

For free,
confidential,
business-focused
IPR advice within
seven working days
E-mail:
**question@china-
iprhelpdesk.eu**



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1. Introduction

Hiring a lawyer is an important decision that should not be based solely upon advertisements or recommendations. An experienced and capable lawyer could not only strengthen your business's IPR strategy but also effectively assist you in enforcing your IPR rights against infringers. To find a lawyer that can help you with your IPR in China, you should consider contacting the lawyers' association in your country, the directory of lawyers maintained by your country's embassy or chamber of commerce in China, or an online law firm directory.

Be sure to establish the facts/ information about the problem before discussing with a lawyer. This will allow the lawyer to put the problem in context with the local laws and regulations.

2. Before the First Meeting

Once you have identified several potential law firms, be sure to ask for:

- Written information about their qualifications and related experiences
- Free first-time consultation

After comparing the law firms' relevant experiences, make a shortlist of law firms (three to five). This will provide the opportunity to assess the quality of the firms and gather information that will help you in your decision making process. If the law firm does not provide free first-time consultations, find out how much introductory meetings cost. However, consider other law firms before going through with the initial meeting.

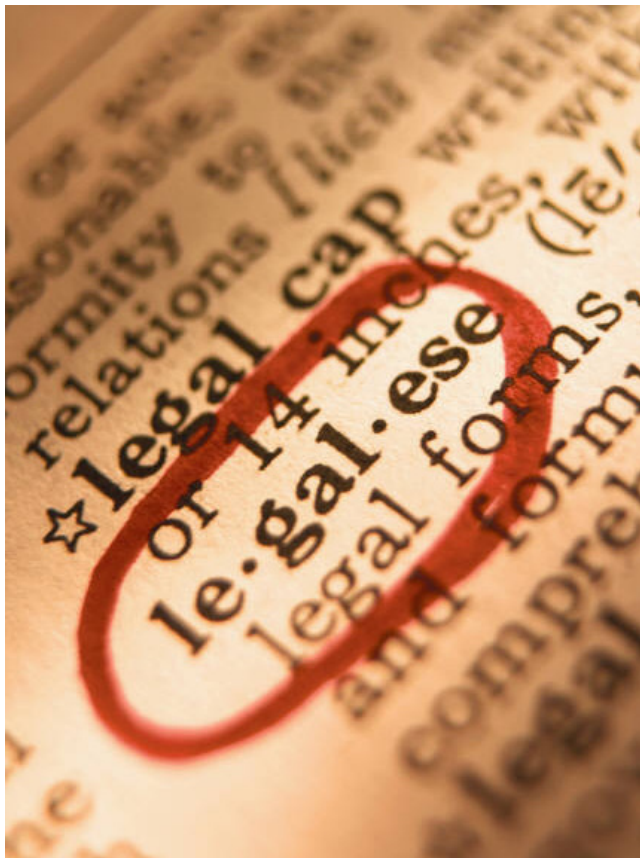
After you set up free initial meetings, make a list of any specific or general questions you would like to ask each lawyer, such as:

- Overview of the firm
- Fee structure and pricing

Funded by:



- Experience in assisting SMEs with IPR-related issues in China
- Does the firm outsource to other service providers (e.g., IP registrations, litigations)? If yes, to whom?



3. During the First Meeting

During the meeting, ask for an overview of the firm and discuss the details of your particular case. Also consider asking the following:

- Have they worked on similar cases as the one you are bringing to them?
- How successful have they been on cases similar to yours?
- How do they define the problem of your case?
- What do they see as options of solving the issue?
- What are the possible resolutions?
- What are the next steps?

4. At the End of the Meeting

At the end of the meeting, ask the lawyer for the following to ensure that you are on the same page:

- Summary e-mail including an overview of the issues you discussed during the meeting
- Written fee and service agreement, which should include payment conditions and outline which services you are subscribing to, the expected fees and a fee schedule with hourly rates and/or fixed fees, i.e., estimated fee and/or an estimate of how many hours of work will be required by an attorney depending on his/her level of experience

When looking over the contract, pay particular attention to limitations on the part of the firm. Decide if you are willing to accept the limitations provided by the firm. Hold off on signing any agreements until you have had some time to think it over and have a good idea of the firm. You may also want to consider meeting once more with the final two candidate firms.

5. No Matter Which Lawyer You Choose

No matter which lawyer you choose, be sure to keep a file with copies of all the documents relating to your IP rights and any evidence or developments concerning your case. As with most issues, meticulous preparation and proactive prevention before problems arise is the best way to protect you and your business.

It is also prudent to request that your lawyer provide you with regular feedback of at least once a month to update you on the work undertaken and costs incurred. The costs should be itemised in detail according to activities, costs and time spent on your case.



Finding the Right Lawyer Checklist

Before Meeting

- Free written information
- Relevant experience on China IPR
- Initial quote
- Free first-time consultation
- List of specific/general questions

During Meeting

- Overview
- Area of expertise
- Relevant experience
- Success rate
- Third party service provider
 - If yes, information on third party service provider
- How they define your problem

- Options to solve it
- Possible outcome
- Next steps

After Meeting

- Summary of meeting
- Written fee and service agreement
- Liability limitations
 - If so, can you accept those terms?

General Requirements

- Regular itemised updates from your lawyer on the progress on your case
- Activities
- Costs
- Time

The China IPR SME Helpdesk provides free, confidential, business-focused advice relating to China IPR to European Small and Medium Enterprises (SMEs).

Helpdesk Enquiry Service: Submit further questions to the Helpdesk via phone, email (question@china-iprhelpdesk.eu) or in person and receive free and confidential first-line advice within seven working days from a China IP expert.

Training: The Helpdesk arranges training on China IPR protection and enforcement across Europe and China, tailored to the needs of SMEs.

Materials: Helpdesk business-focused guides and training materials on China IPR issues are all downloadable from the online portal.

Online Services: Our multi-lingual online portal (www.china-iprhelpdesk.eu) provides easy access to Helpdesk guides, case studies, E-learning modules, event information and webinars.



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Download guide:



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