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IPRIA/IPTA Seminar  
**IP Professionals and Ethics**

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# Preventing Ethics or Dispute Issues



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## Tips

- conflict checking on new clients/matters
  - » internal database searching
  - » internal email notification
  - » adverse party check
- consider technology conflict issues
  - » foreign instructions vs local clients
- do not work in a vacuum – communicate with work colleagues
- open file for each matter
- maintain good file records



# Preventing Ethics or Dispute Issues

## Tips

- Letter of Engagement
  - » work to be carried out
  - » likely costs
  - » firm's billing processes and attorney obligations
  - » client obligations
- fully inform client of registration process
- act on instructions in a timely manner
- set achievable response times
- communicate with client



## Preventing Ethics or Dispute Issues

### Tips

- respect a client's confidentiality
- manage client expectations
- do not ignore a disgruntled client
- seek to settle or address potential disputes
- duty of care
- change of employment – ongoing obligations
- Code of Conduct
- IPTA Code of Ethics and Guidelines



# Ethics and Disputes Dispute Committee

## Role

- questions from public
- complaints from public
- questions from members
- professional assistance to members
- member discipline
- Professional Standards Board



# Ethics and Disputes Dispute Committee

## Complaints

- costs and charges
- lack of communication from attorney
- file transfer issues
- failure to act on instructions
- acting for competitors
- poor or incomplete advice
- loss of rights
- carrying out work without approval
- unethical behaviour



# Ethics and Disputes Dispute Committee

## Dispute Resolution Process

- telephone call from complainant
- send Code of Conduct and Code of Ethics to complainant
- receive written complaint
- send written complaint to member seeking written reply
  - » obligation for member to respond promptly
- send written reply to client
- aim to resolve complaint



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