 MILLION AT RISK					
End of discovery	\$350	\$350	\$350	\$350	\$350
Inclusive, all costs	650	600	650	650	700
\$1-\$10 MILLION AT RISK					
End of discovery	N/A	N/A	N/A	N/A	\$1,000
Inclusive, all costs	N/A	N/A	N/A	N/A	2,000
\$10-\$25 MILLION AT RISK					
End of discovery	N/A	N/A	N/A	N/A	\$2,000
Inclusive, all costs	N/A	N/A	N/A	N/A	3,325
\$1-\$25 MILLION AT RISK					
End of discovery	\$1,250	\$1,250	\$1,500	\$1,500	\$1,400
Inclusive, all costs	2,000	2,500	2,500	2,500	2,600
MORE THAN \$25 MILLION AT RISK					
End of discovery	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
Inclusive, all costs	4,500	5,000	5,500	5,000	5,500
PATENT INFRINGEMENT PURSUANT TO THE HATCH-WAXMAN ACT (I.E., "ANDA LITIGATION")					
LESS THAN \$1 MILLION AT RISK					
End of discovery	N/A	N/A	N/A	N/A	\$300
Inclusive, all costs	N/A	N/A	N/A	N/A	513
\$1-\$10 Million at Risk					
End of discovery	N/A	N/A	N/A	N/A	\$1,000
Inclusive, all costs	N/A	N/A	N/A	N/A	1,800
\$10-\$25 Million at Risk					
End of discovery	N/A	N/A	N/A	N/A	\$2,500
Inclusive, all costs	N/A	N/A	N/A	N/A	4,000
\$1-\$25 Million at Risk					
End of discovery	N/A	N/A	N/A	N/A	\$1,750
Inclusive, all costs	N/A	N/A	N/A	N/A	2,650
More than \$25 Million at Risk					
End of discovery	N/A	N/A	N/A	N/A	\$3,250
Inclusive, all costs	N/A	N/A	N/A	N/A	6,000

MEDIAN LITIGATION COSTS (CONTINUED)	\$000s				
	2005	2007	2009	2011	2013
PATENT INFRINGEMENT SUIT, DEFENDING CLAIMS OF					
PATENT INFRINGEMENT BY NON-PRACTICING ENTITY					
LESS THAN \$1 MILLION AT RISK					
End of discovery	N/A	N/A	N/A	N/A	\$300
Inclusive, all costs	N/A	N/A	N/A	N/A	600
\$1-\$10 MILLION AT RISK					
End of discovery	N/A	N/A	N/A	N/A	\$750
Inclusive, all costs	N/A	N/A	N/A	N/A	1,250
\$10-\$25 MILLION AT RISK					
End of discovery	N/A	N/A	N/A	N/A	\$1,500
Inclusive, all costs	N/A	N/A	N/A	N/A	2,400
\$1-\$25 MILLION AT RISK					
End of discovery	N/A	N/A	N/A	N/A	\$983
Inclusive, all costs	N/A	N/A	N/A	N/A	1,750
MORE THAN \$25 MILLION AT RISK					
End of discovery	N/A	N/A	N/A	N/A	\$2,500
Inclusive, all costs	N/A	N/A	N/A	N/A	4,000
PATENT INFRINGEMENT SUIT, SECTION 337					
LESS THAN \$1 MILLION AT RISK					
End of discovery	N/A	N/A	N/A	N/A	\$375
Inclusive, all costs	N/A	N/A	N/A	N/A	550
\$1-\$10 MILLION AT RISK					
End of discovery	N/A	N/A	N/A	N/A	\$750
Inclusive, all costs	N/A	N/A	N/A	N/A	1,800
\$10-\$25 MILLION AT RISK					
End of discovery	N/A	N/A	N/A	N/A	\$1,500
Inclusive, all costs	N/A	N/A	N/A	N/A	3,000
\$1-\$25 MILLION AT RISK					
End of discovery	N/A	N/A	N/A	N/A	\$1,250
Inclusive, all costs	N/A	N/A	N/A	N/A	2,400
MORE THAN \$25 MILLION AT RISK					
End of discovery	N/A	N/A	N/A	N/A	\$3,000
Inclusive, all costs	N/A	N/A	N/A	N/A	5,000
TRADEMARK INFRINGEMENT SUIT					
LESS THAN \$1 MILLION AT RISK					
End of discovery	\$200	\$150	\$175	\$200	\$150
Inclusive, all costs	300	255	300	350	300
\$1-\$10 MILLION AT RISK					
End of discovery	N/A	N/A	N/A	N/A	\$350
Inclusive, all costs	N/A	N/A	N/A	N/A	550
\$10-\$25 MILLION AT RISK					
End of discovery	N/A	N/A	N/A	N/A	\$500
Inclusive, all costs	N/A	N/A	N/A	N/A	1,000
\$1-\$25 MILLION AT RISK					
End of discovery	\$400	\$350	\$400	\$425	\$450
Inclusive, all costs	700	650	700	775	800
MORE THAN \$25 MILLION AT RISK					
End of discovery	\$750	\$600	\$750	\$1,000	\$750
Inclusive, all costs	1,250	1,250	1,400	1,500	1,500
TRADEMARK OPPOSITION/CANCELLATION					
End of discovery	\$50	\$50	\$50	\$50	\$50
Inclusive, all costs	80	75	80	90	80

MEDIAN LITIGATION COSTS (CONTINUED)		\$000s				
	2005	2007	2009	2011	2013	
COPYRIGHT INFRINGEMENT SUIT						
LESS THAN \$1 MILLION AT RISK						
End of discovery	\$138	\$150	\$150	\$200	\$150	
Inclusive, all costs	250	290	300	350	300	
\$1-\$10 MILLION AT RISK						
End of discovery	N/A	N/A	N/A	N/A	\$350	
Inclusive, all costs	N/A	N/A	N/A	N/A	563	
\$10-\$25 MILLION AT RISK						
End of discovery	N/A	N/A	N/A	N/A	\$600	
Inclusive, all costs	N/A	N/A	N/A	N/A	1,000	
\$1-\$25 MILLION AT RISK						
End of discovery	\$250	\$350	\$350	\$400	\$400	
Inclusive, all costs	440	500	600	700	788	
MORE THAN \$25 MILLION AT RISK						
End of discovery	\$550	\$550	\$750	\$ 750	\$775	
Inclusive, all costs	975	1,000	1,100	1,375	1,625	
TRADE SECRET MISAPPROPRIATION SUIT						
LESS THAN \$1 MILLION AT RISK						
End of discovery	\$200	\$200	\$250	\$250	\$250	
Inclusive, all costs	300	350	400	425	425	
\$1-\$10 MILLION AT RISK						
End of discovery	N/A	N/A	N/A	N/A	\$500	
Inclusive, all costs	N/A	N/A	N/A	N/A	800	
\$10-\$25 MILLION AT RISK						
End of discovery	N/A	N/A	N/A	N/A	\$850	
Inclusive, all costs	N/A	N/A	N/A	N/A	1,400	
\$1-\$25 MILLION AT RISK						
End of discovery	\$500	\$500	\$600	\$700	\$750	
Inclusive, all costs	1,000	800	1,000	1,000	1,150	
MORE THAN \$25 MILLION AT RISK						
End of discovery	\$1,000	\$1,000	\$1,225	\$1,360	\$1,900	
Inclusive, all costs	2,000	1,750	2,250	2,500	2,950	
TWO-PARTY INTERFERENCE						
End of discovery	\$300	\$200	\$200	\$175	\$200	
Inclusive, all costs	600	450	463	338	300	
INTER PARTES REEXAMINATION						
Through filing request	\$20	\$15	\$25	\$35	\$50	
Inclusive of first patent owner response	30	27	38	50	70	
Inclusive of all patent owner responses	40	43	55	75	100	
Inclusive of an appeal to the board	52	73	80	100	130	
Inclusive of an appeal to federal court	95	150	188	200	250	

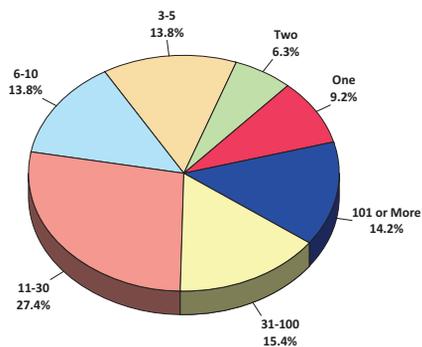
CHARACTERISTICS OF FIRMS

A separate questionnaire was used to obtain data on the characteristics of firms engaged in IP practice, including the number and type of attorneys, support staff employed, activities outsourced, billing rates and practices, and liability insurance issues. The source of this information was typically the managing partner/shareholder (56.6%). The information provided by 246 private firms is summarized and illustrated below.

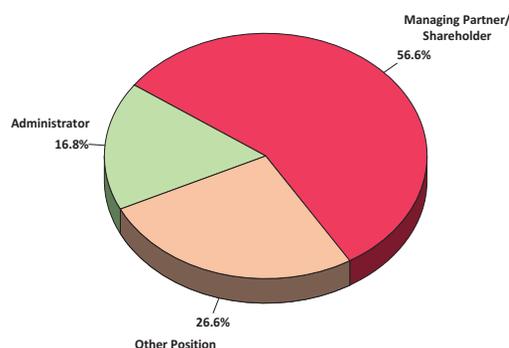
NUMBER AND TYPE OF ATTORNEYS

- Approximately three of 10 responding firms (29.3%) had five or fewer attorneys. Four in 10 responding firms (41.3%) reported having six to 30 attorneys, more than the portion (34.5%) reporting the same in 2011.
- Approximately three-quarters (73.5%) reported having only one major office location, more than the 61.5% reported in 2011.
- 83.2% reported that IP accounted for three-quarters or more of their practice, up slightly from the 80% reported in 2011.
- The median number of partners/shareholders for all firms in 2012 remained at the same level reported in 2010 (5.0), but is lower than the 6.5 reported in 2008. Nearly eight of 10 firms (78.8%) reported having associates in 2012, with a median number of 11.0, up from 9.0 reported for 2010, but down from the 13.0 reported for 2008.
- The typical fee paid to recruiters averaged 21.5% of the starting salary, down from the 25% reported in 2011.
- Nearly nine in 10 responding firms (87.1%) indicated that less than 25% of attorneys were hired through a recruiter.

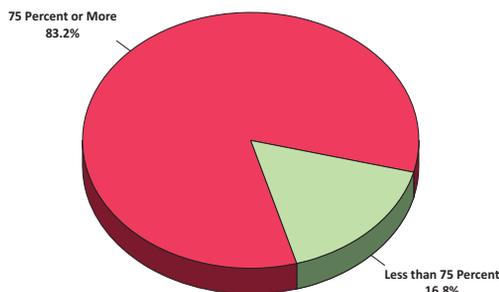
NUMBER OF ATTORNEYS IN FIRM IN 2012 (P. F-1, Q5)



POSITION OF PERSON RESPONDING TO FIRM SURVEY (P. F-2, Q1)



PERCENT OF PRACTICE THAT IS IP (P. F-1, Q21)

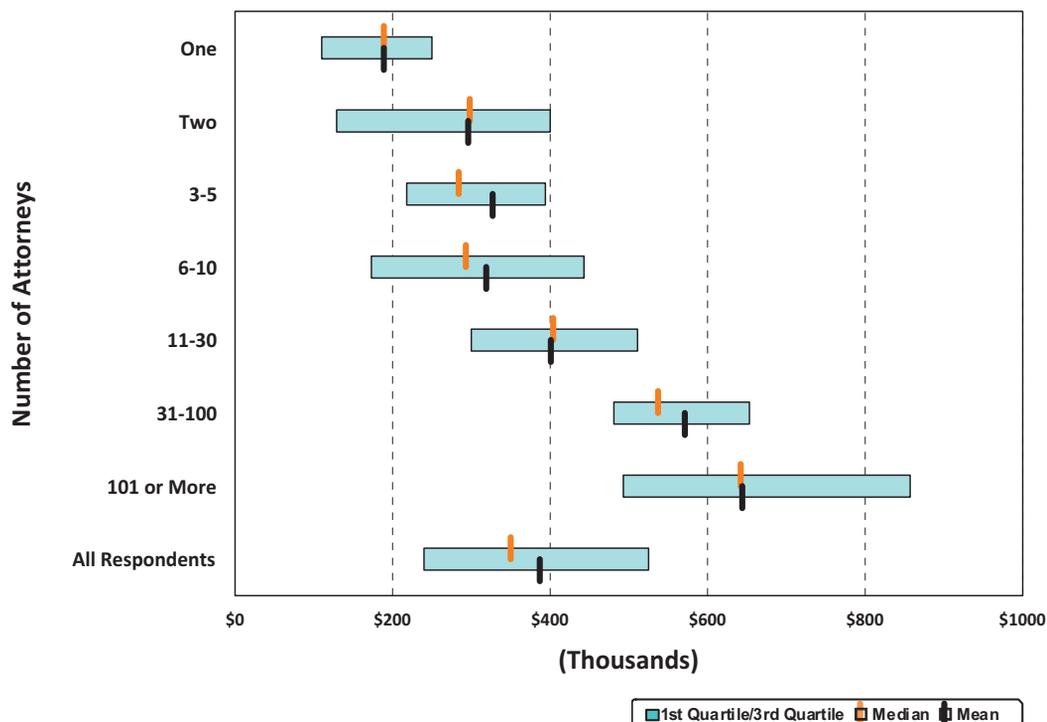


BILLING RATES AND PRACTICES

- For 2012, median firm billings for professional legal services were \$3,272,000. The median amount billed by firms whose practice was 75% or more IP was \$2,800,000. These figures are relatively similar to the ones reported for 2010 (\$3,450,000 and \$2,495,000, respectively), but are considerably lower than those reported for 2008 (\$6,159,722 and \$3,959,794, respectively). The median firm billings for professional legal services were 53.1% of the figure reported for 2008.
- The typical firm in 2012 reported total billings per attorney of \$350,000, an amount 10.1% lower than in 2010 and 12.5% lower than in 2008. Firms with 101 or more attorneys reported a median value of \$641,606, approximately two to three times the amount for the smaller firms (5 or fewer attorneys). Compared to 2010, the billings per attorney for the smallest firms was 1.8% lower for firms with one attorney but 49.1% higher for firms with two attorneys; the largest firms' billings per attorney was 9.8% higher. Firms with 6-10 attorneys saw a decrease of 14.3% compared to 2010 billings per attorney.
- The median average billing rate for IP work was \$330 in 2012, higher than the median of \$320 in 2010 and \$300 in 2008. Respondents at the largest firms reported a median average billing rate for IP work of \$450 for 2012, 5.9% higher than reported for 2010.
- For 2012, the median average billing rate for non-IP work was \$339 for all respondents, but was \$483 for those at the largest firms.
- The average ratio of firm collections in 2012 to the firm's billings in 2012 was 94.2%, up slightly from 2010.
- Overhead for all firms was 35.0% of total 2012 collections, unchanged from its level in 2010.
- The average percent change in billings for IP legal services, from 2011 to 2012, was 17.8%, and 14.3% from 2010 to 2011.

TOTAL 2012 BILLINGS PER ATTORNEY (P. F-20, Q25)

By Number of Attorneys in Firm in 2012



LIABILITY INSURANCE

- In 2012, the typical firm reported maximum total liability coverage of \$4,350,000, down from the five million dollars reported in 2010.
- The maximum coverage per claim in 2012 was \$3,000,000 (median), up from 2010 (\$2,750,000) but lower than in 2008 when it was \$3,500,000.
- The median total deductible in 2012 was \$25,000, unchanged from the figure reported for 2010.
- The median per claim deductible was also \$25,000, reflecting no change from 2010, 2008 and 2006.
- Liability insurance cost per attorney was a median of \$4,427 in 2012, a little lower than reported in 2010 (\$4,901).
- The typical firm had one liability claim for IP matters made in the past five years and .07 claims per IP attorney in the past 5 years.

BUSINESS DEVELOPMENT

- Seven in 10 responding firms do not have dedicated business development personnel.
- One third (32.4%) of respondents indicated that 81-100% of firm lawyers actively engage in business development.
- Partners typically field “cold” inquiries at 58.5% of responding firms, 15.8% reported that Associates typically field “cold” inquiries regarding potential representation.
- Nearly three quarters (72.6%) of responding firms offer a free consultation with an attorney for “cold” inquiries.
- Most firms (82.6%) report that 0-20% of new business comes from “cold” inquiries, and 47.1% report that 81-100% of new business comes from referrals from colleagues and clients.
- Seven in 10 firms reward individuals for new business brought in through business development, and are most frequently rewarded with an origination credit (73.0%).
- Lawyers receiving an origination credit are credited most often with 5-10% of the billings (42.5%) followed by more than 30% of the billings (25.3%).
- The origination credit most often lasts as long as the client remains with the firm – this reported by 83.1% of responding firms.

APPENDIX B

July 29, 2013

Dear AIPLA Member:

Do you question whether your fees are fair both to you and your clients? Do you ever wonder how your salary and benefits compare to those of your colleagues?

On behalf of the Law Practice Management Committee of the AIPLA, I am pleased to enclose a copy of the widely acclaimed *2013 Report of the Economic Survey* so you can find out answers to these questions, and more.

The 2013 edition of the Report of the Economic Survey provides an in-depth report on the annual incomes and demographics of intellectual property law attorneys, agents, and other IP law professionals. The Report also examines the economic aspects of intellectual property law practices, including individual billing rates and typical charges for representative IP law services such as litigation costs. In addition, the report contains the costs in the different regions of the country for filing a patent application or registering a copyright or trademark.

The report contains enhanced color graphs linked to detailed data profiles for the varying practice types. In addition to this report, each survey respondent will receive an electronic benchmarking tool, so you can compare your information to the data.

Many US District Courts and the US Court of Appeals for the Federal Circuit have cited AIPLA Economic Surveys. Information taken from past surveys frequently appears in law journals and other publications. Journal articles have cited the survey to help potential clients determine appropriate costs for procuring intellectual property as well as the costs associated with enforcing intellectual property rights.

I would like to thank Dave Divine, Chair of the Law Practice Management Committee, Rich Goldstein, Vice Chair of the Law Practice Management Committee and all of the members of the Committee for their hard work in putting this publication together. We are pleased to continue bringing you this valuable member benefit. Members may obtain additional copies of the survey for \$45 each. The survey is available to non-members at a cost of \$495.

We hope that you find the Report a useful reference tool in your practice.

Sincerely,

Jeffrey I.D. Lewis
President

AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION

AIPLA 2013 ECONOMIC SURVEY — INDIVIDUALS

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 **February 21, 2013**, either online or by fax to 240-268-1267.

PART I. GENERAL QUESTIONS FOR ALL RESPONDENTS

- 1. What is the ZIP code of your office location or primary work site?** (zip code) _____
- 2. What is your primary practice?** (CHECK THE ONE CATEGORY THAT BEST DESCRIBES YOUR PRACTICE.)

PRIVATE FIRM	CORPORATE LEGAL DEPARTMENT
<input type="checkbox"/> Solo Practitioner	<input type="checkbox"/> Head of Legal Department (for entire corporation or a division)
<input type="checkbox"/> Equity Partner, Shareholder (or equivalent)	<input type="checkbox"/> Attorney
<input type="checkbox"/> Associate, Non-equity Partner (or equivalent)	<input type="checkbox"/> Patent Agent
<input type="checkbox"/> Patent Agent	GOVERNMENT
<input type="checkbox"/> Of Counsel (or equivalent)	<input type="checkbox"/> PTO Examiner (up to and including SPE)
CORPORATE IP DEPARTMENT	<input type="checkbox"/> PTO Administration, Management, Solicitor's Office
<input type="checkbox"/> Head of IP Department (for entire corporation or a division)	<input type="checkbox"/> Government IP Office, other than PTO
<input type="checkbox"/> Attorney	OTHER
<input type="checkbox"/> Patent Agent	<input type="checkbox"/> Other; please describe _____
- 3. What percent of your time was devoted to IP practice during 2012?**
 Less than 50% 50% - 79% 80% or more
- 4. Are you admitted to the Patent Bar?**
 Yes No
- 5. Did you change employment in 2012?** (CHECK ONLY ONE)
 No
 Yes, moved from a private firm to a private firm.
 Yes, moved from a private firm to a corporation, university or Government IP office.
 Yes, moved from a corporation, university or Government IP office to a different corporation, university or Government IP office.
 Yes, moved from a corporation, university or Government IP office to a private firm.
 Other (SPECIFY) _____
- 6. Did your current employer have a change in status in the past year due to a merger, joint venture or other change in corporate structure?** Yes No
- 7. In what year were you born?** 19 ____
- 8. What is your gender?** Male Female

9. How would you describe your ethnicity?

- White/Caucasian
- Black/African American
- Hispanic/Latino
- Asian/Pacific Islander

- North American Indian/Native Canadian
- Blended
- Other (SPECIFY) _____

10. How many full years of IP law attorney experience do you have? _____ years

11. What is your major technical undergraduate degree?

- Biotechnology
- Chemical
- Computer Hardware
- Computer Software

- Electrical
- Mechanical
- General Science
- Other (SPECIFY) _____

12. Other than a law degree, what is your highest completed education?

- None
- Bachelor's Degree
- Master's Degree
- Doctorate Degree
- Other (SPECIFY) _____

13. What was your total gross income in calendar year 2012 from your primary practice? (Include any partnership income, cash bonus, share of profits, and similar income you received, and any deferred compensation in which you vested in 2012.) \$ _____

14. What was your employer's 2012 contribution on your behalf to all 401(k)/403(b) retirement and savings plans? \$ _____

15. Excluding 401(k)/403(b) retirement and savings plans, what was your employer's 2012 contribution on your behalf to all pension and capital accumulation plans, including defined benefit or defined contribution pension plans? If you are self-employed, what contribution did you make to your retirement plan? \$ _____ Employer made a contribution and the amount is unknown.

16. What is your expected total cash income for 2013? (As in Q. 13 above, includes expected cash income, including bonus and profit-sharing.) \$ _____

17. How much gross income from the practice of law, not included in Q. 13 above (e.g., from exercises of stock options, sales of stock grants, in-kind compensation), did you receive: \$ _____

18. What percent of your time is devoted to each of the following types of work? Responses should total 100%.

- ____% Direct IP prosecution work (all patents, trade secrets, trademarks, copyrights) including selection, evaluation, application preparation and prosecution, including related counseling and ex parte appeals (not including supervision or management thereof)
- ____% Supervision of IP prosecution work by other attorneys or agents
- ____% Opinions, counseling or inter partes conflicts or prospective conflicts prior to litigation or formal ADR (not including actual litigation, ADR, negotiation or licensing)
- ____% Licensing
- ____% Non-licensing transactional work (e.g., mergers, acquisitions, joint ventures, obtaining financing and due diligence associated with such matters)
- ____% IP Litigation
- ____% Other dispute resolution (including all inter partes proceedings and ADR, but not ex parte appeals)
- ____% Office management and administration
- ____% Marketing
- ____% Non-IP legal
- ____% Managing outside counsel for IP prosecution work
- ____% Managing outside counsel for IP litigation work
- ____% Other (SPECIFY) _____

100% TOTAL

19. If you are admitted to the Patent Bar, what percent of your time is spent in each of the following areas of technical specialization? Response may total less than 100%.

- ____% Biotechnology
- ____% Chemical
- ____% Computer Hardware
- ____% Computer Software
- ____% Electrical
- ____% Mechanical
- ____% Medical/Health Care
- ____% Pharmaceutical
- ____% Other areas (SPECIFY) _____
- ____% TOTAL (may total less than 100%)

20. What percent of your time is devoted to each of the following practice areas? Response may total less than 100%.

- ____% Business Law
- ____% Copyrights
- ____% Foreign (Non-US) IP Law
- ____% General IP
- ____% Patents
- ____% Trade Secrets
- ____% Trademarks
- ____% Other areas (SPECIFY) _____
- ____% TOTAL (may total less than 100%)

21. Estimate the amount of time spent per month training new associates or in-house counsel: _____ (hours)

22. In all locations, how many full-time IP lawyers and patent agents are employed by your firm or corporation?

23. How many new priority (i.e., not continuation, CIP, or Divisional, but including provisional) US and PCT Patent applications were prepared and filed by you personally in 2012? Include PCT only if not based on a prior application. (Do not include applications prepared by another person which you reviewed, revised and filed.)

PART II. CORPORATE PRACTITIONERS

THESE QUESTIONS SHOULD BE ANSWERED BY CORPORATE PRACTITIONERS ONLY. PLEASE SKIP THIS SECTION IF YOU ARE NOT A CORPORATE PRACTITIONER.

24. How many IP lawyers and patent agents report to you, directly or indirectly?

- 0
- 1 – 5
- 6 – 10
- 11 – 15
- 16 or more

25. Other than as a liaison with outside counsel, what percent of the following activities is handled by in-house counsel?

- | | % by In-house Counsel |
|--|-----------------------|
| a. Litigation | _____% |
| b. Licensing | _____% |
| c. Patent Preparation and Prosecution | _____% |
| d. Trademark Registration, Prosecution and Enforcement | _____% |
| e. Copyright Registration and Enforcement | _____% |

26. What was the annual gross revenue of your organization in 2012 (provide the gross revenue for your business unit if your company tracks gross revenue by business unit) in USD? \$ _____

27. What was the annual corporate IP budget of your organization (excluding litigation) in 2012 (provide the IP budget for your business unit if your company allocates IP budget by business unit) in USD?
\$ _____
28. How much did the annual corporate IP budget of your organization (excluding litigation) change from 2011 to 2012?
 Increase _____%
 No change
 Decrease _____%
29. Which type of technology best describes your corporation? Other includes corporate having multiple technology types. Please specify types:
 Biotech
 Chemical
 Electrical
 Computer Software
 Computer Hardware
 Mechanical
 Medical/Health Care
 Pharmaceutical
 Other (SPECIFY) _____
30. What is your estimate of the percentage of the annual corporate IP budget devoted to each of the following types of work? Responses should total 100%.
 _____% Direct IP prosecution work (all patents, trade secrets, trademarks, copyrights) including selection, evaluation, application preparation and prosecution, including related counseling and ex parte appeals (not including supervision or management thereof)
 _____% Direct IP litigation work
 _____% Managing outside counsel for IP prosecution work
 _____% Managing outside counsel for IP litigation work
 _____% Opinions, counseling
 _____% Licensing
 _____% Non-licensing transactional work (mergers, acquisitions, joint ventures, obtaining financing and due diligence associated with such matters)
 _____% Other dispute resolution (including all inter partes proceedings and ADR, but not ex parte appeals)
 _____% Office management and administration
 _____% Other (SPECIFY) _____
100% TOTAL

PART III. PRIVATE PRACTITIONERS

THESE QUESTIONS SHOULD BE ANSWERED BY PRIVATE PRACTITIONERS ONLY. PLEASE SKIP THIS SECTION IF YOU ARE NOT A PRIVATE PRACTITIONER.

31. What dollar amount was billed for the legal services you performed in 2012? \$ _____
32. What percent of your services in 2012 were billed (or will be billed) on the following basis ?
 Hourly _____%
 Predetermined Fee _____%
 Contingent _____%
 Other _____%
TOTAL 100%
33. If you use billable hours, how many billable hours did you record in 2012? _____ hours
34. What percent of these billable hours were actually billed to clients (hourly or any other basis)? _____%

35. What was your average hourly billing rate in 2012? \$ _____

36. What percentage of the total time you spend in business development is “your own time”, i.e., not during business hours?

- 0%
- 1-10%
- 11-25%
- 26-50%
- More than 50%

PART IV. TYPICAL CHARGES AND COSTS

PROSECUTION AND CLIENT COUNSELING

THESE QUESTIONS SHOULD BE ANSWERED BY BOTH CORPORATE AND PRIVATE PRACTITIONERS.

THE FOLLOWING QUESTIONS, COVERING TRADEMARKS, PATENTS, AND COPYRIGHTS, ASK FOR TYPICAL CHARGES. PLEASE RESPOND ONLY IF YOU HAVE BEEN PERSONALLY RESPONSIBLE FOR A REPRESENTATIVE SAMPLE OF THE TYPE OF WORK TO WHICH THE QUESTION PERTAINS, EITHER AS A SERVICE PROVIDER (I.E., AN ATTORNEY IN PRIVATE PRACTICE) OR AS A PURCHASER OF SUCH SERVICES (I.E., CORPORATE COUNSEL).

ASSUMING A TYPICAL CASE WITH NO UNUSUAL COMPLICATIONS, WHAT DID YOU CHARGE (OR WOULD HAVE CHARGED, E.G., BASED ON A FIXED FEE RATE SCHEDULE) OR WHAT WERE YOU CHARGED (OR WHAT YOU WOULD HAVE EXPECTED TO BE CHARGED, E.G., BASED ON A FIXED FEE RATE SCHEDULE), IN 2012, FOR LEGAL SERVICES ONLY (INCLUDING SEARCH FEES, BUT NOT INCLUDING COPY COSTS, DRAWING FEES OR GOVERNMENT FEES) IN EACH OF THE FOLLOWING TYPES OF US MATTERS? PLEASE ALSO INDICATE THE TYPE OF FEE PRIMARILY USED IN 2012.

37. TRADEMARKS (INCLUDING SERVICE MARKS)				
	Fixed Fee	Hourly	Other	Charged in 2012
a. Trademark Clearance Search, Analysis, and Opinion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
b. Trademark Registration Application (Preparation and Filing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
c. Trademark Prosecution (Total, including amendments and interviews but not appeals)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
d. Trademark Statement of Use (Preparation and Filing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
e. Trademark Appeal to the Board (Briefed and Argued)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
f. Trademark Section 8 and 15 Declaration (Preparation and Filing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
g. Trademark Renewal Application (Preparation and Filing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
h. Filing of Foreign Origin Trademark Registration Application Received Ready for Filing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
i. Filing for an international trademark	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
j. Preparing a UDRP Petition (Uniform Domain-Name Dispute-Resolution)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
k. Responding to a UDRP Petition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$

38. US UTILITY PATENTS				
	Fixed Fee	Hourly	Other	Charged in 2012
a. Original (not divisional, continuation, or CIP) non-provisional utility patent application on invention of minimal complexity, e.g., 10 page specification, 10 claims (Preparation and Filing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
b. Provisional Patent Application (Preparation and Filing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
c. Original utility application, relatively complex biotechnology/chemical (Preparation and Filing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
d. Original utility application, relatively complex electrical/computer (Preparation and Filing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
e. Original utility application, relatively complex mechanical (Preparation and Filing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
f. Patent application amendment/argument of minimal complexity (Preparation and Filing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
g. Patent application amendment/argument, relatively complex, biotechnology/chemical (Preparation and Filing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
h. Patent application amendment/argument, relatively complex, electrical computer (Preparation and Filing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
i. Patent application amendment/argument, relatively complex, mechanical (Preparation and Filing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
j. Appeal to Board in utility patent application without oral argument.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
k. Appeal to Board in utility patent application with oral argument.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
l. Issuing an allowed application (All post-allowance activity)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
m. Ex parte re-exam	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
n. Paying a Maintenance Fee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
o. Utility Patent Novelty Search, Analysis, and Opinion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
p. Validity/Invalidity Only Opinion, per patent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
q. Infringement/Non-Infringement Only Opinion, per patent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
r. Combination validity and Infringement, per patent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$

39. FOREIGN ORIGIN AND FOREIGN PATENTS				
<i>Exclude government, associate, drawing, and similar fees.</i>				
	Fixed Fee	Hourly	Other	Charged in 2012
a. Filing foreign origin utility patent application in USPTO, received ready for filing with formal papers, assignment, and priority documents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
b. Filing non-PCT patent application abroad (per country, not including associate or government fees)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
c. Filing previously prepared US patent application as PCT application in US Receiving Office	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
d. Entering National Stage in US Receiving Office from foreign origin PCT application	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
e. Entering National Stage in each foreign Receiving Office from US origin PCT application	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
f. Paying an annuity or maintenance fee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$

40. OTHER US PATENTS AND COPYRIGHTS				
	Fixed Fee	Hourly	Other	Charged in 2012
a. US design patent application (Preparation and Filing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
b. US plant patent application (Preparation and Filing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
c. Copyright registration application (Preparation and Filing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$

LITIGATION AND RELATED MATTERS

THESE QUESTIONS SHOULD BE ANSWERED BY BOTH CORPORATE AND PRIVATE PRACTITIONERS.

RESPOND TO EACH OF THE FOLLOWING QUESTIONS ONLY IF YOU HAVE PERSONAL KNOWLEDGE EITHER AS A SERVICE PROVIDER (ATTORNEY IN PRIVATE PRACTICE) OR AS A PURCHASER OF SUCH SERVICES (CORPORATE COUNSEL) OF THE COSTS INCURRED WITHIN THE RELATIVELY RECENT PAST, FOR THE TYPE OF WORK TO WHICH THE QUESTION PERTAINS. IN EACH OF THE QUESTIONS, "TOTAL COST" IS ALL COSTS, INCLUDING OUTSIDE LEGAL AND PARALEGAL SERVICES, LOCAL COUNSEL, ASSOCIATES, PARALEGALS, TRAVEL AND LIVING EXPENSES, FEES AND COSTS FOR COURT REPORTERS, PHOTOCOPIES, COURIER SERVICES, EXHIBIT PREPARATION, ANALYTICAL TESTING, EXPERT WITNESSES, TRANSLATORS, SURVEYS, JURY ADVISORS, AND SIMILAR EXPENSES. PLEASE ESTIMATE THESE BASED ON A SINGLE IP ASSET (I.E., ONE PATENT AT ISSUE, ONE TRADEMARK, ETC.).

41. What is your estimate of the total cost of patent infringement suits of the following varieties (i) through the end of discovery, and (ii) inclusive of discovery, motions, pretrial, trial, post-trial, and appeal? *For purposes of this question, "at risk" refers to the financial impact of an adverse judgment. Q. 41D refers to the financial impact of an adverse judgment from imported goods, etc.*

A. LITIGATION-PATENT INFRINGEMENT, ALL VARIETIES	
Less than \$1 million at risk	
a. End of Discovery	\$
b. Inclusive, all costs	\$
\$1-\$10 million at risk	
c. End of Discovery	\$
d. Inclusive, all costs	\$
\$10-\$25 million at risk	
e. End of Discovery	\$
f. Inclusive, all costs	\$
More than \$25 million at risk	
g. End of Discovery	\$
h. Inclusive, all costs	\$

B. LITIGATION-PATENT INFRINGEMENT PURSUANT TO THE HATCH-WAXMAN ACT (i.e., "ANDA LITIGATION")	
Less than \$1 million at risk	
a. End of Discovery	\$
b. Inclusive, all costs	\$
\$1-\$10 million at risk	
c. End of Discovery	\$
d. Inclusive, all costs	\$
\$10-\$25 million at risk	
e. End of Discovery	\$
f. Inclusive, all costs	\$
More than \$25 million at risk	
g. End of Discovery	\$
h. Inclusive, all costs	\$

C. LITIGATION– DEFENDING CLAIMS OF PATENT INFRINGEMENT BY NON-PRACTICING ENTITY	
Less than \$1 million at risk	
a. End of Discovery	\$
b. Inclusive, all costs	\$
\$1-\$10 million at risk	
c. End of Discovery	\$
d. Inclusive, all costs	\$
\$10-\$25 million at risk	
e. End of Discovery	\$
f. Inclusive, all costs	\$
More than \$25 million at risk	
g. End of Discovery	\$
h. Inclusive, all costs	\$

D. LITIGATION– SECTION 337 PATENT INFRINGEMENT ACTION IN THE INTERNATIONAL TRADE COMMISSION	
Less than \$1 million at risk	
a. End of Discovery	\$
b. Inclusive, all costs	\$
\$1-\$10 million at risk	
c. End of Discovery	\$
d. Inclusive, all costs	\$
\$10-\$25 million at risk	
e. End of Discovery	\$
f. Inclusive, all costs	\$
More than \$25 million at risk	
g. End of Discovery	\$
h. Inclusive, all costs	\$

42. What is your estimate of the total cost of a trademark infringement suit (i) through the end of discovery, and (ii) inclusive of discovery, motions, pre-trial, trial, post-trial, and appeal?

LITIGATION–TRADEMARK INFRINGEMENT	
Less than \$1 million at risk	
a. End of Discovery	\$
b. Inclusive, all costs	\$
\$1-\$10 million at risk	
c. End of Discovery	\$
d. Inclusive, all costs	\$
\$10-\$25 million at risk	
e. End of Discovery	\$
f. Inclusive, all costs	\$
More than \$25 million at risk	
g. End of Discovery	\$
h. Inclusive, all costs	\$

43. What is your estimate of the total cost of a trademark opposition/cancellation (i) through end of discovery, and (ii) inclusive of discovery, motions, hearing, and post-hearing?

LITIGATION–TRADEMARK OPPOSITION/CANCELLATION	
a. End of Discovery	\$
b. Inclusive, all costs	\$

44. What is your estimate of the total cost of a copyright infringement suit (i) through the end of discovery, and (ii) inclusive of discovery, motions, pre-trial, trial, post-trial, and appeal?

LITIGATION–COPYRIGHT INFRINGEMENT	
Less than \$1 million at risk	
a. End of Discovery	\$
b. Inclusive, all costs	\$
\$1-\$10 million at risk	
c. End of Discovery	\$
d. Inclusive, all costs	\$
\$10-\$25 million at risk	
e. End of Discovery	\$
f. Inclusive, all costs	\$
More than \$25 million at risk	
g. End of Discovery	\$
h. Inclusive, all costs	\$

45. What is your estimate of the total cost of a trade secret misappropriation suit: (i) through the end of discovery, and (ii) inclusive of discovery, motions, pre-trial, trial, post-trial, and appeal?

LITIGATION– TRADE SECRET MISAPPROPRIATION	
Less than \$1 million at risk	
a. End of Discovery	\$
b. Inclusive, all costs	\$
\$1-\$10 million at risk	
c. End of Discovery	\$
d. Inclusive, all costs	\$
\$10-\$25 million at risk	
e. End of Discovery	\$
f. Inclusive, all costs	\$
More than \$25 million at risk	
g. End of Discovery	\$
h. Inclusive, all costs	\$

46. What is your estimate of the total cost of a two-party interference: (i) through the end of the preliminary motion period, and (ii) inclusive of preliminary and other motions, testimony, briefs and arguments at final hearing, but not appeal.

TWO-PARTY INTERFERENCE	
a. End of Preliminary Motion	\$
b. Inclusive, all costs	\$

47. What is your estimate of the total cost of an Inter Partes Reexamination: (i) through filing the request, (ii) inclusive of a first patent owner response and 3rd party comments, (iii) inclusive of all patent owner responses, 3rd party comments, and closing of prosecution, (iv) inclusive of an appeal to the board, and (v) inclusive of an appeal to the federal court(s)?

INTER PARTES REEXAMINATION	
a. Through filing the request	\$
b. Inclusive of a first patent owner response and 3 rd party comments	\$
c. Inclusive of all patent owner responses, 3 rd party comments, and closing of prosecution	\$
d. Inclusive of an appeal to the board	\$
e. Inclusive of an appeal to the federal court(s)	\$

48. AIPLA is evaluating the format in which the Report of the Economic Survey is delivered to our members. Given the choice, how would you prefer to receive the Report of the Economic Survey in future years? Please check only one.

- Hard copy of standard report (same as it is today)
- Electronic copy of standard report (same content as today, but delivered in PDF or other electronic format)
- Online only copy of expanded report (expanded report would include additional comparison and reporting options)
- Hard copy of summary of report, with expanded report available online (expanded report available online would include additional comparison and reporting options)

OPTIONAL: (TO RECEIVE THE BENCHMARK SPREADSHEET TOOL, PLEASE ENTER YOUR CONTACT INFORMATION BELOW)

NAME: _____

FIRM: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

TELEPHONE NUMBER: _____

E-MAIL ADDRESS: _____

THANK YOU VERY MUCH FOR COMPLETING THIS SURVEY.

YOU MAY FAX YOUR COMPLETED QUESTIONNAIRE TO ARI AT 240-268-1267.

AMERICAN INTELLECTUAL PROPERTY LAW ASSOCIATION

AIPLA 2013 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 **February 21, 2013** either online or by fax to 240-268-1267.

PRIVATE FIRM DATA

- What is the position in the firm of the person responding on behalf of the firm?**
 - Managing Partner/Shareholder
 - Administrator
 - Other; please describe _____
- What is the ZIP code of the firm's principal office location? (zip code) _____**
- How many major office locations—staffed by two or more partners—did the firm have in 2012? _____**
- How many minor (satellite or office location with less than two partners) office locations did the firm have in 2012? _____**
- In each of the following categories, how many attorneys were in the firm in 2012? If the number in any category varied during the year, report the average.**
 - _____ Partner/Shareholder
 - _____ Associate/Non-equity Partner
 - _____ Of Counsel
 - _____ Contract/Part-time
 - _____ **TOTAL attorneys**
- How many attorneys whose practice is primarily IP law were in the firm in 2012? If the number in any category varied during the year, report the average.**
 - _____ Partner/Shareholder
 - _____ Associate/Non-equity Partner
 - _____ Of Counsel
 - _____ Contract/Part-time
 - _____ **TOTAL IP attorneys**
- How many of the following were involved primarily in the IP practice of the firm in 2012?**
 - _____ USPTO-registered Patent Agents (not attorneys)
 - _____ Technical Assistants, including Searchers
 - _____ Paralegal/Legal Assistants
- How many attorneys or agents whose practice is primarily IP law became associated with the firm in 2012? If the number in any category varied during the year, report the average.**
 - _____ Partner/Shareholder
 - _____ Associate/Non-equity Partner
 - _____ Of Counsel
 - _____ Contract/Part-time
 - _____ Patent Agents or trainees
 - _____ **TOTAL IP attorneys and agents**

9. Of all attorneys hired during 2012, what percentage were hired through a recruiter (head hunter)?
- Less than 25%
- 25% – 50%
- 50% - 75%
- 75% or more
10. What was the average fee, as a percent of salary, paid to a recruiter (head hunter)? _____%
11. How many attorneys or agents whose practice is primarily IP law left the firm (including retired) in 2012?
- _____ Partner/Shareholder
- _____ Associate/Non-equity Partner
- _____ Of Counsel
- _____ Contract/Part-time
- _____ Patent Agents or trainees
- _____ TOTAL IP attorneys and agents
12. Considering the number of attorneys and agents associated with the firm whose practice is primarily IP law, please indicate the number by gender. *Please TOTAL at end.*
- Gender:
- _____ Male
- _____ Female
- _____ TOTAL
13. Considering the number of attorneys and agents associated with the firm whose practice is primarily IP law, please indicate the number by ethnicity. *Please TOTAL at end.*
- Ethnicity:
- _____ White/Caucasian
- _____ Black/African American
- _____ Hispanic/Latino
- _____ Asian/Pacific Islander
- _____ North American Indian/Native Canadian
- _____ Blended
- _____ Other
- _____ TOTAL
14. How many support staff (secretarial, clerical, and other non-billable staff) devoted primarily to the support of the IP practice were in the firm in 2012? _____
15. How many summer associates did you have during 2012? _____
16. How many of these summer associates identified in Q. 15 received full-time offers in 2012? _____
17. How many summer associates identified in Q. 15 accepted the firm's offer in 2012? _____
18. How much did you pay summer associates in 2012? _____ per month
19. What percent of the firm's international filing is outsourced to an external provider in 2012? _____%
20. What percent of the firm's annuity payments are outsourced to an external provider in 2012? _____%
21. What percent of the firm's practice by billings is in IP law in 2012? _____%
22. Approximately what percent of the firm's billable IP hours in 2012 were actually billed to clients (hourly or other basis)? _____%
23. What percent of the firm's 2012 IP billings were for litigation? _____%

24. What percent of the firm's 2012 IP billings were for:
- a. Patent applications and prosecution? _____%
 - b. Trademark registration and prosecution? _____%
 - c. Copyright registration applications? _____%
 - d. Licensing? _____%
 - e. Other IP work? _____%
25. What were the firm's total 2012 billings for professional legal services? \$ _____
26. What was the ratio of the firm's collections to the firm's billings for 2012? _____%
27. As a percent of total 2012 collections (for services performed in any year), what was the firm's overhead in 2012? 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 2011 to 2012? Calculate as (2012 billings – 2011 billings)/2011 billings) x 100. _____%
29. What was the percent change in the firm's billings for IP legal services from 2010 to 2011? Calculate as (2011 billings – 2010 billings)/2010 billings) x 100. _____%
30. What were the firm's minimum, maximum, and average 2012 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 2012 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

PROFESSIONAL LIABILITY INSURANCE

34. What was the firm's maximum liability insurance coverage in 2012?
- \$ _____ each claim
 - \$ _____ total
35. What was the liability insurance deductible in 2012?
- \$ _____ each claim
 - \$ _____ total
36. What was the firm's liability insurance cost per attorney in 2012? \$ _____
37. How many liability claims for IP matters have been made against the firm in the last five years (2008 – 2012)? _____
38. What is the total dollar value of IP liability claims, including attorneys fees, paid in the last five years (2008 – 2012) by the insurer on behalf of the firm? \$ _____

39. What is the total dollar value of IP liability claims, including attorneys fees, paid in the last five years (2008 – 2012) by the firm directly? \$ _____

40. 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) _____ |

BUSINESS DEVELOPMENT

41. What percentage of the lawyers at your firm actively engage in business development?

- 0-20%
- 21-40%
- 41-60%
- 61-80%
- 81-100%

42. Does your firm have dedicated business development personnel? Yes No

43. If so, how many?

- 1
- 2-5
- 6-10
- 11+

44. Who typically fields "cold" inquiries (non-referred, unknown callers) to your firm regarding potential representation?

- Partners
- Associates
- Business Development staff
- Administrative/Secretarial staff
- Other: please describe: _____

45. Does your firm provide training to its lawyers regarding business development? Yes No

46. Does your firm offer a free consultation with an attorney to cold inquiries? Yes No

47. What percentage of your new business comes from the following:

	0-20%	21-40%	41-60%	61-80%	81-100%
a. Referrals from colleagues or clients	<input type="checkbox"/>				
b. Cold inquiries	<input type="checkbox"/>				

48. Are individuals rewarded by your firm for new business brought in through business development?

- Yes No

49. If so, how?

- "Billable" hours credit given for time spent in business development (or a portion thereof)
- Origination credit (a credit for some portion of the legal fees billed to that client)
- Other: please describe: _____

50. If the lawyer receives an origination credit, what percentage of billings is he/she credited with?

- Less than 5%
- 5-10%
- 10-20%
- 20-30%
- More than 30%

51. If so, for how long does he/she receive credit?

- Less than 1 year
- 1 year
- 2 years
- 3-5 years
- More than 5 years
- For as long as the client remains with the firm

52. AIPLA is evaluating the format in which the Report of the Economic Survey is delivered to our members. Given the choice, how would you prefer to receive the Report of the Economic Survey in future years? Please check only one.

- Hard copy of standard report (same as it is today)
- Electronic copy of standard report (same content as today, but delivered in PDF or other electronic format)
- Online only copy of expanded report (expanded report would include additional comparison and reporting options)
- Hard copy of summary of report, with expanded report available online (expanded report available online would include additional comparison and reporting options)

OPTIONAL: (TO RECEIVE THE BENCHMARK SPREADSHEET TOOL, PLEASE ENTER YOUR CONTACT INFORMATION BELOW)

NAME: _____

FIRM: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

TELEPHONE NUMBER: _____

E-MAIL ADDRESS: _____

THANK YOU VERY MUCH FOR COMPLETING THIS SURVEY.
YOU MAY FAX YOUR COMPLETED QUESTIONNAIRE TO ARI AT 240-268-1267.