

Training as a Patent or Trade Mark Attorney



Mewburn Ellis LLP is a private practice firm of Patent and Trade Mark Attorneys. We are one of the largest firms of this type in the UK, with a tradition of providing high quality training for our graduate recruits.

This guide is intended to give you an idea of what it is like to work as a Patent or Trade Mark Attorney at Mewburn Ellis.

We have tried to give a feel for what the day-to-day work involves – including both the good bits and the bad bits! We are sure you would prefer the real picture before you invest your time and energy in applying for a career in which you will probably spend many years. Read further and you will realise that this is both a stimulating and rewarding profession, ideally suiting someone with an active mind and a desire to develop new skills.

Contents

Patent Attorney

What is a Patent Attorney?.....	3
Life as a trainee	4
A day in the life	5
The day-to-day work.....	6
Frequently asked questions.....	7

Trade Mark Attorney

What is a Trade Mark Attorney?	8
Life as a trainee	9
A day in the life	10
The day-to-day work.....	11
Frequently asked questions.....	12
Training and qualification	13
Why work for us?	14
Open days.....	15
Applications	16

What is a patent attorney?

A Patent Attorney is member of a specialised legal profession qualified to advise clients about patents and help them get their patents granted by the patent offices around the world. We represent applicants at the European Patent Office (EPO) and the UK Intellectual Property Office (UKIPO), and work with foreign attorneys to obtain patents in other countries.



**You leave work every day
feeling like you've used
your brain – and your
science!**

A patent is a monopoly granted for a new scientific invention, relating to anything from computers and electronics to new pharmaceuticals and useful gene sequences.

Patent Attorneys may be employed "in-house" by companies or may work in private firms (just like solicitors). If you work in a private firm, you will work for lots of different clients who might be individual inventors, universities, start-up companies, large companies or attorneys from abroad. A good Patent Attorney needs to be adaptable to deal with these different clients and be quick to learn new technologies.

The training usually takes four to five years and we are required to pass various professional exams to qualify as a UK Patent Attorney and a European Patent Attorney.

Patent Attorneys also often advise clients about other intellectual property rights, such as trade marks, designs and copyright.

What do you need to be a patent attorney?

- A good science or engineering degree and broad-based interest in science and technology - have you ever taken something apart to see how it works?
- Excellent communications skills, especially in writing
- A thoughtful approach to words and language
- Good people skills to deal with clients and explain complex technical ideas and legal advice to them
- The ability to work to tight deadlines and to handle several projects simultaneously
- The ability to deal with detail as well as seeing the bigger picture
- Commercial sense
- One of the key skills of a Patent Attorney is reducing an invention to its essential features and writing a broad and clear definition.



Life as a trainee patent attorney

Sean Constable

Best bits

- Variety of work, both in terms of clients and technology
- Intellectually stimulating
- Very financially rewarding, especially when qualified
- A job that enables you to use your science and not be stuck at the lab bench
- A well-structured career progression with good job security, particularly when qualified.

Worst bits

- Stiff competition for jobs (often over 20 applicants per graduate position)
- Tough exams to pass
- Long hours on occasion
- Lots of deadlines set by clients and patent offices

In what seems to be a similar story to many others who enter the profession, towards the end of my PhD I began to feel that a future in academia wasn't for me. I started searching for a career that would allow me to remain connected to science and that would expose me to a greater variety of technologies than the narrow, specialised field that I had been working on. A friend I worked with in the lab had become a patent attorney and was thoroughly enjoying it, so I investigated the profession and was interested to find a career that would allow me to remain at the forefront of science but in a more commercial setting. I was also pleasantly surprised to learn that I wouldn't have to do a law conversion course and wasn't expected to have any pre-existing knowledge of patent law; all of the training is done after starting the job.

One of the first things I came across when looking into the profession was the opportunity to attend an **open day** at Mewburn Ellis. This gave me an excellent introduction to the practical aspects of the job and the chance to speak with people at all stages of the career, from trainees right up to senior partners. I felt that this gave me a real insight into the day-to-day life of the job and what it would be like to work at this firm.

Right from the first day on the job I was responsible for work on real cases on a diverse range of different scientific areas and communicating directly with clients. At first this was quite a daunting experience, however there are always people around to offer guidance and patiently provide feedback. Within my first few months I was encouraged to get involved with all aspects of the job, including meeting with clients and inventors and even attending

hearings at the European Patent Office in both Munich and The Hague. This all adds up to make an exciting, challenging and varied job.

Trainees here sit with a partner with a similar technical background for about 6 months at a time. This often requires moving between the firm's Bristol, London, Cambridge and Manchester offices for about the first three years of your training. This means that you get exposed to a range of scientific topics and get to work with a variety of different clients, as well as providing an excellent opportunity to meet people across the firm. Each partner has their own way of working and so the idea is that by the end of the training process you will have put together a mixture of ways that work best for you.

Before I joined the firm, I had heard a lot about the training process and the efforts that Mewburn Ellis put into preparing you become a qualified and successful patent attorney. The training program is well structured and involves having regular tutorials with other trainees in my year. As well as this, some of the offices run more informal tutorials, where the trainees are handed an invention and have a go at finding the words to describe what makes it different to other similar objects. Learning how to do this is certainly challenging, but the idea of getting practice in early hopefully means you have a better idea of what to do when it comes to passing the exams!

If you enjoy the challenge of getting to grips with complex new technologies, understanding how things work and explaining concepts with effective use of language, then I would thoroughly recommend training as a patent attorney and wish you the best of luck with your application.

A day in the life

Alex Burns

We regularly tell people that there is no such thing as a “normal” day as a patent attorney. The job involves a very wide variety of different tasks but many of them only crop up relatively infrequently. This keeps the job interesting because each day is different and you really don’t know when you arrive at your desk what might turn up in any given day.

Below, I’ve tried to give a flavour of some of the types of tasks that may turn up for a trainee and how I think about tackling them.



09:00

I arrive at work and check my email. I have been organising our next in-house tutorial so have received emails from both the tutors and trainees about when they are available. I send out a quick email proposing a date for the tutorial and deadline for sending our work to the tutors in advance.

09:30

I am currently preparing a response to the European Patent Office for a large multinational client. In the response, we have to reply to a number of objections against our patent application, and convince the examiner that the invention is both new, and not obvious, compared to several “prior art” documents. I studied the documents and started the reply to the examiner’s objections yesterday, so I finish this up, and write a letter to our client explaining what we have done.

10:30

My principal has forwarded me an email from a client containing questions about the law relating to licensing and the rights of exclusive licensees. I learned about this on the course at Queen Mary, but need to refresh my memory a little before replying to the client so I spend a bit of time looking at various online legal resources before putting together my reply.

11:30

We have had an enquiry via the company website from an individual inventor, and it has been forwarded to me. I give the inventor a quick call and have a chat about the basics of applying for a patent. I send through a follow-up email with more information, inviting him to organise a meeting with us in the office if he would like to pursue his idea. Talking to individual inventors like this is an important (and sometimes nerve-wracking) part of the job for trainees, as it gives us some experience of dealing with clients one-on-one.

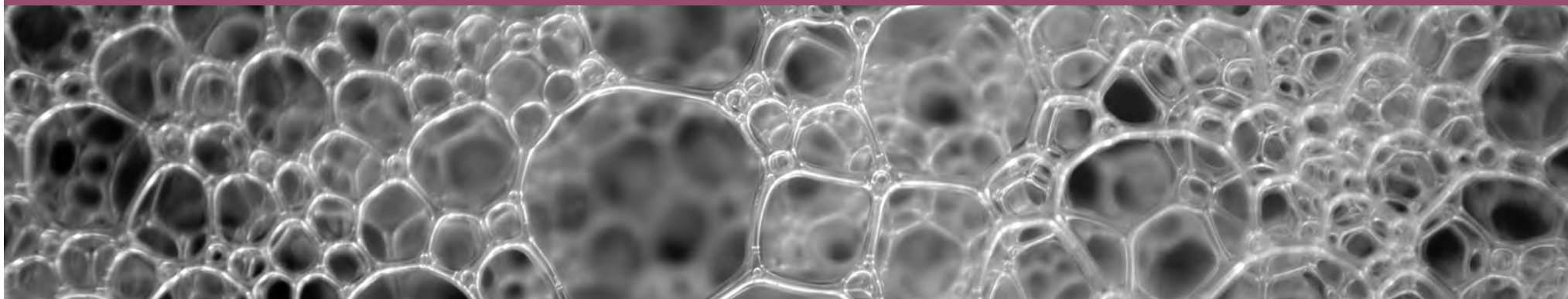
13:30

I spend a while in the afternoon with my principal going over the response which I had finished this morning. There are a couple of places where he disagrees with my approach and suggests a few changes which I should make before we send a draft of the response to the client. As I have progressed, the amount of time spent going over pieces of work, and the amounts of changes which are made by my principal has gone down, but there is still some way to go (and a few exams to pass) before my work will go out unchecked by someone more experienced. I make the changes suggested and then have another quick chat about the response before sending the draft off to the client.

16:00

Another qualified attorney who works for the firm in a different office has asked me to prepare some written submissions for an oral hearing she has at the European Patent Office in a few weeks, as I have worked on the case with her before. This time round, we have received some instructions from the American attorney who is our client, so I don’t have to come up with all of the arguments myself. The submissions are likely to be very detailed and take a long time, so I spend an hour or so starting to review the case before heading home for the evening.

The day-to-day work of a trainee patent attorney



So what do we actually do all day?

One of the really engaging aspect of the job is that you actively utilise both your scientific knowledge and your analytical reasoning every day. This means that the job does not lend itself to a passive approach but requires active thought and pride in the work throughout your career. The actual tasks that you will undertake as a trainee, and once you become qualified, vary tremendously but they tend to call on a similar set of skills.

Analysis – Large portions of our time are spent on analysing technical documents. This may be information from a client about a new invention, earlier patent documents or academic articles sent to us by a patent office, or arguments from a patent office Examiner or another attorney in patent opposition proceedings. You will often find that you are not drawing on preexisting knowledge about the technology; rather the ability to rapidly understand new science and interpret it to provide some practical advice is usually more important. This type of analysis requires a lot of careful, thorough reading of technical documents and assessment of both the key concepts and the precise technical detail.

Writing – Most of our work output to both our clients and to patent offices is some form of writing. It may be a formal letter, an opinion about a legal or technical issue, a quick email, or a new patent application; but each requires careful, precise writing. The job involves taking care about the way you use written language to ensure that it conveys the exact intended meaning. You will often find that patent attorneys enjoy this detailed understanding of written language, even to the extent that being labelled as pedantic is taken as a compliment!

Strategy – In addition to the analytical aspects of the job, another

important skill that is required in our work is the ability to look at a client's position as a whole and develop a strategy that covers all of their intellectual property. Many clients have a number of patent applications that cover different inventions or different parts of a product and an important part of our job is working out how these interact with each other to give the client the best possible protection. Although we concentrate on a client's patent portfolio, we also need to keep in mind that they may also be able to get other intellectual property protection (such as trade marks or industrial designs) to help to protect other aspects of any given product. In many cases we act as intellectual property advisors rather than just focusing on a single patent application in isolation.

Commercial awareness – Although our work involves careful, thorough analysis and precise writing, this all needs to be set in a commercial background. Patents are commercial tools for our clients so it is important to develop a knowledge about how these tools are used in a business environment. In most cases, new trainees do not start the job with this kind of commercial awareness but an interest and desire to develop these skills is important.

It is quite rare to find all of these skills in a new trainee patent attorney. During the application process we try to identify candidates who show the potential to develop these capabilities and our in-house training for our trainees is designed to develop these skills alongside the natural learning from day-to-day work.

A lot of the job involves solving puzzles of one sort or another, which can require creative thinking

Frequently asked questions patent attorney

Do I need to know any patent law before I start?

No. You do not need a law degree (in fact, you cannot become a Patent Attorney unless you have a degree in a science subject) or to have done a law conversion course. You will learn the necessary law on the job. As a trainee, you will work on real cases from the outset and learn by going through pieces of work with your supervisor.

Which degree subjects are suitable?

Becoming a Patent Attorney requires a science degree, with biological sciences, biochemistry, chemistry, physics and engineering being some of the obvious examples. The definition of “science degree” extends to maths and computing, though in this case we would look for very applied knowledge or a strong background in physics, electronics or mechanics. If you have studied biological sciences, a focus on molecular biology will be important.

It is worth noting that the EPO requires evidence that you have a “full” science degree before it will let you sit the exams. Sometimes, joint honours degrees (such as chemistry with law) can be problematic if less than 2/3 of the course is devoted to the science aspect.

I am thinking about doing a PhD. Will this help my application? Would I still need to apply under your graduate recruitment program?

Our graduate recruitment program is intended for anyone who is not already working as a Patent Attorney. We find that candidates with a PhD and candidates straight from a first degree are equally capable of becoming successful Patent Attorneys, as the job requires an ability to understand new concepts rather than the kind of specialised knowledge that is acquired doing a PhD. Therefore, we do not place emphasis on having a PhD (though you will come across other firms that do). Sometimes a few more years’ experience and perhaps some contact with industry will improve a candidate’s confidence and commercial awareness and so may help with the interview process.

Are there tutorials to help with passing the exams?

Yes. Assistance in preparing for the UK Institute Final Examinations and the European Patent Attorney Qualifying Examinations is given in the form of in-house tutorials. Trainees may also attend external tutorials organised by e.g. the Chartered Institute of Patent Agents. Just prior to the European Qualifying Examination, we also usually send people to Strasbourg for a one week course on European Patent Law. Essentially this is a ‘crammer’ course for the legal paper of the European Qualifying Exam.

Our in-house tutorial programme is great preparation for sitting the qualifying exams. However, you will also need to be motivated to study in your own time. This will inevitably mean hitting the books at home in the lead-up to exams.

The best way to think about the exams is that they are like a driving test. They are not simply an academic exercise, but rather a test of whether you are safe to be “on the road”, representing and advising clients. Therefore, the exams test more than just knowledge – they test your skill in doing the job, and the only way to obtain the necessary skill is to do the job for a number of years. However, the exams are modular, which makes it a bit easier.

I have heard that speaking French or German can be useful in the job; will it harm my application if I only have a GCSE in French, and I don’t speak any German?

No. In the past, the European exams required you to be able to understand a technical document written in French or German but that requirement has now been removed. The Exams are now entirely in English (or are available in French or German if you prefer), so no additional language skills are necessary. That said, language skills can be useful when working for clients abroad; for example the ability to speak Japanese or Mandarin can be a very useful (albeit not a necessary) skill.

As a trainee, how much of the time will I spend working in my own subject area (e.g., chemistry?)

Most of the work we do is within our own subject area. However, as a trainee you will be given tasks in a broad variety of technical areas as preparation for the exams, particularly in mechanical fields. In addition, the technical areas in which we work are very broad and involve frequent cross-over. This variety of technical subject matter is one of the really great parts of the job, particularly in private practice. You really could find yourself working in any part of your general subject area. So the ability to pick-up new ideas, understand them quickly and ask sensible questions about them is one of the key skills we look for.

Does the job offer much opportunity for getting out of the office?

It is important to realise that this is a desk job. Most of our time is spent reading and analysing large piles of paper and then writing something as a result, e.g., an analysis for our client or arguments to place in front of the Examiner. However, we do sometimes travel to meet clients or to meet foreign attorneys in other countries. We are also sometimes required by the EPO to present a case in person, which involves travelling to Munich or The Hague.

Depending on your subject area and the type of clients you are dealing with, our trainees would probably go to external meetings or patent office hearings anywhere from a couple of times a year up to maybe 6 or 8.

Do you accept applications from overseas students?

Yes. The main potential limitation on overseas applications are that the European Patent Office (EPO) places restrictions on who can be listed on the register of European patent attorneys. They require that candidates must be a national of a state who has signed up to the [European Patent Convention](#) – essentially a European country. We ask all of our trainees to work towards qualification as a European attorney so we require our graduate candidates to meet these EPO requirements. As for all candidates, we also require a high level of precision in the use of written and spoken language.

So full fluency in written and spoken English is required.

What is a trade mark attorney?

A Trade Mark Attorney is member of a specialised legal profession qualified to advise clients about trade marks and help them to register their marks around the world. We represent applicants at the UK IPO (UK Intellectual Property Office), EUIPO (European Union Intellectual Property Office) and WIPO (World Intellectual Property Office), and work with foreign attorneys in countries throughout the world.



A trade mark is a sign which enables consumers to distinguish the goods and services of one business from those of another.

Trade Mark Attorneys may be employed “in-house” by companies or may work in private firms (just like solicitors). If you work in a private firm, you will work for lots of different clients who might be anyone from a sole trader to a multinational. A good Trade Mark Attorney needs to be adaptable to deal with these different clients.

The training usually takes three to four years and we are required to pass a law course and a practice course with exams in each to qualify as a Trade Mark Attorney.

Trade Mark Attorneys often advise clients about other intellectual property rights such as designs and copyright.

What do you need to be a trade mark attorney?

- A good degree, a good helping of common sense and a good “feel” for language – candidates with a penchant for crosswords and Scrabble® are not discouraged!
- Excellent communications skills, especially in writing
- Good people skills to deal with clients and explain complex legal points to them
- Confidence
- The ability to work to tight deadlines and to handle several projects simultaneously
- Commercial sense and awareness of what is happening in the marketplace – it helps to be the kind of person who reads the labels in supermarkets and notices advertising campaigns

The diversity of clients from individuals to famous multinational brands allows you to develop true commercial acumen



Life as a trainee trade mark attorney

Rebecca Anderson-Smith

Best bits

- Variety of work
- Intellectually stimulating
- Very financially rewarding, especially when qualified
- Being in at the beginning of a new product launch and seeing one of “your” trade marks up on the posters

Worst bits

- Tough exams to pass
- Long hours on occasion
- Lots of deadlines set by clients and trade mark offices

As I was nearing the end of my English degree, I decided that a career as a trade mark attorney would put my skills and interests to good use. I have always had a passion for language and something of a way with words. I was initially concerned that I would find it difficult to enter the profession because I didn't have a law degree, but some research reassured me that my literary background would be a strength, not a weakness.

The training scheme at Mewburn Ellis involves working for different trade mark partners across the firm in our Bristol, Manchester, London and Cambridge offices. The opportunity to spend time with and learn from a number of different attorneys is an invaluable training experience. It has given me a strong foundation of knowledge, which I have developed through private study, as well as enabled me to develop my own working style and approach to dealing with clients.

From my very first day at work, I have always dealt with real cases and communicated directly with clients and trade mark offices. The work I do is extremely varied. One day I might be preparing arguments to submit to the UK Intellectual Property Office, and the next I could be reviewing a trade mark search to advise a client whether their use of a trade mark will infringe the rights of others. Every day brings new challenges and experiences.

One of the best things about the job is being able to work with such a variety of different people in different business areas. I have worked with companies in the pharmaceutical, fashion, cosmetics, software, food and beverage, safety and security, and energy sectors, to name just a few. I really enjoy meeting with clients, especially on the occasions I have been able to visit their offices and see how they work.

I now help to manage global trade mark portfolios for different clients. This was daunting at first, as it involves a lot of organisation, keeping on top of deadlines, and corresponding with attorneys all over the world, but it is a skill you learn through experience. I have had plenty of support and encouragement from my colleagues to help me along the way.

I highly recommend a career as a trade mark attorney to anyone who is interested in language and skilled at writing, as well as understanding and explaining difficult concepts. You will need to put in some hard work and study independently at times, but if you do, the results are incredibly rewarding. The job is intellectually stimulating and engaging, and there is nothing quite like seeing a trade mark you have helped to register in an advert or on a product in a supermarket!

A day in the life

Jacqueline Pang

The job of a trade mark attorney includes a range of different tasks any of which might crop up in a given day. The varied nature of these tasks and the fact that no two days are the same is one of the big attractions of the job and helps to keep it interesting. Here I have tried to give an idea of some of the more common tasks that a trainee might encounter to give a feeling for what the job involves.



09:00

The first thing I do when I get into work is check my emails to see whether anything urgent has come in overnight and to prioritise my day accordingly. I also have a look to see whether there are any upcoming official deadlines for the next few days to ensure that I am on top of everything, as well as the list of cases diared for working on today. I see that a Japanese firm has asked me to provide an urgent opinion on an opposition an opposition filed against their client's European Union Trade Mark (EUTM) application. Although they have requested this by tomorrow, I will need to send it out today given the time difference. I provide my legal analysis on the client's chances of success, as well as any potential strategies to overcome the opposition, including negotiating with the other side.

11:00

I move onto smaller jobs, such as forwarding instructions received from my clients to foreign attorneys who are managing their applications around the world and writing to the UK Intellectual Property Office in response to a minor objection they have raised against my client's application.

13:00

I have a conference call scheduled with one of my clients who is in the process of negotiating a worldwide co-existence agreement with another party. I spend some time reviewing the latest proposal put forward by the other side and speaking briefly with one of our lawyers to confirm my thoughts before taking the call.

14:00

A client is considering adopting a new trade mark for a range of beauty products. I give him a call to find out more about his plans, for example what countries and products are of interest, and how he proposes to use the new mark. I then draft an email confirming our call, including my advice on availability searches to check whether the mark is safe to use. I also put together a filing strategy to provide protection for his mark in the countries he wants in the most cost-effective manner.

16:00

Another client is hoping to use a new mark in the UK in relation to financial services. I recommended that, as a first step, we carried out an availability search to see whether there are any earlier trade mark rights that may be used to prevent his use of the mark. The search results have now come in from our third-party provider and I review them. I then dictate a letter to the client commenting on the more pertinent marks revealed by the search, with a conclusion on whether I think it is safe for him to use the new mark in the UK. I will check and finalise the letter tomorrow once it has been typed up by my secretary before sending.

17:00

I finish work for the day and head home.

The day-to-day work of a trainee trade mark attorney



So what do we actually do all day?

The job provides a unique opportunity to work with clients to develop, enhance and protect their assets

Analysis – Much of our time is spent on applying our knowledge on trade mark law and practice to the facts of a specific case in order to advise a client about their position and options. This may involve having to sift through large amounts of information provided by the client to gauge what is relevant and going back if necessary to ask further questions before the analysis can take place. Attention to detail is critical. Although trainees are not expected to have this knowledge when starting the job, they should be able to pick up legal tests and practice points relatively quickly, and they will be helped by the professional courses they will attend as part of the qualification process. Our analysis should result in clear, reasoned, and helpful advice as to how the client should proceed in a given situation or resolve a particular issue.

Commercial awareness – When advising clients we should always be aware that they operate in a broader commercial environment and not become too narrowly focused on the legal aspects. Essentially, intellectual property rights are tools for our clients to further their business goals. This may mean that there are times when we should recognise that it is no longer commercially feasible to further a trade mark application or opposition, perhaps owing to a limited budget, or understanding the types of evidence a client is realistically or likely to be able to provide, for example in contentious proceedings, given their history and operations.

Strategy – We should be able to look at a client's position as a whole and develop a strategy that covers all of their intellectual property. That may be identifying any potential gaps in their trade mark protection or keeping in mind that there are other intellectual property rights available, such as

patents or industrial designs, that may be appropriate in achieving the best possible protection for the client.

Communication – A key part of our job is to communicate our arguments and advice effectively. We correspond with a large number of different entities on a daily basis, from direct clients, which may range from lone business owners with little to no knowledge of trade marks to large multinational corporations, foreign attorneys, and trade mark offices. This is largely done through some form of writing, although we may also speak to clients directly or on the phone. It is crucial that we use precise and accurate language to convey our advice, as well as bearing in mind who our audience is as that will have an impact on style, tone, and the level of detail or explanation required.

Organisational – Being a trade mark attorney involves juggling a number of small and large jobs that are diverse in nature. Some of our days may be very fast-paced, for instance when we receive urgent instructions. It is important that we are able to prioritise our work and be constantly aware of upcoming deadlines, as well as keeping less pressing matters moving.

It is quite rare to find all of these skills in a new trainee trade mark attorney. During the application process we try to identify candidates who show the potential to develop these capabilities and our in-house training for our trainees is designed to develop these skills alongside the natural learning from day-to-day work.

Frequently asked questions trade mark attorney

The job adverts I have seen all refer to language skills – but I only did French at GCSE. Will this be a problem?

Being a Trade Mark Attorney requires sensitivity to language. For example, you may be required to argue about whether a member of the public would consider two similar marks to be confusing. Primarily, this requires a feel for English, so qualifications in foreign languages are not a prerequisite to do the job. Of course, a qualification in a foreign language may demonstrate that you have an aptitude for language in general and may be useful when dealing with foreign trade mark offices and clients.

Do I need to know any trade mark law before I start?

No. Some candidates will have come from a law background, but this is not a requirement. Even if you have studied law, practicing as a Trade Mark Attorney requires specialist knowledge, and you will learn this on the job. As a trainee, you will work on real cases from the outset and learn by going through pieces of work with your supervisor.

How does the training work?

Like all trainees at Mewburn Ellis, you share an office with a partner in the firm who is responsible for supervising your work. This is pretty daunting, but it's really good for training – it's surprising how much you learn from listening to your principal talking on the phone to clients, trade mark examiners and foreign attorneys or from going through the tasks in the week's diary with their secretary.

The main form of training involves working on real files, and discussing pieces of work with your principal before they go out to the client.

Are there tutorials to help with passing the exams?

Yes. Trainees attend external tutorials organised by the Institute of Trade Mark Attorneys. This involves going through practice questions, sitting mock exams and attending lectures.

However, you will also need to be motivated to study in your own time. Although we encourage trainees to study during their day-to-day tasks at work, it is inevitable that you will need to hit the books at home ahead of the exams.

Why are the exams so tough?

The best way to think about the exams is that they are like a driving test. They are not simply an academic exercise, but rather a test of whether you are safe to be "on the road", representing and advising clients. Therefore, the exams test more than just knowledge – they test your skill in doing the job, and the only way to obtain the necessary skill is to do the job for a number of years. However, the exams are modular, which makes it a bit easier.

Does the job offer much opportunity for getting out of the office?

It is important to realise that this is a desk job. Most of our time is spent reading and analysing large piles of paper and then writing something as a result, e.g. an analysis for our client or arguments to place in front of the Examiner. However, we do sometimes travel to meet clients or to meet foreign attorneys in other countries and we attend conferences abroad. Some of our attorneys work abroad for a few months, around the time they qualify.

Training and qualification

Structure of our training scheme

Mewburn Ellis provides a balanced professional education and experience of a broad range of work. To do this, our trainees work with at least four partners or senior members of staff. So we move trainees between principals about every six months and often this involves a change in geographical location. After about three years we expect a trainee to have settled into one of our offices to further develop their career.

Trainees usually join Mewburn Ellis in September, starting with a week's induction course which is usually held in our Bristol office. Sometimes trainees can start at other times of the year.

The training period is divided up into six month 'slots'. Usually a trainee will spend each of the first four to six slots with a different principal. Trainees should expect to spend at least one slot in three or four of our offices (Bristol, London, Manchester and Cambridge). The slots commence in March and September.

A trainee will be advised every six months of the proposed training plan for the following twelve months. Each time a trainee moves they should know how long they will be staying in the new placement and with which principal, and where they will go next. However due to the complexity of the training scheme, plans cannot always be set in stone and flexibility on the part of both Mewburn Ellis and a trainee is sometimes needed.

After about three years moving between slots trainees settle permanently into one of the firm's offices where training will continue through to qualification. After qualification we continue to give support to newly qualified fee earners, although this is on a more informal basis.

The training programme is well structured. The opportunity to spend time with – and learn from – different attorneys is an invaluable training experience

Studying, qualification and courses

Much of the learning can only be achieved by personal study and experiencing the daily work. We recommend that new trainees establish the habit of regular study to become fully familiar with various pieces of law. Learning can be guided or assessed by attempting questions from past exam papers.

Trade Mark Attorneys

Trade Mark Attorneys qualify through attendance of a law course and a practice course, with examinations at the end of each. There is also a requirement to have completed a minimum of two years supervised training in trade mark work, which may involve keeping a training diary. Further assistance is provided via in-house tutorials.

The firm usually sends trade mark trainees on a Law and Practice course run by Queen Mary University of London. Trainees usually attend after having had a year's practical experience of the job here.

Following completion of the Queen Mary course, trade mark trainees must then attend the Professional Certificate in Trade Mark Practice course at Nottingham Law School. This course is intended to teach the practical skills needed by a trade mark attorney. It therefore involves practical assessments as well as written exams. The Nottingham course incorporates a module on litigation and advocacy, so trade mark trainees do not need a separate litigation certificate.

Patent Attorneys

Patent Attorneys qualify through a series of examinations. The firm usually sends patent trainees on the three month certificate course in intellectual property run by Queen Mary University of London. Trainees usually attend after having had a year's practical experience of the job here.

To qualify fully, patent trainees must then pass the UK Institute Final Exams and the European Qualifying Exams. Unfortunately these are tough and have a low pass rate. However, we have a good record here

of preparing people for the exams and most of our trainees pass at their first or second attempt. The exams are modular so candidates only need to sit individual papers in any retakes. Just prior to the European Qualifying Examination, we also usually send people to Strasbourg for a week's 'crammer' course for the Legal Paper of the Qualifying Exam.

After UK qualification, a further litigation skills course is required to remain on the register as a UK Chartered Patent Attorney. The course must be taken within three years of entering onto this register (usually just after passing the UK Final Exams). We typically send our newly-qualified attorneys on a litigation skills course run by the UK Chartered Institute. This course includes an online learning element (about 30-40 hours) and a residential weekend course followed by written and oral assessment.

Our Approach

As a firm, we know that the exams are difficult and have a low pass rate. We place more emphasis on doing good work than purely on exams; so we accept that people may not pass all of the exams at first sitting. That said, passing the exams and becoming a qualified attorney is a necessity before you can work independently so we do require all of our trainees to work towards full qualification.

Our in-house training scheme involves a tutorials about once per month with all of the trainees from a given year. The tutorials are run by partners or qualified attorneys here and include preparation for qualifying exams and also sessions about professional practice and the internal workings of the firm. In addition, trainees may also attend various external tutorials.

Trainees are expected to avail themselves of all training opportunities made available to them. The firm pays for all reasonable training costs in accordance with our various practices.

Why work for us?

As you will no doubt have noticed there are a reasonably large number of patent and trade mark firms out there. So how can you choose between them and why might you think of working for us?

We are one of the larger firms with four offices spread around the country employing about 200 people in total. We have grown to this size relatively rapidly from beginning as a small family firm. During this growth we have been careful to avoid losing the collaborative atmosphere and friendly feel that is often found in smaller firms. We believe that we have managed to achieve this growth without introducing an impersonal corporate feel to the firm. Part of our success in this area is down to our commitment to our training of new attorneys as they enter into the profession, in fact over 90% of the partners here were trained at Mewburn Ellis. This has led to a relaxed, informal environment and a true sense that everyone can contribute to the success of the firm in some way.

The firm has also invested heavily in modern infrastructure, particularly in office IT, and run paperless files for all of our work. This helps us to provide a fast efficient service for our clients and keeps the firm ahead of many others in this respect.

Our unique training programme

We are well recognised in the industry for our commitment to training new attorneys, for our success in helping people through to qualification and for the quality of the work we do. We typically recruit between about 4 and 8 new trainees each year across all technical backgrounds, which is a relatively large number for firms across the profession. This means that our trainees have a strong peer group and they can support

and learn from each other during their training. The large numbers of trainees here benefit from our well-established training programme that is designed to supplement their day-to-day training with a series of in-house tutorials. These tutorials are given by partners or senior associates in the firm and provide invaluable assistance in preparation for qualifying exams and also training in other more commercial aspects of the job.

Our unique office rotation scheme during training means that our trainees benefit from working directly with different partners in the firm and in different locations. This provides two distinct benefits. First, it allows the trainee to experience different ways of working and with a variety of different types of client and to adopt the practices that work best for them. By doing this, our trainees can develop their own personal way of working without feeling obliged to adopt the practices of a single training partner or mentor. The second benefit is that working in different offices before settling down in one location keeps the firm feeling unified which can be a challenge for a multi-office business.

For the day-to-day training, our trainees are placed in the same office as their mentor (not the case in all firms) which might sound daunting but actually allows you to pick up good practices just by listening and being directly involved with the work that your mentor is doing. This also helps to lower any perceived barriers between partners and trainees in the firm which has real benefits in terms of the training experience. It also provides a more interesting and intellectually challenging environment for the partners doing the training. At Mewburn Ellis, the work our trainees do is sent out in their name from day one, naturally after discussion and checking with their mentor. While this may sound trivial, it does not happen in all firms. We think that it is important that our trainees have the opportunity to interact directly with our clients at an early stage so that they develop the important client care and business interaction skills that

they will need when they qualify and are working more independently. This also means that our trainees take ownership of their work and feel directly involved in each case that they handle.

Genuine career progression opportunities

In terms of career progression, the partnership here continues to grow and we still recruit people who we think have the capacity to eventually become a partner in the firm. At Mewburn Ellis there is a relatively fast route into the partnership following qualification if that is something that interests you.

Where possible we try to arrange for our attorneys to have the opportunity to spend a period of two to three months working in a foreign patent or trade mark firm with the aim of learning more about the law in that country and developing close contacts with the firm. This is typically arranged shortly after qualification. Recent placements have been in the US, Japan, Korea, and China.

Our commitment to our staff

We operate a flextime policy which allows staff to tailor their working day to some degree. This has the practical benefit of making it easy to arrive at work later than usual or leave earlier on individual days. As with many firms, we encourage a healthy work-life balance so we do not set formal billing targets and we actively discourage our trainees from spending excessively long hours at work. It is uncommon for a trainee here to regularly need to stay at work later than about 6pm. We also have regular social events both in local offices and across the firm.

One of the best things about the job is being able to work with such a variety of different people in different business areas

Other sources of information

- Inside Careers Guide
- Chartered Institute of Patent Attorneys
- Institute of Trade Mark Attorneys
- UK Intellectual Property Office
- European Patent Office

Open days

We offer the opportunity for students to visit our offices and learn more about the job by attending one of our open days, which take place in November and December.

The aim of the open day is to give you an idea of what the job involves on a day-to-day basis.

Primarily these are aimed at those intending to apply for a position as a trainee patent attorney and the day includes a series of talks and practical exercises, covering topics such as patent drafting, patent prosecution and managing the workload.

Trade mark open days are held less frequently.

More information on the open days is available on our open day page of our website.

You will need to put in some hard work and study independently, but if you do the results are incredibly rewarding



Applications

How to apply

Our annual recruitment process starts in September and is normally finished by the beginning of March. Our advice is to apply early if at all possible. However we welcome speculative applications at any time during the year.

Application Process

Applications should be made via email as explained in the graduate recruitment section of our website.

If you have questions about your application, please contact us at graduate.recruitment@mewburn.com

Patent Applicants

To accompany the form we require the following work:

1. A short (no more than 600 words) description of a kitchen implement (and not an electrical appliance such as a toaster or microwave) which explains what the implement does, how it is constructed and works and any clever features it has; and
2. A single sentence which defines the essential features of a pair of scissors and which distinguishes scissors from a pair of cutting pliers (for example, one might define a "door" as a cover which is positioned by an opening in a wall and which can be moved to vary the extent to which it blocks the opening).

Trade Mark Applicants

To accompany the form, we require the following work:

Imagine you are about to launch a new drink. Select a trade mark for it and explain in around 500 words why you have selected it.

The Next Step

Those who are invited for interview are given the opportunity to discuss their CV, and scientific knowledge where appropriate, as well as to ask their own questions about the job. They are also asked to do some more oral and written descriptive exercises. A second interview is held for candidates who are put forward from the first round.

Offers of training places are sent out as soon as suitable candidates emerge. As the number of training places is limited, application forms should ideally be submitted between September and about the end of February. However, interviews are arranged and vacancies filled on a first-come, first-served basis so early application is recommended. We will consider applications outside the normal recruitment season, but this is dependent on the availability of training places.

Once you have completed your application, please use the checklist below to ensure that you understand what will be required of you, and have prepared all the work we need to be able to give you the best possible chance of success in applying to us.

Application checklist

1. Have you read all of our Graduate Recruitment information?
2. In particular, do you understand the way we rotate our trainees around our offices?
3. Have you included a copy of your CV and covering letter?
4. Have you included both pieces of work (for applicants for Patent Trainee positions) or the single piece of work (for applicants for Trade Mark Trainee positions)?

Please be assured that we will respond as soon as we can but, particularly at peak recruitment times, this may take at least a month.

**Analytical skills are highly valued,
and you are always learning**