

SACCOMANN ✕

Patent & Trade Mark Salary Survey 2021

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Patent & Trade Mark Attorneys - London

Level of Qualification	Low	Average	High
Trainee Trade Mark Attorney - Graduate entering the profession	£29,000	£32,600	£35,000
Trainee Trade Mark Attorney with QMU or Equivalent	£33,000	£38,970	£44,000
Part Qualified Trade Mark Attorney	£35,000	£41,673	£48,000
Newly Qualified Trade Mark Attorney	£40,000	£53,471	£63,000
Trade Mark Attorney - Associate	£55,000	£66,680	£80,000
Trade Mark Attorney - Senior Associate	£64,000	£82,000	£110,000
Trade Mark Partner	£85,000	£105,000	£140,000
Trainee Patent Attorney - Graduate entering the profession	£29,000	£32,900	£36,000
Trainee Patent Attorney with QMU or Equivalent	£33,000	£39,040	£45,000
Part Qualified Patent Attorney	£37,000	£48,900	£58,000
Qualified Patent Attorney either CPA or EPA	£54,000	£62,390	£72,000
Salary to reflect 2020 Dual Qualification	£58,000	£72,200	£85,000
Dual Qualified Patent Associate	£66,000	£74,558	£94,000
Dual Qualified Senior Patent Associate	£78,000	£92,330	£130,000
Patent Partner	£85,000	£110,000	£160,000

Patent & Trade Mark Attorneys - Regional

Level of Qualification	Low	Average	High
Trainee Trade Mark Attorney - Graduate entering the profession	£26,000	£29,818	£34,000
Trainee Trade Mark Attorney with QMU or Equivalent	£31,000	£36,844	£42,500
Part Qualified Trade Mark Attorney	£33,000	£40,430	£45,000
Newly Qualified Trade Mark Attorney	£38,000	£51,777	£63,000
Trade Mark Attorney - Associate	£48,000	£63,100	£80,000
Trade Mark Attorney - Senior Associate	£60,000	£78,410	£110,000
Trade Mark Partner	£80,000	£95,000	£115,000
Trainee Patent Attorney - Graduate entering the profession	£29,000	£31,609	£36,000
Trainee Patent Attorney with QMU or Equivalent	£32,000	£38,679	£45,000
Part Qualified Patent Attorney	£36,000	£46,993	£58,000
Qualified Patent Attorney either CPA or EPA	£49,000	£59,875	£72,000
Salary to reflect 2020 Dual Qualification	£58,000	£67,127	£74,000
Dual Qualified Patent Associate	£65,500	£74,138	£84,000
Dual Qualified Patent Senior Associate	£73,000	£87,540	£110,000
Patent Partner	£83,000	£100,000	£150,000

Patent & Trade Mark Support Staff - London & Regional

Level of Qualification	Low	Average	High
London	London	London	London
Patent / Trade Mark Secretary - up to 2 years experience	£21,000	£24,740	£29,000
Patent / Trade Mark Secretary - 2 to 5 years experience	£25,500	£34,050	£41,000
Patent / Trade Mark Secretary - 5 years plus experience	£32,000	£41,530	£47,000
Formalities Administrator - up to 2 years experience	£20,000	£25,290	£30,000
Formalities Administrator - 2 to 5 years experience	£29,000	£34,250	£40,000
Formalities Administrator - 5 years plus experience	£36,000	£41,520	£47,000
Formalities Manager / Supervisor / Team Leader	£45,000	£54,740	£75,000
Head of Formalities	£68,000	£93,000	£120,000
Regional	Regional	Regional	Regional
Patent / Trade Mark Secretary - up to 2 years experience	£20,000	£22,670	£25,500
Patent / Trade Mark Secretary - 2 to 5 years experience	£24,000	£30,100	£38,000
Patent / Trade Mark Secretary - 5 years plus experience	£30,000	£37,210	£46,000
Formalities Administrator - up to 2 years experience	£20,000	£22,540	£28,000
Formalities Administrator - 2 to 5 years experience	£25,000	£29,980	£39,000
Formalities Administrator - 5 years plus experience	£31,000	£36,739	£45,000
Formalities Manager / Supervisor / Team Leader	£38,000	£49,340	£65,000
Head of Formalities	£50,000	£68,200	£85,000

Patent & Trade Mark Salary Survey 2021

As the recruitment market remains as competitive as ever, salaries continue to stay in the spotlight with employees paying particular attention to not only their basic salary but bonuses and 'softer benefits' too. We are still seeing significant salary discrepancies across the market as well as in the way in which employee pay is structured but hope that the following document will help to make some sense of this.

Whilst we recognise that basic salaries will always be of interest, it is very rarely the only factor considered. The additional information following the salary tables is designed to give an insight into working conditions across the IP sector, as well as reflecting on points of interest raised by clients and candidates alike.

As with previous years, individuals are generally keen to look at a job offer / their current package in its entirety, taking into account not just the basic salary. We are seeing bonuses, earning potential and, increasingly, flexibility and work-life balance being important factors for a candidate to consider, and we expect this thought process to continue, particularly given the experience we've all gained from having to work from home during the Covid 19 pandemic. Nevertheless, remuneration remains an important factor in both attracting and retaining the best quality people.

As you will see from the salary figures, the bandings are quite wide and there are a number of factors that impact on where an IP professional could fall within the banding.

What impacts on salary banding?

Salary Reviews and Areas of Practice:

In previous years, almost all of the businesses with whom we work told us that they had awarded salary increases. This year, whilst the majority of employers had honoured reviews and increases, several firms, especially those due to review in the early part of 'Lockdown 1', had either deferred or cancelled reviews with this being more common place within law firms. A number of clients who had deferred reviews carried them out at a later date in 2020; some cancelled them all together in 2020 and expect to look at them this year instead. Salary reviews this year were far more wider ranging with some clients telling us that it was very much 'business as usual' and increases were comparable to those in previous years; others have taken a more cautious approach and whilst increases were still given, they were at a more modest rate than in previous years. This is reflected in our figures; whilst the numbers have predominantly risen, the rate of increase has slowed i.e. £100s rather than £1000s.

Over recent years, there has been a very real "skills gap" across a wide range of areas and good Attorneys remain in high demand across all disciplines which is often reflected in the starting salaries. In the areas of shortest supply, (until very recently, this was notably Electronics; in 2020 and into 2021, we have seen a high demand for Life Sciences Attorneys) we still see higher remuneration (basic and bonuses where applicable) being offered to both attract and retain top talent, although this is currently less widespread than in previous years.

Of the Attorneys for whom we have secured roles over the past year, 88% got a salary increase with their move. This does of course mean that there were 12% of Attorneys who moved for the same or indeed less than their previous salary. The below information will show that while a significant number of Attorneys moved for an increase, salaries have not increased at the same rate as previous years. Of the Attorneys who secured an increase, this increase was on average 15% compared to 14% last year with Trade Mark Attorneys seeing some of the biggest increases. Of the support staff who secured new roles last year, 79% also received a salary increase upon moving. That increase was an average of 15%, compared to 13% last year.

Location

While salaries in London are generally still higher, we are still seeing a steady increase in regional Attorney salaries. This may reflect a growing number of firms looking to reduce their London office overheads and grow bigger regional teams of Attorneys; it could also reflect London-led firms offering the same salaries in both their London and regional offices to attract both existing employees and new starters to their regional offices. This in turn pushes the average up in the area as traditionally 'local' firms have to increase what they are paying in order to remain competitive. Early indications suggest that, where Attorneys are choosing to work more remotely from London, whether at home and / or in a regional office, there is unlikely to be a significant difference in salary.

Increases and Bonuses for Attorneys Passing Exams:

The majority of the private practices we work with review salaries when exams are passed, with these reviews being separate to their firm-wide annual salary review. Of the firms that offer salary reviews to reflect exam passes, c. 50% offer 'spot' bonuses for individual exam passes, typically £1000 per exam pass. In contrast, the majority of our in-house clients incorporate an increase for passing exams into the Attorney's annual salary review.

Increases and Bonuses for Support Staff Passing Exams:

Our London-led and in-house clients are far more likely to offer financial rewards to Patent / Trade Mark Administrators who have passed the CIPA / CITMA Paralegal Course than the practices in the regions. For those passing the CIPA / CITMA Paralegal Course in both London and regional practices, a spot bonus would typically be between £750 and £1200 in comparison to industry employers where that figure is likely to be between £1500 – £3000.

Trade Mark Attorney Salaries

Salaries still vary in this sector more than in any other Attorney category and to advise on a Trade Mark Attorney's salary remains a little bit 'finger in the air'. To give some examples, we have seen newly qualified Trade Mark Attorneys salaries ranging from £30,000 all the way up to over £60,000 and those with two years' PQE experience being paid anything from £45,000 through to £80,000+. Generally, salaries have stagnated a little over the last 12 months as a result of the unpredictability of the market.

After a flurry of qualified Trade Mark Attorney recruitment in Summer 2019, it was minimal across all levels for much of 2020 as large sectors of firms' clients were affected by lockdown and employers waited to see what impact Brexit would have. Whilst some practices have definitely been quieter this year, many told us they had never been busier and whilst recruitment was quieter in 2020, we are already seeing more activity in 2021.

What is Causing Such a Vast Range?

Once an Attorney has qualified, it still seems that in a lot of instances, they are being held at the 'newly qualified' level for a period of time i.e. not stepping into a more, independent, Associate level position straight away. In comparison to a few years ago, a lot of very recently qualified Trade Mark Attorneys tell us that despite being officially qualified, they haven't seen an immediate change to their 'day job' and they are still being closely supervised.

It has been evident that there are more Trade Mark Attorneys who are qualifying in the profession via the paralegal or support route and again this is having an impact on salaries in the sector. Traditionally, Trade Mark Attorneys joined their firm as a graduate and the speed at which they moved through their training and their exams was predominantly dictated by their employer. Now, we are seeing trainees joining firms and already being technically part-qualified because they have self-funded the QM (or an equivalent) and are keen to commence the Nottingham Course as soon as possible without having necessarily gained that much practical experience.

Conversely, we are also seeing a significant influx of Trade Mark Administrators / Trade Mark Paralegals who have either self-funded or been financially supported by their employer to qualify as a Trade Mark Attorney and who find themselves passing the exams without having had 'true' Attorney experience. There are UK registered Trade Mark Attorneys who are still effectively operating at Paralegal level despite their technical qualification. Their employer either hasn't got the volume of Attorney work to provide or they simply don't recognise them as a qualified Attorney which is reflected in the salary that they are able / prepared to pay. Often we see these Attorneys being in a catch-22 position as it is also hard for them to move to another firm, because even with their qualification, a potential employer isn't confident that they will be able to perform at the level that they would expect of their own NQ Attorneys.

It's important to remember that some businesses simply pay more than others and that remains the same in any sector. There is still stiff competition for the few in-house Trade Mark Attorney roles that are available. It is often Trade Mark teams within law firms where we see the greatest disparity of salaries.

Whilst in some instances, it is true that the higher expectations of longer hours and higher billing targets offer the highest rates of pay, this is not always the case, and Attorneys in the 1-7 years PQE bracket have the widest range of pay across firms. Generally speaking, although Senior Trade Mark Attorneys in London based international law firms are amongst the highest paid in the industry, it is at this level that there has been more of a levelling off in average basic salaries.

Attorney vs Senior Attorney

Increasingly, we have seen a difference in salaries between those who are considered Attorneys and those who are operating at Senior Attorney level. In some businesses the difference merely reflects time served, however, in other businesses the move to Senior Attorney is a considerable promotion and those in that role are expected to take on additional responsibilities beyond the 'day job'. Some examples of this include taking a lead role in new business development initiatives, managing other employees, providing structured training within the business or presenting at conferences / sector events etc. Often, these are the people who have their eye on their next step up the career ladder, be that a move towards Partnership or into a 'Head of IP' role.

In both the Patent and Trade Mark sectors, there are a lot of very experienced, skilled Attorneys who simply enjoy the Attorney role and have no desire to immerse themselves in lots of extracurricular activities. There is increasing recognition for this group of professionals in the sector and often they are extremely valued by their employer. That said, whilst these Attorneys will accrue incremental increases, their salaries may plateau compared to those making an additional contribution to their employer. The notable exception to this is within the especially busy sectors where firms can be so busy that they are prepared to pay a premium for those Attorneys who simply want to fee-earn without taking on additional responsibility; this is particularly the case where there isn't a billings based bonus which would off-set this.

The variety in titles within different firms at this "Senior Attorney" level can be misleading, particularly for Attorneys looking to move from one firm to another. It is important to look beyond the title, not just at the salary banding within each firm, but also at the level of additional responsibility expected, in order to accurately compare and contrast what each role offers both in terms of remuneration and career progression.

Support Staff Salaries

Whilst the London / Regional divide remains evident especially at the junior end of the market, the gap is definitely getting smaller at the mid to senior end of the market. This is likely to be for a number of reasons but will no doubt be impacted by London-led practices opening more offices in regional cities. Some firms openly pay their support staff the same in their regional offices, especially when those regional offices are in cities such as Cambridge and Oxford and the cost of living is comparable to that in London. Others have extended this precedent to their Northern offices as well and this in turn impacts what their competitors are willing to pay in that same city (especially when they need to recruit) in order to remain an attractive option. Experienced Patent and Trade Mark support professionals continue to be well looked after and harder to attract. We continue to see candidates being persuaded to stay with their existing employer for significant salary increases, although longer term this rarely solves any wider issues which may be prompting them to move on and often puts these candidates' salaries out of market rate which can then potentially impact future moves.

'Capping' of Salaries for Support Staff

Many of our clients have spoken to us about what their competitors do in terms of capping support staff salaries. Experienced, good quality Secretaries and Administrators are almost in as high demand / short supply as Attorneys and it is not uncommon for us to see some Secretaries being paid more than the junior fee earners within the same firm.

This year, we have continued to see a much more considered approach with salaries on offer for new positions. There have been salary brackets provided at the outset, and these have been much more closely adhered to this year, with clients prepared to walk away from even the most exceptional of candidates, if they are seen to be demanding too much.

Of course, if a Secretary / Administrator is thought to be absolutely invaluable to a business and they are consistently performing at a level that is beyond the norm, then of course their salary review should reflect this. Some firms have expressed an interest in having caps on support staff salaries, to prevent long term employees receiving annual increases for doing the same job year in and year out, meaning they are being paid more than they would be considered worth in the wider market.

Interestingly, we are increasingly seeing firms moving towards recognising and rewarding those who are performing with an individual / discretionary bonus instead of the traditional, annual increase. The aim is to help alleviate frustration from some Partners who feel increases are being given, without being justified, by attaching the bonus to a particular project or increase in responsibility that the employee has taken on. It also helps to manage the employees' expectations by linking remuneration more closely to specific performance as opposed to simply "time served".

Individual Skills & Capabilities

Irrespective of demand or sector, we consistently see exceptional candidates being rewarded beyond what could be expected within the market.

In our experience they do so for a range of reasons, the most frequent / important being:

- Sector Specialism
- Management Input
- Business Development
- Client Management
- Fee Earning

Most often it is a combination of the above.

We also see people who simply work and perform beyond their 'PQE' being effectively treated, for financial and other reasons, as someone of more seniority.

Bonuses and Benefits?

Bonuses

Whilst at the start of lockdown many firms questioned what implications there might be for bonuses being paid, in the vast majority of cases, they were / are being paid and were / will be paid at their normal time. A number of employers who had been due to pay bonuses in the early part of the financial year deferred payments but then did go on to pay them. In far fewer cases they were cancelled altogether and will be looked at again this year; if this did happen, it was typically within law firms or within industry where COVID had had a significant impact.

With nearly all employers historically offering a form of employee bonus, the way that they are structured and the rewards they can generate vary greatly.

Personal performance was the most common reason to pay a bonus UK-wide and employment in London offers considerably more chance for all employees to earn a bonus rather than fee earners alone. We saw a split between bonuses being awarded for performance against a predefined target and discretionary bonuses. In a few firms the reason for awarding bonuses was dependent on whether your role was Support Staff (discretionary) or Attorney (performance against a target). Targets against 'hours' and 'billings' were the biggest factor influencing bonuses although we know from speaking to Attorneys that these targets and the financial rewards associated vary hugely from firm to firm. Typically, Attorneys start seeing their bonus once they have billed in excess of 900 hours (although this can be closer to 800 hours in some firms and in law firms, it will often be over 1200 with a target of 1500 not being unusual).

In industry, a significant amount of an employee bonus will often be attributed to the company's financial performance that year and the remaining element which that employee can directly influence will reflect their performance against set personal objectives.

From the numerous discussions we have had, it would seem that sector-wide, on average a qualified Attorney can expect to earn an additional 8-10% of their basic salary as an annual bonus. This takes into account those who are underperforming as well as those who have made an exceptional contribution. Typically, where the bonus is discretionary, firms offer an incentive to earn up to an additional 25% of a basic salary, although in our experience, the number of Attorneys achieving 25% is reasonably low. For those at the very top of their game, we have examples of Attorneys earning around £30K in bonuses, with some Attorneys earning £70K plus.

Basic salaries do differ across employers and we tend to see a trade-off between firms offering a more modest basic with a stronger bonus structure, versus firms offering a higher basic paired with a less sophisticated or indeed a harder to achieve bonus structure. Ultimately, it is then for the Attorney to decide what motivates them more – also giving their potential employer a useful insight to their psyche for future development.

Welcome Payments

'Golden Hellos' and relocation allowances are more prevalent now within high demand areas in firms. These are often used as a way of enticing people on board, or to help them bridge the gap between London or overseas salaries and those in the regions.

Private Medical Insurance

There are very differing positions on this, and whilst the vast majority of larger firms will offer health insurance to their employees, many of the mid-tier and smaller firms still don't. Those that do offer it usually offer to cover other family members for an additional but competitive cost as well as some firms covering pre existing conditions too.

Pensions

Auto enrolment was introduced in 2017 and minimum contributions increased again in April 2019. The level is a minimum of 3% from employers and 5% from employees. Some firms offer a further enhancement on statutory minimums but these vary greatly:

- London / national firms - usually between 4-5% but we have seen up to 10%
- Mid-tier and Boutiques – there is much greater variance but as an average we see firms paying up to 5% and employers usually require their contributions to be matched
- Industry – pension schemes can be very generous in-house, with some employers paying up to 20%. Although this isn't the case everywhere, industry pensions do tend to be higher than practice offerings

Death in Service Benefits:

Many firms do offer this benefit but the amount varies significantly and often smaller general practices don't offer it. The minimum amount in this year's survey was 1 x salary and the highest level of benefit was 8 x salary.

In some cases this can be enhanced via flexible benefits packages, and in some it was linked to membership of the Pension Scheme.

Critical Illness Cover and Income Protection:

- This is a benefit far more likely to be available to Partners / Directors than to all staff.
- There is no evidence of any firm offering this benefit on an all staff basis.
- These benefits are also often part of a flexible benefits package which an employee can choose to contribute towards.

Working From Home:

Unsurprisingly, this has been the biggest change since we published our 2020 salary survey! If we look back to our last survey, we can see that year on year there had been an increased demand for home working. At that stage, the degree of flexibility seemed to depend on the role and the nature / regularity of the flexibility varied enormously. Some firms had a working from home policy of up to 2 days per week for all employees and at the other end of the spectrum there were those employers offering no or extremely minimal home working and only to those at a senior level. Of course 2020 completely turned this on its head with all but the very smallest handful of employers enabling their employees to remain at home. Whilst some firms were already fully set up for home working, others weren't and had to adapt quickly. Whilst of course there were some teething problems along the way in terms of set up, in the main, even employers who historically hadn't been

pro-homeworking were pleasantly surprised at the lack of impact in terms of productivity.

Indeed many have reported a significant increase in productivity as employees have often worked longer hours in the absence of a commute and / or freedom to leave home. This has brought different challenges for both employees and employers in ensuring a healthy work / life balance and avoiding a situation where employees feel more as though they're living at work than working from home!

Across the board, every employer who completed our survey told us that looking ahead to the 'new normal', they expected their home working offering to change. Around a third of those who responded told us that they had already formalised their post-Covid arrangements, around a third said that this was currently being looked at and the remainder felt it was too early to define but that it would definitely be different to their pre-Covid arrangements.

At the time of publishing, the most common pattern seemed to be that employees will be expected to be in the office between 40 and 60% of the week and can work from home for the remainder of their contracted week. Predominantly, this would be applicable to all employees and not just fee earners. Whilst this was the most common pattern, some firms suggested that they would be likely to offer one day per week at home where as others felt that it could be likely that they would be moving towards almost full remote working and that this would be likely to affect the size and type of office space that they would be prepared to commit to. Whilst the Attorneys and support staff we have spoken to throughout lockdown tell us that they will value a blended approach to office based working there are a lot, especially Trainee Attorneys who still really value time spent in the office and the face to face interaction with both managers and their peer group alike.

Flexible Working:

Pre-Covid, formal flexible working had become increasingly common across the IP sector. Some firms had what they term 'core hours', e.g. 10.00am to 4.00pm, offering employees greater flexibility to adjust their hours to their busiest periods. What was noticeable was that this was no longer just the domain of the working parents; people were requesting to do so for other lifestyle reasons. It worked both ways with flexible working becoming so popular that some employers were using it to reduce office costs and to save on office space required. Again, 2020 saw flexible working being absolutely essential for businesses to survive as employees balanced work commitments with childcare commitments and the idea of 9-5 becoming almost non-existent. It is perhaps too early to tell what impact 2020 will have on long-term flexible working but we expect it to have made its mark given how invaluable and productive it has proved to be this year.

Maternity / Paternity Benefits:

Whilst paid time off for antenatal appointments for male employees is becoming more widely available, it seems that a lot of firms are still offering statutory maternity / paternity leave only. Of course, there are a number of examples where enhanced provisions are already in place: some of the larger or national firms were typically offering between 12-20 weeks full pay, or up to 50% pay for weeks 6-26. In addition, we have seen some firms pay full maternity and / or paternity leave for 39 weeks.

Generally, enhanced maternity / paternity benefits will be linked to a minimum length of service and some form of repayment scheme in the event that a specified time period is not completed following return from the leave.

Holiday Entitlement:

The average number of holidays is:

- 30 days for Partners / Directors
- 25 days for Fee Earners and Support Staff

The vast majority of firms offer additional holiday for long service and/or promotions. In a few cases we also saw a bonus day being allowed in December as a 'shopping' day.

In the regional practices, it was more common for support staff to have a different holiday allowance to fee earners, typically 23 days compared to 25 and in London, it was more common for employees to have incremental holiday allowance increases for length of service, typically one day for each year of service, rising to 28.

We are also seeing more firms offering the option to buy additional holiday (usually between 3-5 days), either as part of a flexible benefits package, or as a standalone policy.

Other Financial Benefits:

- Income Protection Insurance
- Private Medical Insurance
- Enhanced Sick Pay Scheme
- Voluntary Critical Illness Cover
- Introduction Rewards
- Season Ticket Loans / Parking / Travel / Child Care Vouchers
- Discounted Legal Advice

Wellbeing:

As well as the more traditional financial rewards, employee wellbeing is an ever-increasing topic in the workplace, with a particular focus on mental health more recently.

This may include things such as:

- Wellbeing programmes, for example: access to financial advice, psychological support, stop smoking clinic, mental health champions in the workplace etc.
- On-site massages
- Free lunch
- Gym allowance / gym on-site, Ride-to-Work salary sacrifice schemes
- Access to Perkbox or similar
- Easter eggs, Advent calendars, birthday cards / gifts / deduction of hours on birthdays
- Sabbatical leave (unpaid/paid)
- Corporate Social Responsibility days
- Flu Vaccination Health Screening
- Occupational health
- Fruit bowls

2020 thrust employee well-being into the spotlight more so than ever before and in the main, it has been impressive to see how many employers rose to the challenge. As we have all spent significantly less time in the office, suddenly the beautiful, glossy surrounds of the office become less relevant and employer engagement and colleague interaction becomes far more significant, underpinning the importance of good communication across the board. We have seen employers become increasingly creative in trying to replicate as many of their pre-Covid social activities into at-home experiences: for example virtual coffee breaks, team drinks after work, pub quizzes, 'talking and walking' – meetings with colleagues held over the phone whilst both parties go for a walk, baking competitions and so much more. Just as important as the 'fun' activities is ensuring that people feel properly supported in their job, from Trainees having the support and one-on-one time that they need, to working parents and carers knowing that their employer is sympathetic to their situation and accepts that their productivity right now might be different to their 'norm' and that that is OK. Employers who have supported their employees and adapted well to the changes will no doubt be warmly repayed when the situation does evolve in the form of employee loyalty and reputation in such a close-knit and competitive sector.



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