

**IN DEPTH PROFILE
OF 549 CPATA LICENSEES**

**PROFESSION POPULATION
STABLE; DIVERSE**

**CPATA CODE &
OBLIGATIONS WELL
UNDERSTOOD**

ABACUS DATA

REPORT

CPATA LICENSEE SURVEY

RESULTS OF A SURVEY FIELDDED AMONG 549 LICENSEES

**RESEARCH AND ANALYSIS FROM CANADA'S LEADING PUBLIC AFFAIRS
AND MARKET RESEARCH EXPERTS**

METHODOLOGY

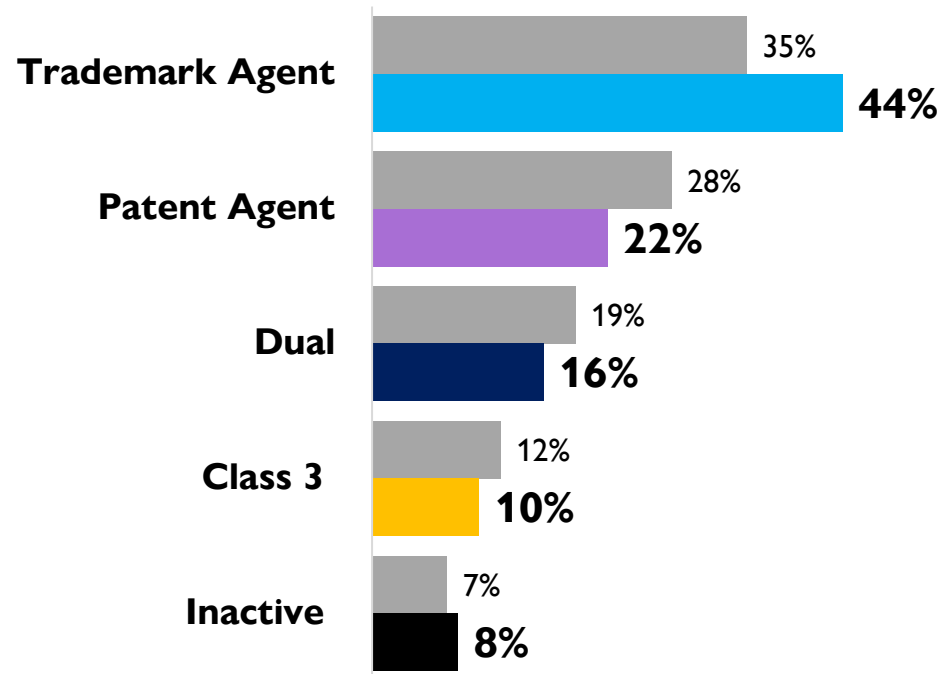
This survey was conducted with 549 CPATA licensees from August 17th to September 14th, 2022. The survey was sent to CPATA's full email contact list of 2356 licensees. Licensees were contacted both by CPATA and Abacus Data repeatedly with invitations to participate over the fielding period, further incentivized by 4 \$500 cash prizes.

The margin of error for a random sample of this size comes to +/- 4.1%, 19 times out of 20.

The data were lightly weighted according to licensee population data for type of licence and region.

LICENSEE COMPOSITION VS. SURVEY SAMPLE

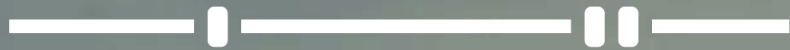
SURVEY RESULTS VS. ACTUAL



Which LICENCE(s) do you hold? Select all that apply | Which class of [Patent/Trademark] Agent Licence to do you have?

EXECUTIVE SUMMARY

ABACUS DATA



EXECUTIVE SUMMARY

Describing CPATA Licensees

The licensee population has good continuity; about as many patent agents (PAs) & trademark agents (TAs) have entered the profession in the last decade as those who have had longer tenures in IP. While many licensees hold other professional designations in addition to their PA/TA class, trends greatly vary between PAs & TAs. The vast majority (8 in 10) of TAs are lawyers. Many PAs (4 in 10) have no other professional licenses, though half are lawyers and a significant minority (1 in 5) are engineers.

Licensees are becoming increasingly diverse, with those newer to the profession (<10 years of practice) more likely to be of non-white/European descent, and report higher rates of Black & Asian representation.

Half of licensees work in law firms, with the remainder split between in-house corporate work (15%), IP agencies (12%), or are sole practitioners (12%).

Class 2 Licensees

Most often, both PAs & TAs hold a class 2 licence either because they are retired, or because they are in-house practitioners.

EXECUTIVE SUMMARY

Patent Agents

Associate prosecution (20%) and originating prosecution (36%) take up the largest share of estimated PA time.

On average, PAs who chose to share details of their filings from the last year report filing 99 associate patent filings before CIPO, dwarfing the reported average of those filing direct patent filings before CIPO (22.5), or those who made any filings before UPSTO (direct: 19.6, associate: 14.4), WIPO (direct: 11.9, associate: 11.1), or another jurisdictions other than WIPO, US, and Canada (direct: 10.4, associate: 29.8).

Trademark Agents

TAs who chose to disclose filings report an average of 68 trademark filings in a typical years and 213 active trademark files in a typical year. TAs report that on average, the largest share of their work is spent on filing and prosecution (32%) and clearance searching (12%).

EXECUTIVE SUMMARY

Processes & Billing

2 in 3 licensees use an IP management software in the course of their work and half have standardized applications/process guidelines they always employ, though these best practices tend to be employed at far lower levels by sole practitioners.

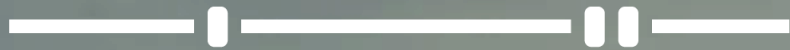
Licensees report that their average annual fee billings, excluding disbursements come to \$473,969. Although 51% preferred not to disclose their total gross income in the 2021 calendar year, most reported incomes were above \$100,001.

CPATA Code of Conduct

Virtually all licensees say they are familiar with the CPATA Code of Professional Conduct for Patent Agents and Trademark Agents. The vast majority agree that they understand all of their obligations under the Code, though only 2 in 3 occasionally review the Code to refresh their knowledge.

I. LICENSEE DEMOGRAPHICS

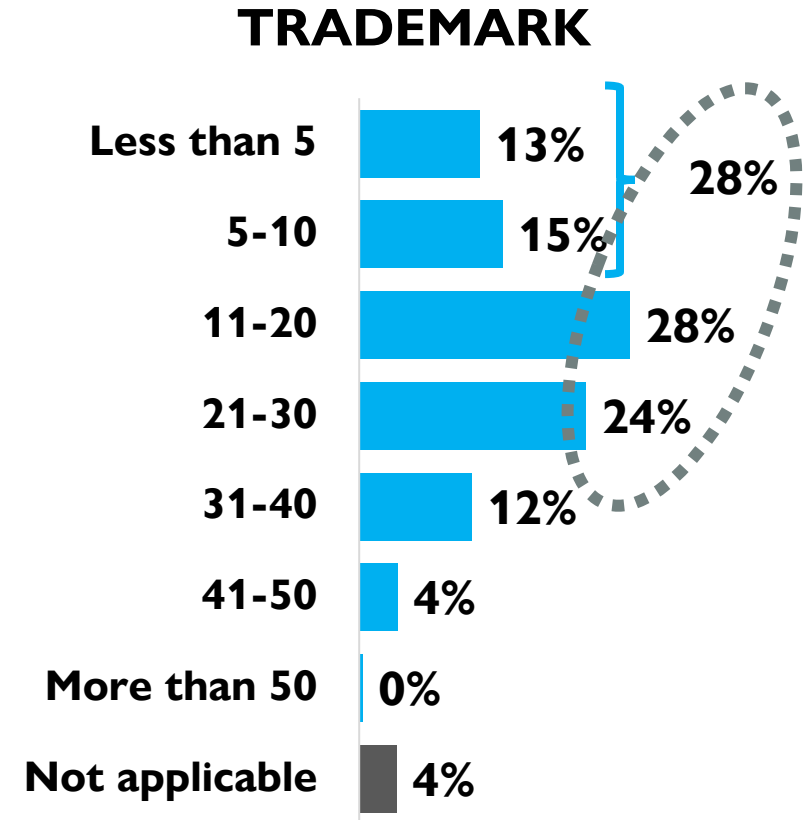
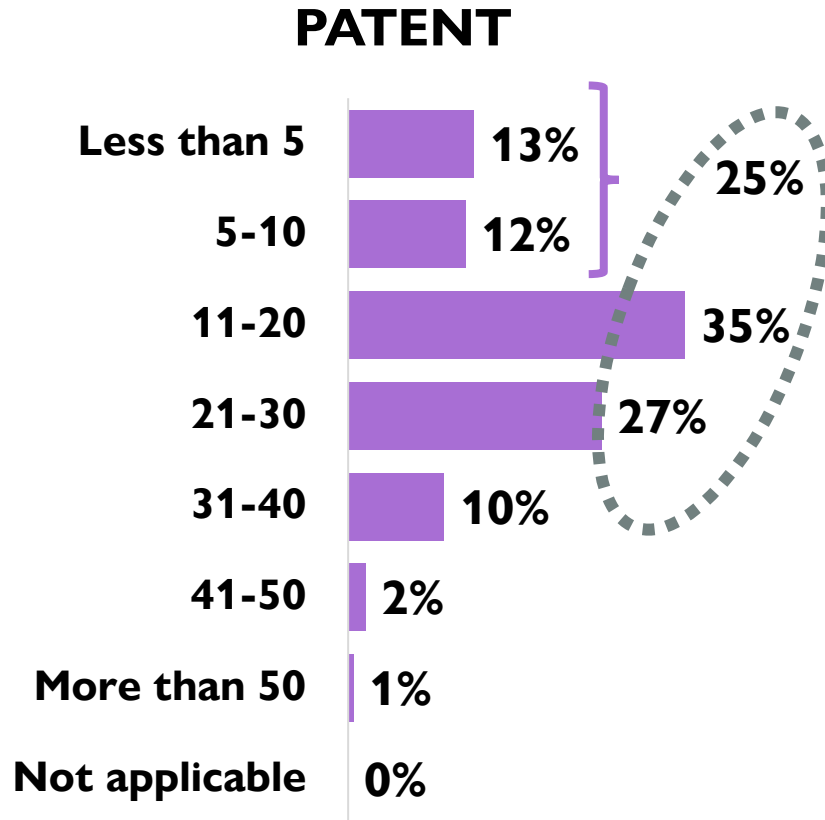
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KEY FINDINGS: DEMOGRAPHICS

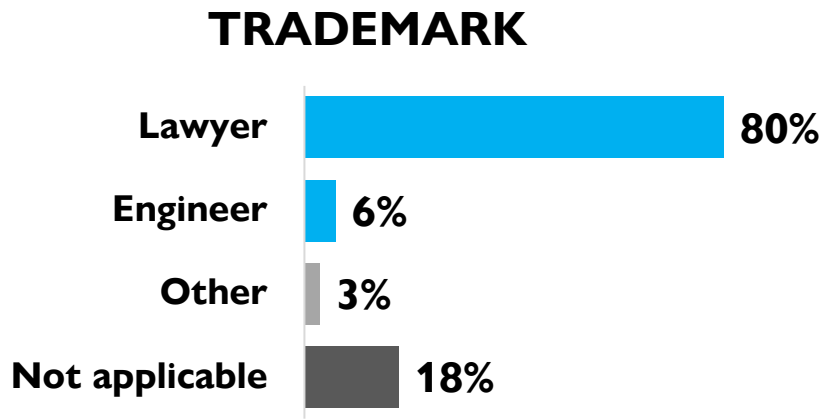
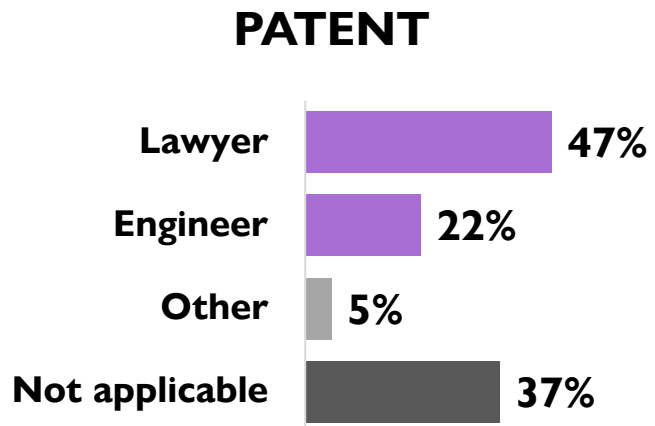
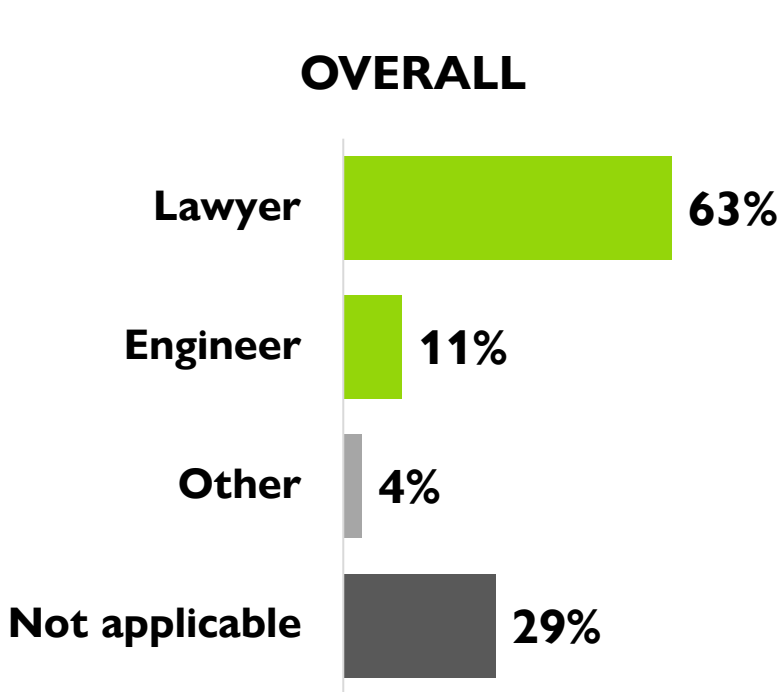
1. CPATA licensees spread out fairly equally in years' experience:
 - 25% of patent agents have 0-10 years of experience, 35% have 11-20 years of experience, and 27% have 21-30 years of experience.
 - 28% of trademark agents have 0-10 years of experience, 28% have 11-20 years of experience, and 24% have 21-30 years of experience.
2. The vast majority of trademark agents are also licensed as lawyers (80%), and a minority report having no other professional licence (18%).
3. Many patent agents are licensed as lawyers (47%), but a significant number are also licensed as engineers (22%). Nearly half report no other professional licence (37%).
4. CPATA licensees with more recent entry to the profession are less likely to identify as of white European descent than licensees with longer tenure (>30 years of practice – 91%, 11-30 years of practice – 79%, <10 years of practice – 74%).

YEARS OF PRACTICE AS AN AGENT



How many years of practice do you have as a [patent/trademark] agent?

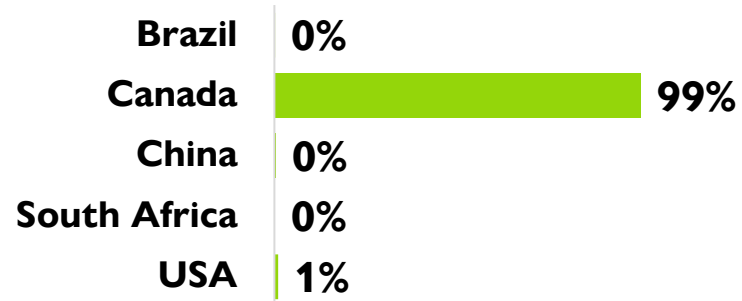
ADDITIONAL PROFESSIONAL LICENCE(S)



In addition to being a licenced patent or trademark agent, do you hold any of the following professional licences? Select all that apply

DETAILS OF OTHER PROFESSIONAL LICENCE(S)

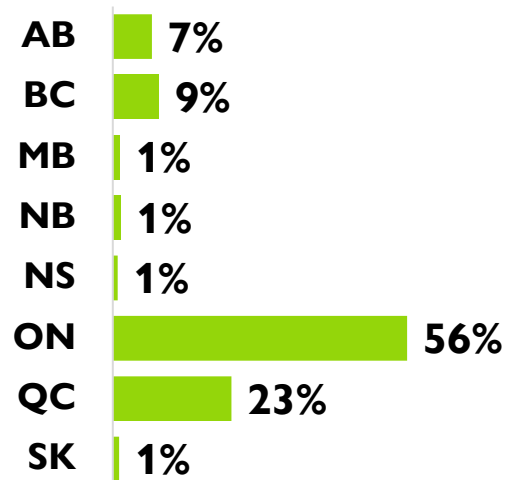
COUNTRY OF LICENCE



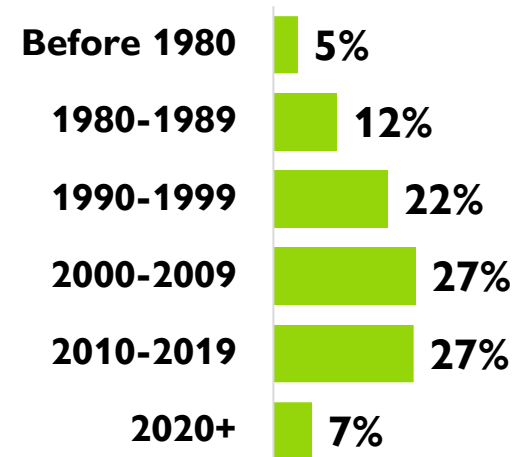
STATE OF LICENCE (OF 1% US)



PROVINCE OF LICENCE



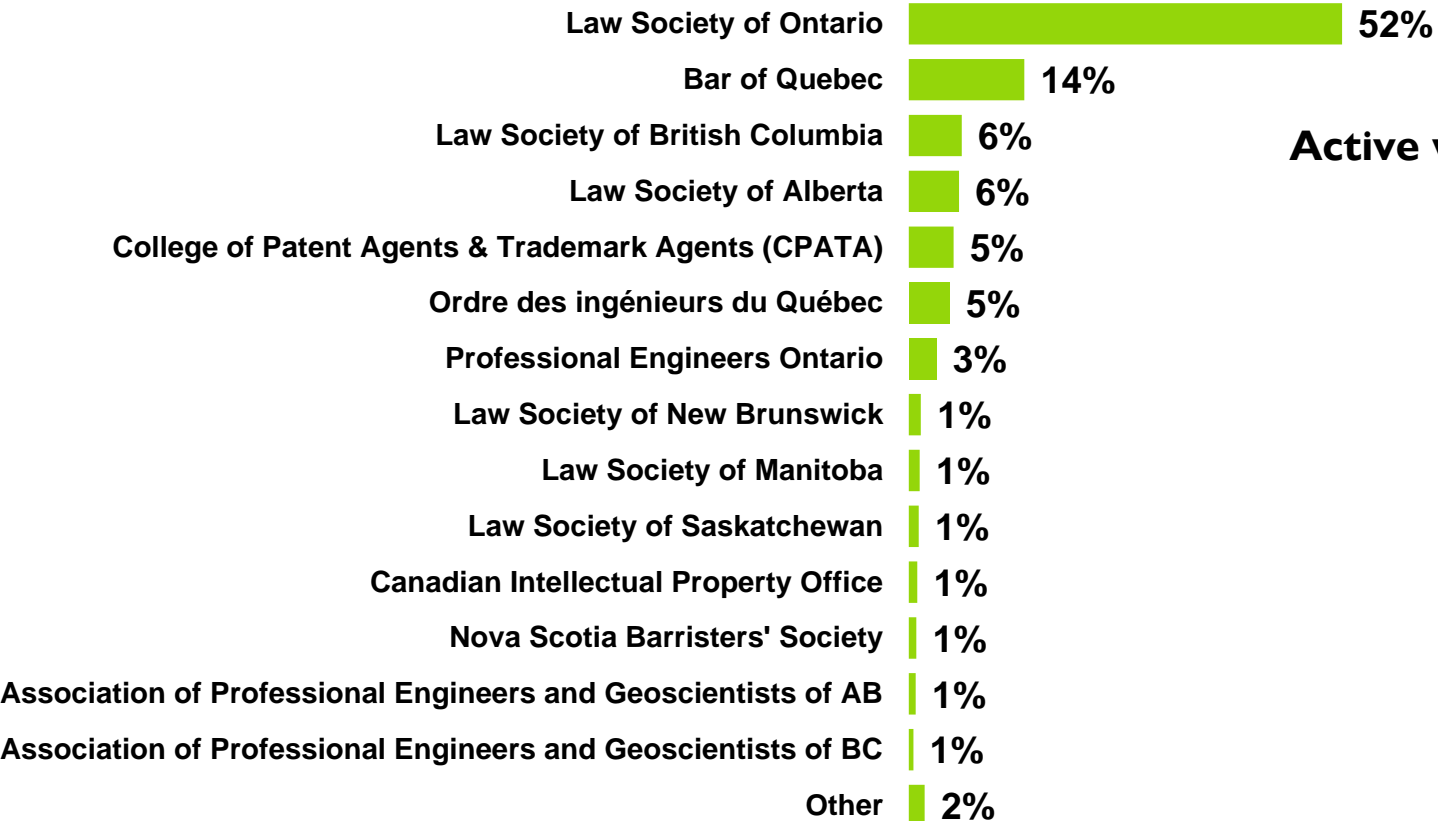
YEAR OF LICENCE REGISTRATION



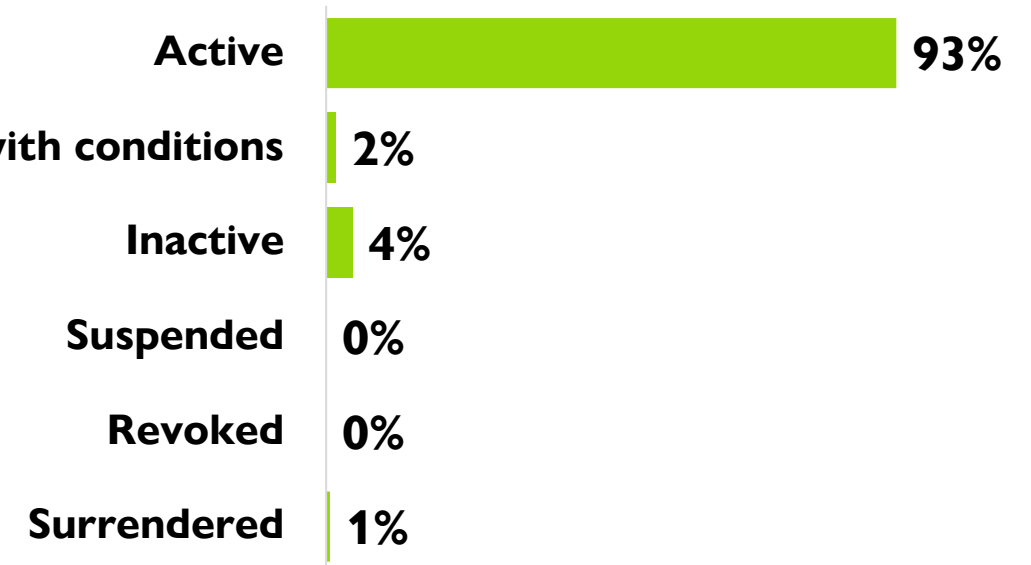
Please describe the details of your licence with that professional regulator. [n=357 | Those with other professional licence]

DETAILS OF LICENCE(S)

NAME OF REGULATOR



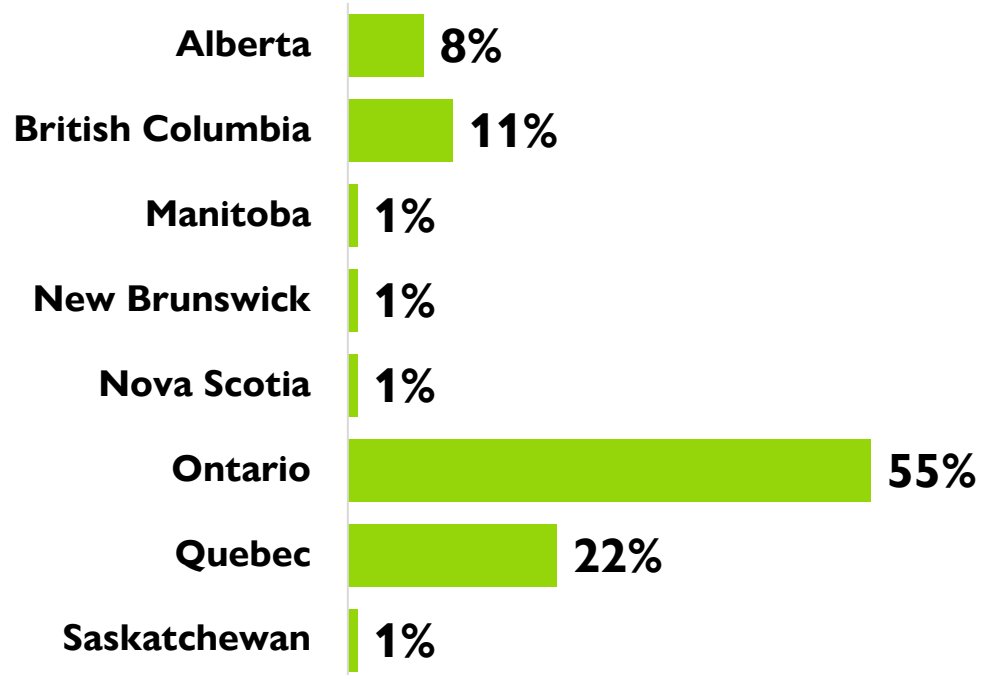
STATUS



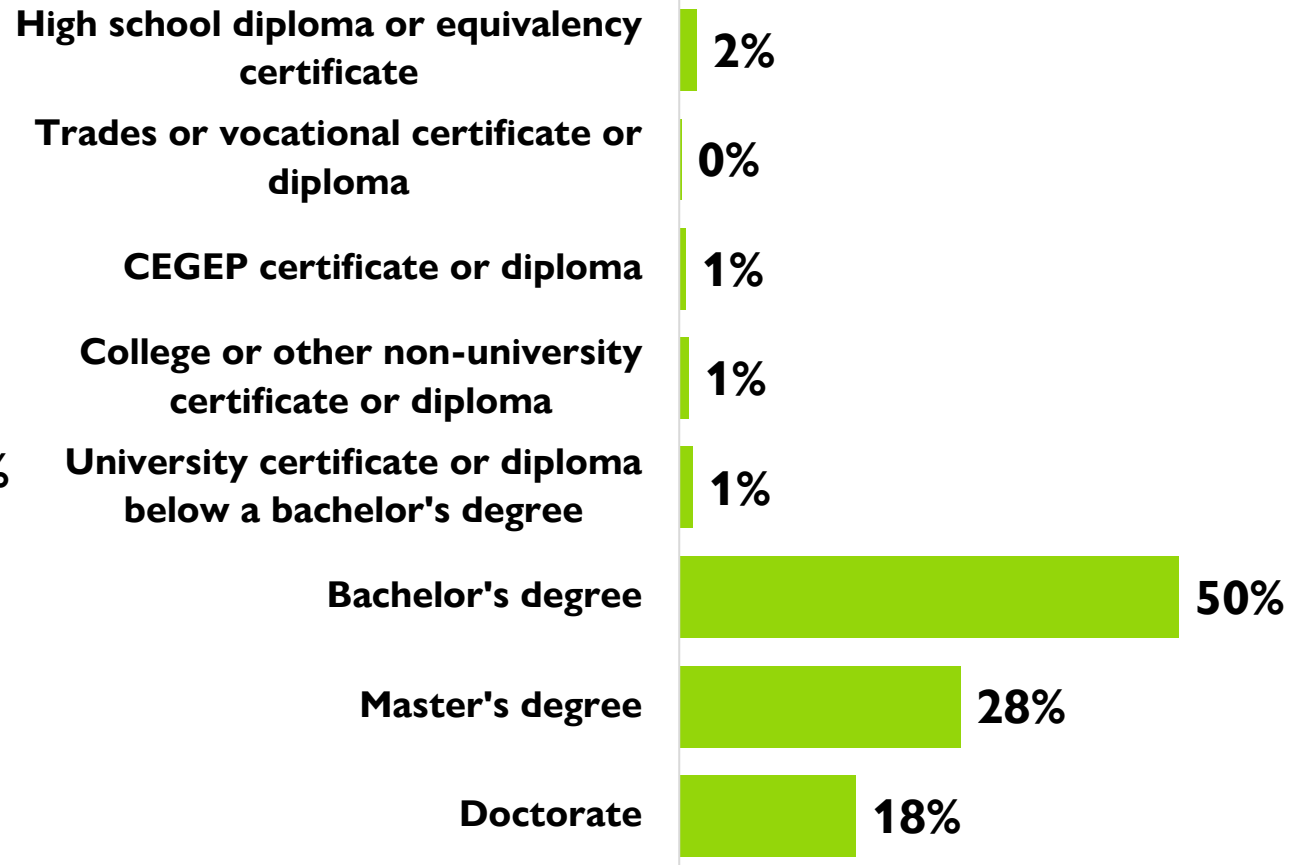
Please describe the details of your licence with that professional regulator. [n=357 | Those with other professional licence]

LOCATION & EDUCATION

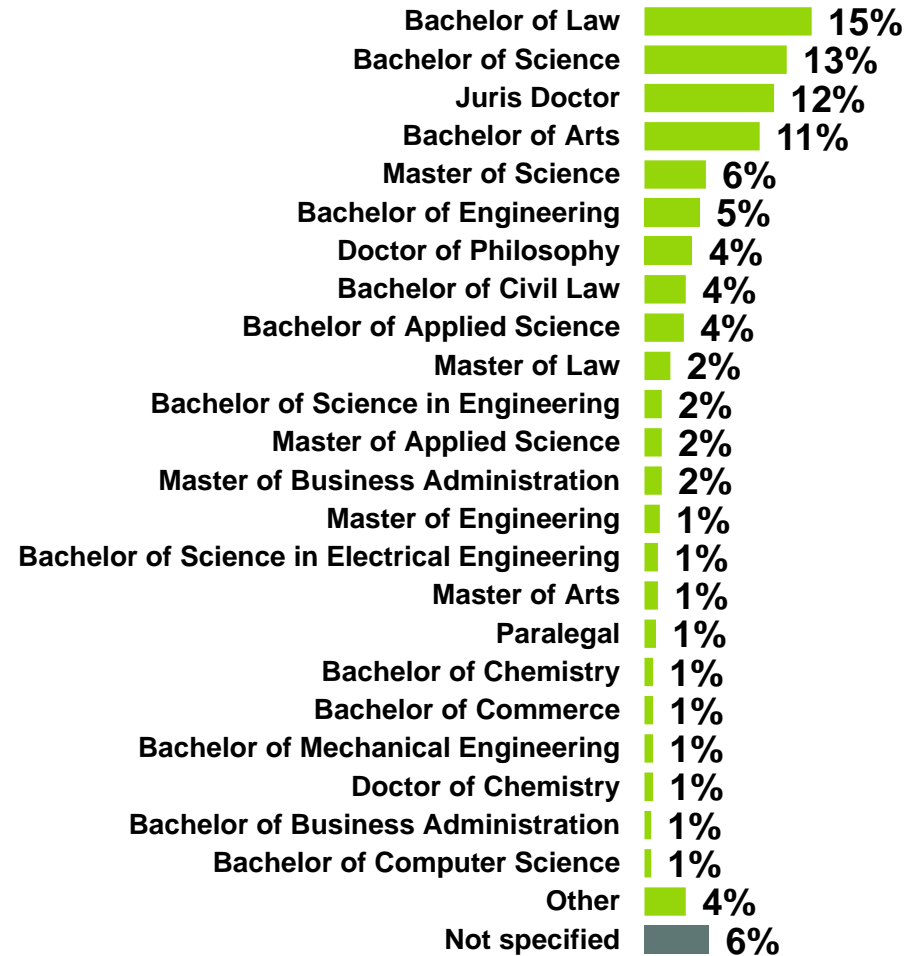
In which province are you located?



What's the highest level of education you have completed?



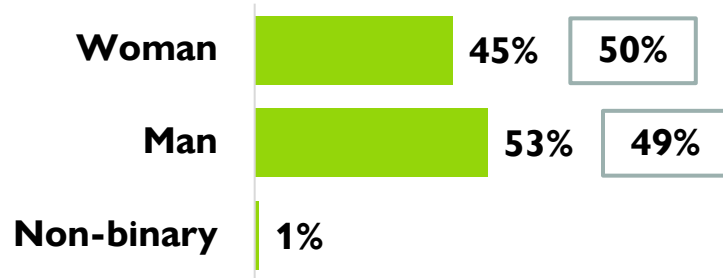
CERTIFICATES, DIPLOMAS & DEGREES



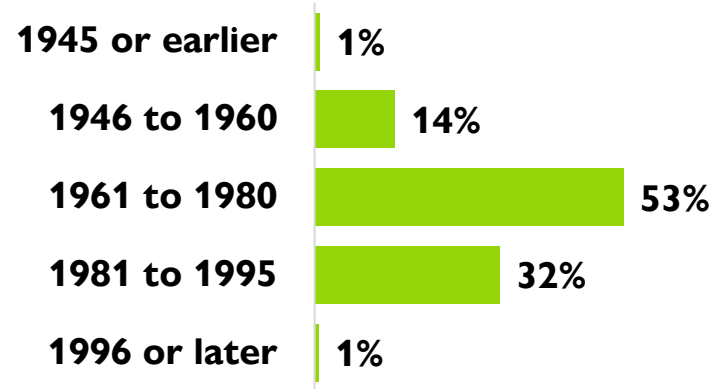
What certificates, diplomas or degrees have you obtained? If you have an international equivalent, please add the degree that mostly closely matches your credential. Please add all that apply.

DEMOGRAPHICS OF MEMBERSHIP

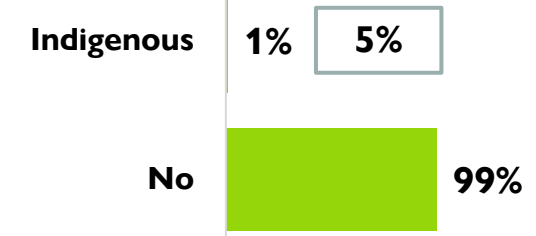
How would you describe your gender?



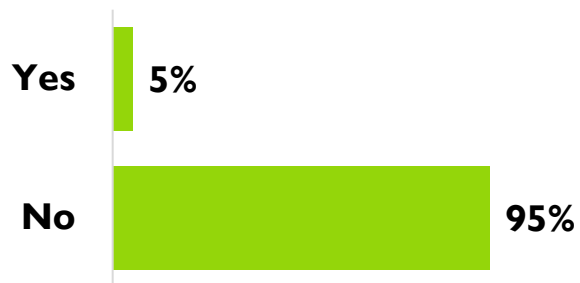
When were you born?



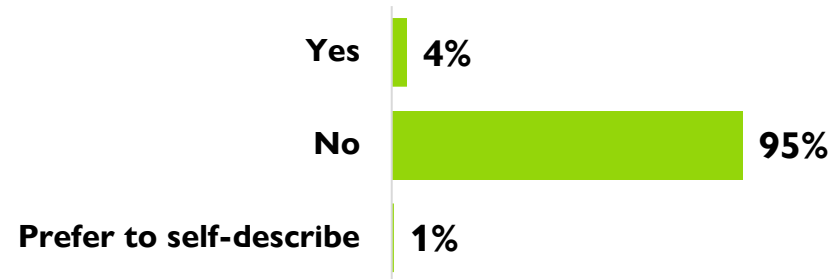
Do you identify as First Nations, Métis, and/or Inuk/Inuit? Select all that apply.



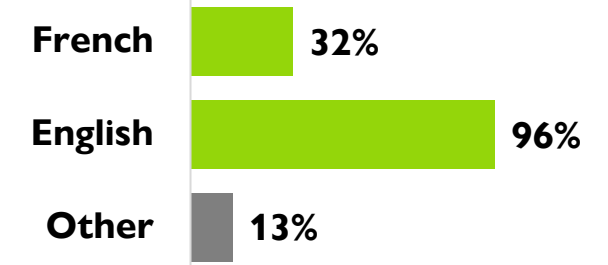
Do you identify as a member of the 2SLGBTQIA+ community?



Do you identify as a person with a disability?



What languages do you fluently speak, read, and write? Select all that apply.

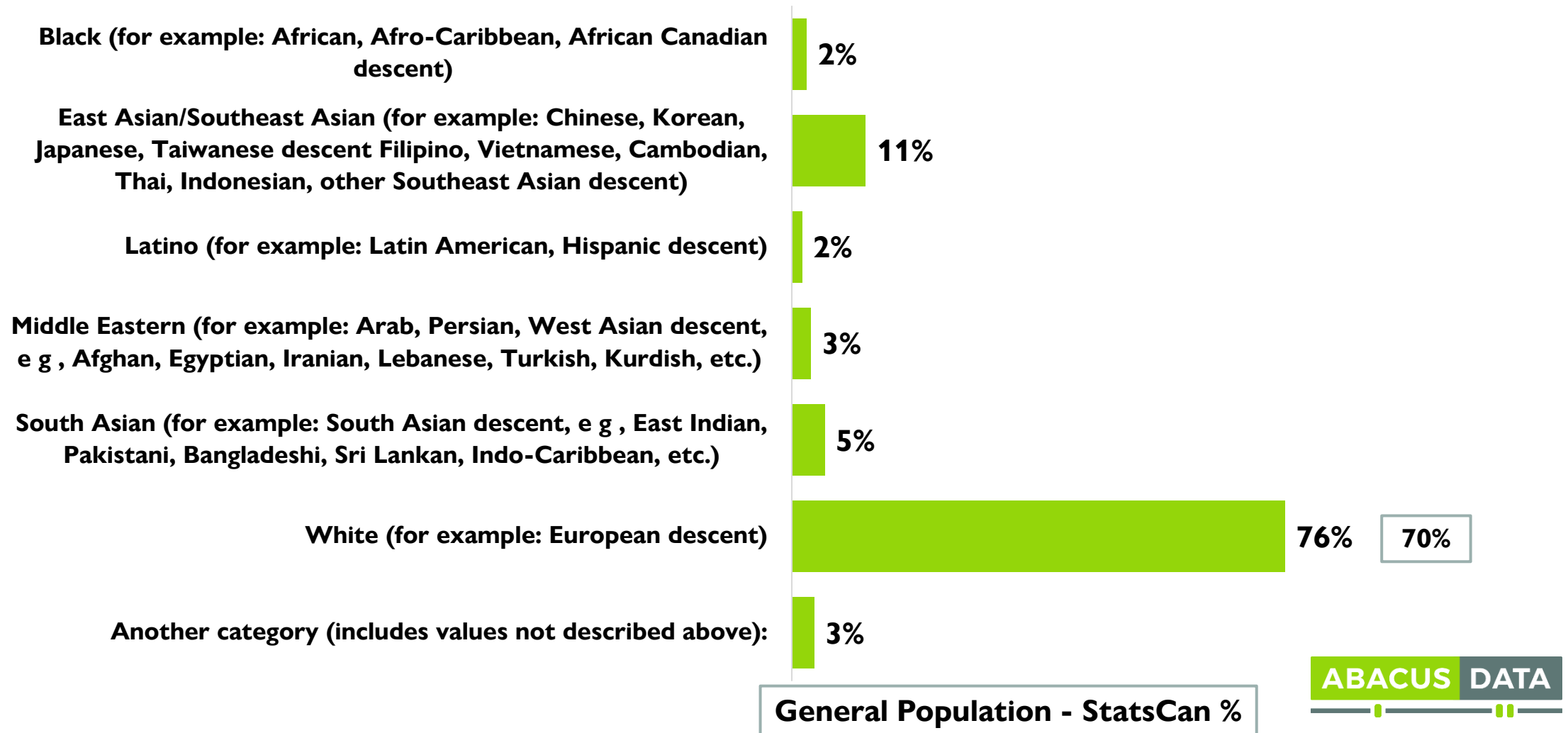


General Population - StatsCan %



DEMOGRAPHICS OF MEMBERSHIP

Which category best describes you? Select all that apply



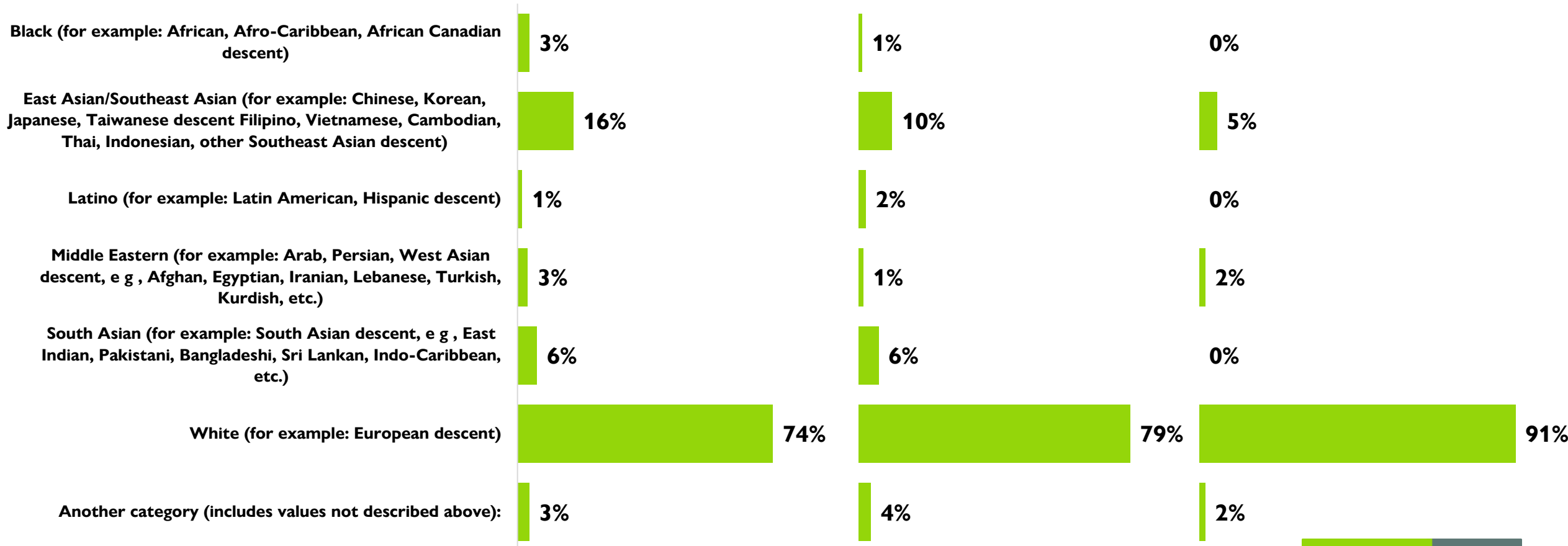
DEMOGRAPHICS OF MEMBERSHIP

Which category best describes you? Select all that apply

LESS THAN 10 YEARS OF PRACTICE

11 TO 30 YEARS

MORE THAN 30 YEARS

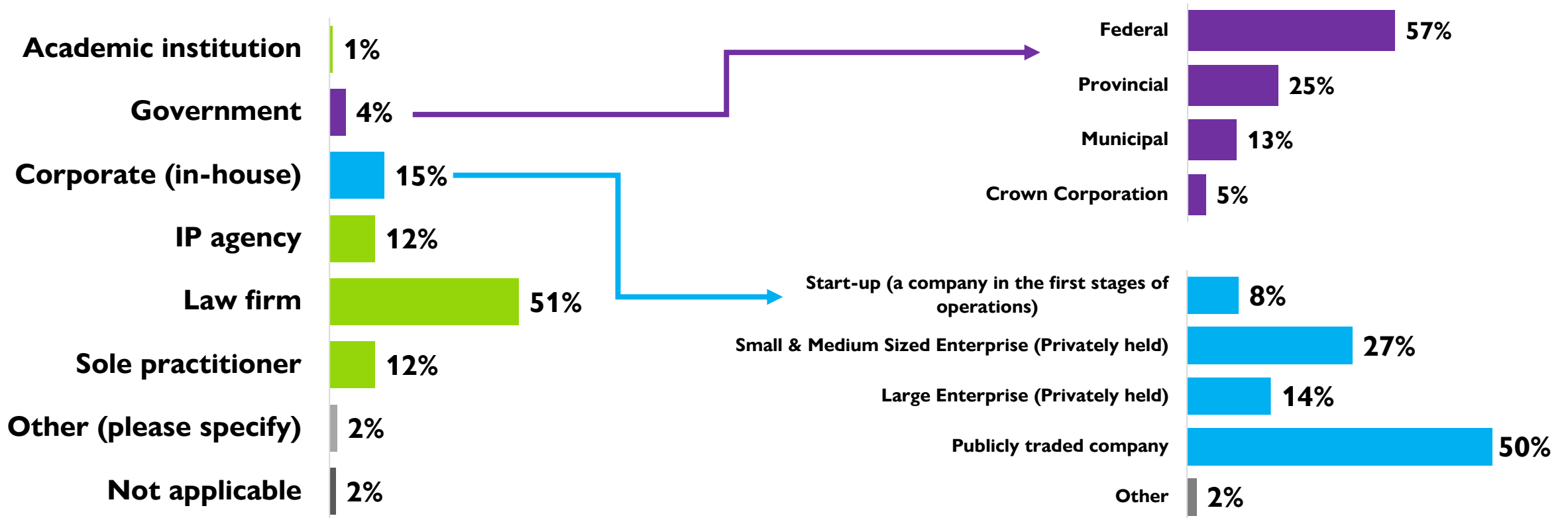


KEY FINDINGS: DEMOGRAPHICS (PRACTICE)

1. Most CPATA licensees practice with a law firm (51%), while most of the rest either work corporate in-house (15%), are at an IP agency (12%), or practice as sole practitioners (12%).
2. 99% of licensees provide professional services in English and 29% provide services in French.
3. 2 in 3 patent agents are registered as licensees with the USPTO (66%), while 5% are licensed with another foreign IP office. 32% are not registered with a foreign IP office.
4. 1 in 3 trademark agents are registered with the USPTO (31%), while another 2% are registered with another foreign IP office. Most trademark agents (68%) are not registered with a foreign IP office.

DEMOGRAPHICS OF PRACTICES

PRIMARY PRACTICE SETTING



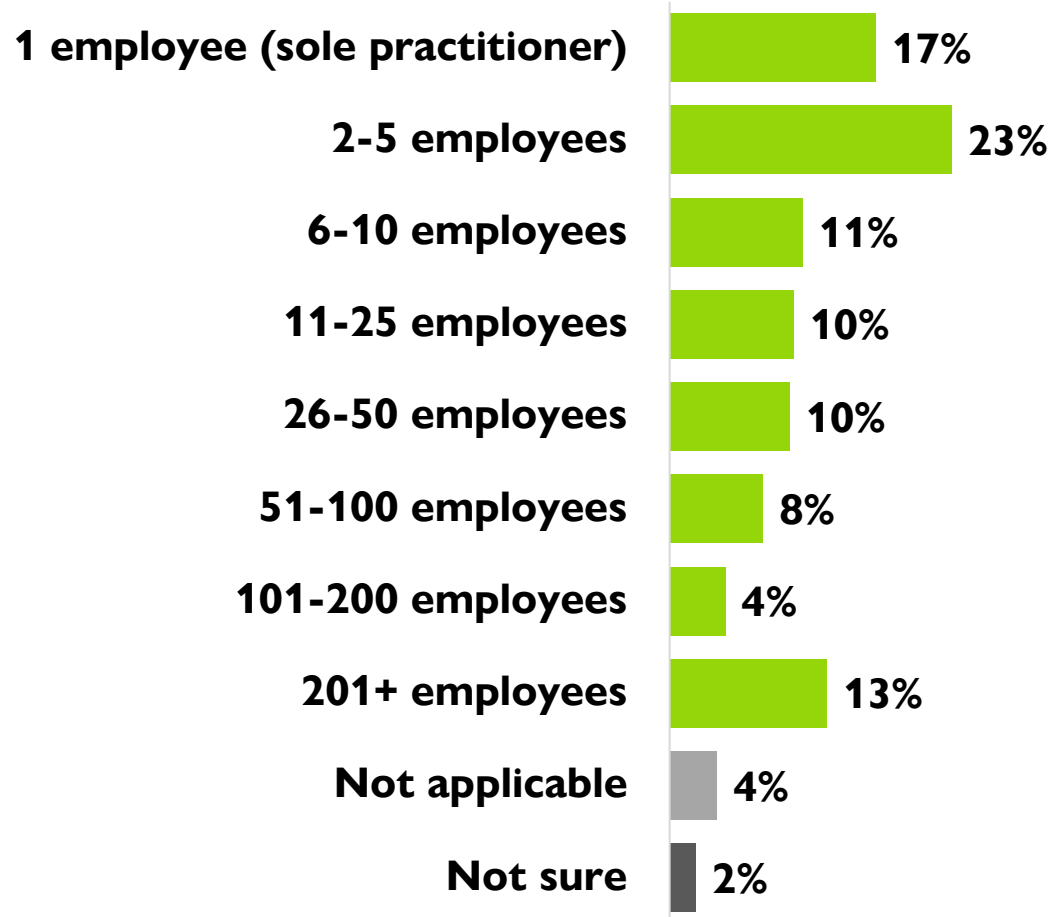
What best describes your primary practice setting? [n=88 | Asked of all and again of those in “Corporate (in-house) practices”]



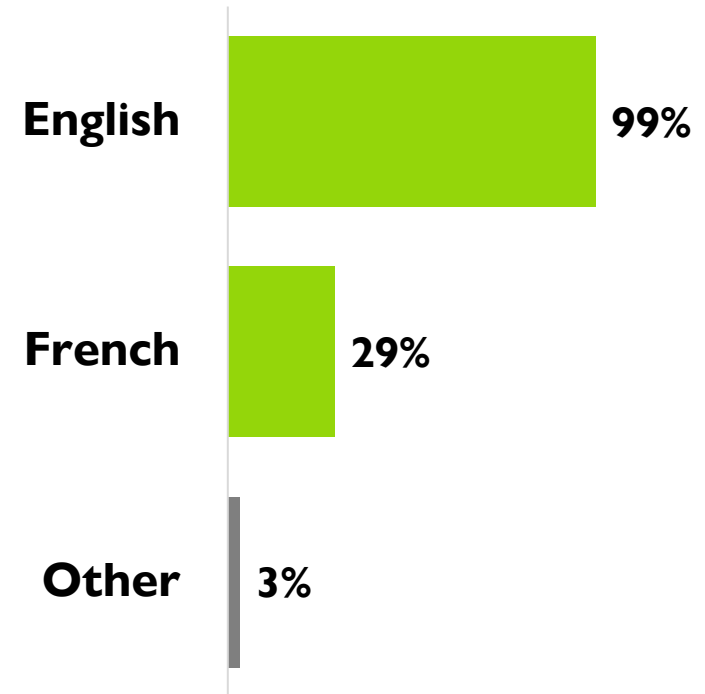
20 Do you work for a federal, provincial, or municipal department or agency? [n=22 | Asked of government practices]

DEMOGRAPHICS OF PRACTICES

How many individuals work in the IP area of your firm/organization?

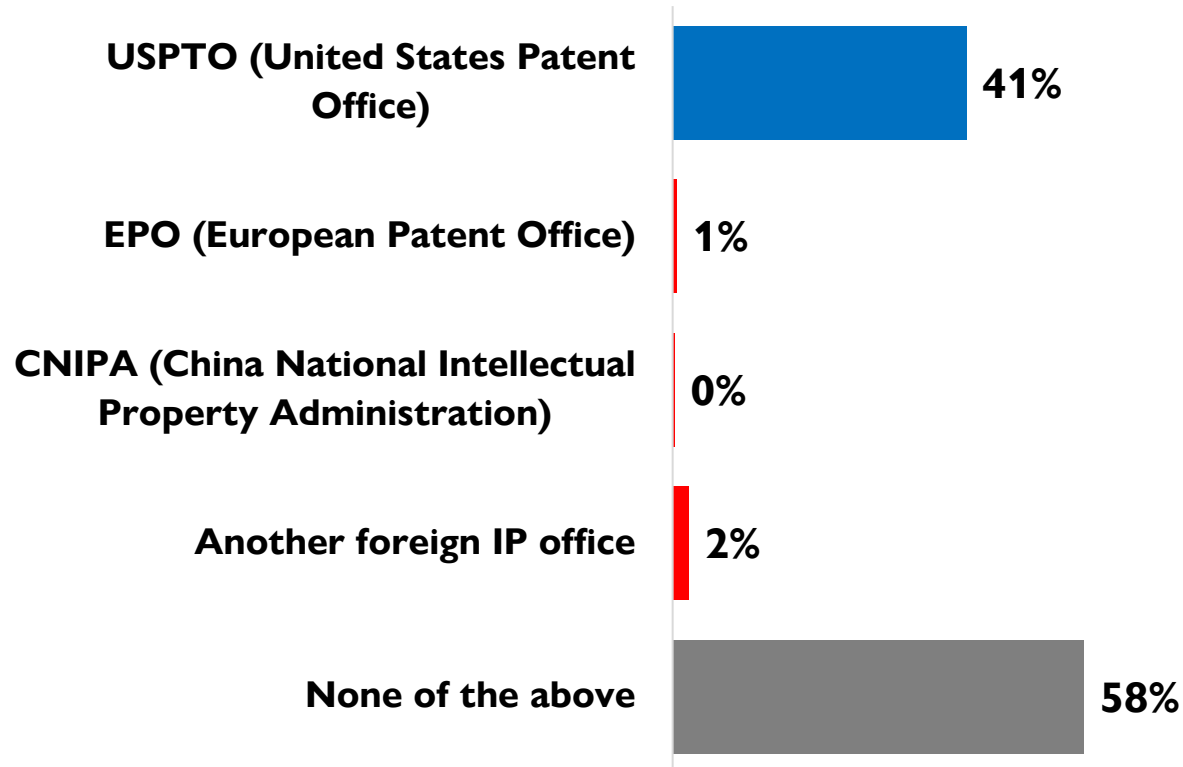


In which of the following languages do you provide professional services? Select all that apply

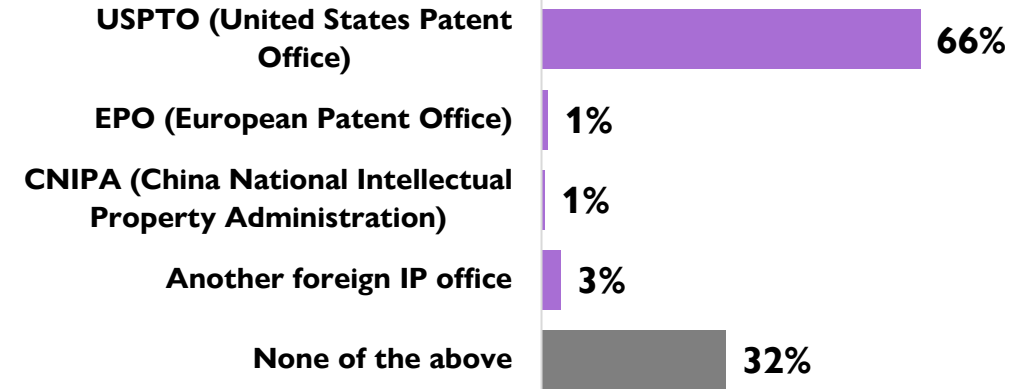


DEMOGRAPHICS OF PRACTICES

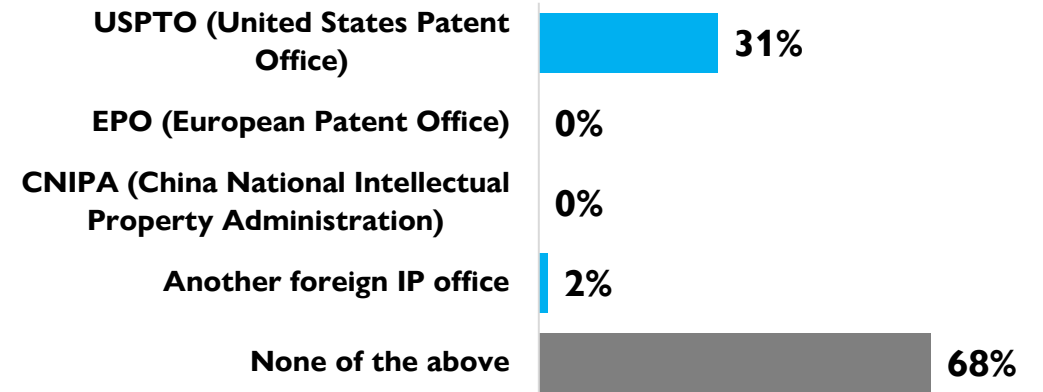
Are you registered as a licensee with any of the following? Select all that apply



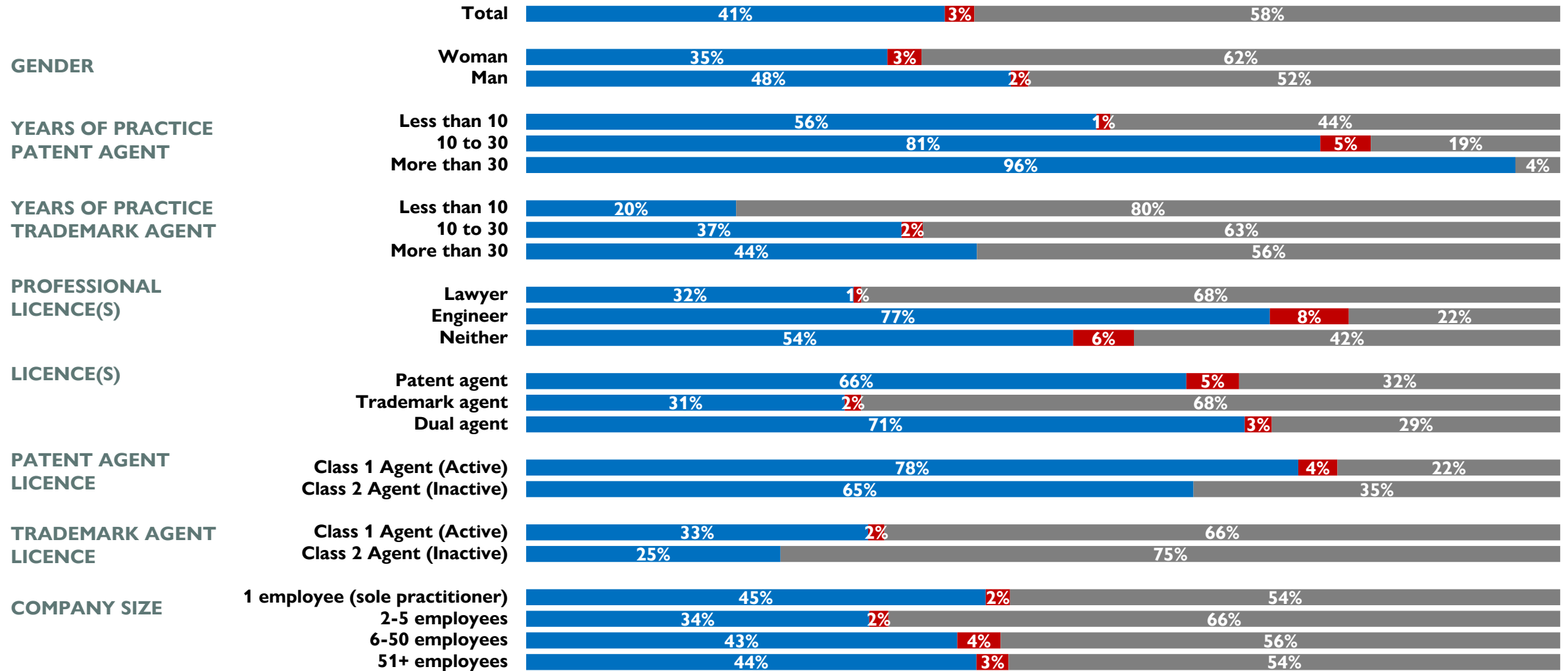
PATENT



TRADEMARK



DEMOGRAPHICS OF PRACTICES



■ USPTO (United States Patent Office)

■ Other

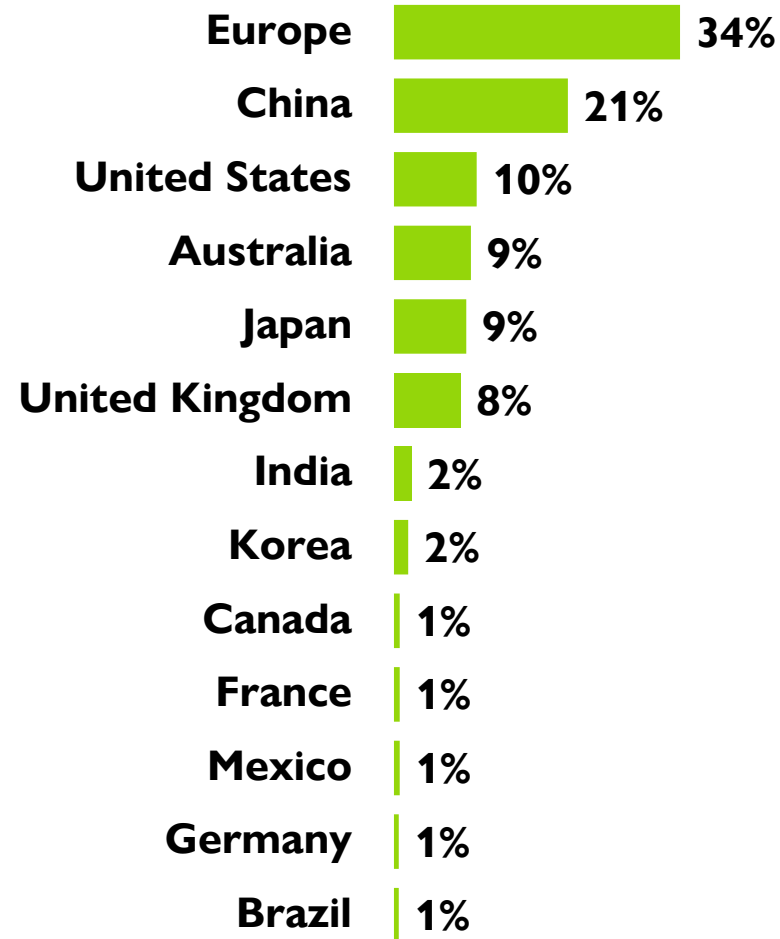
■ None of the above

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Are you registered as a licensee with any of the following? Select all that apply.

DEMOGRAPHICS OF PRACTICES

TOP 3 INTERNATIONAL JURISDICTIONS

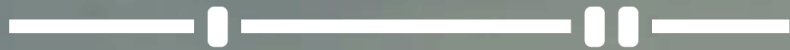


What are the top 3 jurisdictions you typically file in outside of North America?

II. PATENT AGENTS

[N=321]

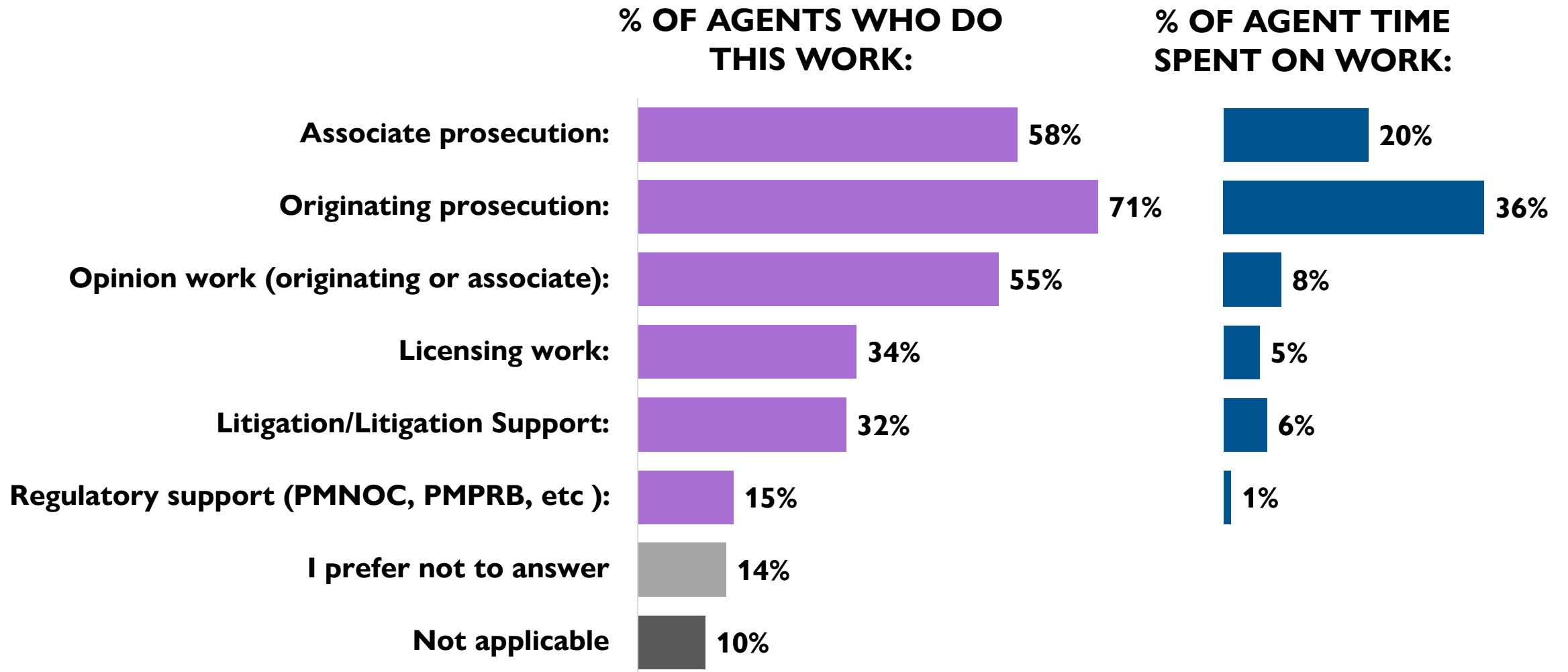
ABACUS DATA



KEY FINDINGS: PATENT AGENTS

1. Most patent agents spend time on originating prosecution (71%), while slimmer majorities work on associate prosecution (58%) and opinion work (55%).
2. On average, PAs who chose to share details of their filings from the last year report filing 99 associate patent filings before CIPO, dwarfing the reported average of those filing direct patent filings before CIPO (22.5), or those who made any filings before UPSTO (direct: 19.6, associate: 14.4), WIPO (direct: 11.9, associate: 11.1), or another jurisdiction other than WIPO, US, and Canada (direct: 10.4, associate: 29.8).
3. Most commonly patent agents work for clients who are privately held SMEs (66%) or start-ups (59%), though as a % of their client base SMEs make up the highest number of clients at an estimated 25% while starts-ups only account for an estimated 16%.
4. A majority of patent agents have completed at least 6 hours or more of continuing professional development in the last year (78%).

PATENT AGENT TASKS



Estimate what percentage of your Patent Agent work, in terms of time spent, involves what you would consider:

PATENT AGENT TASKS

% WHO DO THIS WORK

	Total	Years of practice			Professional Licence(s)			Patent Agent Licence		
		<10	10-30	+30	Lawyer	Engineer	Neither	Class 1	Class 2	Class 3
Associate prosecution	58%	57%	61%	50%	56%	61%	58%	63%	20%	58%
Originating prosecution	71%	72%	74%	61%	62%	67%	78%	76%	35%	62%
Opinion work (originating or associate)	55%	52%	61%	47%	57%	56%	54%	62%	16%	44%
Licensing work	34%	36%	35%	47%	44%	36%	24%	39%	10%	16%
Litigation/Litigation Support	32%	32%	34%	37%	39%	44%	21%	37%	5%	20%
Regulatory support (PMNOC, PMPRB, etc.)	15%	17%	13%	21%	19%	10%	11%	17%	-	11%

Estimate what percentage of your Patent Agent work, in terms of time spent, involves what you would consider:



PATENT AGENT TASKS

% WHO DO THIS WORK

	1 employee (sole practitioner)	2-5 employees	6-50 employees	51+ employees
Associate prosecution:	34%	45%	64%	81%
Originating prosecution:	57%	75%	73%	81%
Opinion work (originating or associate):	39%	57%	58%	66%
Licensing work:	27%	36%	42%	29%
Litigation/Litigation Support:	19%	24%	47%	30%
Regulatory support (PMNOC, PMPRB, etc.):	11%	13%	20%	14%

Estimate what percentage of your Patent Agent work, in terms of time spent, involves what you would consider:

PATENT AGENT TASKS

% OF AGENT TIME SPENT ON WORK

	Total	Years of practice			Professional Licence(s)			Patent Agent Licence		
		<10	10-30	+30	Lawyer	Engineer	Neither	Class 1	Class 2	Class 3
Associate prosecution	20%	15%	22%	14%	16%	21%	22%	21%	3%	23%
Originating prosecution	35%	38%	36%	32%	29%	34%	41%	37%	30%	30%
Opinion work (originating or associate)	8%	7%	9%	5%	8%	7%	9%	9%	1%	8%
Licensing work	5%	5%	5%	5%	6%	5%	3%	5%	1%	3%
Litigation/Litigation Support	6%	4%	7%	8%	9%	6%	2%	7%	0%	2%
Regulatory support (PMNOC, PMPRB, etc.)	1%	1%	1%	1%	1%	1%	1%	1%	-	2%

Estimate what percentage of your Patent Agent work, in terms of time spent, involves what you would consider:

PATENT AGENT TASKS

% OF AGENT TIME SPENT ON WORK

	1 employee (sole practitioner)	2-5 employees	6-50 employees	51+ employees
Associate prosecution:	5%	12%	23%	29%
Originating prosecution:	36%	40%	35%	37%
Opinion work (originating or associate):	7%	12%	6%	9%
Licensing work:	6%	6%	6%	2%
Litigation/Litigation Support:	2%	3%	11%	4%
Regulatory support (PMNOC, PMPRB, etc.):	0%	2%	1%	1%

Estimate what percentage of your Patent Agent work, in terms of time spent, involves what you would consider:

PATENT AGENT TASKS

% OF AGENT TIME SPENT ON WORK (SHARE OF TIME OF ONLY THOSE WHO DO TASK)

	Total	Years of practice			Professional Licence(s)			Patent Agent Licence		
		<10	10-30	+30	Lawyer	Engineer	Neither	Class 1	Class 2	Class 3
Associate prosecution	34%	26%	36%	29%	29%	34%	38%	34%	17%	40%
Originating prosecution	50%	52%	49%	53%	48%	51%	53%	48%	86%	48%
Opinion work (originating or associate)	14%	14%	14%	10%	13%	12%	16%	14%	4%	18%
Licensing work	14%	13%	15%	10%	15%	13%	12%	14%	5%	17%
Litigation/Litigation Support	18%	14%	19%	22%	23%	15%	12%	19%	8%	12%
Regulatory support (PMNOC, PMPRB, etc.)	7%	3%	8%	3%	7%	8%	9%	6%	-	18%

Estimate what percentage of your Patent Agent work, in terms of time spent, involves what you would consider:

PATENT AGENT TASKS

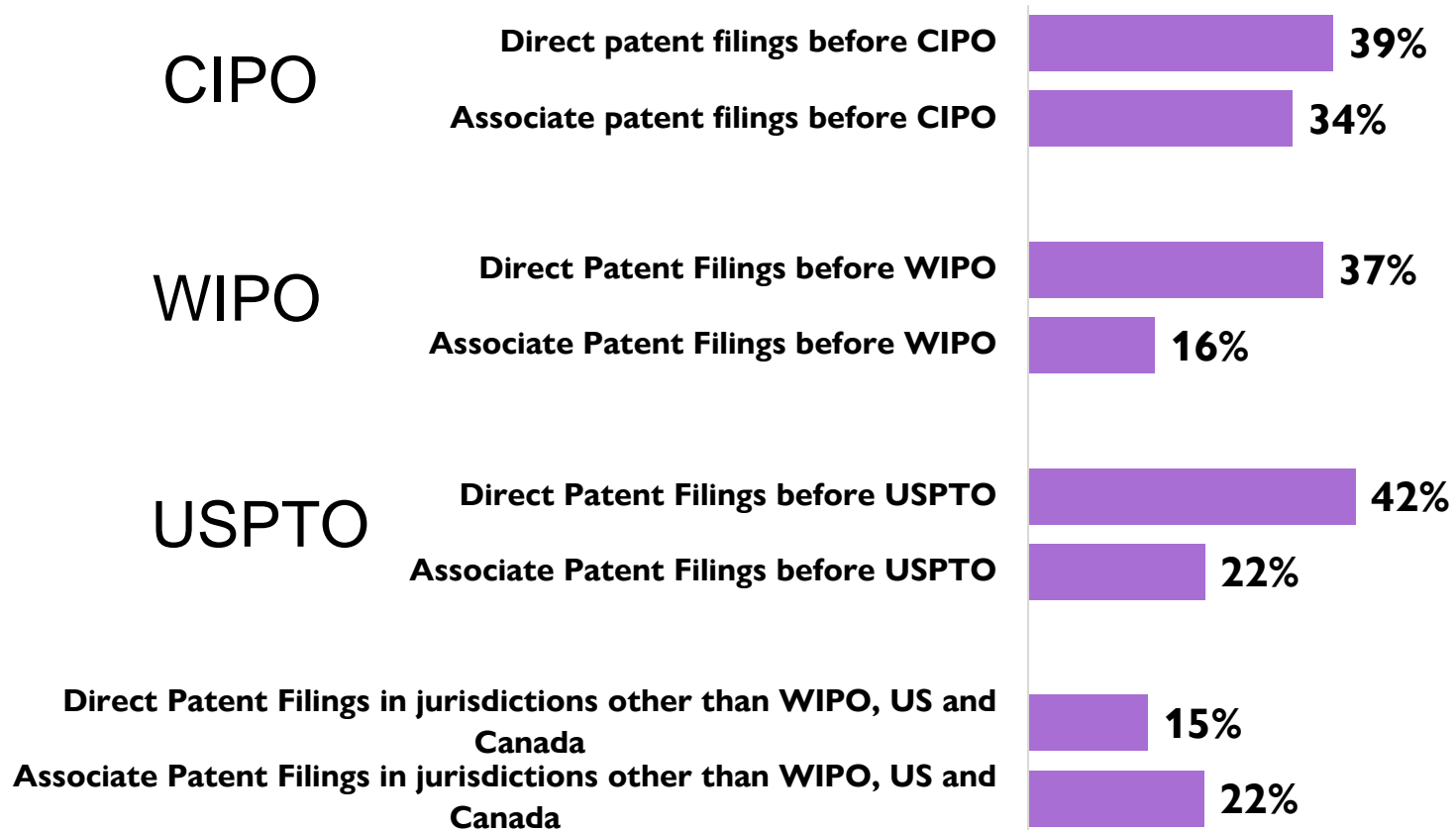
% OF AGENT TIME SPENT ON WORK (SHARE OF TIME OF ONLY THOSE WHO DO TASK)

	1 employee (sole practitioner)	2-5 employees	6-50 employees	51+ employees
Associate prosecution:	14%	27%	37%	36%
Originating prosecution:	64%	54%	47%	46%
Opinion work (originating or associate):	19%	22%	10%	13%
Licensing work:	22%	17%	14%	7%
Litigation/Litigation Support:	9%	12%	23%	14%
Regulatory support (PMNOC, PMPRB, etc.):	1%	13%	6%	7%

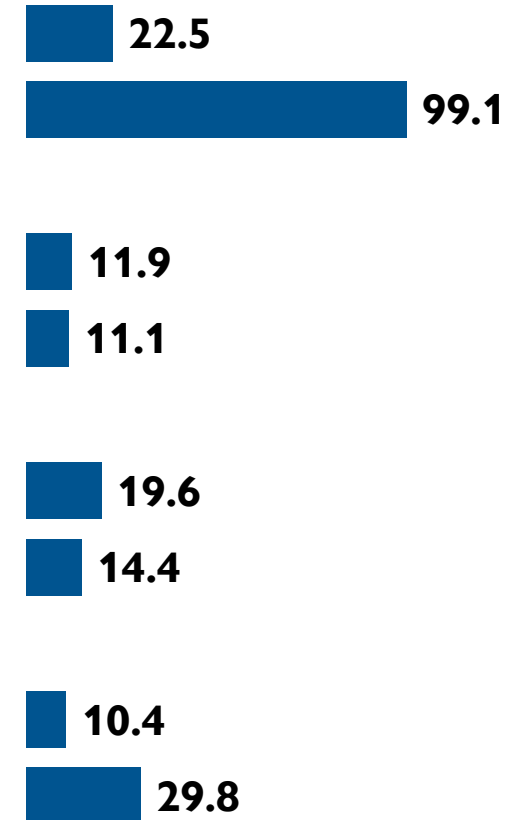
Estimate what percentage of your Patent Agent work, in terms of time spent, involves what you would consider:

TYPE & # OF PATENT FILINGS

% WHO DISCLOSED FILING PATENT TYPE IN LAST YEAR



AVERAGE # OF PATENTS FILED



Please estimate: What number of patent filings did you do in the last year that were:

AVERAGE # OF FILINGS

AMONG THOSE WHO FILE

	Total	Years of practice			Professional Licence(s)			Patent Agent Licence		
		<10	10-30	+30	Lawyer	Engineer	Neither	Class 1	Class 2	Class 3
Patents you personally drafted	16.9	16.7	15.1	17.9	13.7	16.4	19.8	15.3	33.2	23.9
Patents drafted under your supervisor	13.5	6.5	17.9	5.6	15.2	21.4	11.2	14.2	-	4.8
Direct patent filings before CIPO	22.5	18.8	26.0	16.8	22.3	30.9	25.8	23.0	65.0	5.4
Associate patent filings before CIPO	99.1	39.0	131.5	55.1	44.3	53.8	171.4	106.3	5.0	19.5
Direct Patent Filings before WIPO	11.9	20.7	10.6	7.7	12.3	10.4	12.4	12.6	5.0	4.0
Associate Patent Filings before WIPO	11.1	29.0	6.5	4.0	17.5	10.6	5.5	11.5	-	4.7
Direct Patent Filings before USPTO	19.6	27.2	20.3	8.9	17.5	19.0	21.8	21.2	-	7.3
Associate Patent Filings before USPTO	14.4	22.3	13.9	11.0	9.9	18.2	16.9	15.3	20.0	4.2
Direct Patent Filings in other jur.	10.4	3.3	13.6	8.7	10.1	15.0	7.6	10.6	-	0.0
Associate Patent Filings in other jur.	29.8	17.4	38.3	6.8	21.9	15.4	43.5	31.0	5.0	7.0

Please estimate: What number of patent filings did you do in the last year that were:

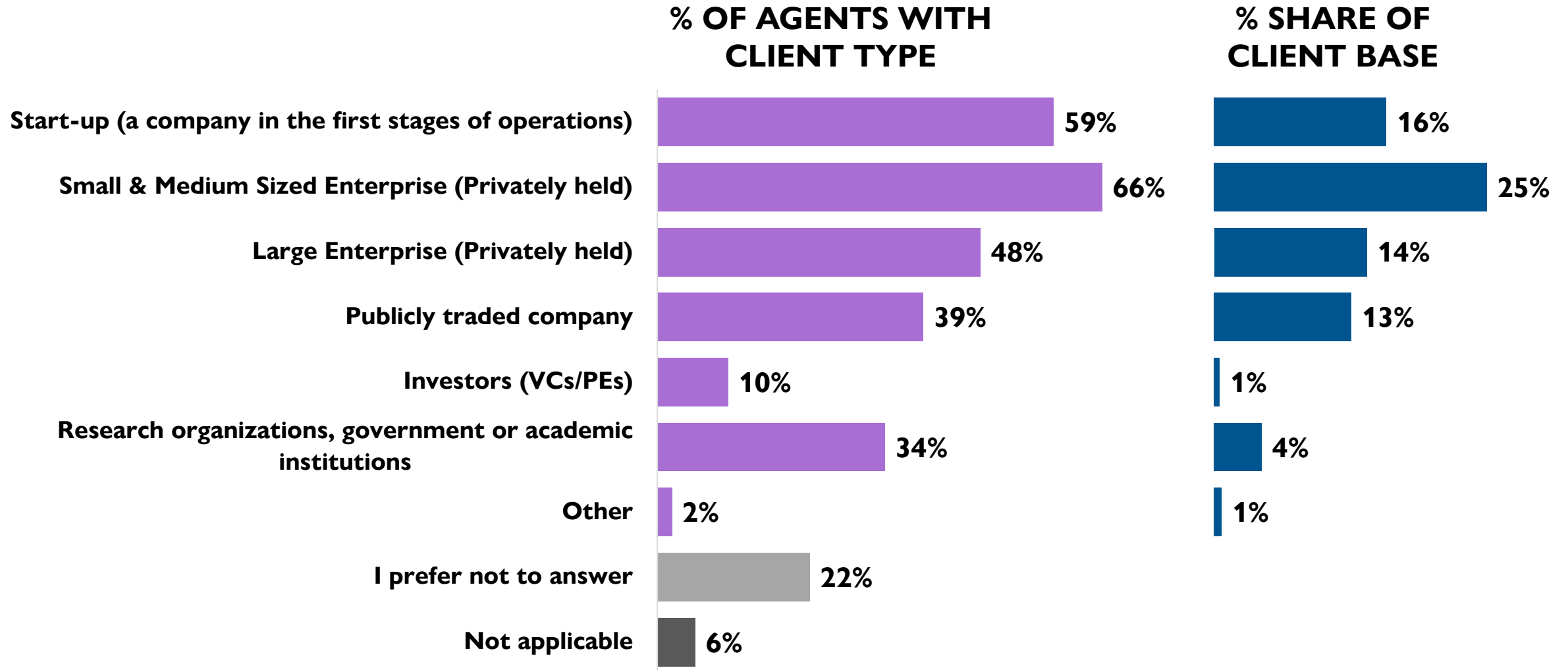
AVERAGE # OF FILINGS

AMONG THOSE WHO FILE

	1 employee (sole practitioner)	2-5 employees	6-50 employees	51+ employees
Patents you personally drafted	7.8	14	21.8	15.7
Patents drafted under your supervision	21.4	8	12.6	16.3
Direct patent filings before CIPO	6.8	11.6	27.3	26.9
Associate patent filings before CIPO	28.3	20	77.6	181
Direct Patent Filings before WIPO	9.4	4.6	14.6	13.5
Associate Patent Filings before WIPO	1.4	3.2	3.1	25.2
Direct Patent Filings before USPTO	11.4	13.9	24.6	19.5
Associate Patent Filings before USPTO	22.5	7.8	16.1	14.7
Direct Patent Filings in jurisdictions other than WIPO, US and Canada	0	7.8	5.8	16.5
Associate Patent Filings in jurisdictions other than WIPO, US and Canada	8.4	9.3	34.5	41.3

Please estimate: What number of patent filings did you do in the last year that were:

PATENT PRACTICE CLIENT BASE



What % of your patent practice client base falls under each of the following categories:

PATENT PRACTICE CLIENT BASE

% OF AGENTS WITH CLIENT TYPE

	Total	Years of practice			Professional Licence(s)			Patent Agent Licence		
		<10	10-30	+30	Lawyer	Engineer	Neither	Class 1	Class 2	Class 3
Start-up (a company in the first stages of operations)	59%	60%	61%	57%	48%	61%	66%	61%	37%	50%
Small & Medium Sized Enterprise (Privately held)	66%	60%	68%	70%	60%	75%	65%	68%	37%	63%
Large Enterprise (Privately held)	48%	37%	53%	41%	45%	55%	48%	50%	-	50%
Publicly traded company	39%	34%	46%	41%	41%	46%	32%	45%	-	19%
Investors (VCs/PEs)	10%	6%	9%	30%	10%	9%	10%	12%	-	6%
Research organizations, government or academic institutions	34%	37%	34%	26%	31%	35%	35%	35%	11%	35%
Other	2%	0%	3%	3%	3%	6%	-	3%	-	-

What % of your patent practice client base falls under each of the following categories:

PATENT PRACTICE CLIENT BASE

% OF AGENTS WITH CLIENT TYPE

	1 employee (sole practitioner)	2-5 employees	6-50 employees	51+ employees
Start-up (a company in the first stages of operations)	47%	69%	59%	61%
Small & Medium Sized Enterprise (Privately held)	52%	80%	65%	70%
Large Enterprise (Privately held)	23%	46%	47%	60%
Publicly traded company	19%	36%	41%	47%
Investors (VCs/PEs)	12%	10%	11%	10%
Research organizations, government or academic institutions	12%	19%	40%	41%

What % of your patent practice client base falls under each of the following categories:

PATENT PRACTICE CLIENT BASE

% SHARE OF CLIENT BASE

	Total	Years of practice			Professional Licence(s)			Patent Agent Licence		
		<10	10-30	+30	Lawyer	Engineer	Neither	Class 1	Class 2	Class 3
Start-up (a company in the first stages of operations)	16%	15%	14%	17%	13%	14%	19%	14%	26%	19%
Small & Medium Sized Enterprise (Privately held)	25%	23%	23%	37%	23%	29%	23%	25%	20%	21%
Large Enterprise (Privately held)	14%	11%	14%	8%	11%	17%	15%	13%	-	20%
Publicly traded company	13%	12%	17%	9%	15%	17%	8%	15%	-	1%
Investors (VCs/PEs)	1%	0%	1%	2%	0%	0%	1%	1%	-	0%
Research organizations, government or academic institutions	4%	4%	5%	2%	3%	4%	6%	4%	3%	5%
Other	1%	0%	1%	0%	1%	3%	-	1%	-	-

What % of your patent practice client base falls under each of the following categories:

PATENT PRACTICE CLIENT BASE

% SHARE OF CLIENT BASE

	1 employee (sole practitioner)	2-5 employees	6-50 employees	51+ employees
Start-up (a company in the first stages of operations)	17%	25%	16%	12%
Small & Medium Sized Enterprise (Privately held)	32%	31%	24%	22%
Large Enterprise (Privately held)	8%	13%	13%	17%
Publicly traded company	4%	9%	15%	16%
Investors (VCs/PEs)	0%	1%	0%	1%
Research organizations, government or academic institutions	0%	1%	5%	6%

What % of your patent practice client base falls under each of the following categories:

PATENT PRACTICE CLIENT BASE

% SHARE OF CLIENT BASE (SHARE OF ONLY THOSE WHO HAVE CLIENT TYPE)

	Total	Years of practice			Professional Licence(s)			Patent Agent Licence		
		<10	10-30	+30	Lawyer	Engineer	Neither	Class 1	Class 2	Class 3
Start-up (a company in the first stages of operations)	27%	25%	24%	29%	28%	23%	29%	23%	71%	38%
Small & Medium Sized Enterprise (Privately held)	37%	39%	34%	52%	38%	39%	35%	37%	55%	34%
Large Enterprise (Privately held)	28%	30%	27%	20%	26%	31%	31%	27%	-	39%
Publicly traded company	32%	36%	36%	23%	36%	38%	26%	34%	-	6%
Investors (VCs/PEs)	5%	3%	6%	6%	4%	3%	8%	6%	-	0%
Research organizations, government or academic institutions	13%	11%	14%	9%	10%	12%	17%	13%	30%	16%
Other	33%	0%	39%	5%	36%	53%	-	33%	-	-

PATENT PRACTICE CLIENT BASE

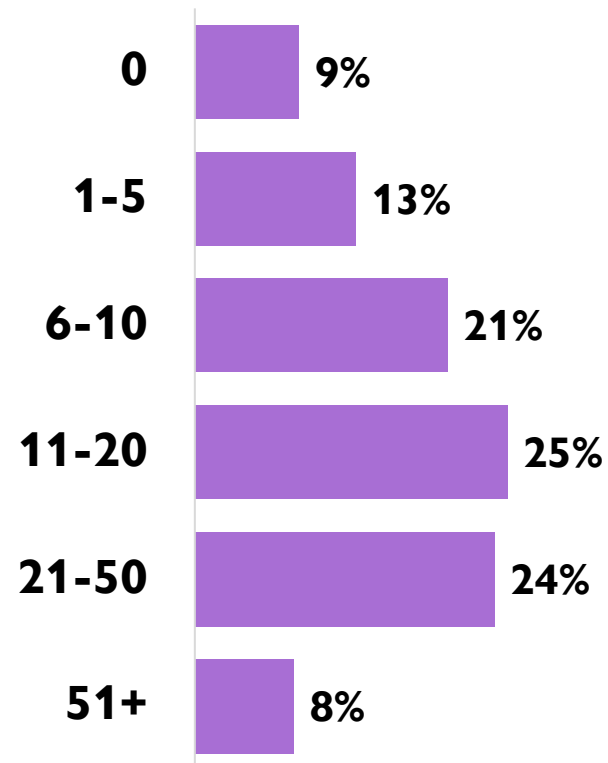
% SHARE OF CLIENT BASE (SHARE OF ONLY THOSE WHO HAVE CLIENT TYPE)

	1 employee (sole practitioner)	2-5 employees	6-50 employees	51+ employees
Start-up (a company in the first stages of operations)	37%	37%	27%	19%
Small & Medium Sized Enterprise (Privately held)	62%	39%	37%	31%
Large Enterprise (Privately held)	33%	27%	27%	29%
Publicly traded company	18%	25%	35%	33%
Investors (VCs/PEs)	3%	10%	3%	6%
Research organizations, government or academic institutions	3%	8%	14%	15%

What % of your patent practice client base falls under each of the following categories:

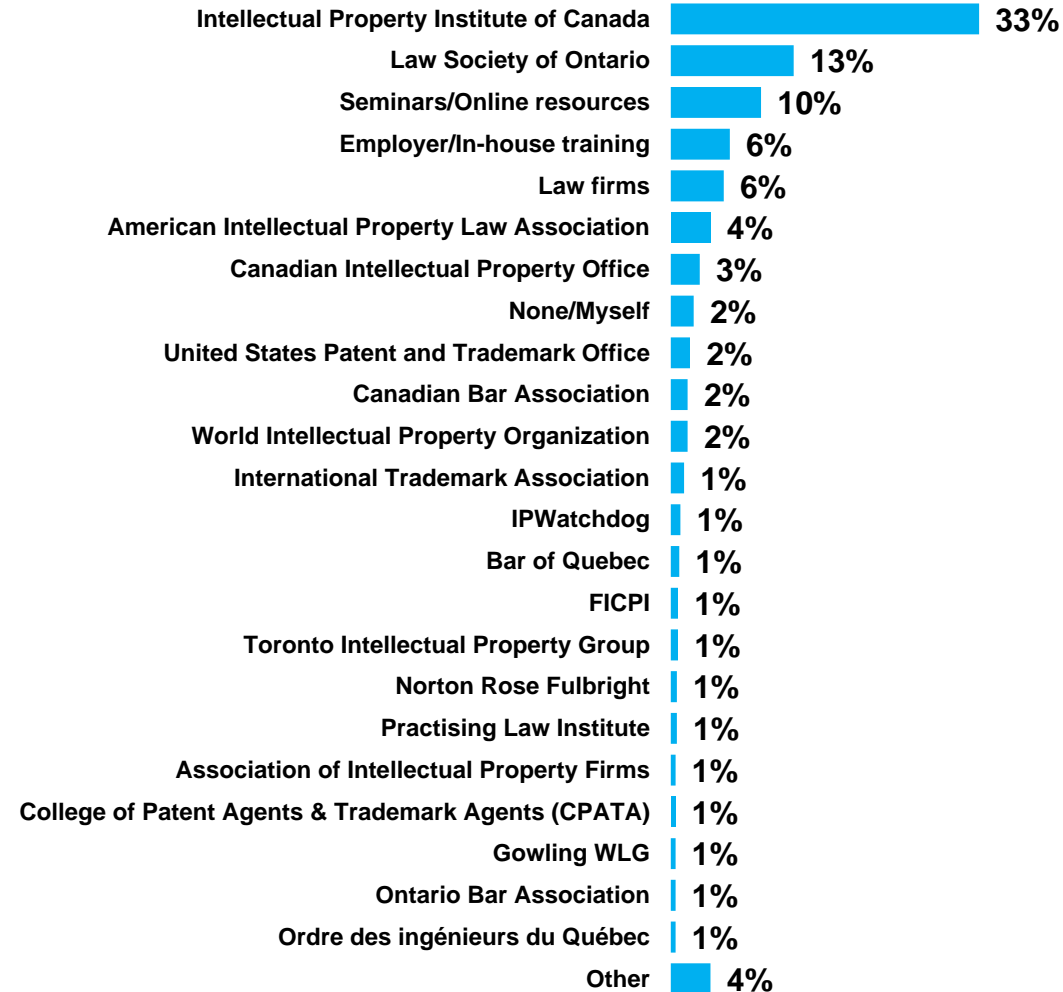
PRACTICE PROFESSIONAL DEVELOPMENT

HOURS OF CONTINUING PROFESSIONAL DEVELOPMENT



How many hours of continuing professional development specifically relevant to your patent practice did you undertake in the past year?

MAJOR PROVIDERS OF CONTINUING PROFESSIONAL DEVELOPMENT

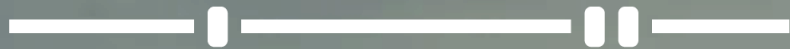


Which were the major providers of your continuing professional development opportunities?

III. TRADEMARK AGENTS

[N=341]

ABACUS DATA

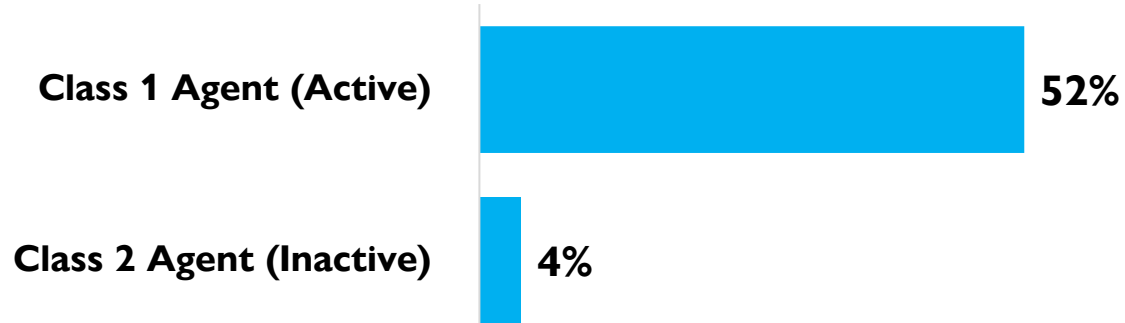


KEY FINDINGS: TRADEMARK AGENTS

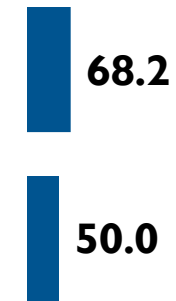
1. Class 1 trademark agents make 68 trademark filings in a typical year and have, on average, 213 active trademark files in a typical year.
2. 66% of trademark agents report their work involves filings and prosecution, while slim majorities also conduct clearance searching (59%) and renewals/classifications (53%). On average, the largest share of their work is spent on filing and prosecution (32%) and clearance searching (12%).
3. 56% of trademark agents have clients that are SMEs, and 48% report having start-up clients, though SMEs only make up an average of 26% of total trademark practice clients.
4. Half of trademark agents have spent more than 11 hours on continuing professional development (49%) in the past year, while the other half have spent 1-10 hours (44%) or done no professional development (8%).

ANNUAL TRADEMARK FILINGS

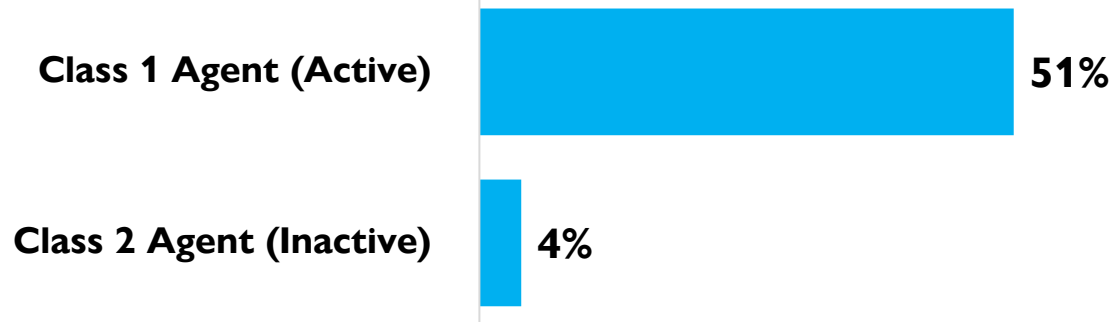
% DISCLOSING MAKING A TRADEMARK FILINGS IN A TYPICAL YEAR



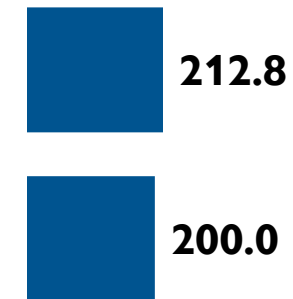
OF TRADEMARK FILINGS IN A TYPICAL YEAR



% DISCLOSING ACTIVE TRADEMARK FILES IN A TYPICAL YEAR



OF ACTIVE TRADEMARK FILES IN A TYPICAL YEAR



What would you say is your average number of trademark filings in a typical year? | How many active trademark files do you have in a typical year? [Trademark Class 1 n=291, Trademark Class 2 n=24]

CLASS 1 - ANNUAL TRADEMARK FILINGS

	Total	Years of practice			Professional Licence(s)		
		<10	10-30	+30	Lawyer	Engineer	Neither
% WITH TRADEMARK FILINGS IN A TYPICAL YEAR	52%	56%	51%	43%	50%	38%	58%
% WITH ACTIVE TRADEMARK FILES IN A TYPICAL YEAR	51%	55%	49%	47%	42%	45%	44%
# OF TRADEMARK FILINGS IN A TYPICAL YEAR	68.2	45.6	81.6	74.5	47.5	34.4	139.9
# OF ACTIVE TRADEMARK FILES IN A TYPICAL YEAR	212.8	219.4	208.5	239.1	145.0	350.2	417.2

What would you say is your average number of trademark filings [made under supervision] in a typical year? | How many active trademark files do you have [under supervision] in a typical year? [Trademark Class 1 n=291]

ANNUAL TRADEMARK FILINGS

	1 employee (sole practitioner)	2-5 employees	6-50 employees	51+ employees
% WITH TRADEMARK FILINGS IN A TYPICAL YEAR	47%	64%	52%	44%
% WITH ACTIVE TRADEMARK FILES IN A TYPICAL YEAR	52%	65%	49%	39%
# OF TRADEMARK FILINGS IN A TYPICAL YEAR	37.6	47.1	107	71.4
# OF ACTIVE TRADEMARK FILES IN A TYPICAL YEAR	56.0	166.8	267.2	281.5

What would you say is your average number of trademark filings in a typical year? [Trademark Class 1 n=291]

TRADEMARK AGENT WORK



What percentage of your trademark agent work involves:

TRADEMARK AGENT WORK

% OF TRADEMARK AGENTS WHO DO THE FOLLOWING

	Total	Years of practice			Professional Licence(s)			Trademark Agent Licence		
		<10	10-30	+30	Lawyer	Engineer	Neither	Class 1	Class 2	Class 3
Clearance searching	59%	65%	53%	55%	56%	29%	68%	61%	13%	77%
Filing and Prosecution	66%	73%	63%	59%	65%	55%	68%	70%	13%	78%
Renewals/Classification	53%	58%	48%	55%	50%	29%	62%	56%	13%	64%
Opposition proceedings	44%	50%	39%	48%	44%	26%	44%	47%	13%	43%
S.45 proceedings	41%	42%	41%	40%	39%	26%	47%	44%	13%	40%
Litigation/Litigation Support	35%	44%	31%	31%	38%	24%	22%	37%	9%	39%
Other Business Strategy Activities	47%	59%	42%	34%	47%	31%	44%	49%	9%	62%

What percentage of your trademark agent work involves:

TRADEMARK AGENT WORK

% OF TRADEMARK AGENTS WHO DO THE FOLLOWING

	1 employee (sole practitioner)	2-5 employees	6-50 employees	51+ employees
Clearance searching	55%	74%	55%	61%
Filing and Prosecution	59%	82%	68%	65%
Renewals/Classification	44%	74%	49%	52%
Opposition proceedings	31%	50%	49%	52%
S. 45 proceedings	25%	38%	53%	52%
Litigation/Litigation Support	16%	34%	42%	54%
Other Business Strategy Activities: Licensing/Portfolio Management, etc.	36%	55%	45%	56%

What percentage of your trademark agent work involves:

TRADEMARK AGENT WORK

% OF TRADEMARK AGENT TIME SPENT

	Total	Years of practice			Professional Licence(s)			Trademark Agent Licence		
		<10	10-30	+30	Lawyer	Engineer	Neither	Class 1	Class 2	Class 3
Clearance searching	12%	15%	10%	9%	11%	3%	15%	12%	1%	18%
Filing and Prosecution	32%	32%	32%	32%	30%	32%	37%	34%	6%	28%
Renewals/Classification	7%	7%	7%	8%	6%	3%	11%	7%	2%	18%
Opposition proceedings	5%	5%	5%	5%	5%	4%	4%	5%	0%	6%
S.45 proceedings	3%	3%	4%	2%	3%	2%	4%	3%	0%	5%
Litigation/Litigation Support	6%	7%	5%	5%	7%	3%	1%	6%	0%	7%
Other Business Strategy Activities	8%	10%	9%	4%	8%	11%	8%	9%	0%	13%

What percentage of your trademark agent work involves:

TRADEMARK AGENT WORK

% OF TRADEMARK AGENT TIME SPENT

	1 employee (sole practitioner)	2-5 employees	6-50 employees	51+ employees
Clearance searching	13%	15%	10%	10%
Filing and Prosecution	36%	40%	33%	23%
Renewals/Classification	6%	11%	6%	7%
Opposition proceedings	2%	5%	6%	8%
S. 45 proceedings	1%	2%	4%	7%
Litigation/Litigation Support	1%	4%	6%	12%
Other Business Strategy Activities: Licensing/Portfolio Management, etc.	6%	10%	8%	10%

What percentage of your trademark agent work involves:

TRADEMARK AGENT WORK

% OF TRADEMARK AGENT TIME SPENT (SHARE OF TIME OF ONLY THOSE WHO DO TASK)

	Total	Years of practice			Professional Licence(s)			Trademark Agent Licence		
		<10	10-30	+30	Lawyer	Engineer	Neither	Class 1	Class 2	Class 3
Clearance searching	20%	22%	20%	15%	19%	11%	23%	20%	5%	24%
Filing and Prosecution	48%	44%	51%	54%	47%	58%	54%	49%	44%	35%
Renewals/Classification	14%	12%	14%	14%	13%	11%	18%	13%	14%	28%
Opposition proceedings	11%	10%	12%	11%	12%	17%	9%	11%	2%	13%
S.45 proceedings	8%	7%	9%	6%	8%	6%	8%	8%	2%	12%
Litigation/Litigation Support	16%	15%	15%	17%	17%	13%	5%	16%	1%	19%
Other Business Strategy Activities	18%	17%	20%	11%	18%	34%	19%	18%	3%	21%

What percentage of your trademark agent work involves:

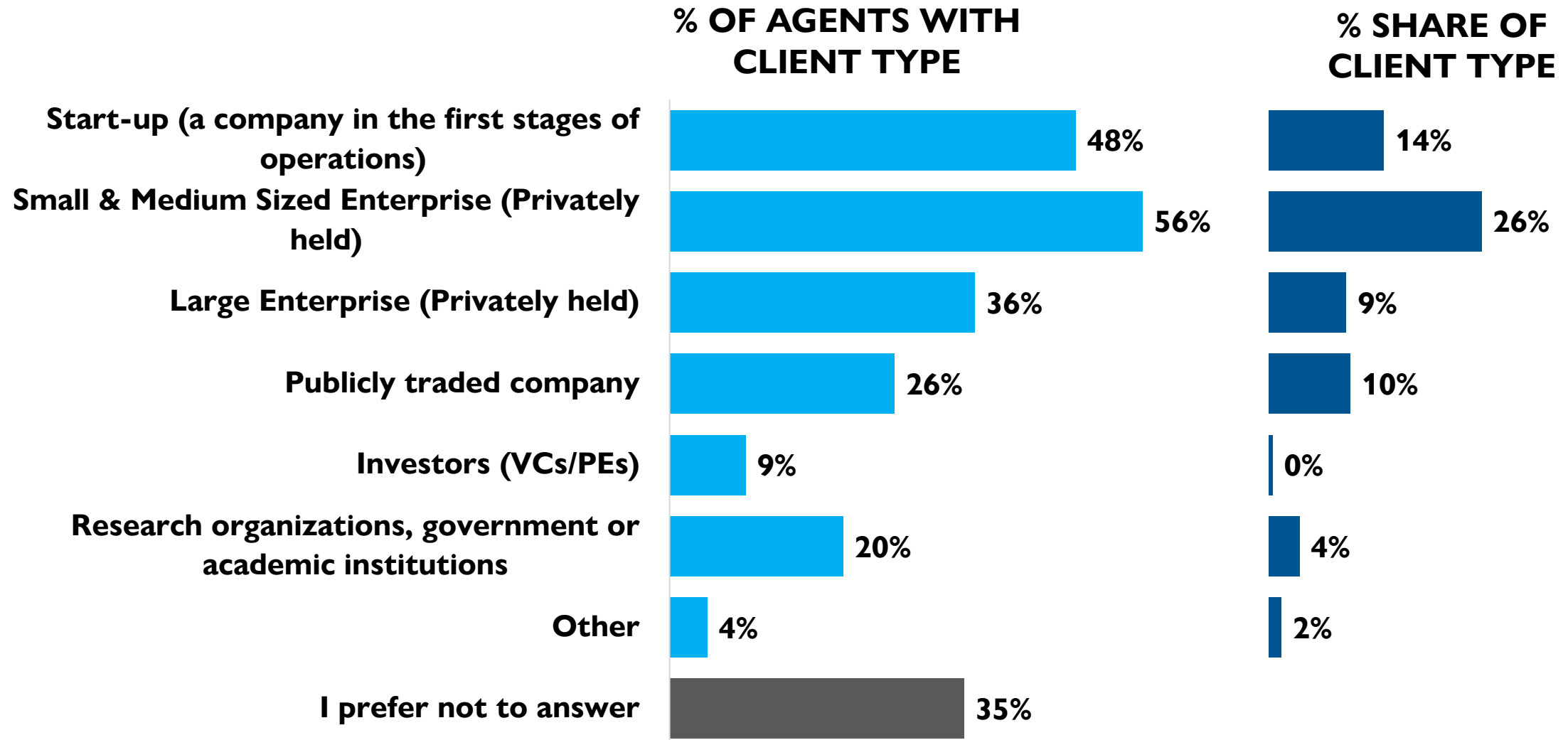
TRADEMARK AGENT WORK

% OF TRADEMARK AGENT TIME SPENT (SHARE OF TIME OF ONLY THOSE WHO DO TASK)

	1 employee (sole practitioner)	2-5 employees	6-50 employees	51+ employees
Clearance searching	24%	21%	19%	17%
Filing and Prosecution	61%	49%	49%	36%
Renewals/Classification	14%	15%	13%	15%
Opposition proceedings	7%	10%	12%	15%
S. 45 proceedings	5%	5%	8%	13%
Litigation/Litigation Support	8%	12%	15%	22%
Other Business Strategy Activities: Licensing/Portfolio Management, etc.	18%	19%	18%	17%

What percentage of your trademark agent work involves:

TRADEMARK PRACTICE CLIENT BASE



What % of your trademark practice client base falls under each of the following categories:

TRADEMARK PRACTICE CLIENT BASE

% OF AGENTS WITH CLIENT TYPE

	Total	Years of practice			Professional Licence(s)			Trademark Agent Licence		
		<10	10-30	+30	Lawyer	Engineer	Neither	Class 1	Class 2	Class 3
Start-up (a company in the first stages of operations)	48%	51%	46%	44%	50%	32%	38%	51%	9%	53%
Small & Medium Sized Enterprise (Privately held)	56%	59%	54%	55%	59%	41%	41%	59%	9%	57%
Large Enterprise (Privately held)	36%	38%	33%	33%	38%	31%	24%	38%	4%	46%
Publicly traded company	26%	28%	27%	29%	27%	16%	21%	29%	4%	15%
Investors (VCs/PEs)	9%	11%	8%	9%	10%	8%	5%	10%	4%	4%
Research organizations, government or academic institutions	20%	18%	23%	14%	22%	16%	14%	22%	4%	18%
Other	4%	7%	2%	5%	5%	6%	-	4%	9%	10%

What % of your trademark practice client base falls under each of the following categories:

TRADEMARK PRACTICE CLIENT BASE

% OF AGENTS WITH CLIENT TYPE

	1 employee (sole practitioner)	2-5 employees	6-50 employees	51+ employees
Start-up (a company in the first stages of operations)	49%	50%	50%	51%
Small & Medium Sized Enterprise (Privately held)	60%	61%	58%	55%
Large Enterprise (Privately held)	20%	44%	38%	43%
Publicly traded company	14%	25%	34%	32%
Investors (VCs/PEs)	2%	7%	12%	13%
Research organizations, government or academic institutions	6%	22%	25%	28%
Other	2%	7%	2%	4%

What % of your trademark practice client base falls under each of the following categories:

TRADEMARK PRACTICE CLIENT BASE

% SHARE OF CLIENT TYPE

	Total	Years of practice			Professional Licence(s)			Trademark Agent Licence		
		<10	10-30	+30	Lawyer	Engineer	Neither	Class 1	Class 2	Class 3
Start-up (a company in the first stages of operations)	14%	18%	12%	11%	14%	13%	16%	15%	3%	19%
Small & Medium Sized Enterprise (Privately held)	25%	25%	26%	24%	28%	24%	18%	27%	2%	25%
Large Enterprise (Privately held)	9%	11%	9%	7%	10%	10%	8%	10%	0%	17%
Publicly traded company	10%	12%	10%	9%	9%	2%	12%	11%	0%	5%
Investors (VCs/PEs)	0%	1%	1%	0%	0%	0%	1%	1%	0%	0%
Research organizations, government or academic institutions	4%	1%	5%	3%	4%	1%	2%	4%	0%	2%
Other	2%	2%	1%	3%	2%	6%	-	1%	9%	1%

What % of your trademark practice client base falls under each of the following categories:

TRADEMARK PRACTICE CLIENT BASE

% SHARE OF CLIENT TYPE

	1 employee (sole practitioner)	2-5 employees	6-50 employees	51+ employees
Start-up (a company in the first stages of operations)	21%	16%	13%	10%
Small & Medium Sized Enterprise (Privately held)	31%	32%	26%	18%
Large Enterprise (Privately held)	5%	11%	9%	15%
Publicly traded company	6%	13%	12%	8%
Investors (VCs/PEs)	0%	0%	1%	1%
Research organizations, government or academic institutions	2%	6%	2%	5%
Other	1%	2%	0%	0%

What % of your trademark practice client base falls under each of the following categories:

TRADEMARK PRACTICE CLIENT BASE

% SHARE OF CLIENT TYPE (OF ONLY THOSE WHO HAVE CLIENT TYPE)

	Total	Years of practice			Professional Licence(s)			Trademark Agent Licence		
		<10	10-30	+30	Lawyer	Engineer	Neither	Class 1	Class 2	Class 3
Start-up (a company in the first stages of operations)	29%	36%	27%	25%	27%	42%	41%	29%	31%	37%
Small & Medium Sized Enterprise (Privately held)	46%	43%	48%	43%	47%	59%	44%	46%	21%	44%
Large Enterprise (Privately held)	26%	29%	26%	20%	25%	32%	35%	26%	0%	36%
Publicly traded company	37%	42%	38%	32%	33%	12%	56%	38%	0%	34%
Investors (VCs/PEs)	5%	5%	7%	1%	4%	0%	13%	5%	0%	5%
Research organizations, government or academic institutions	18%	6%	23%	21%	19%	4%	11%	18%	0%	10%
Other	34%	34%	38%	48%	34%	100%	-	26%	100%	8%

What % of your trademark practice client base falls under each of the following categories:

TRADEMARK PRACTICE CLIENT BASE

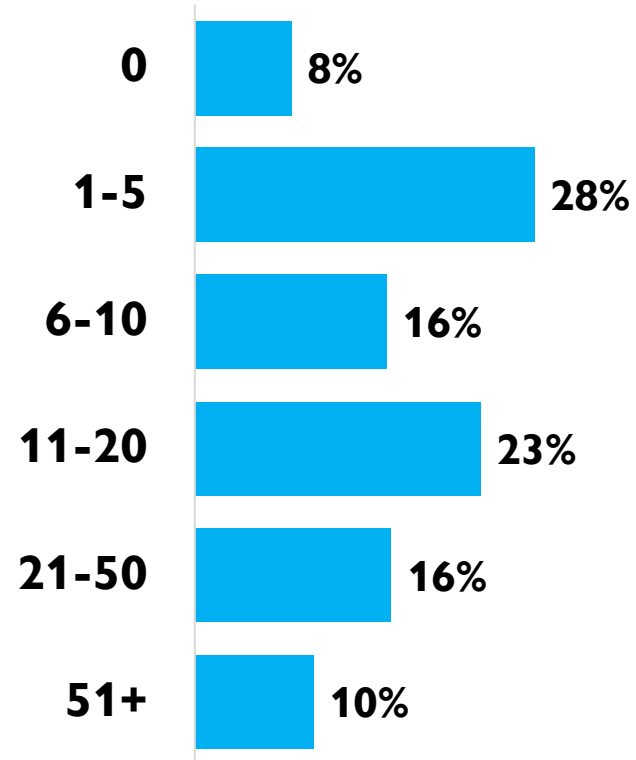
% SHARE OF CLIENT TYPE (OF ONLY THOSE WHO HAVE CLIENT TYPE)

	1 employee (sole practitioner)	2-5 employees	6-50 employees	51+ employees
Start-up (a company in the first stages of operations)	44%	32%	27%	20%
Small & Medium Sized Enterprise (Privately held)	53%	52%	46%	33%
Large Enterprise (Privately held)	23%	26%	23%	34%
Publicly traded company	45%	53%	34%	24%
Investors (VCs/PEs)	0%	2%	6%	8%
Research organizations, government or academic institutions	32%	29%	8%	18%
Other	30%	23%	6%	7%

What % of your trademark practice client base falls under each of the following categories:

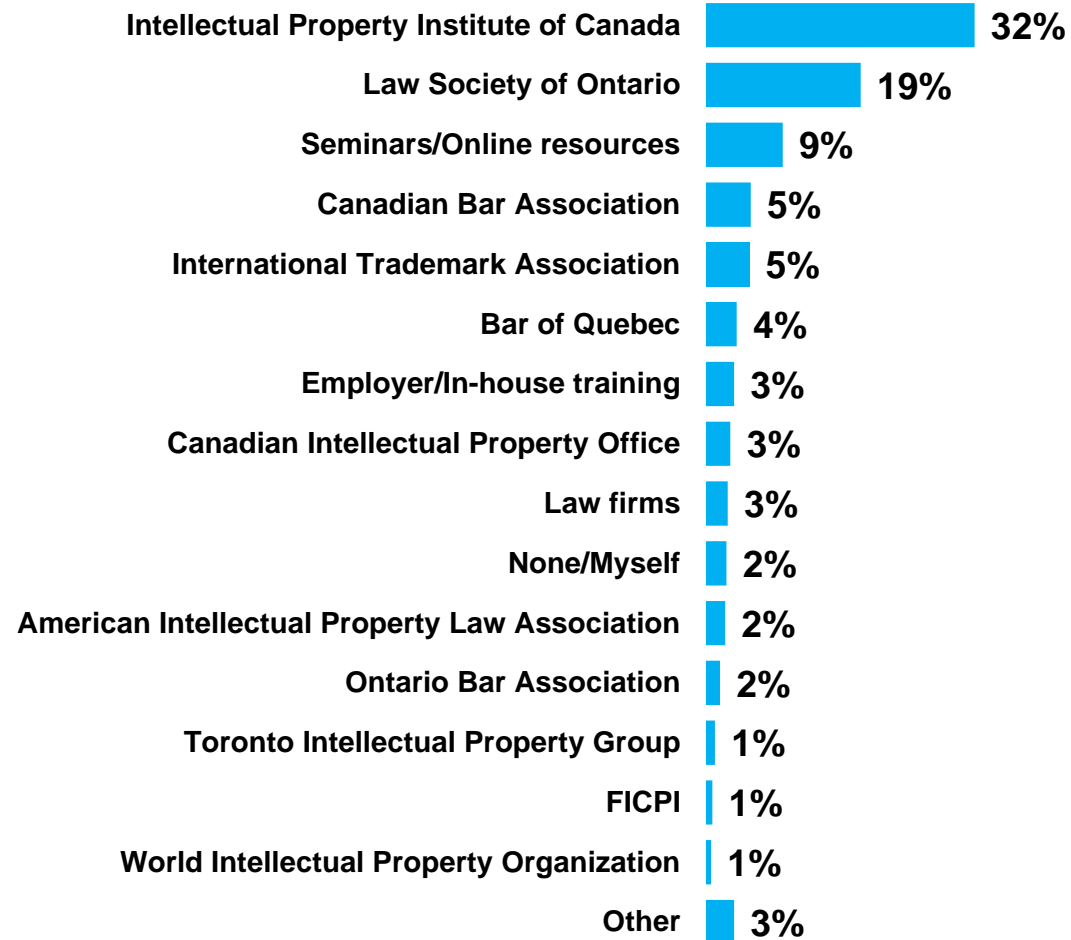
PRACTICE PROFESSIONAL DEVELOPMENT

HOURS OF CONTINUING PROFESSIONAL DEVELOPMENT



How many hours of continuing professional development specifically relevant to your trademark practice did you undertake in the past year?

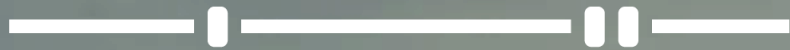
MAJOR PROVIDERS OF CONTINUING PROFESSIONAL DEVELOPMENT



Which were the major providers of your continuing professional development opportunities?

V. PROCESSES & BILLING

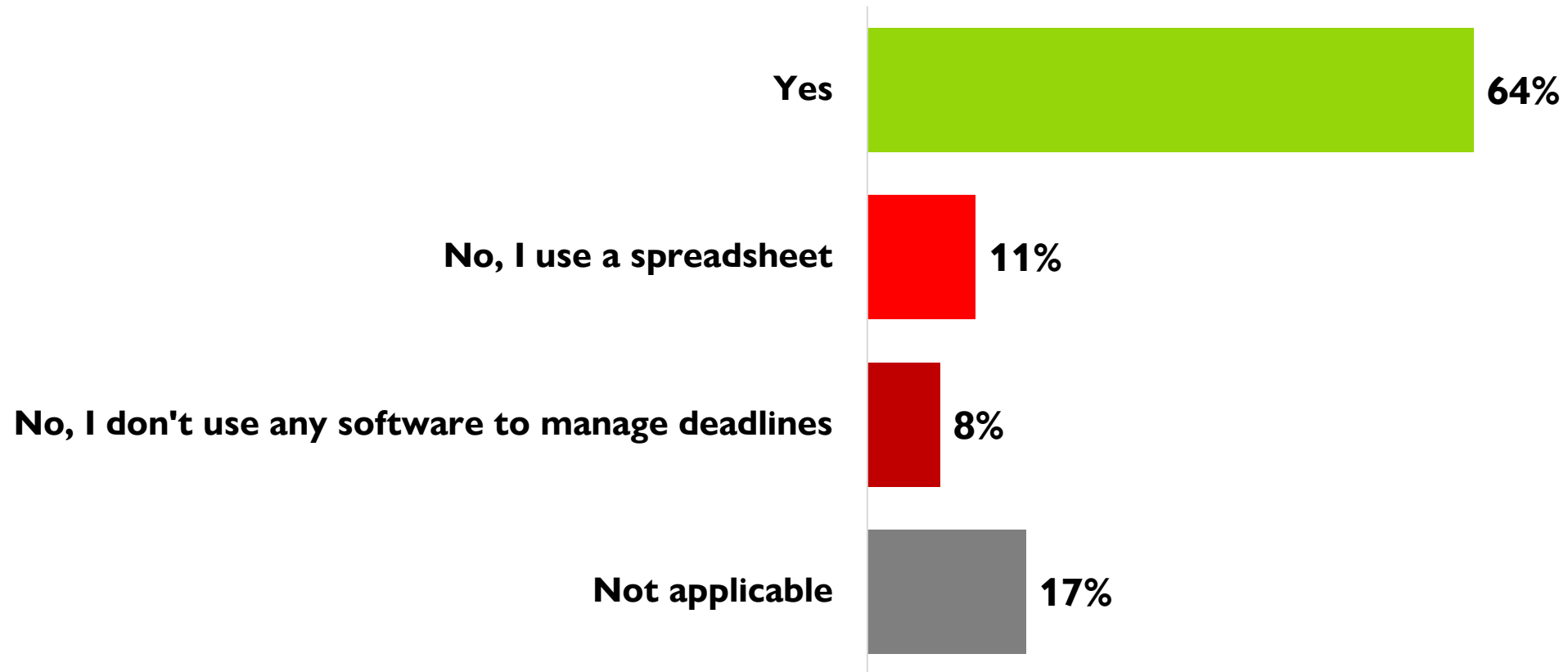
ABACUS DATA



KEY FINDINGS: PROCESSES

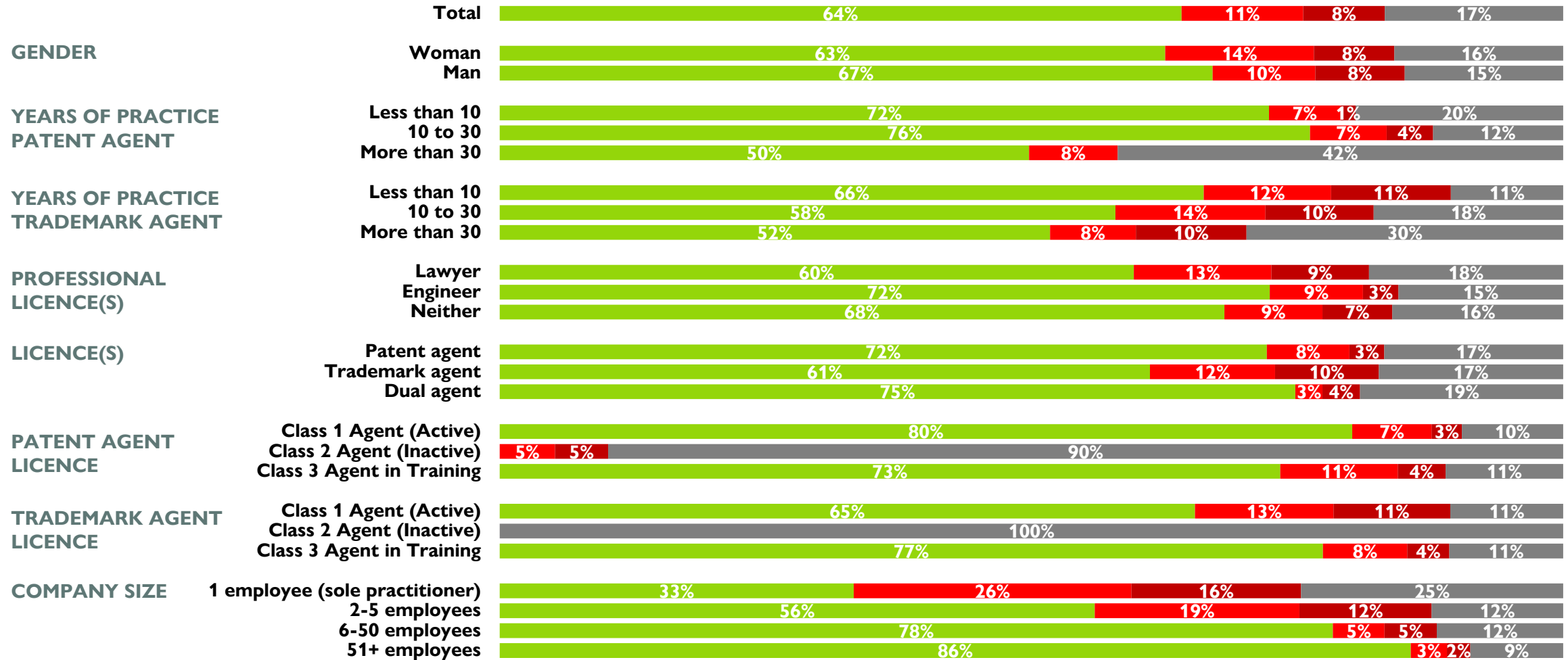
1. 64% of licensees use an IP management software, though the vast majority of patent agents holding a class 1 licence do so (80%), this being less common among class 1 trademark agents (61%). Only 33% of sole practitioners use this kind of software.
2. 52% have standardized application/prosecution process guidelines which are always employed, though this too skews heavily by practice size, with sole practitioners being half as likely to do so (31%) as agents in larger practices.
3. 83% report having client discussions about risk associated with client courses of action always or most of the time.
4. Client files are maintained electronically 64% of the time, and 21% maintain client files both electronically and as hardcopies. Only a small minority say they only sometimes rely on hard copies and sometimes electronic copies (3%).

USE OF IP MANAGEMENT SOFTWARE



Do you use an intellectual property management software (due date tracking system) to manage your IP filing deadlines?

USE OF IP MANAGEMENT SOFTWARE

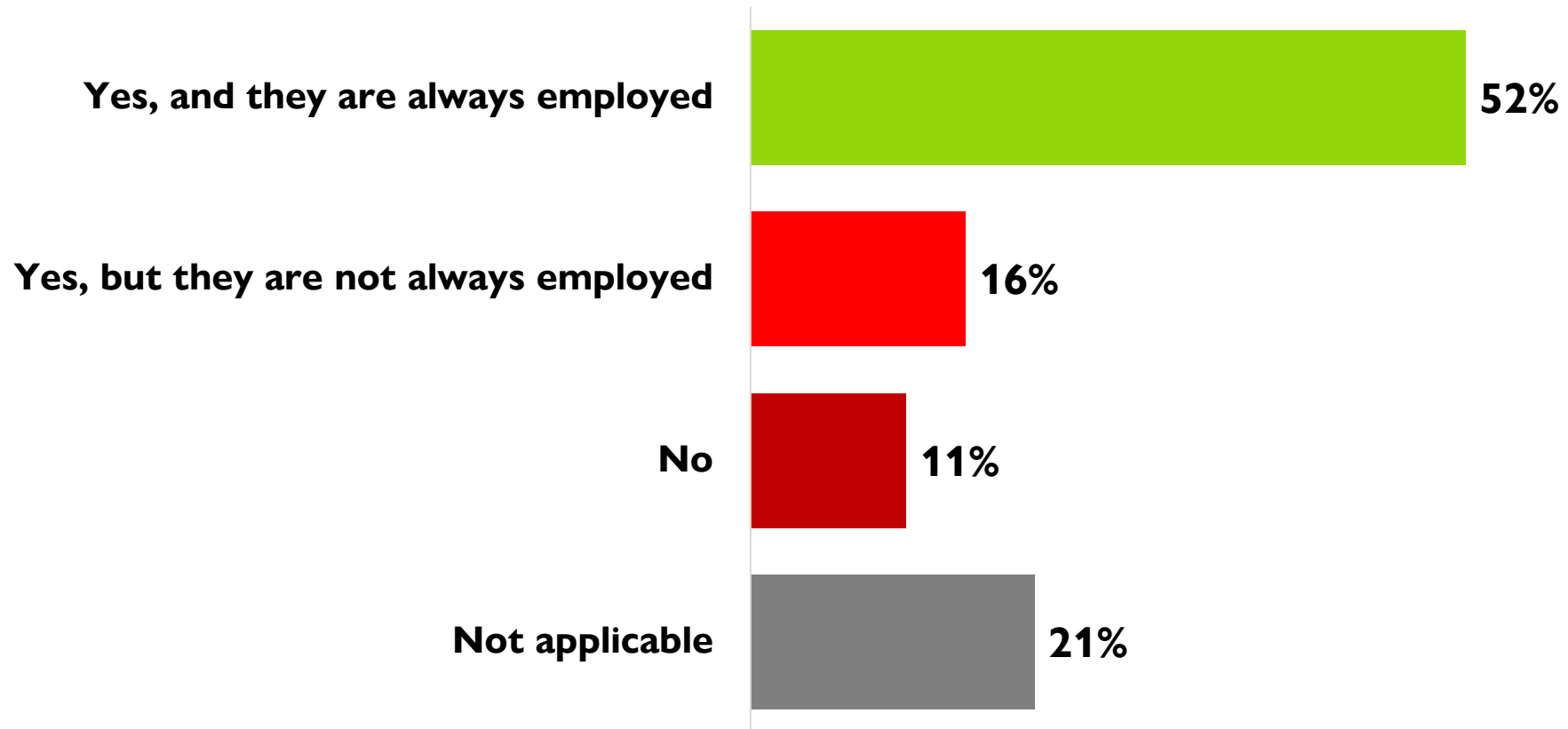


■ Yes
 ■ No, I use a spreadsheet
 ■ No, I don't use any software to manage deadlines
 ■ Not applicable



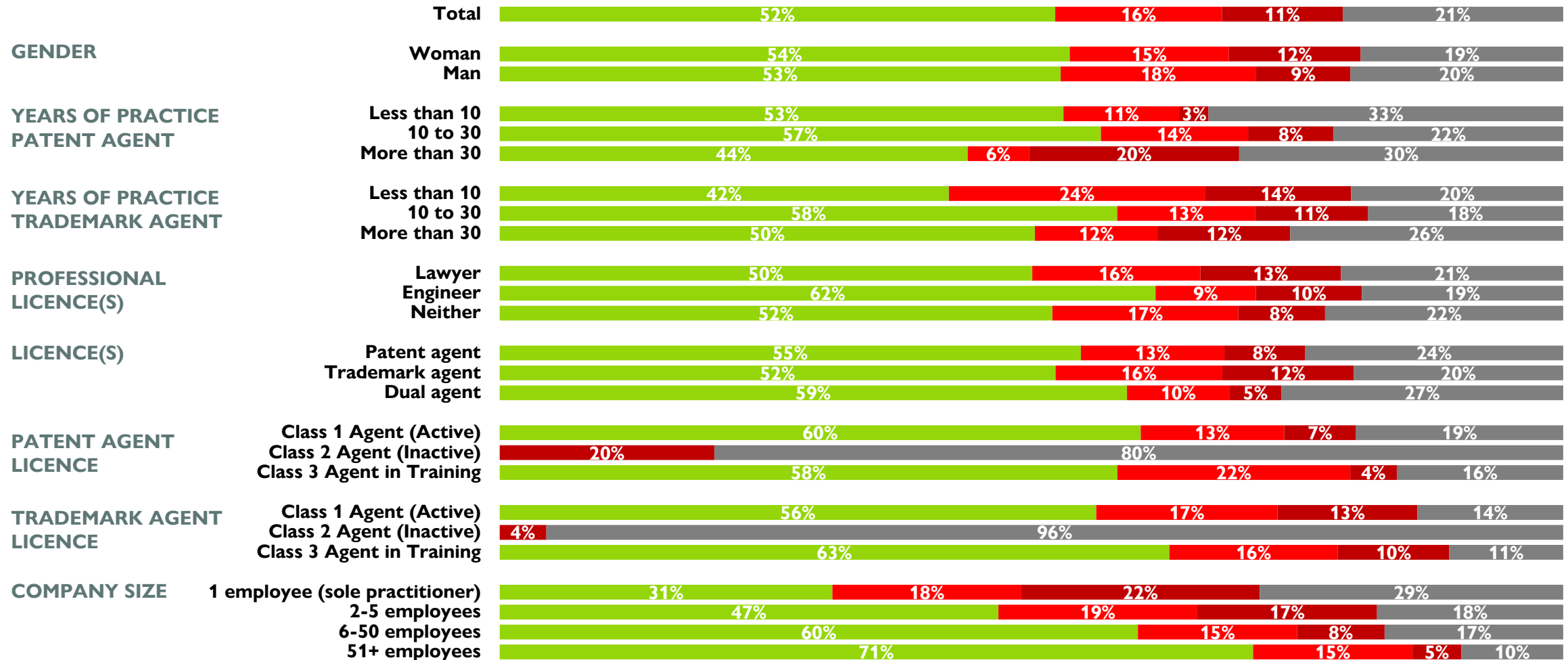
Do you use an intellectual property management software (due date tracking system) to manage your IP filing deadlines?

STANDARDIZED APPLICATION/ PROSECUTION PROCESS GUIDELINES



Do you have standardized application/prosecution process guidelines to support your client communications, instructions and advice?

STANDARDIZED APPLICATION/ PROSECUTION PROCESS GUIDELINES

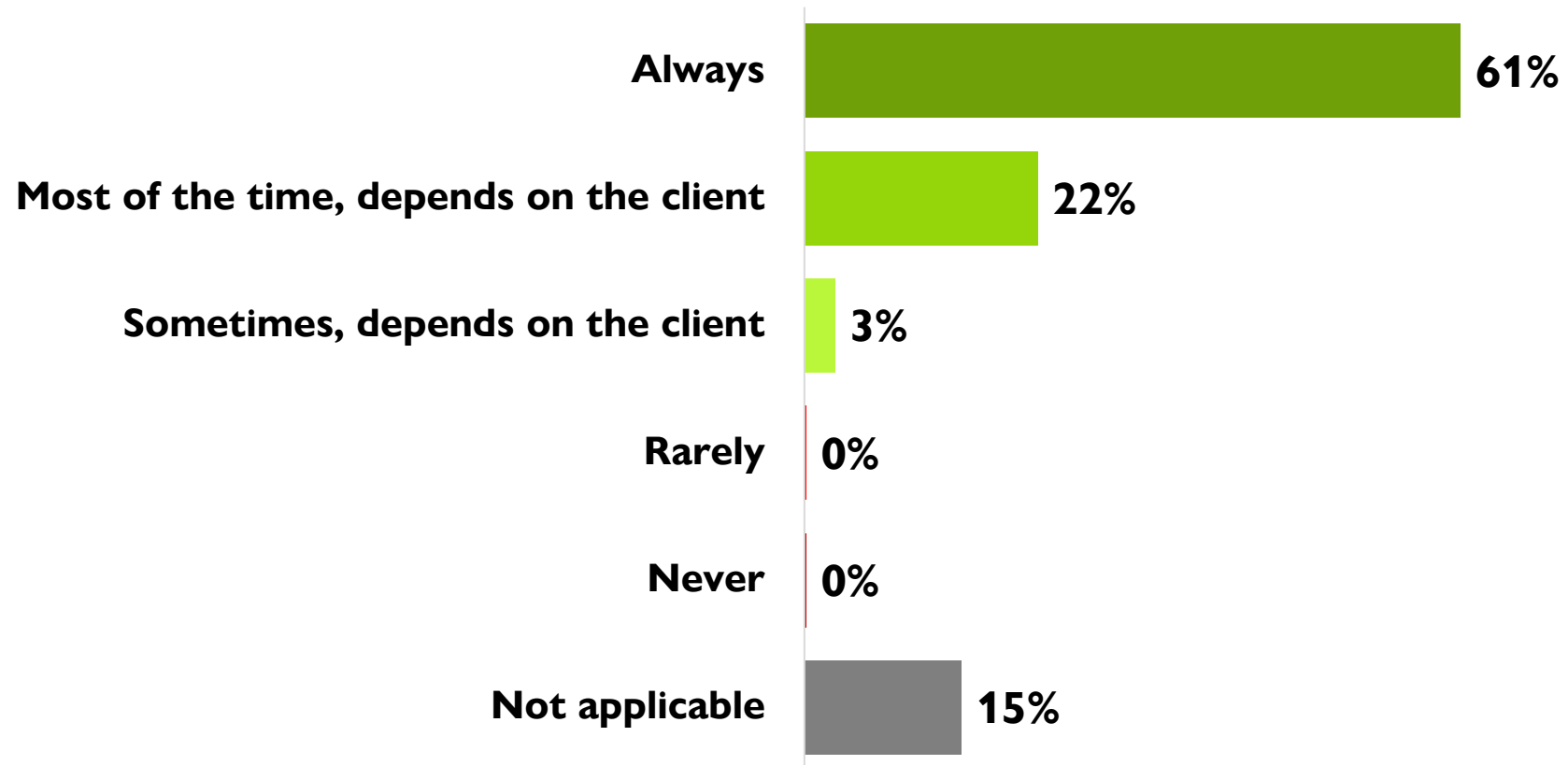


■ Yes, and they are always employed
 ■ Yes, but they are not always employed
 ■ No
 ■ Not applicable

Do you have standardized application/prosecution process guidelines to support your client communications, instructions and advice?

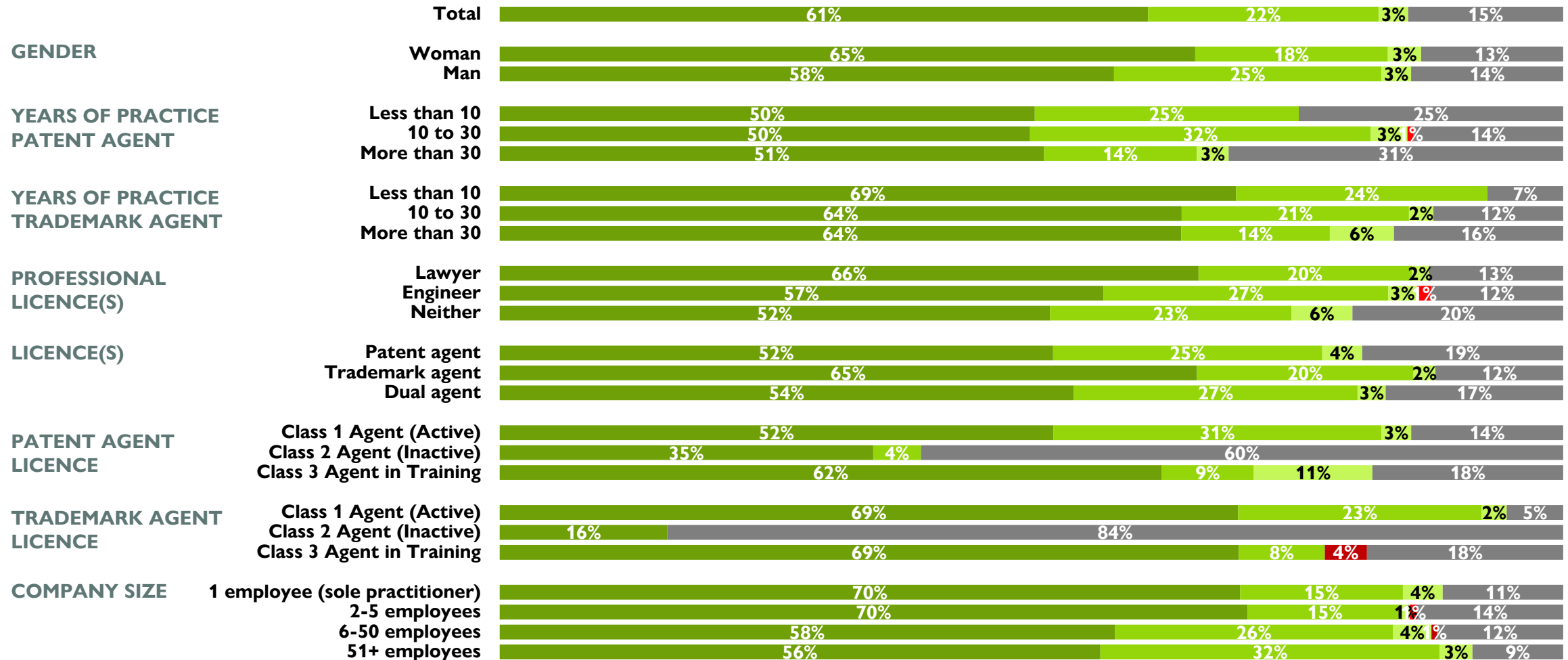


DISCUSSING RISKS WITH CLIENTS



Do you discuss with each client any risks associated with their chosen course of action?

DISCUSSING RISKS WITH CLIENTS

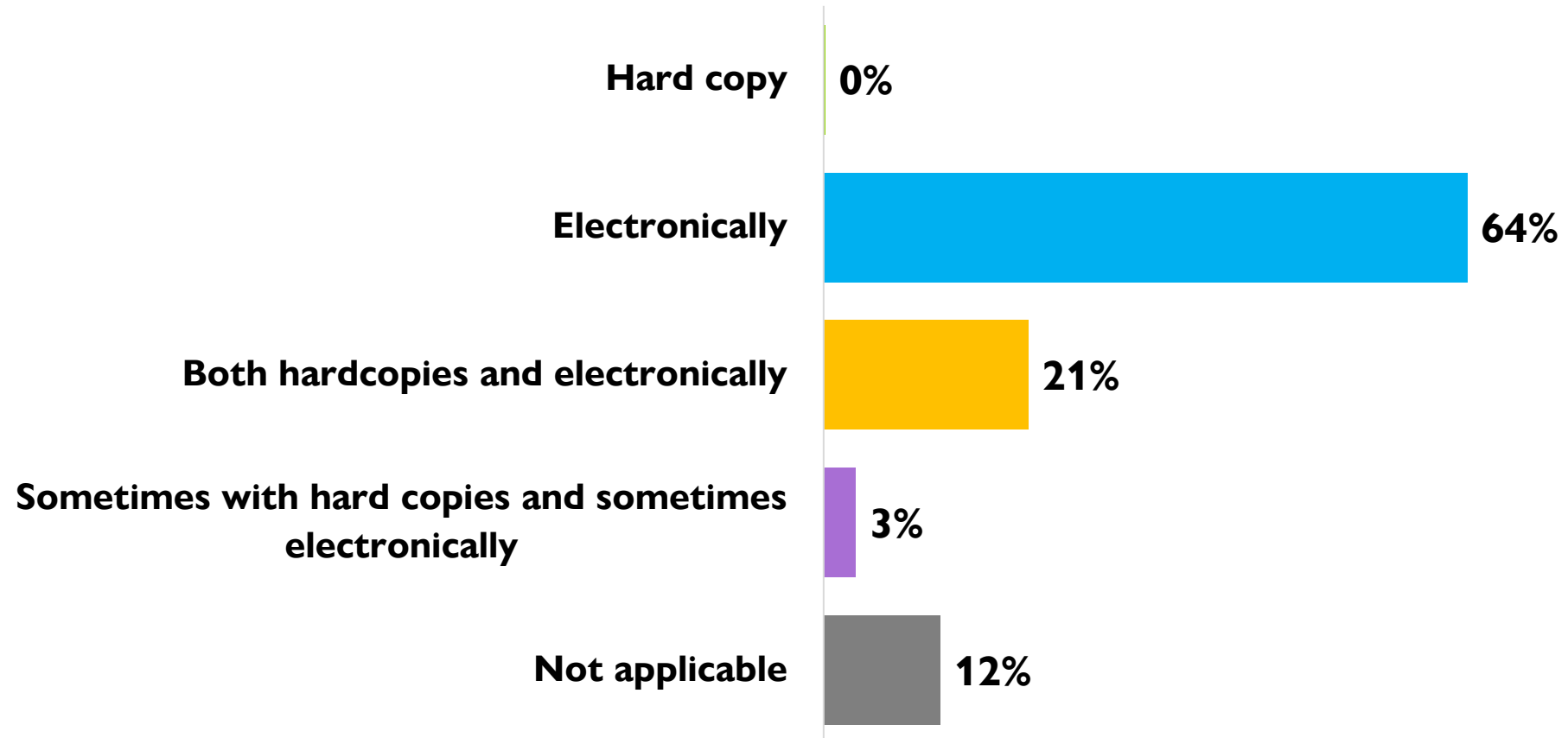


■ Always
 ■ Most of the time, depends on the client
 ■ Sometimes, depends on the client
 ■ Rarely
 ■ Never
 ■ Not applicable



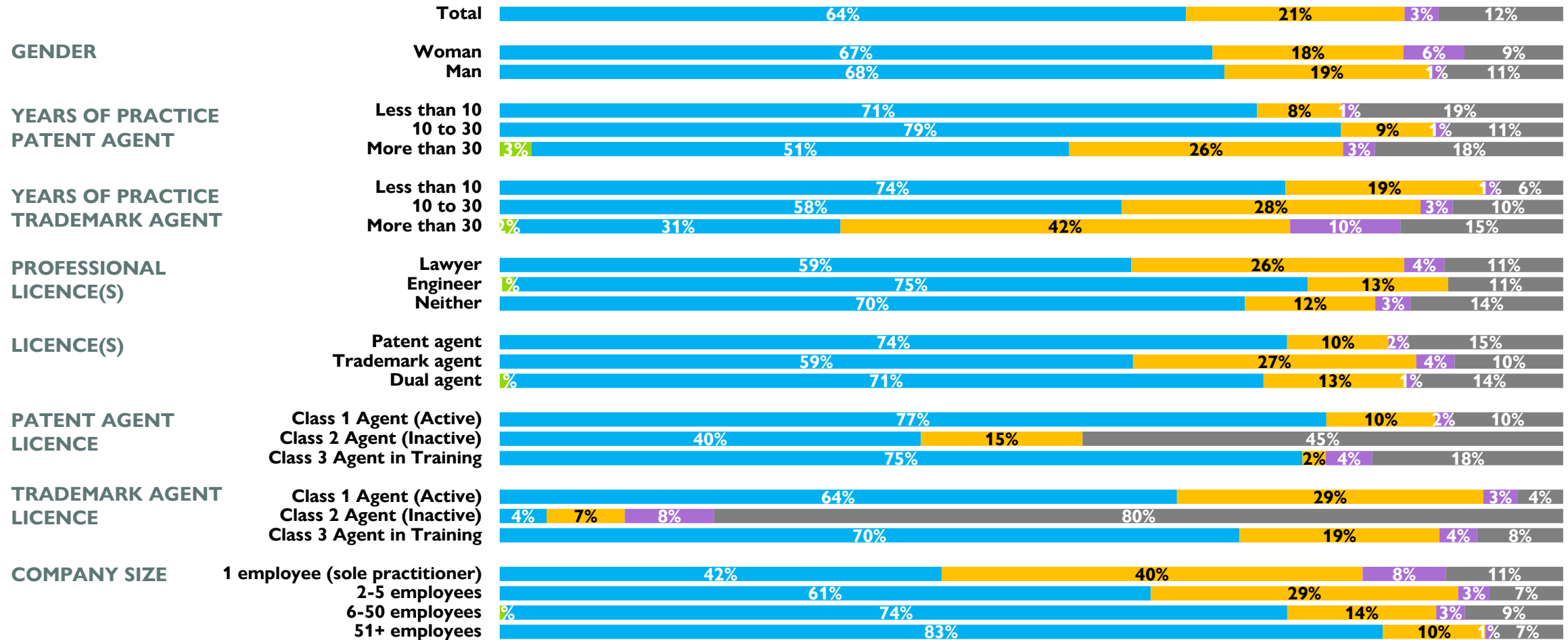
Do you discuss with each client any risks associated with their chosen course of action?

MAINTAINING CLIENT FILES



How do you maintain client files?

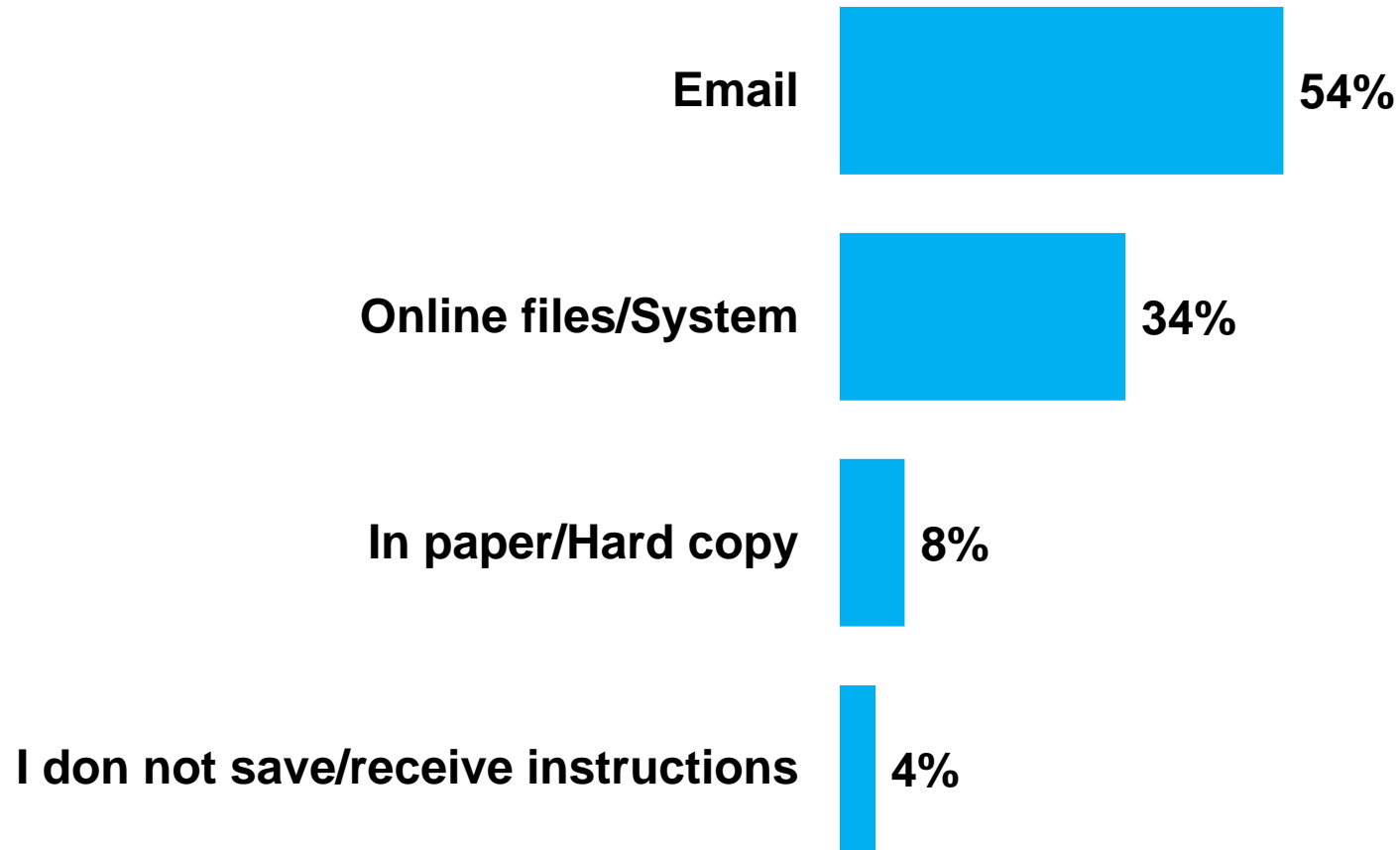
MAINTAINING CLIENT FILES



- Hard copy
- Both hardcopies and electronically
- Not applicable
- Electronically
- Sometimes with hard copies and sometimes electronically

How do you maintain client files?

DOCUMENTATION OF INSTRUCTIONS & ADVICE PROVIDED TO CLIENTS



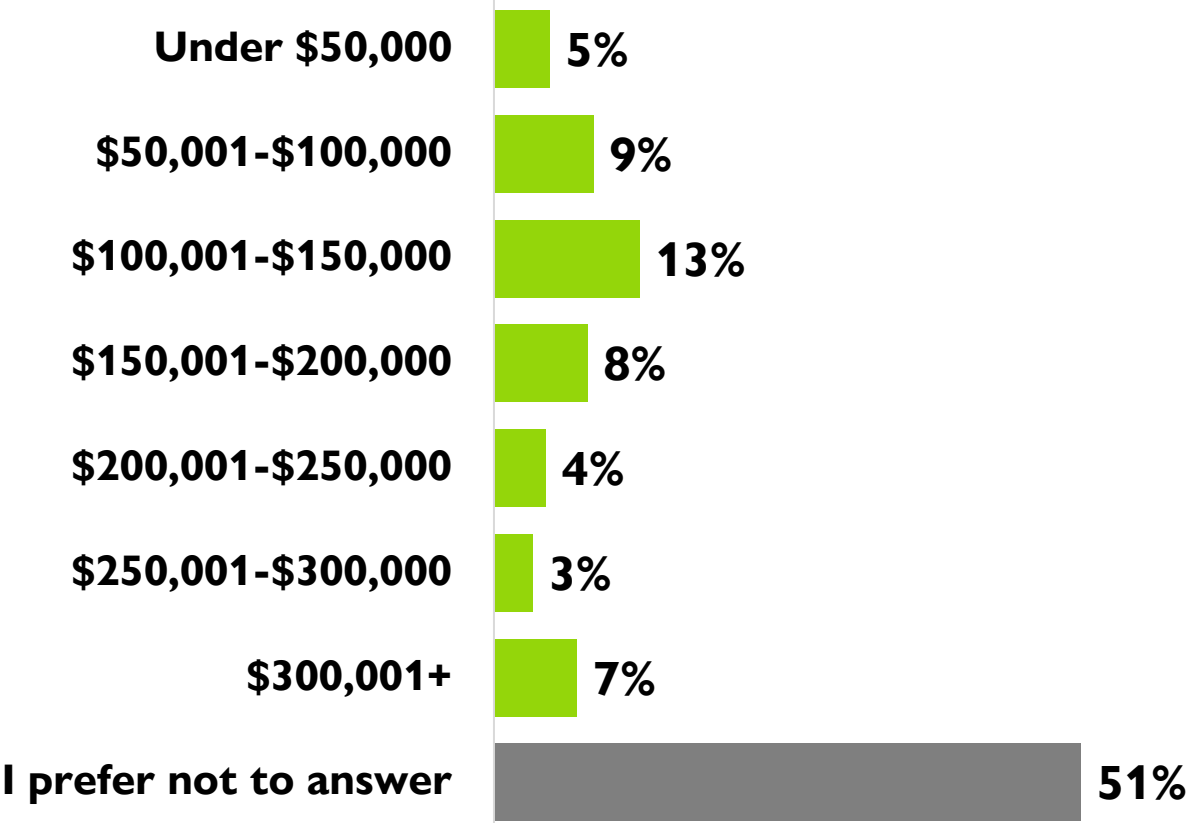
How do you document all instructions given by and advice provided to clients?

KEY FINDINGS: BILLING & COMPENSATION

5. Licensees report that their average annual fee billings, excluding disbursements come to \$473,969.
6. Although 51% preferred not to disclose their total gross income in the 2021 calendar year, most reported incomes were above \$100,001.
7. Licensees on average estimate that 75% of their work is postpaid, with 25% billed as prepaid.
8. Licensees estimate that their services are billed as a flat fee 44% of the time, 50% of the time hourly, and 6% of the time they employ an alternate fee arrangement.
9. One in three (32%) licensees offer pro-bono services, while 44% do not.

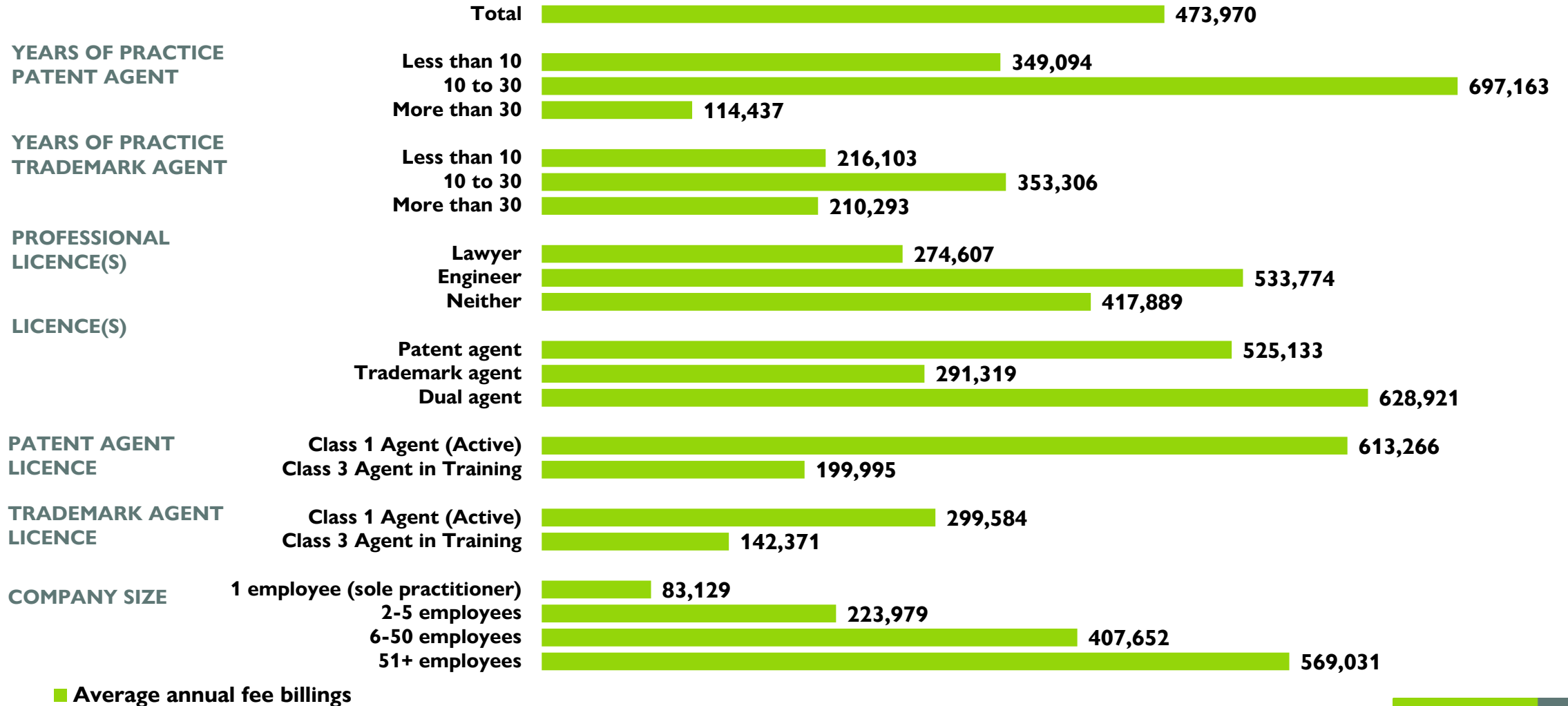
ANNUAL FEES & GROSS INCOME

Average annual fee billings,
excluding disbursements
=
\$473,969



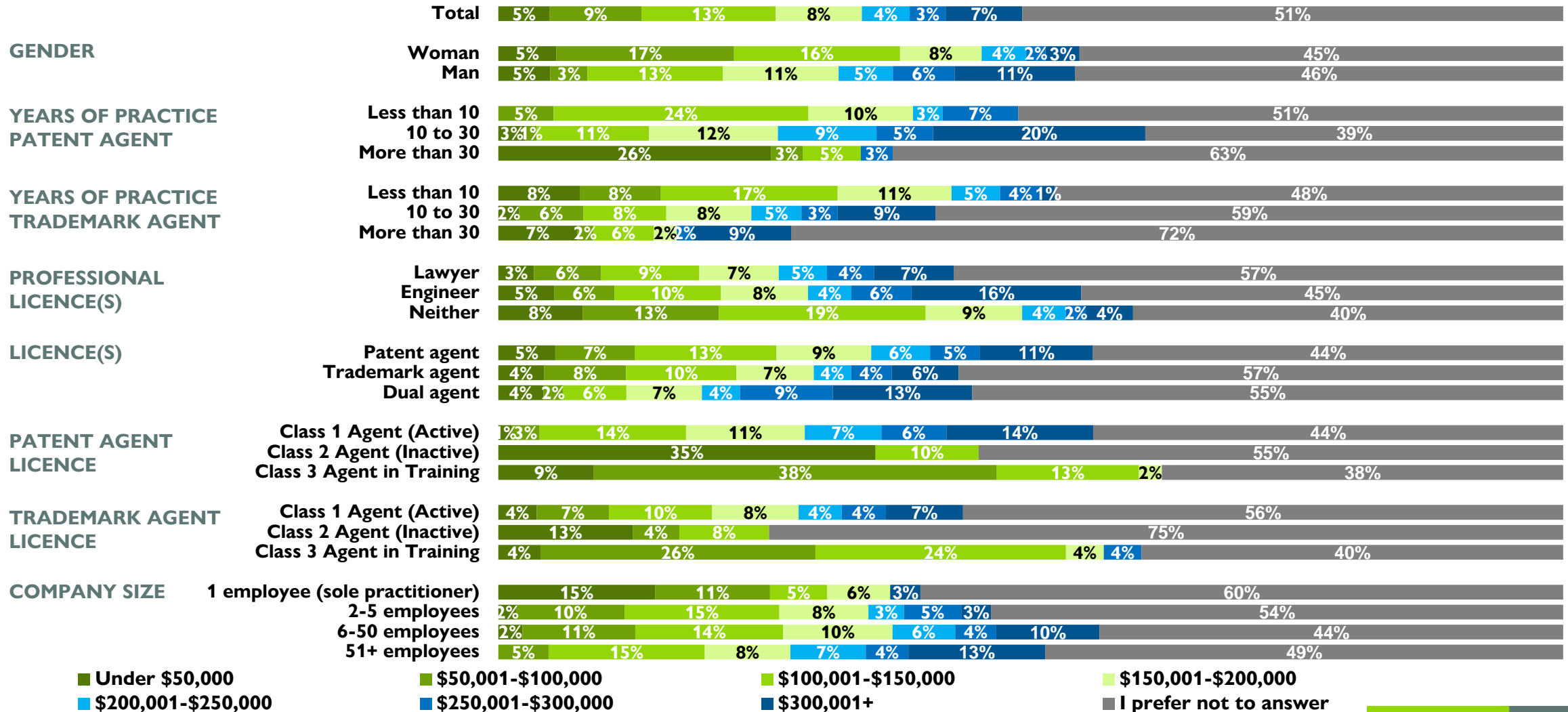
What are your annual fee billings, excluding disbursements? | What was the total gross income your received in the calendar year 2021 from your primary practice (including any bonuses, partnership dividends, or deferred compensation)? [n=93 who shared information]

ANNUAL FEES



What are your annual fee billings, excluding disbursements? [n=93 who shared information]

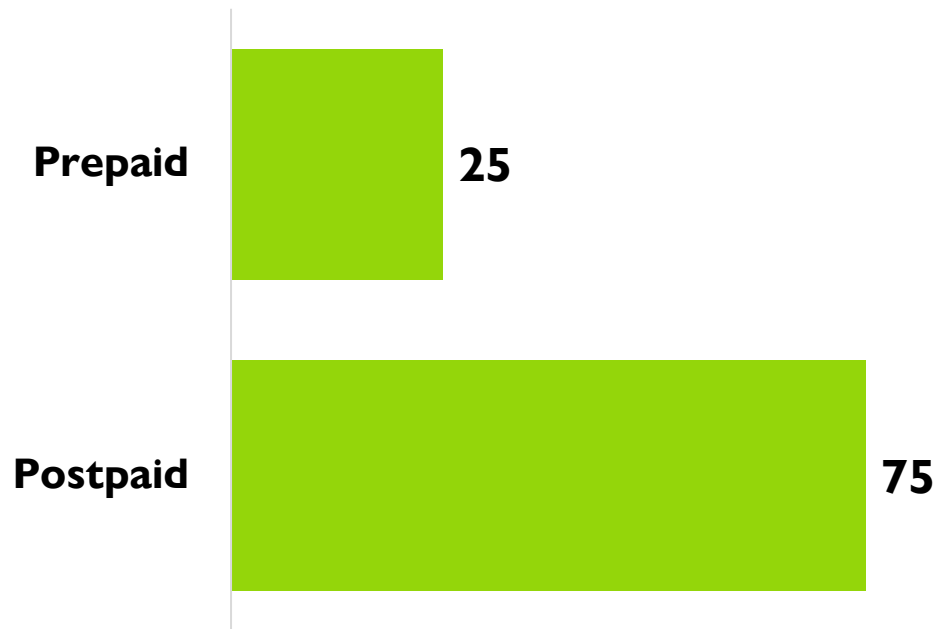
GROSS INCOME



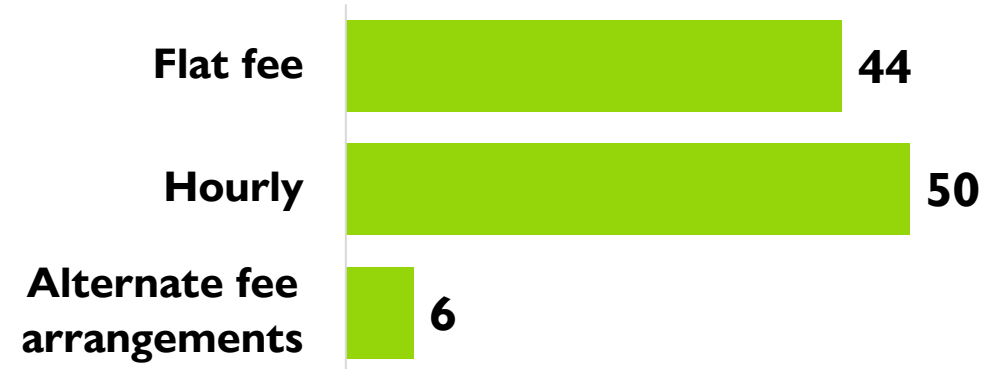
What was the total gross income you received in the calendar year 2021 from your primary practice (including any bonuses, partnership dividends, or deferred compensation)?

BILLING OF WORK

% OF WORK PREPAID VS. POSTPAID



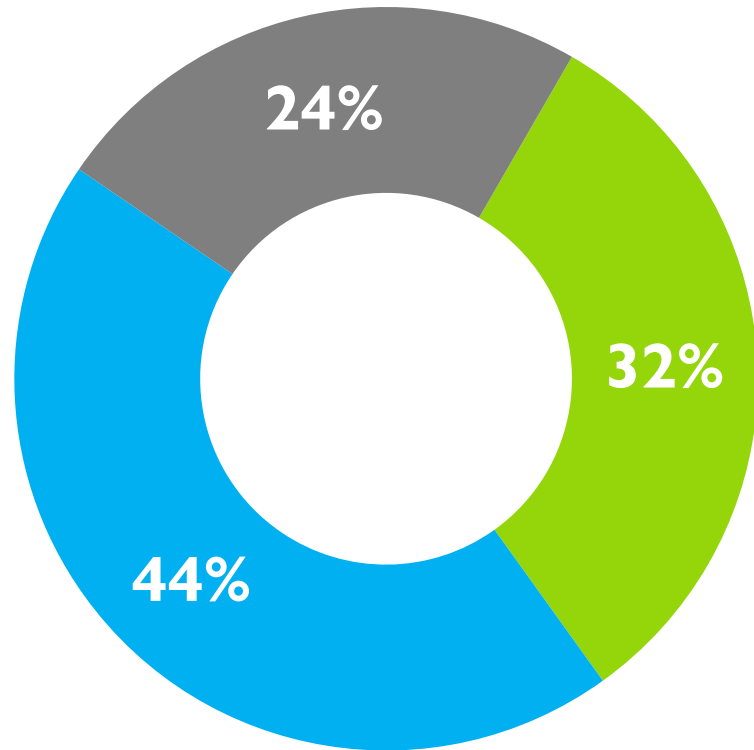
% OF WORK FLAT FEE VS. HOURLY



Other: In-house salaried employee, fixed fee, capped fee, success-based fee, agreed upon fee schedule

And what percentage of your work is billed as prepaid vs. postpaid (billed after the work is completed)? | What percentage of your work is flat fee vs hourly?

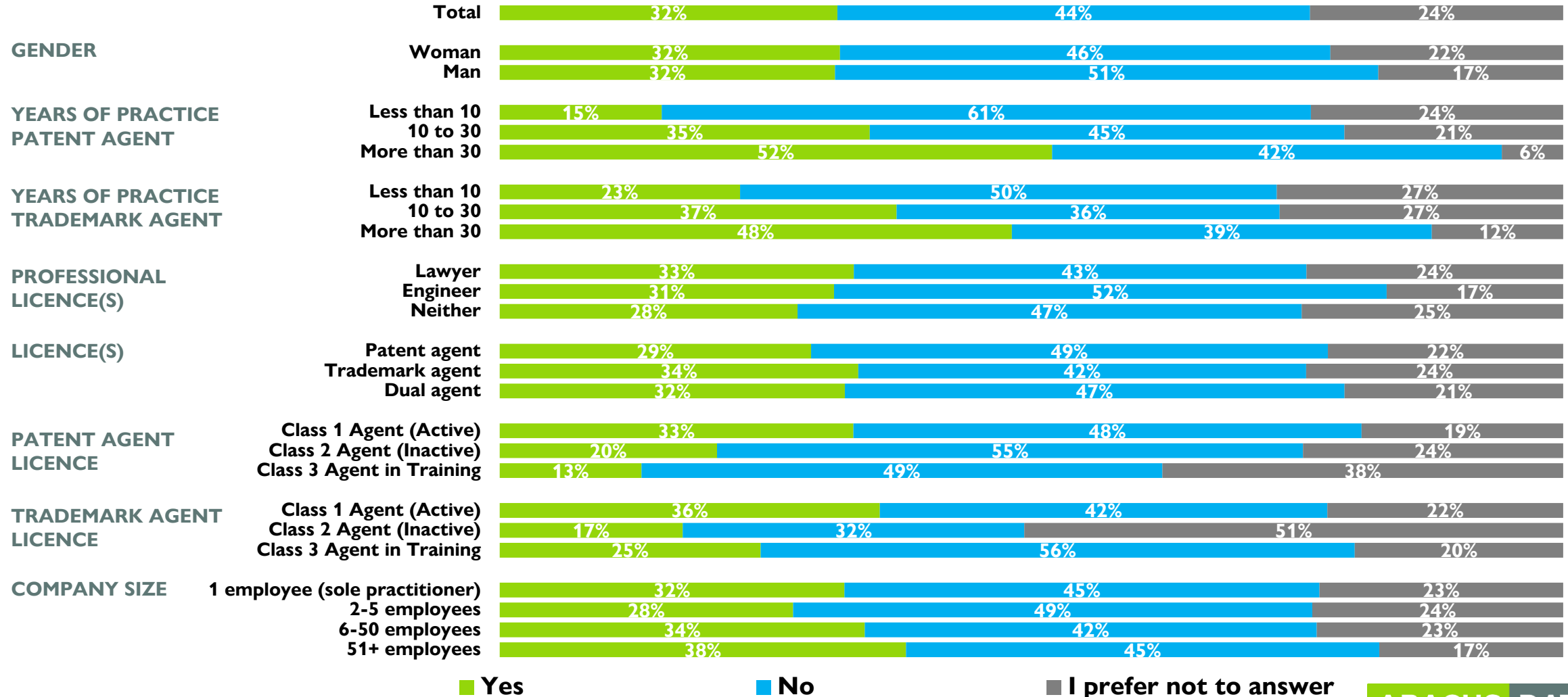
PRO-BONO SERVICES



- Yes
- No
- I prefer not to answer

Do you offer pro-bono services?

PRO-BONO SERVICES



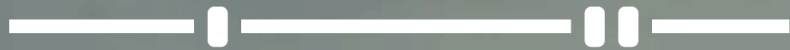
■ Yes
 ■ No
 ■ I prefer not to answer



Do you offer pro-bono services?

VI. CPATA CODE OF CONDUCT

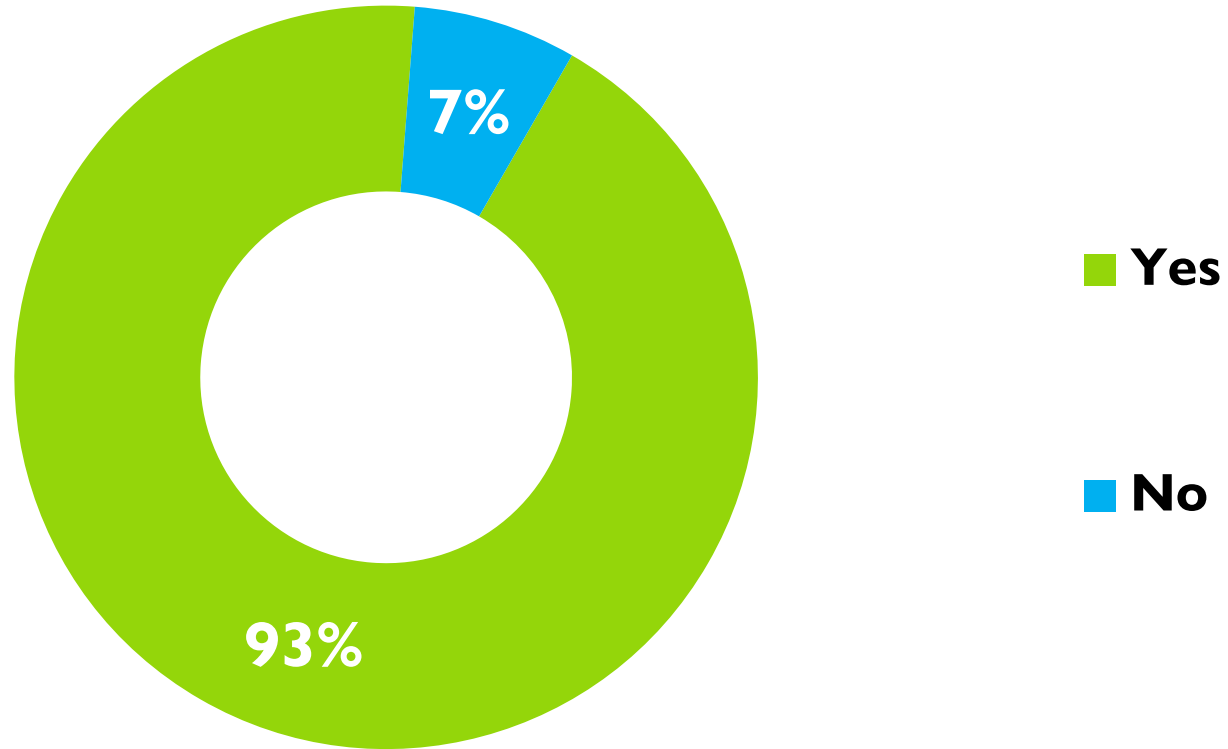
ABACUS DATA



KEY FINDINGS: CPATA CODE OF CONDUCT

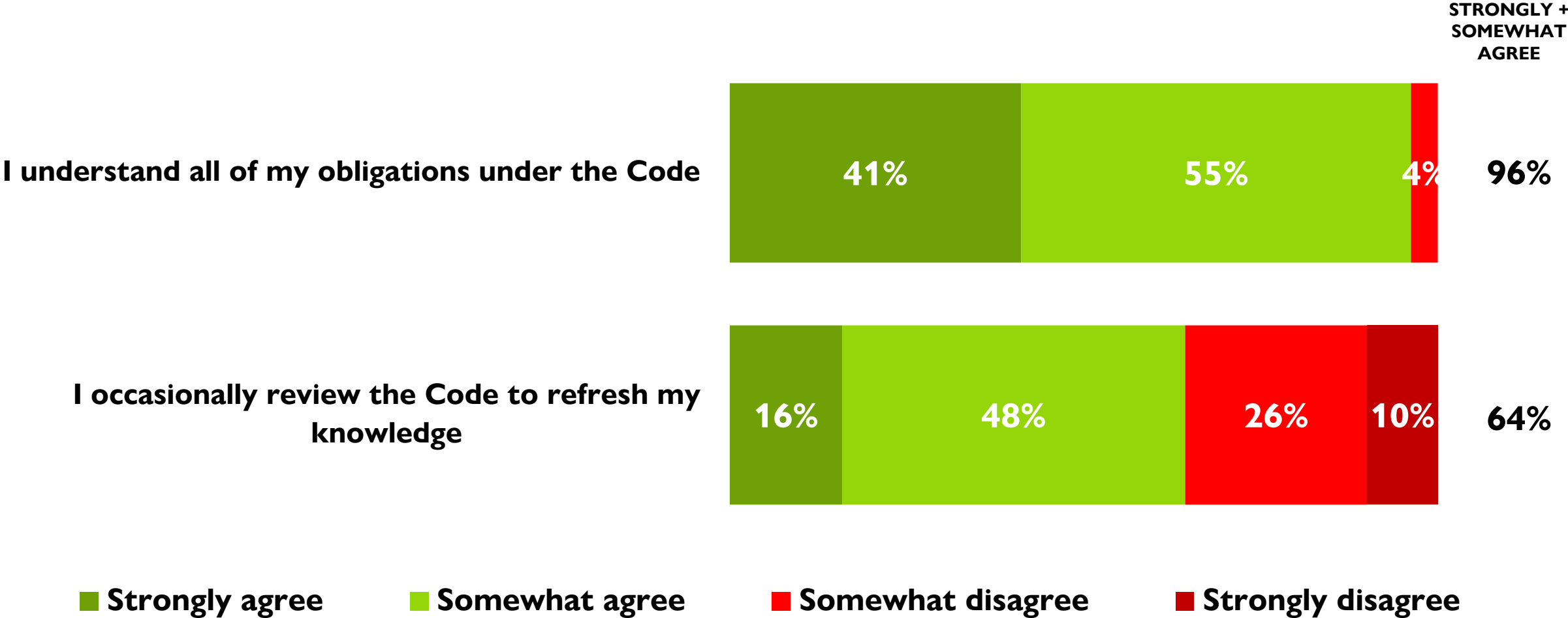
1. 93% are familiar with the CPATA Code of Professional Conduct for Patent Agents and Trademark Agents.
2. 96% agree that they understand all of their obligations under the Code, though only 64% occasionally review the Code to refresh their knowledge.
3. Seasoned patent agents in practice for 30+ years tend to be much more likely to strongly agree that they understand all of their obligations under the code than less seasoned patent agents. The trend holds true for trademark agents as well, though with a smaller gap.
4. 54% are aware that they can reach out to CPATA with questions regarding their ethical obligations via the Ethics Inquiry Form on the CPATA website, and 53% are aware that CPATA has resources available on its website addressing common ethical issues licensees face.

FAMILIARITY WITH CPATA CODE OF PROFESSIONAL CONDUCT



Are you familiar with the CPATA Code of Professional Conduct for Patent Agents and Trademark Agents?

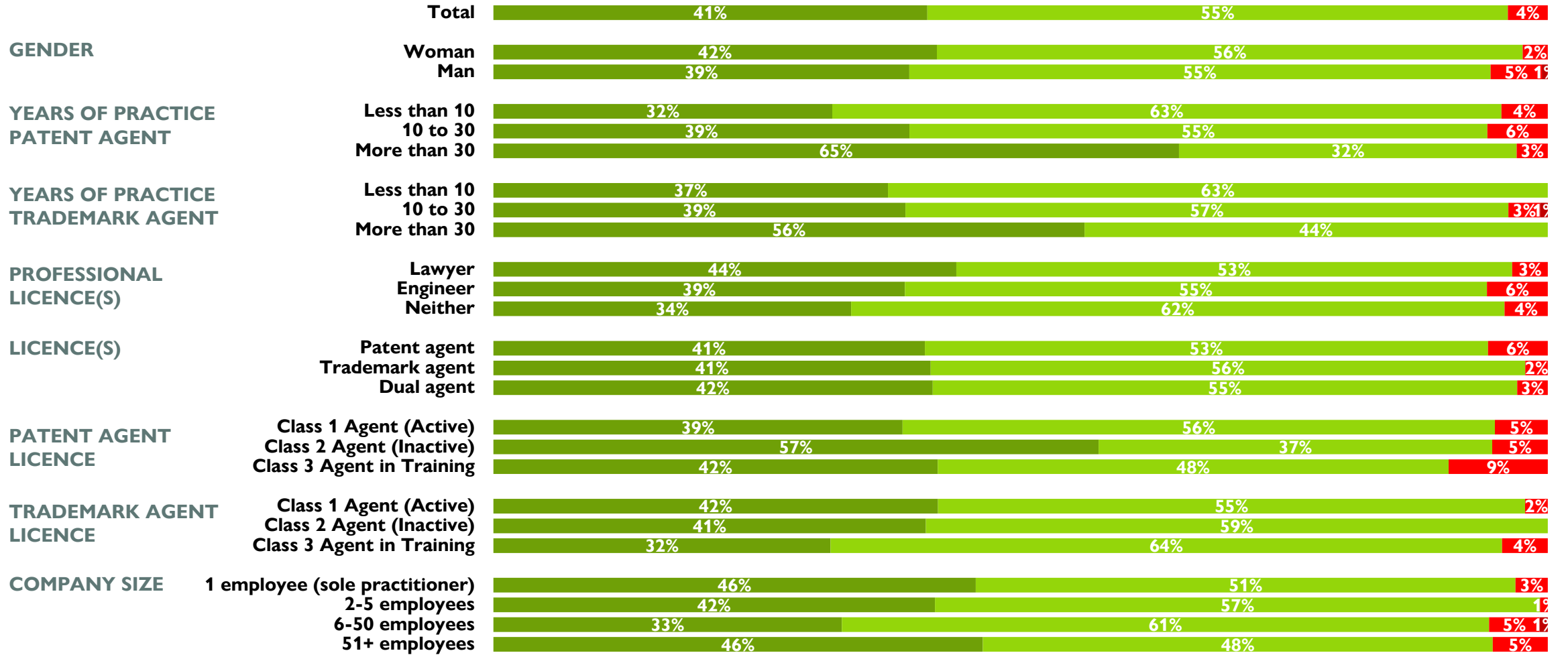
AGREE/DISAGREE STATEMENTS



To what extent to you agree or disagree with the following statements regarding the CPATA Code of Professional Conduct for Patent Agents and Trademark Agents:

AGREE/DISAGREE STATEMENTS

I UNDERSTAND ALL OF MY OBLIGATIONS UNDER THE CODE



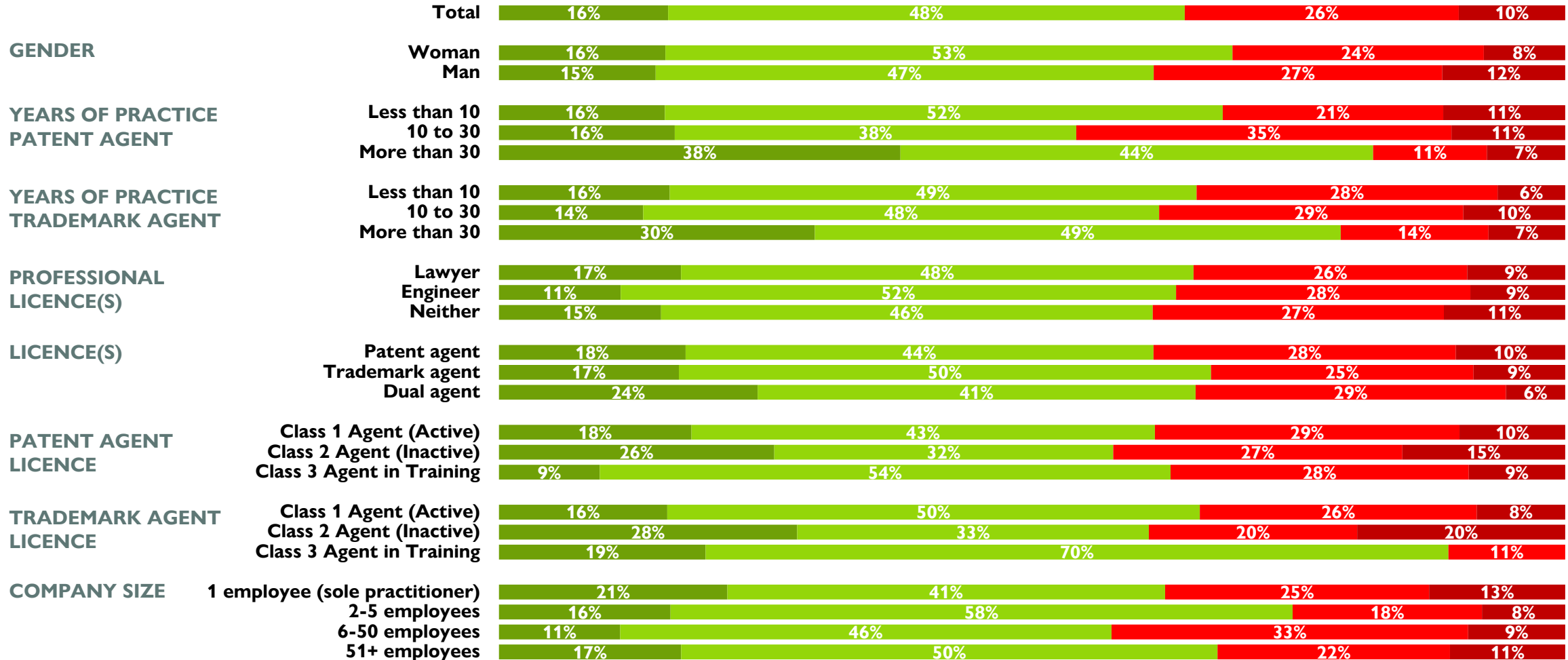
■ Strongly agree
 ■ Somewhat agree
 ■ Somewhat disagree
 ■ Strongly disagree

To what extent to you agree or disagree with the following statements regarding the CPATA Code of Professional Conduct for Patent Agents and Trademark Agents:



AGREE/DISAGREE STATEMENTS

I OCCASIONALLY REVIEW THE CODE TO REFRESH MY KNOWLEDGE



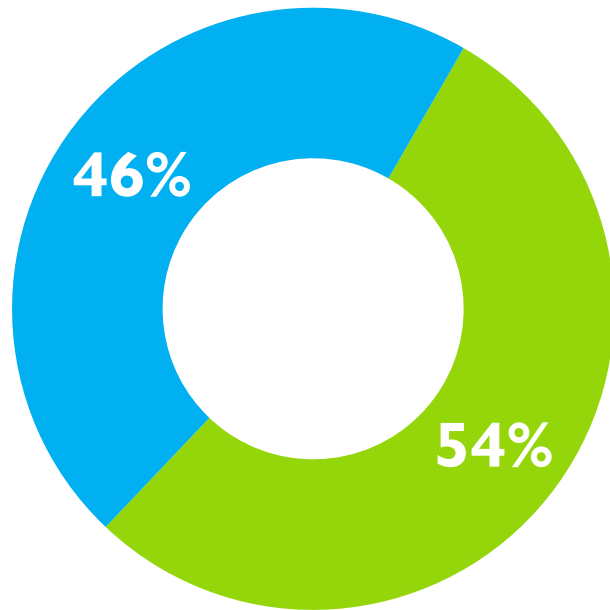
■ Strongly agree
 ■ Somewhat agree
 ■ Somewhat disagree
 ■ Strongly disagree

To what extent to you agree or disagree with the following statements regarding the CPATA Code of Professional Conduct for Patent Agents and Trademark Agents:



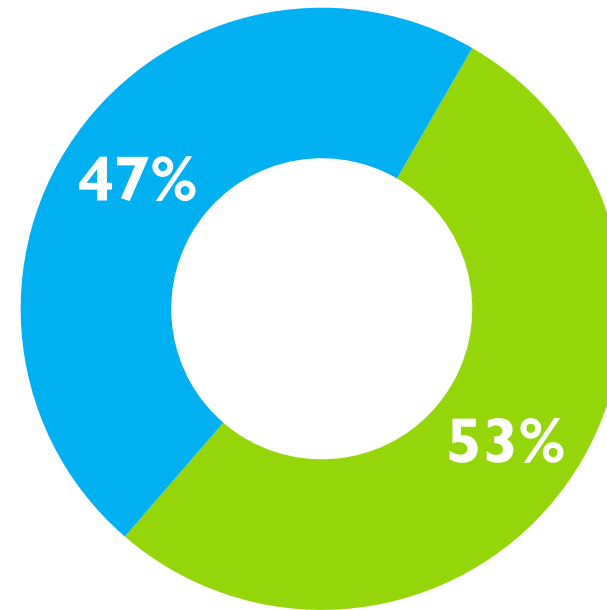
AWARENESS THAT...

...you can reach out to CPATA with questions regarding your ethical obligations via the Ethics Inquiry Form on the CPATA website?



■ Yes ■ No

...CPATA has resources available on its website addressing common ethical issues licensees face?



■ Yes ■ No

Before now, were you aware that...