**PROFESSIONAL LIABILITY INSURANCE FOR LAWYERS AND LAW FIRMS**

### COPYRIGHT, PATENT AND TRADEMARK SUPPLEMENT

1. Provide a percentage breakdown of the firm’s copyright, patent and trademark practice into the following categories:

|  |  |  |
| --- | --- | --- |
| **Intellectual Property Practice** | **Domestic** | **Foreign** |
| **Past 12 Months** | **5 year average** | **Past 12 Months** | **5 year average** |
| a. Intellectual Property Litigation |       |       |       |       |
| b. Patent Infringement Counseling |       |       |       |       |
| c. Patent Licensing |       |       |       |       |
| d. Patent Prosecution |       |       |       |       |
| e. Trademark Prosecution |       |       |       |       |
| f. Trademark Registration/Licensing |       |       |       |       |
| g. Copyright Registration/Licensing |       |       |       |       |
| h. Patent Searches |       |       |       |       |

1. Provide the following for the firm’s largest five Intellectual Property clients:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Type of Business** | **Sales Per Year** | **Number of Patents Held or Pending** | **Legal Services Provided** | **Year Legal Services Began** |
|       |       |       |  |       |
|       |       |       |       |       |
|       |       |       |       |       |
|       |       |       |       |       |

1. List the names of all lawyers engaged in Intellectual Property services during the last six years:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Name** | Practice Specialty | **Years in this Specialty** | **Percentage of Time Billed for the Past 12 Months** | **Average Annual percentage of Time for the Past Six Years** |
|       |       |       |       |       |
|       |       |       |       |       |
|       |       |       |       |       |

1. Are engagement, nonengagement and disengagement letters provided to all Intellectual Property clients? Yes [ ]  No [ ]
2. Does the engagement letter outline the nature, scope and limitations of the firm’s representation? Yes [ ]  No [ ]
3. Is the responsibility for payment of maintenance fees, taxes or annuities clearly stated? Yes [ ]  No [ ]
4. Does the firm have a computerized docketing system to alert the appropriate responsible party specific to:
5. statutory bar dates? Yes [ ]  No [ ]
6. fee due dates, whether outsourced or not? Yes [ ]  No [ ]
7. response dates? Yes [ ]  No [ ]
8. Who reviews the docket entries for accuracy? Check all that apply.

Billing Partner [ ]  Partner in Charge of Work [ ]  Associate [ ]  Paralegal [ ]  Secretary [ ]

1. Does the firm outsource to other entities for Searches or Payment of Maintenance / Annuity Fees: Yes [ ]  No [ ]
2. Does the firm verify that the outsource entity carries professional liability insurance coverage? Yes [ ]  No [ ]
3. Does the firm obtain proof of insurance, such as a certificate of insurance? Yes [ ]  No [ ]
4. How does the firm choose an outsource entity? Check all that apply.

Review of Work Product [ ]  Recommendations from Other Firms [ ]  Yellow Pages [ ]  Advertisements [ ]

1. Does the conflict avoidance system cross-check for conflicts between previous and existing clients? Yes [ ]  No [ ]
2. Is sign off by all attorneys required before a new client can be accepted? Yes [ ]  No [ ]
3. Does the firm allow equity interests with firm clients? Yes [ ]  No [ ]
4. Does any firm member or spouse have a position or equity interest with an Intellectual Property client? Yes [ ]  No [ ]
5. Has any firm member ever received or accepted royalties or shares in lieu of fees for services? Yes [ ]  No [ ]
6. Are Opinion letters issued by the firm reviewed by at least one other attorney not associated with the matter? Yes [ ]  No [ ]
7. Are client’s advised in writing to mark the patented/trademarked product with the appropriate number or notice? Yes [ ]  No [ ]

**COPYRIGHT** (Check Box if Not Applicable) : [ ]

1. Does the firm’s docket system include dates for:
2. Copyright renewal filing? Yes [ ]  No [ ]
3. Responses to an office action? Yes [ ]  No [ ]

c. Infringement action filing? Yes [ ]  No [ ]

1. What is the firm’s standard time frame for applying for copyright registration once instructed by the client?
2. Are transfers of ownership of copyright from one client to another fully documented in writing? Yes [ ]  No [ ]

 **PATENT** (Check Box if Not Applicable): [ ]

1. Does the firm request written disclosure of specific dates of all printed publications, sales, offers for sale and/or public use of intellectual property from a client prior to filing of a patent application? Yes [ ]  No [ ]
2. Does the firm request in writing the client’s intent to pursue or not to pursue a foreign patent application? Yes [ ]  No [ ]
3. Does the firm request in writing the client’s disclosure of patent applications filed in foreign countries? Yes [ ]  No [ ]
4. Are foreign clients advised of the requirements needed to satisfy the establishment of the date of invention for U.S. Patents? Yes [ ]  No [ ]
5. Does the firm disclose in writing to all patent clients, all dates for payment of maintenance fees, annual payments or annuities to be paid by the client to keep an application or patent in force? Yes [ ]  No [ ]
6. Indicate the percentage of the types of Patent Opinions rendered by the firm.

a. Patentability

b. Infringement

c. Validity

1. For the types of patent opinions rendered, does the firm disclose the scope and extent of the search conducted that is the basis for the opinion? Yes [ ]  No [ ]
2. Does the firm guarantee patent opinions rendered? Yes [ ]  No [ ]
3. Does the firm disclose in writing to the client and require the client’s written agreement regarding patent applications and strategies taken or to be taken with respect to the GATT implementation legislation of June 8, 1995? Yes [ ]  No [ ]

**TRADEMARK** (Check Box ifNot Applicable): [ ]

1. Does the firm’s docket system advise regarding dates for:

a. Response to all PTO actions? Yes [ ]  No [ ]

b. Declaration of use after registration? Yes [ ]  No [ ]

c. Statement of incontestability after registration? Yes [ ]  No [ ]

d. Renewal of trademark? Yes [ ]  No [ ]

1. Does the firm:

a. Perform searches of the records of the PTO for trademarks? Yes [ ]  No [ ]

1. Search common law sources, such as publications and business indices for existing trademarks? Yes [ ]  No [ ]

c. Outsource the searching to an entity to perform PTO searches? Yes [ ]  No [ ]

1. Outsource the searching to an entity to search common law sources? Yes [ ]  No [ ]
2. Does the firm advise that the trademark search is not guaranteed against all common law sources? Yes [ ]  No [ ]
3. Are transfers of ownership of trademarks from one entity to another fully documented in writing? Yes [ ]  No [ ]
4. Are all trademark assignments promptly and properly recorded with the PTO? Yes [ ]  No [ ]
5. Does the firm advise the client in writing of the use of proper trademark notice? Yes [ ]  No [ ]

The undersigned represents that the statements set forth herein are true, complete and accurate and that there has been no attempt at suppression or misstatement of any material facts known, and agrees that this Supplemental Application shall be included in the basis of any coverage and a part of any policy that may be issued by the Company.

**Any person who includes any false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.**

Name of Applicant Firm Signature of Partner, Officer and/or Owner Date