



QUESTION 163

Attorney-Client Privilege and the Patent and/or Trademark Attorneys Profession

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Resolution

AIPPI

Recognizing:

1. the importance of intellectual and industrial properties to the world's economy;
2. the importance of the role of patent and trademark attorneys and registered agents to the world's intellectual property systems for the benefit of their clients and society;
3. that clients and legal systems are both well-served by maintaining in strict confidence and protecting from disclosure to third parties communications between the clients and their attorneys made for the purpose of obtaining and providing legal advice; and
4. that such communications between attorneys and clients regarding technical matters are as deserving of protection as are communications involving purely legal matters due to the fact that technical and legal matters are often closely interrelated in regards to intellectual and industrial property rights.

Resolves:

That AIPPI supports the provision throughout all of the national jurisdictions of rules of professional practice and/or laws which recognize that the protections and obligations of the attorney-client privilege should apply with the same force and effect to confidential communications between patent and trademark attorneys, whether or not qualified as attorneys at law (as well as agents admitted or licensed to practice before their local or regional patent and trademark offices), and their clients, regardless of whether the substance of the communication may involve legal or technical subject matter.