Report of the 2021 Salary Survey of the Intellectual Property Profession

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Report of the 2021 Salary Survey of the IP Profession

Produced by Fellows and Associates

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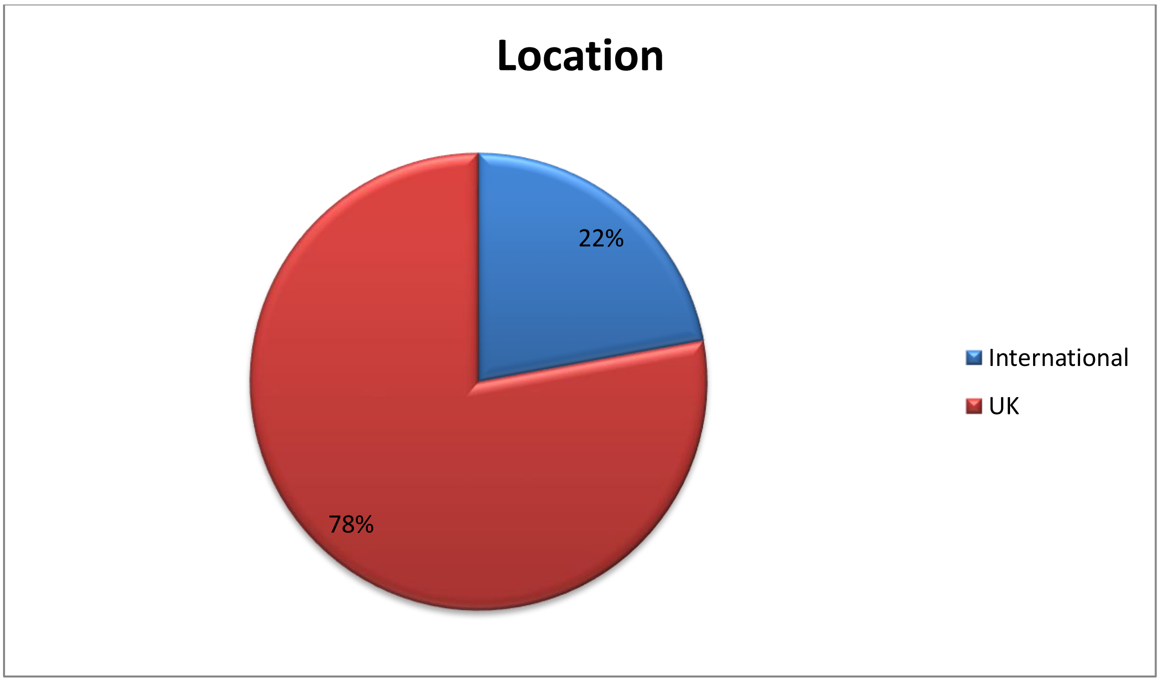
1. Introduction

This report presents data from a salary survey of the intellectual property profession which was collected over an eight-week period from the 14th of May 2021 to the 8th of July 2021. The on-line survey was accessible through a weblink, which was promoted on the websites of Fellows and Associates, The Patent Lawyer Magazine and CIPA. In addition, LinkedIn and Twitter were utilised to promote the survey.

2. The Sample

After removing any respondents that failed to complete more than 50% of the survey and those that refrained from including their base salary (the crucial item in a salary survey) a total sample size of 199 remained (returning to pre-2020 levels which were unusually high). Any financial information quoted by respondents in a currency other than GBP was converted to GBP using XE.com as of 12.07.21 at 9.10pm GMT. Where respondents work part time, their pro rata financial information has been converted to a Full Time Equivalent (FTE). Please note that in order to make the graphs easier to read percentages have been rounded to the nearest whole percent. This rounding may result in percentages appearing to total 99% or 101%. At a more detailed level, not shown here, these all total 100%.

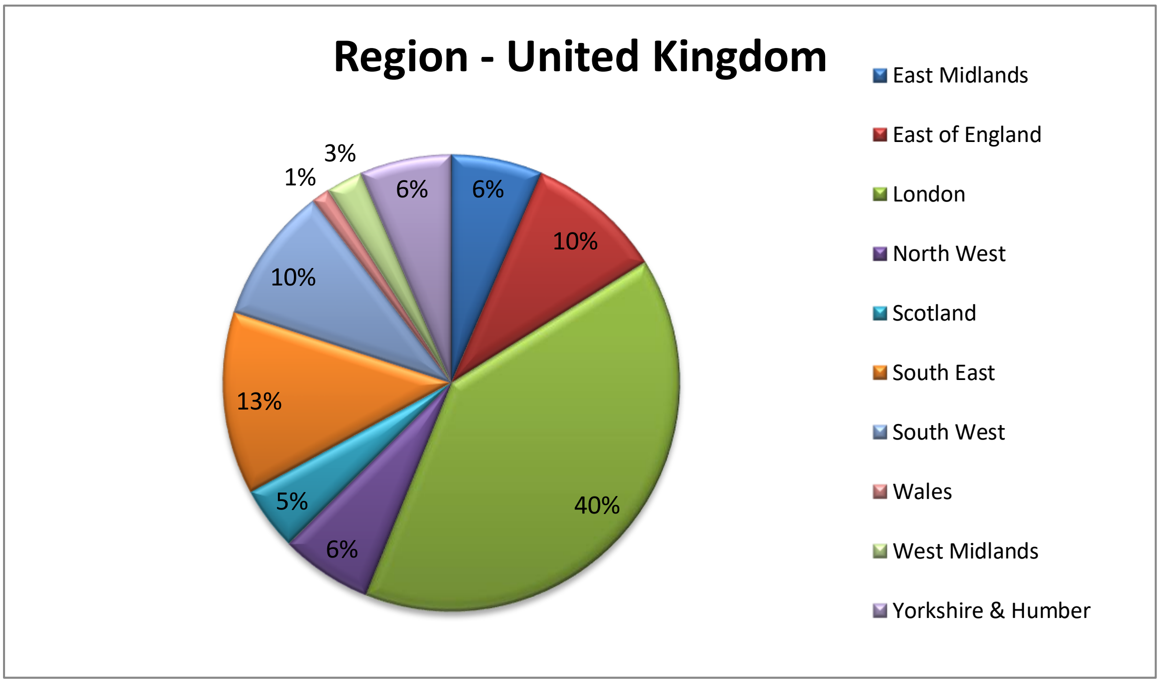
2.1 Location



Graph 2.1.1

This is consistent with prior years.

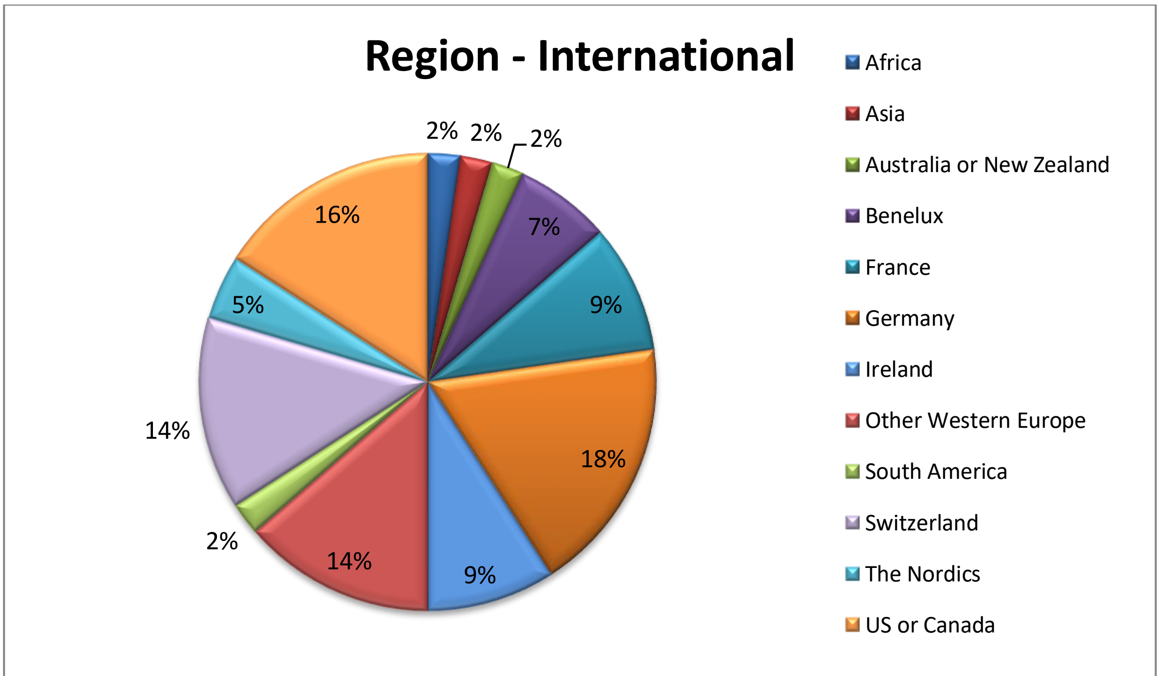
The data was then analysed to show the breakdown of the various UK regions:



Graph 2.1.2

We acknowledge the colours in the above graph can be a challenge to differentiate. Please read in a clockwise direction from the "12 o'clock" position to assist.

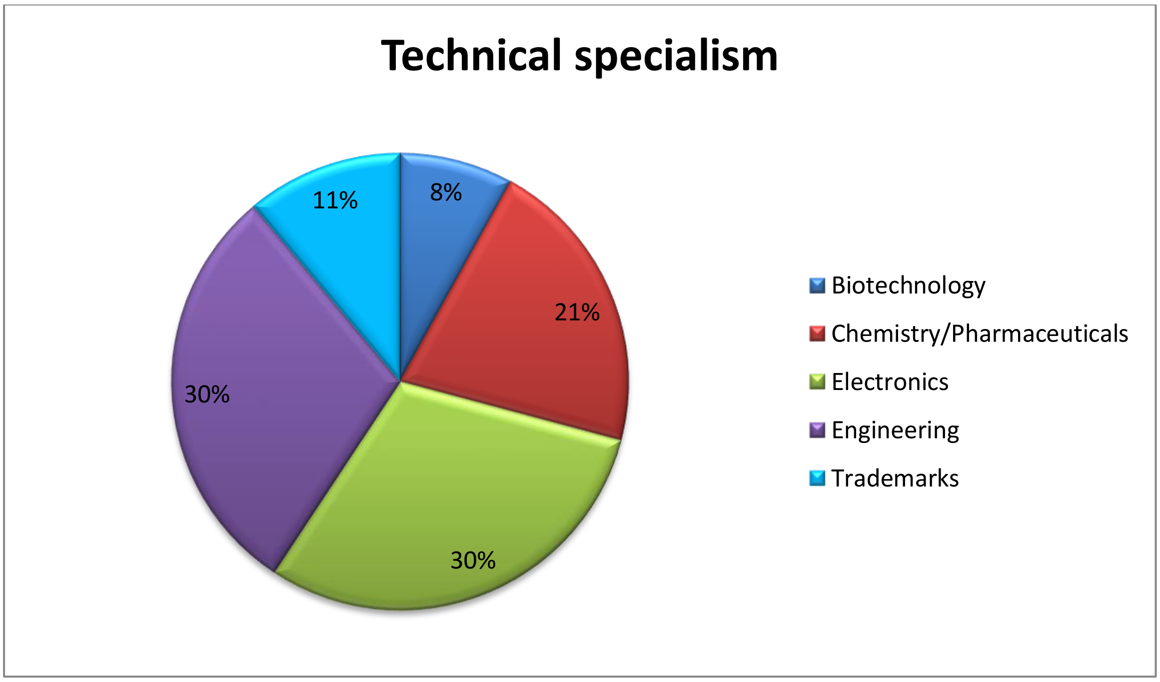
International respondents came from the following regions:



Graph 2.1.3

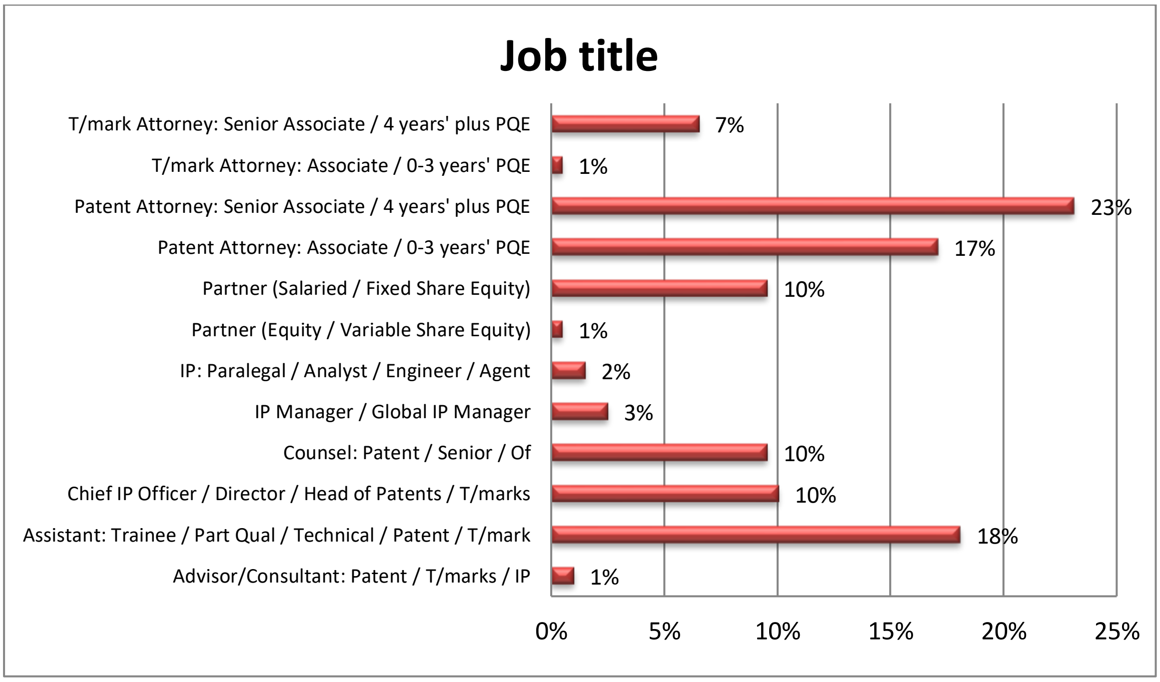
2.2 Technical specialism and title

Respondents were asked to select the technical specialism that most closely represented their background.



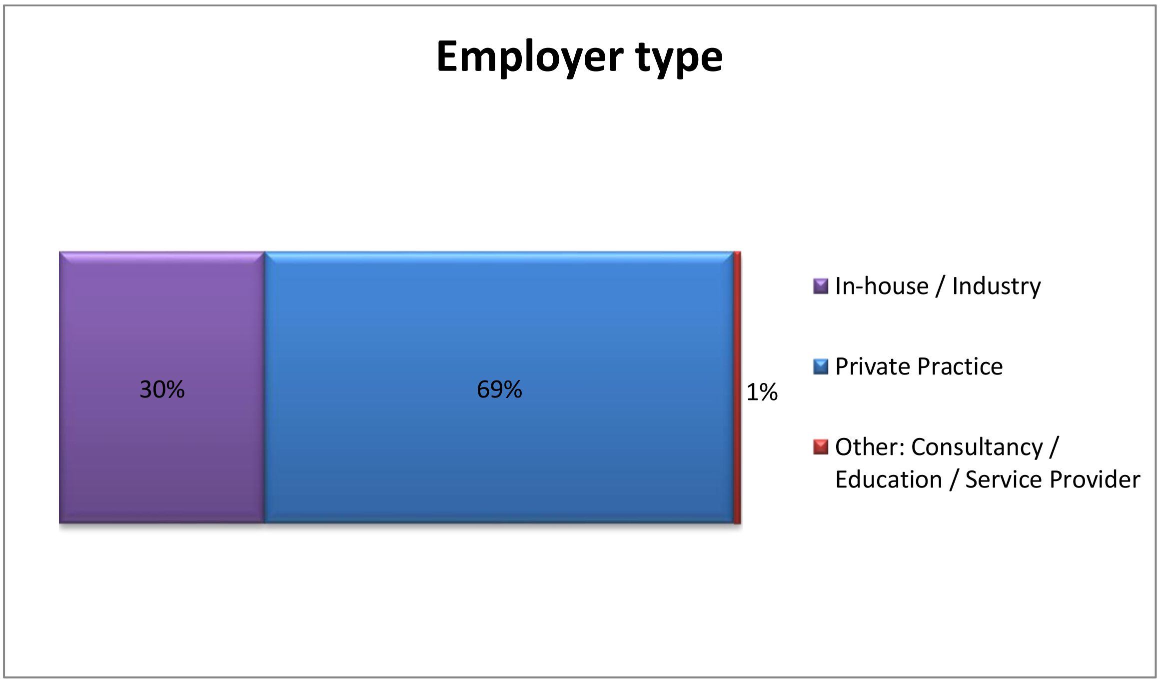
Graph 2.2.1

Participants were asked to select an option from a list that most closely matched their title.



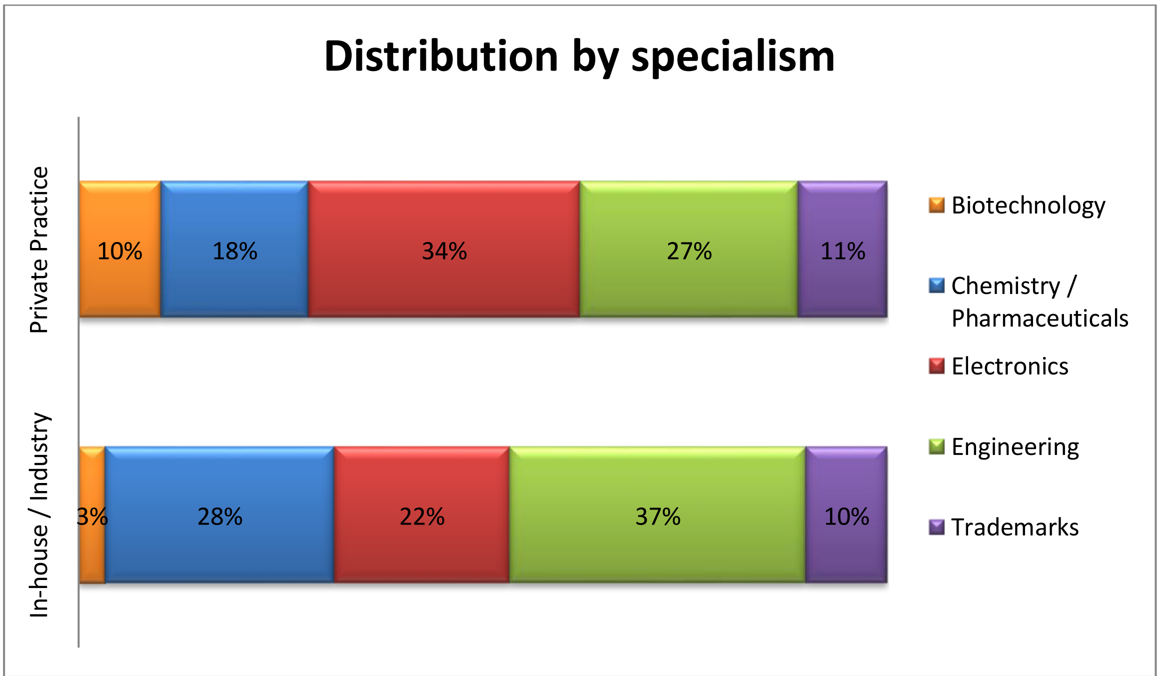
Graph 2.2.2

2.3 Employer type



Graph 2.3.1

This is very similar to previous years. Additionally, 96% of respondents were employed, with a mere 4% being self-employed. The data was then further analysed to provide the technical specialism by employer type.



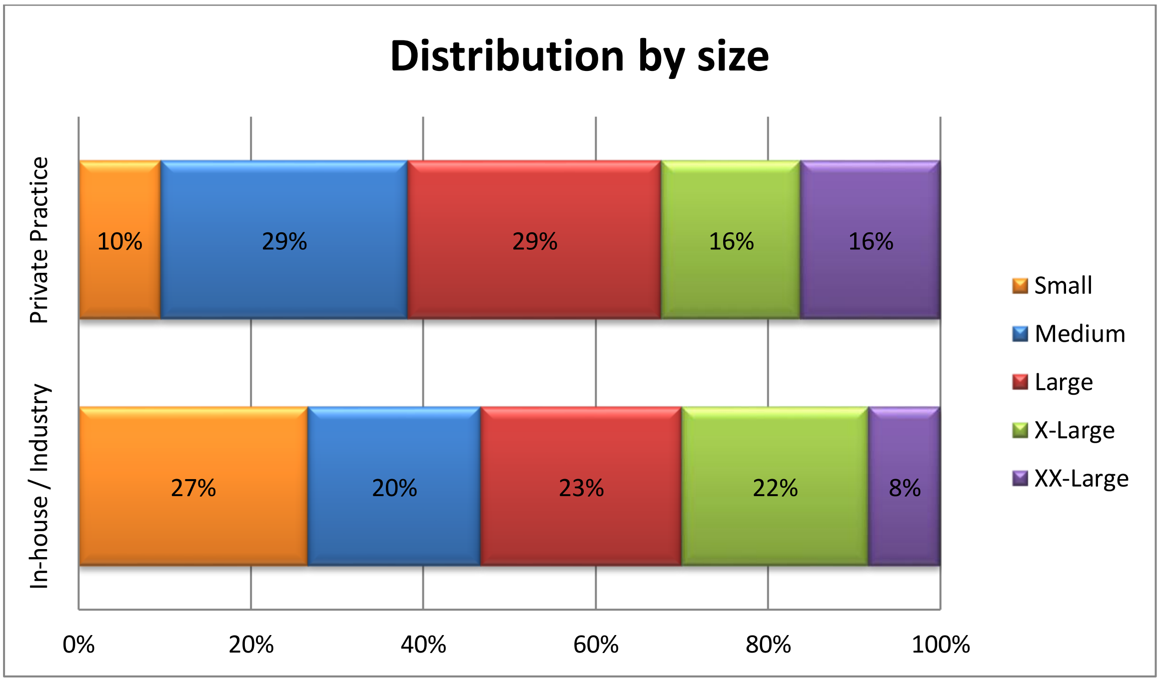
Graph 2.3.2

The “Other: Consultancy / Education / Service Provider” respondents were 50% in Electronics and 50% Trademarks.

Here we review the size of firm a respondent is employed by or is a Partner in.

Organisation size categorisation		
	In-house	**Private**
Small	Under 5 employees	Under 10 fee earners
Medium	6 - 10 employees	11 - 50 fee earners
Large	11 - 20 employees	51 - 100 fee earners
X-Large	21 - 50 employees	101 - 200 fee earners
XX-Large	Over 50 employees	Over 200 fee earners

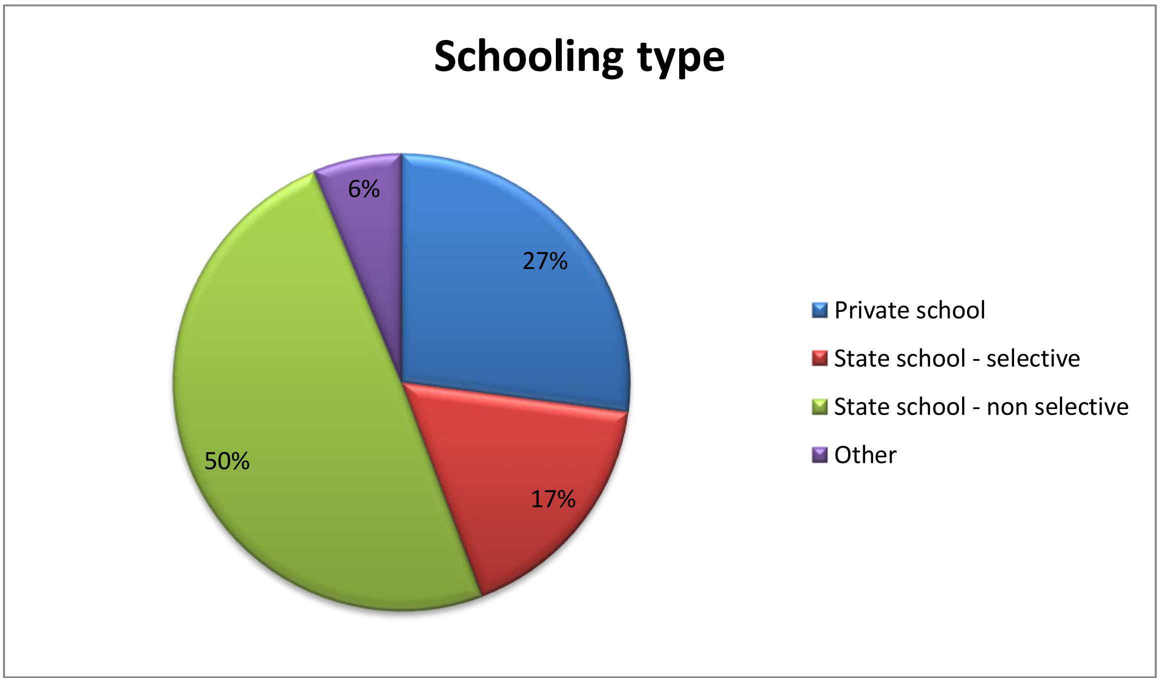
Graph 2.3.3



Graph 2.3.4

The “Other: Consultancy / Education / Service Provider” respondents were all from “Small” firms.

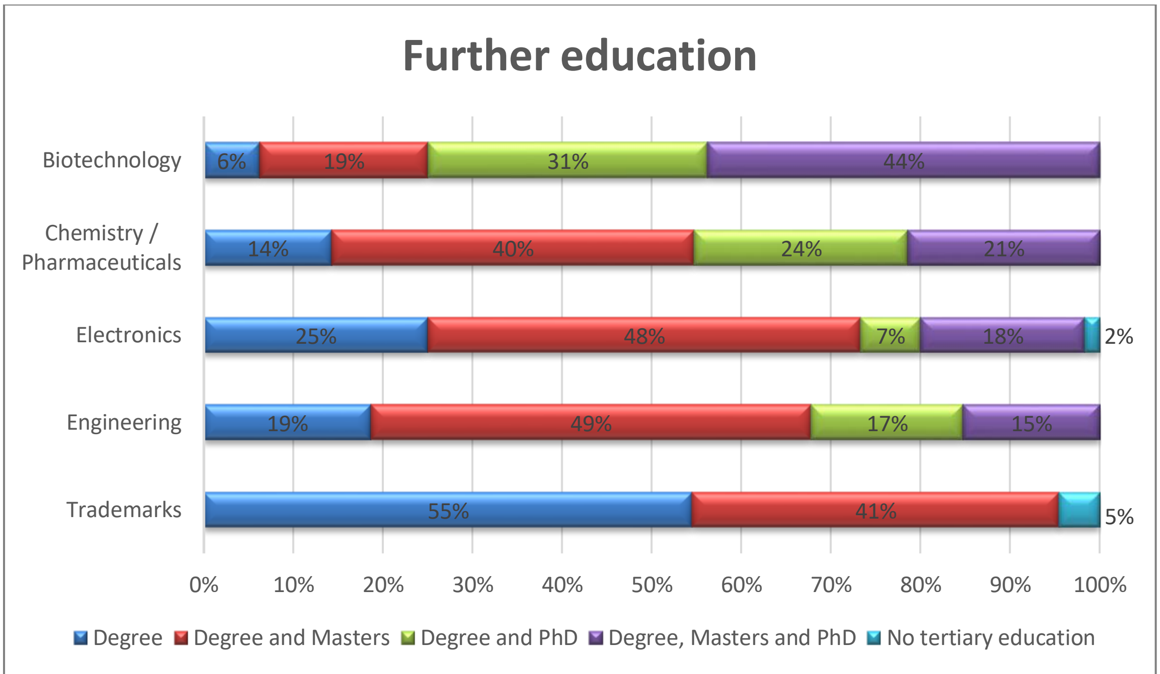
2.4 Education



Graph 2.4.1

Notes: "Other" is where respondents have benefitted from a combination of the above schooling types, including home education.

When schooling is reviewed at a specialism level all follow the same trend, give or take a couple of percentage points, except for Trademarks where nearly three quarters of respondents were from non-selective state schools.



Graph 2.4.2

At a total level 18% have a degree, Masters and PhD, 15% a degree and PhD only, 44% a degree and Masters only, 23% a degree only and 1% have no tertiary education.

Top 9 universities attended

Ranking	Degree	Masters	PhD
1st	University of Cambridge	University of Cambridge	University of Cambridge
2nd	University of Oxford	University of Oxford	University of Nottingham
3rd	Durham University, Imperial College London	Queen Mary University of London	University of Oxford
4th		Durham University, Imperial College London	The University of Sheffield
5th	University of Nottingham		University of Bristol, University of Warwick
6th	University of Manchester	University of Nottingham	
7th	University of Bristol	University of Birmingham, University of Leeds, University of Manchester, University of Southampton	Durham University, Imperial College London, Newcastle University, Queen Mary University of London, University of Manchester, University of Southampton, University of Strathclyde
8th	The University of Sheffield		
9th	Queen Mary University of London, University of Leeds		

Graph 2.4.3

Note: There were a significant number of universities ranked equally for 10th place so we chose to disclose the top 9 only.

University representation

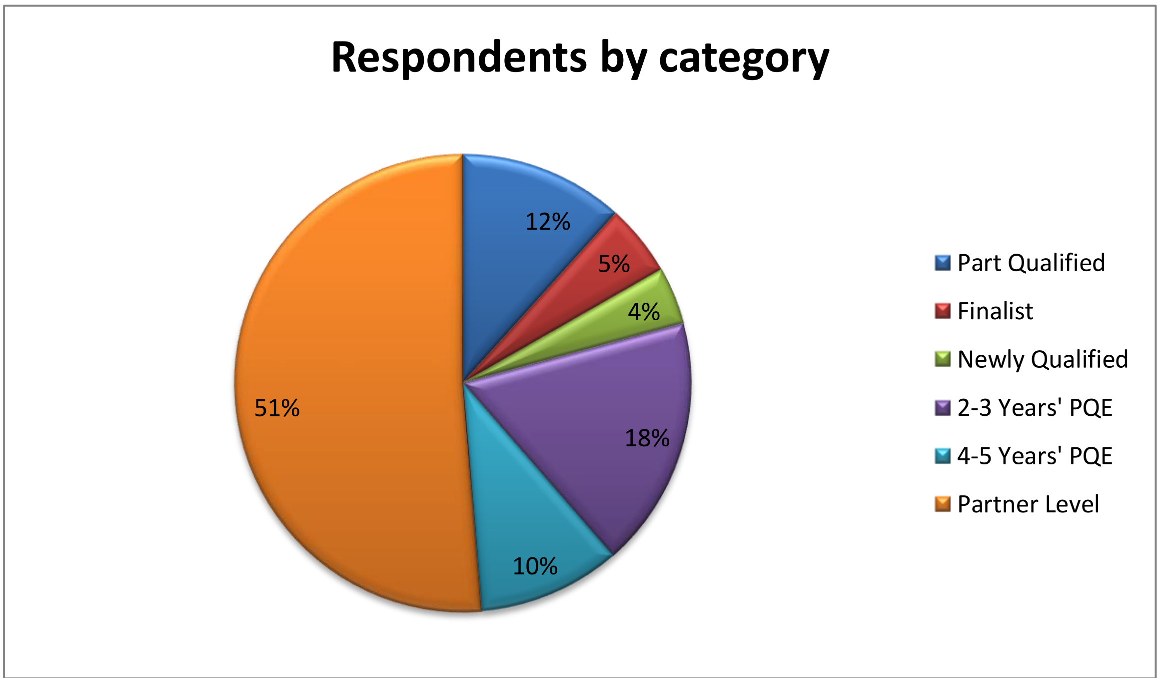
	Degree	Masters	PhD
Attended Oxford / Cambridge	18%	20%	23%
Attended one of the top 9 universities	52%	52%	75%
No. of different universities attended	80	61	28

Graph 2.4.4

2.5 Qualifications

This report has classified the year in which a respondent obtained their first qualification, considering their title as well, as per the below categories. As the definition of a part qualified attorney varies across firms, and the time it takes to qualify differs between individuals, those not yet qualified have been classified according to the number and type of papers they have sat. This year we have also added in a category for Finalist. Those without qualifications but holding senior positions have been deemed qualified by experience and placed within an appropriate category based on their salary and our recruitment experience for similar positions. **Please note ALL references to Part Qualified, Finalist, Newly Qualified etc. within this report are per the qualification table below.**

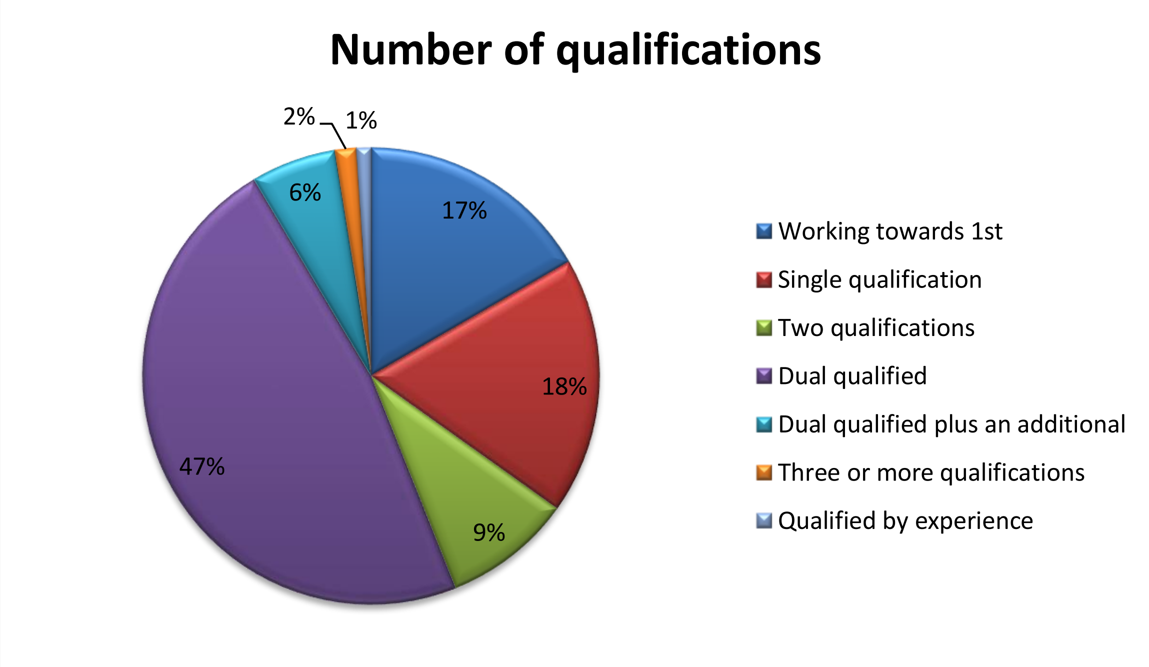
Category	**Year 1st Qualification Obtained / Papers Sat**
Part Qualified	1-2 UK papers and / or the pre EQE
Finalist	3 UK papers and / or 2 EQEs
Newly Qualified	2020, 2021
2-3 Years' PQE	2018, 2019
4-5 Years' PQE	2016, 2017
Partner Level	2015 or earlier



Graph 2.5.1

82% of this year's respondents were fully qualified, 17% are still working towards their first qualification and 1% are qualified by experience. Of those still working towards their first qualification only 4 respondents had not yet sat any papers and as such we felt it was too small a group to separate out at "Trainee" level this year.

This year we have once more taken a look at the number of qualifications respondents hold.

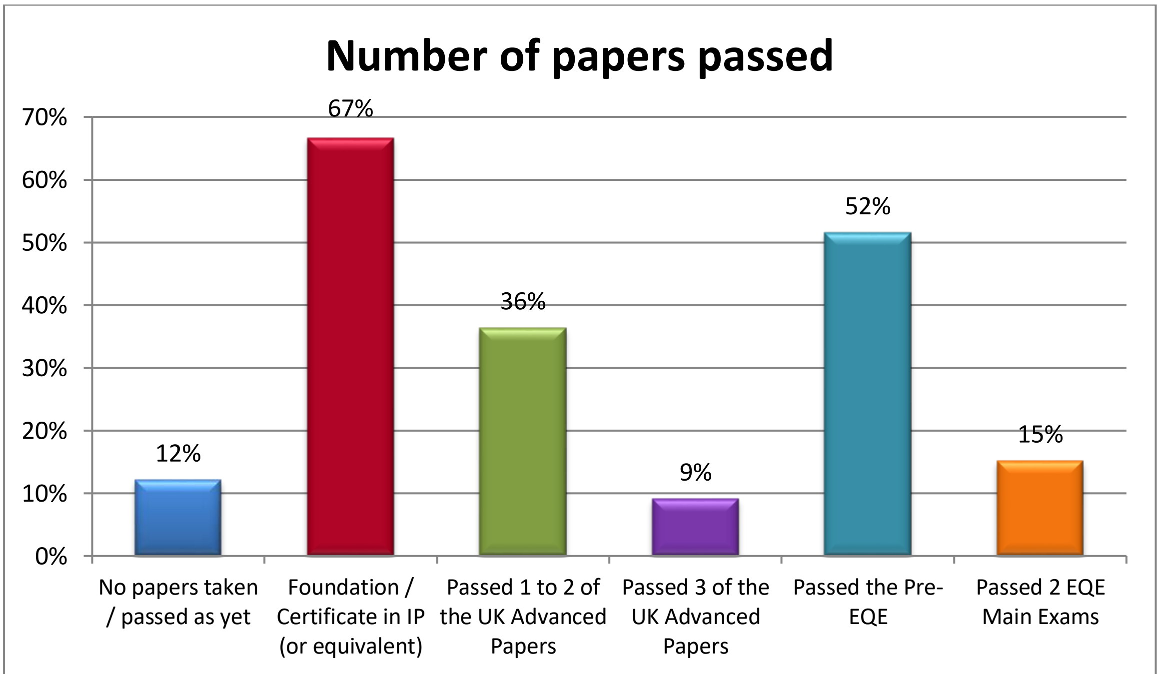


Graph 2.5.2

Note: Dual qualified refers specifically to those holding both the Chartered Patent Attorney (UK) and Chartered Trade Mark Attorney (UK) qualifications

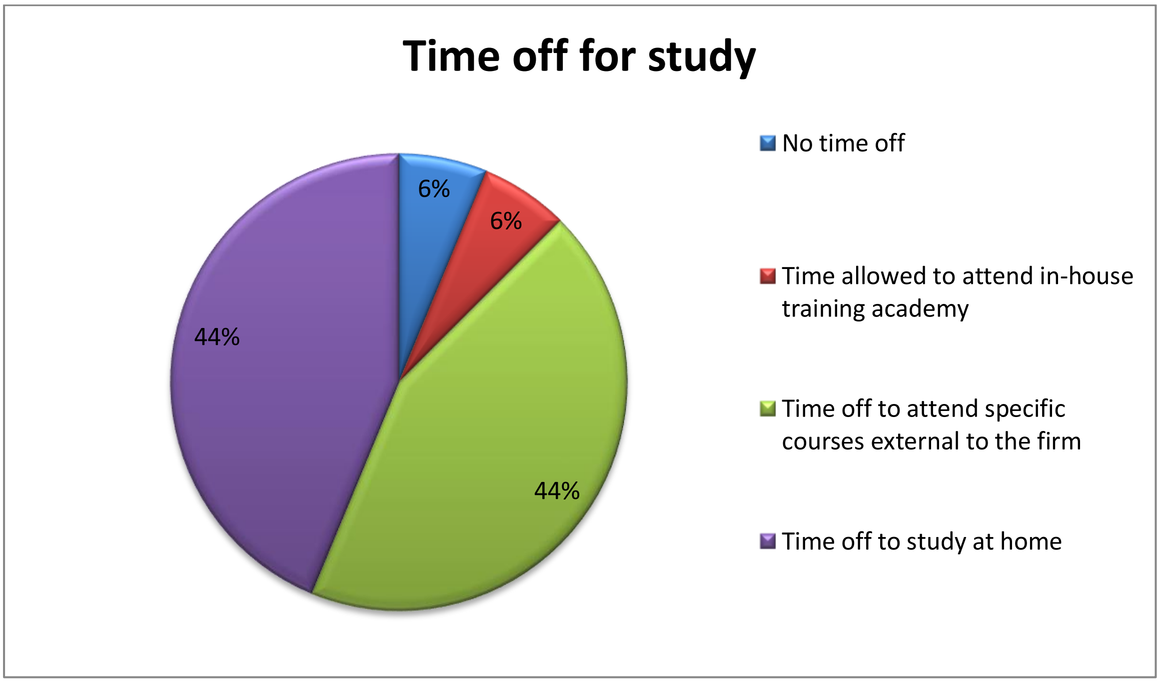
2.6 Working towards qualification

We take a closer look at those currently working towards their first qualification in this section.

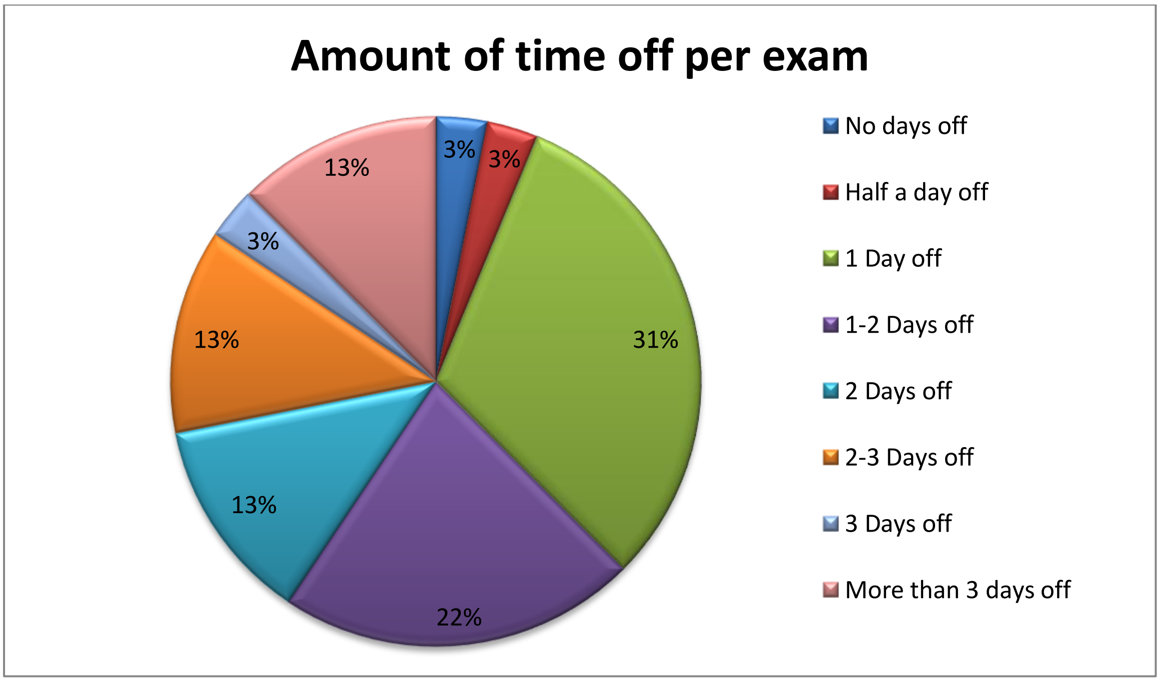


Graph 2.6.1

91% of respondents had between 76% and 100% of their exams funded by their employer with the remaining 9% split equally between partial funding and receiving no funding at all. The results were almost exactly the same for funding received for training.

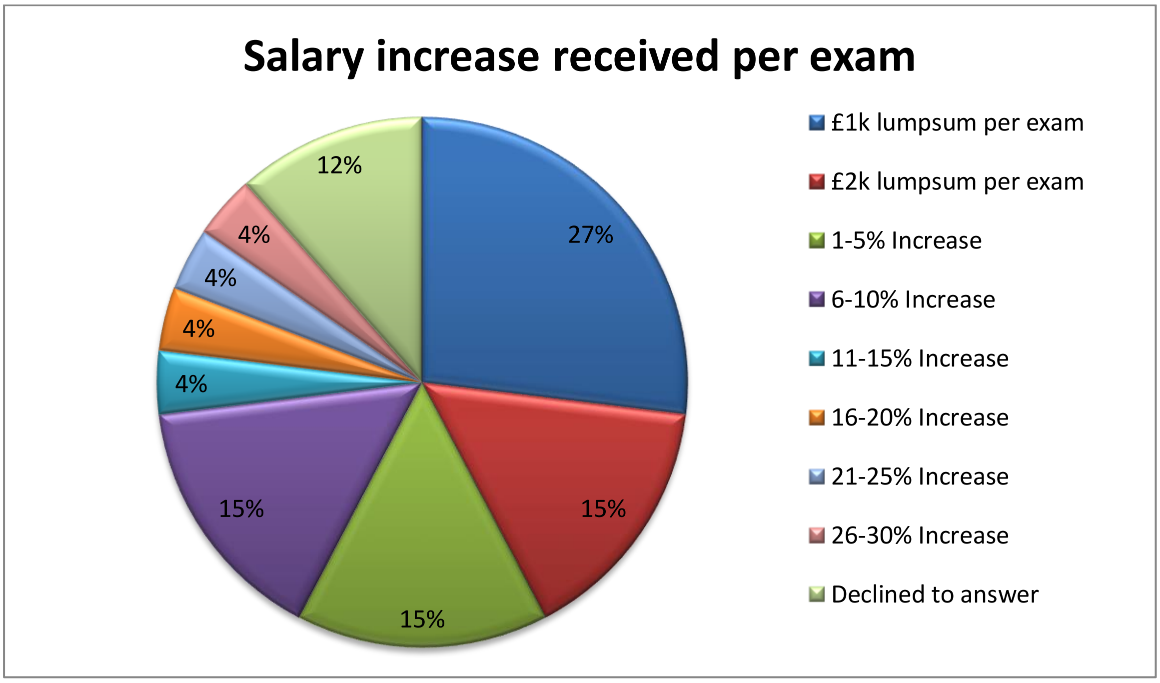


Graph 2.6.2



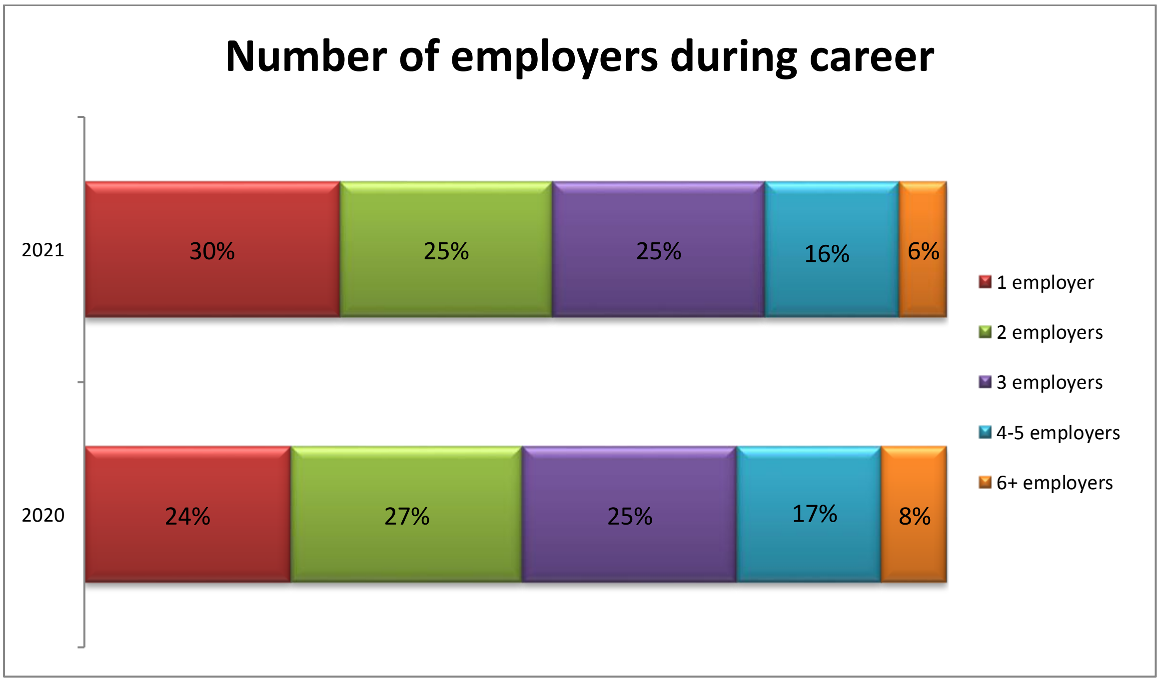
Graph 2.6.3

A third of respondents, 34%, (2020: 15%) are fortunate enough to receive a salary increase after passing each exam they sit, a further 28% (2020: 44%) receive a salary increase after passing certain exams only and 19% only receive increases after qualification.



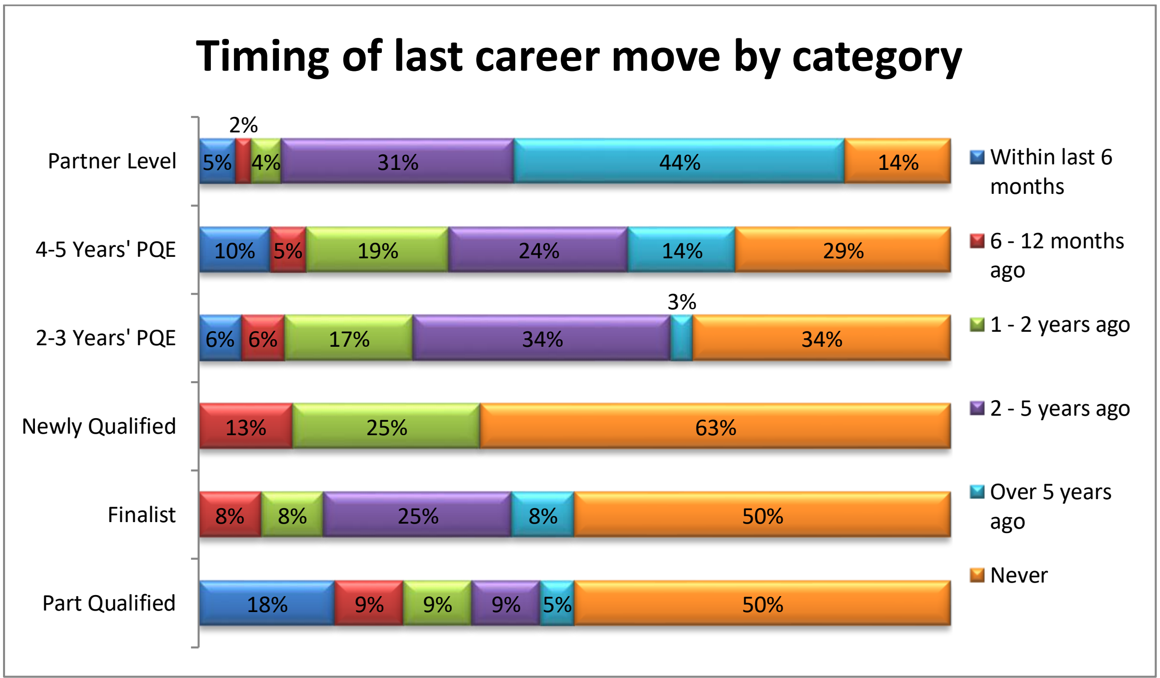
Graph 2.6.4

2.7 Working environment



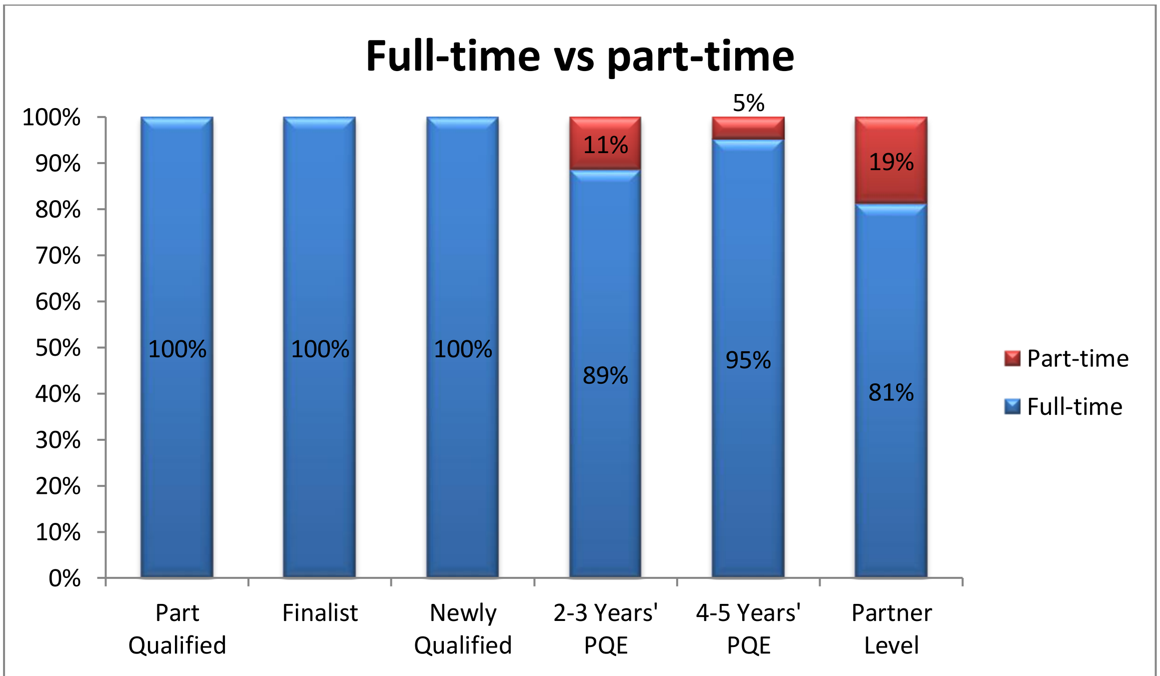
Graph 2.7.1

Those with more experience (4-5 years' post qualified or Partner / Partner Designate level) are most likely to have had a greater number of employers in their career, as they have had more time in the profession, evidenced by the fact that they represent 83% of those with 4 or more employers.



Graph 2.7.2

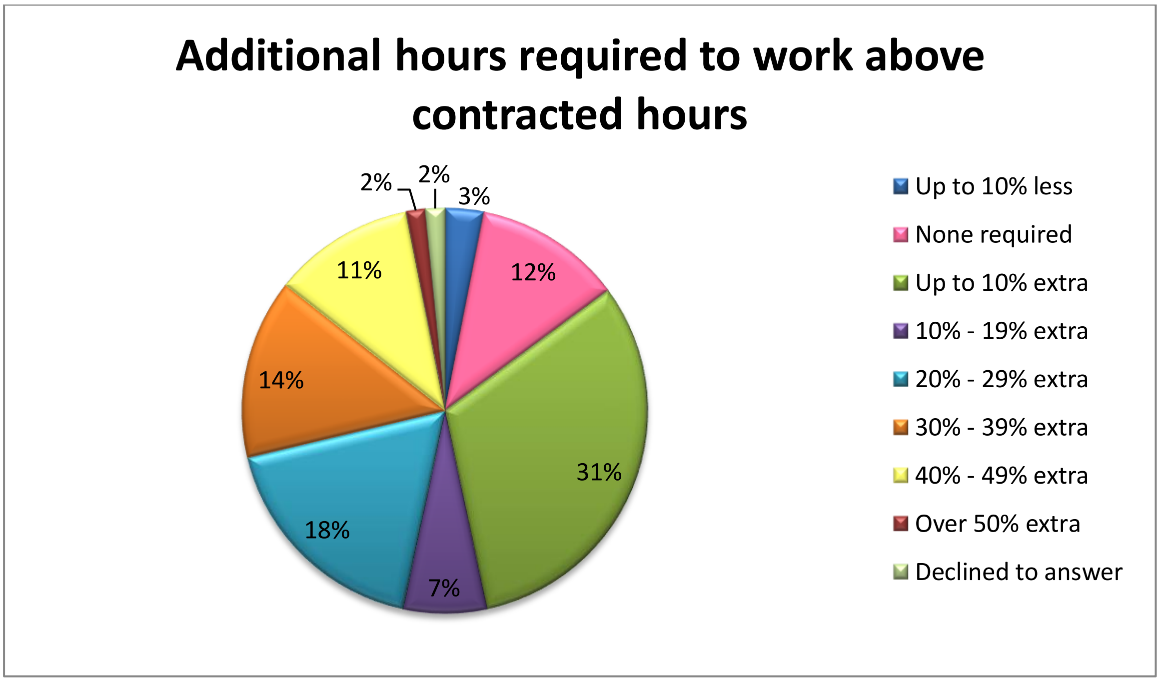
Career moves within the preceding 2 years has decreased to 21% (29% for 2020, 25% for 2019), 44% of which has been at the senior end of the market with those with 4-5 years' plus post qualified experience or at Partner level. A further 24% of the moves were by respondents with 2-3 years' post qualified experience and part qualified respondents accounted for 20%.



Graph 2.7.3

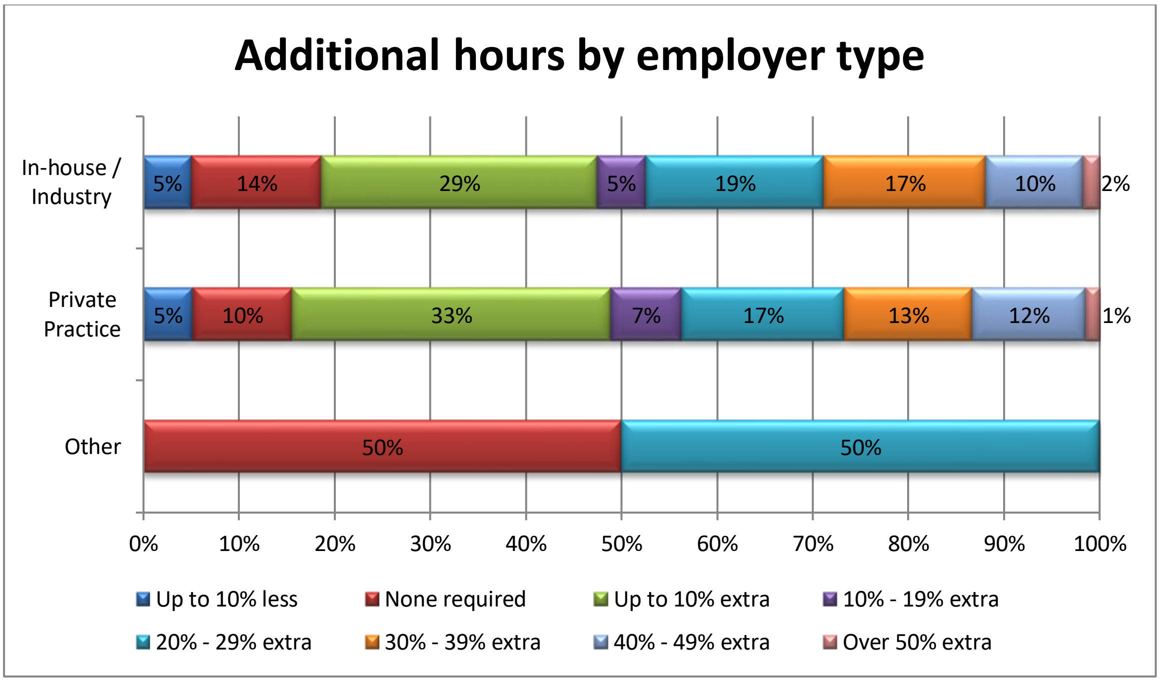
Of those working part time 46% were female (2020: 57%, 2019: 50%) and 38% were male (2020: 38%, 2019: 31%). 17% declined to provide their gender.

Rather than look at billable hours we have reviewed the amount of time above contracted hours that respondents spend working in order to meet deadlines and complete workloads.



Graph 2.7.4

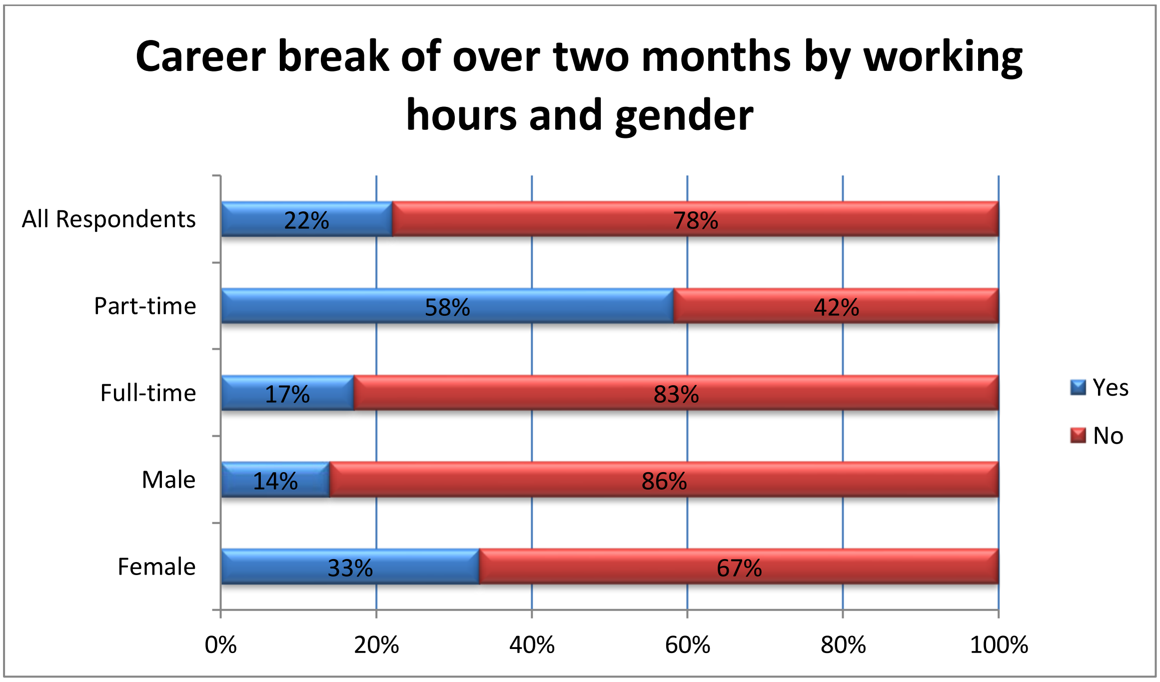
50% of those at Partner level and 4-5 years' PQE worked at least 20% additional hours and were the only respondents to work over 50% more time than they are contracted to. Below we have taken a look at the expectation for overtime by employer type.



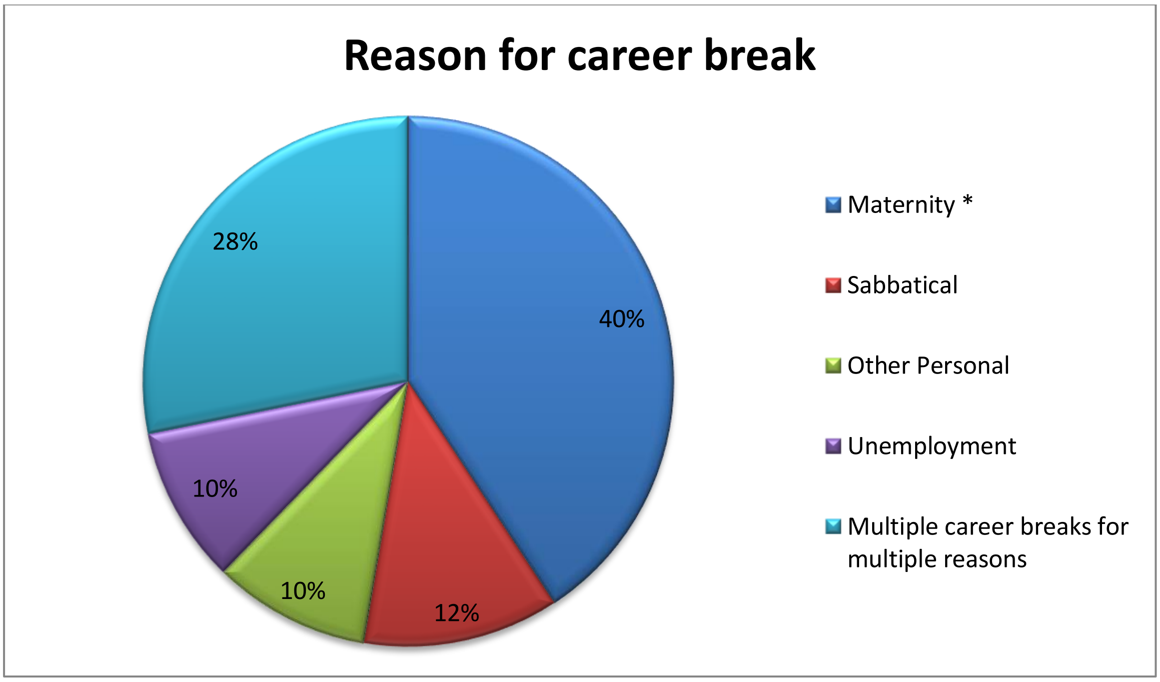
Graph 2.7.5

2.8 Career breaks

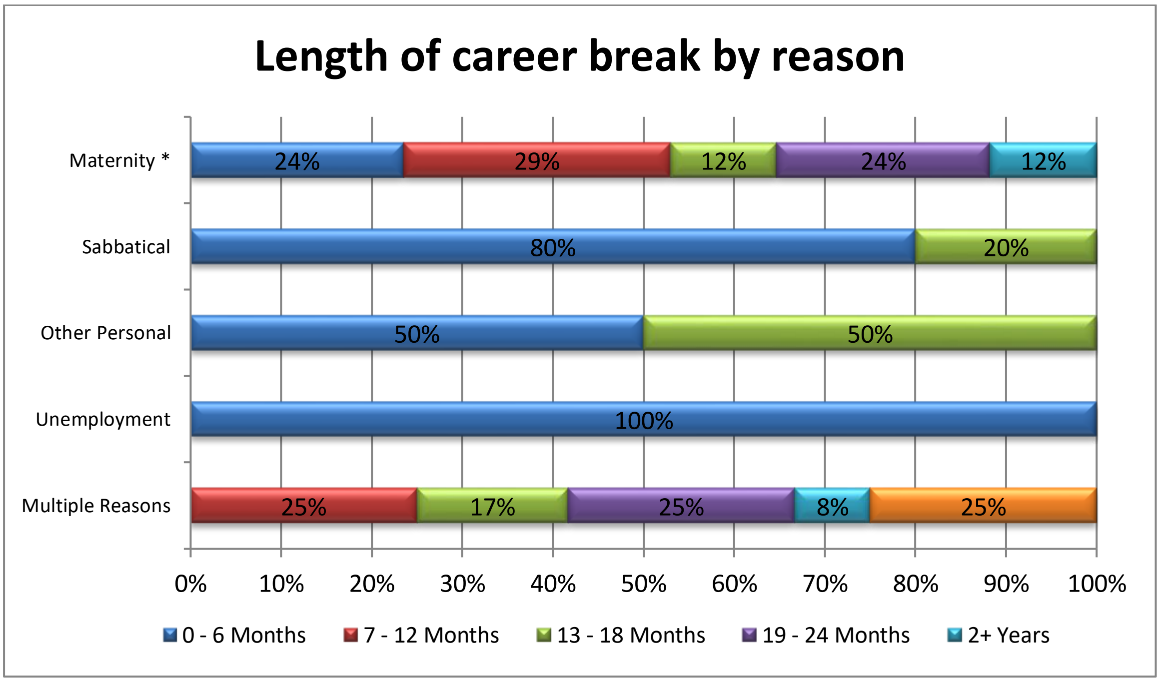
Career breaks refer to a break in a respondent's career (for any reason) lasting more than 2 months.



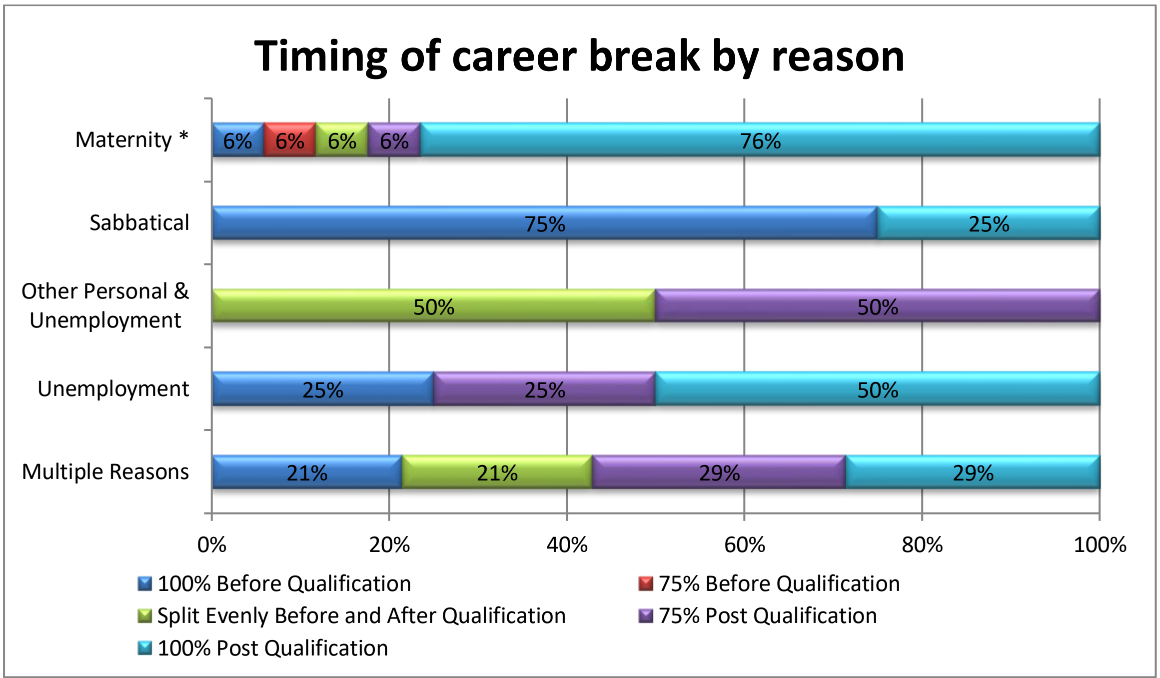
Graph 2.8.1



Graph 2.8.2
*** Maternity includes Paternity and Adoption**



Graph 2.8.3
*** Maternity includes Paternity and Adoption**

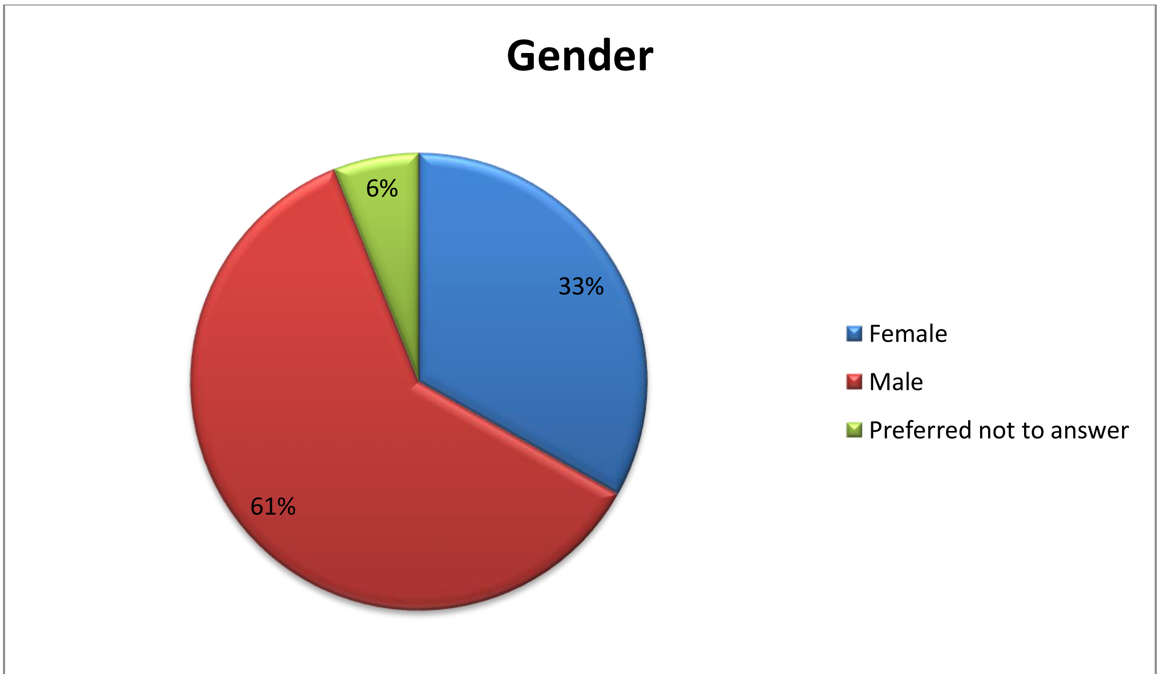


Graph 2.8.4

*** Maternity includes Paternity and Adoption**

Please refer to graph 3.7.2 to see the impact a career break may have had on earnings.

2.9 Gender

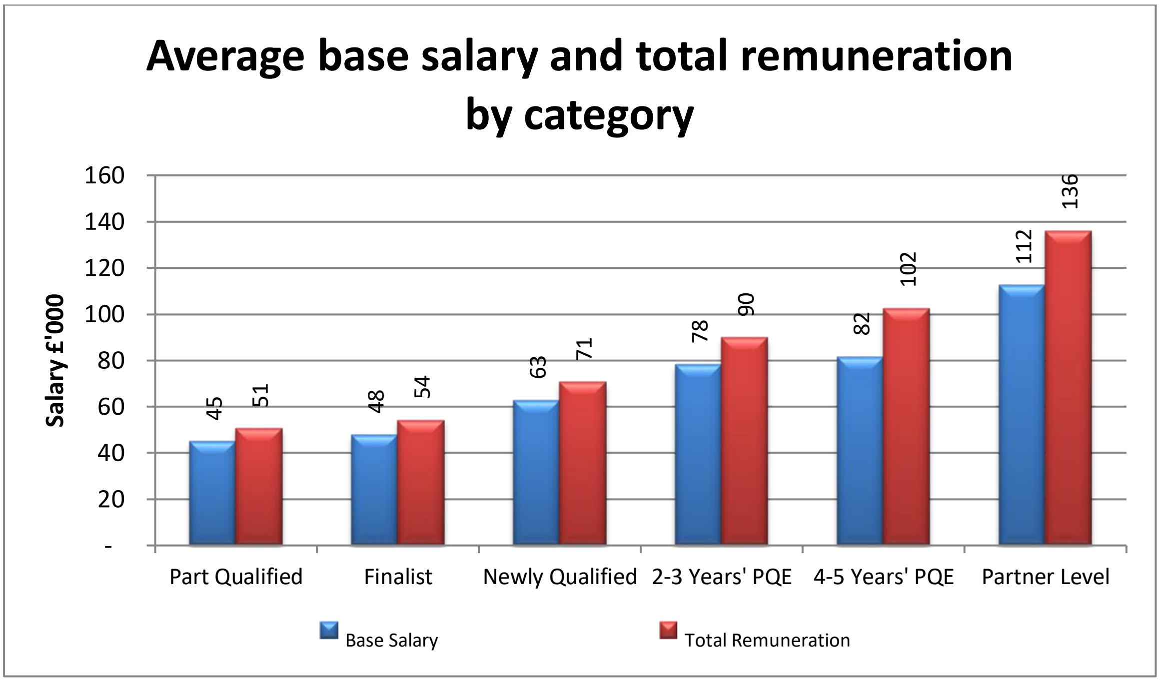


Graph 2.9.1

Note: The option of "Non-binary" was provided, however no respondents identified as this

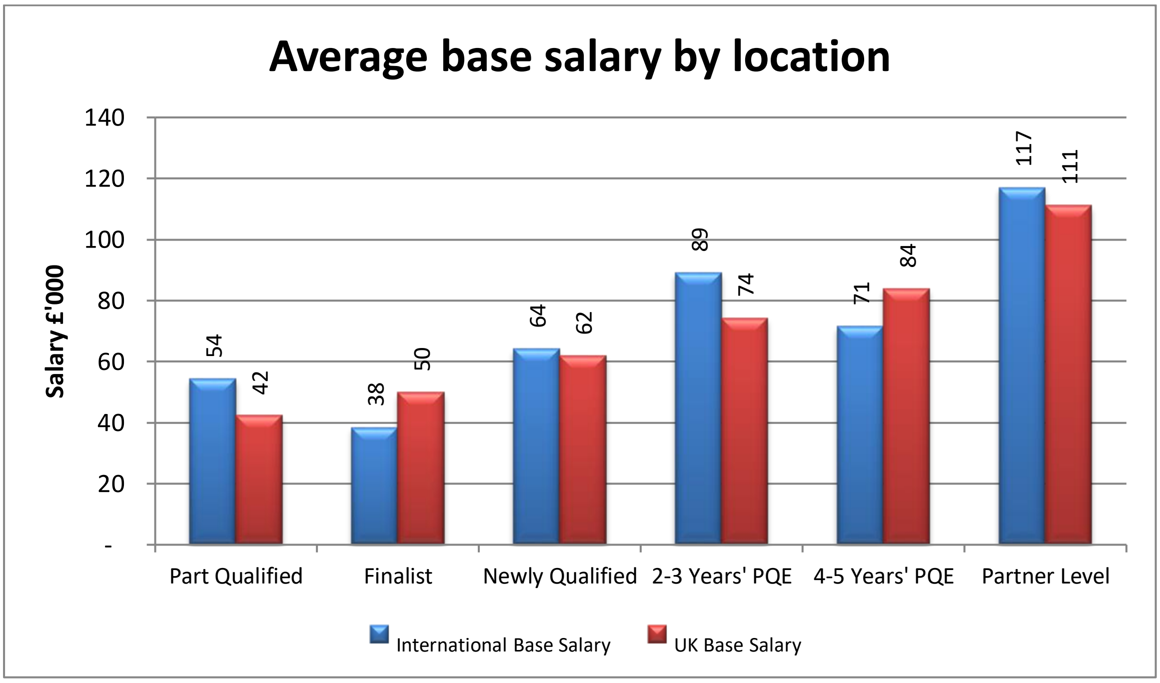
3 Salary Information

3.1 Qualifications



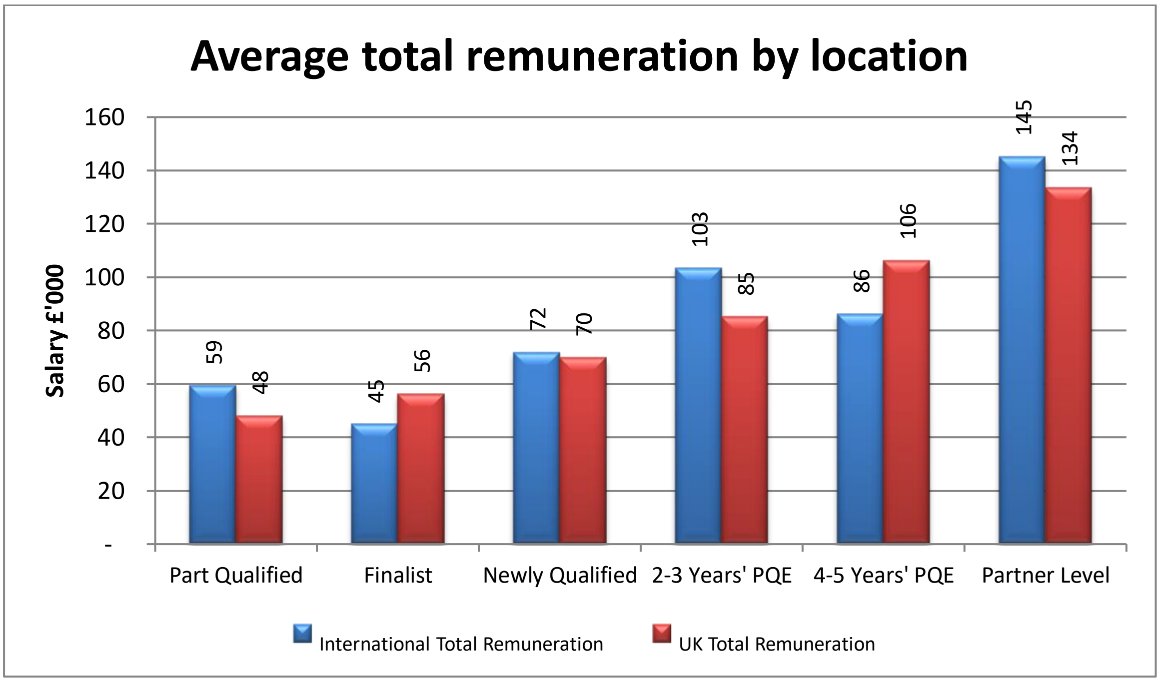
Graph 3.1.1

3.2 Location

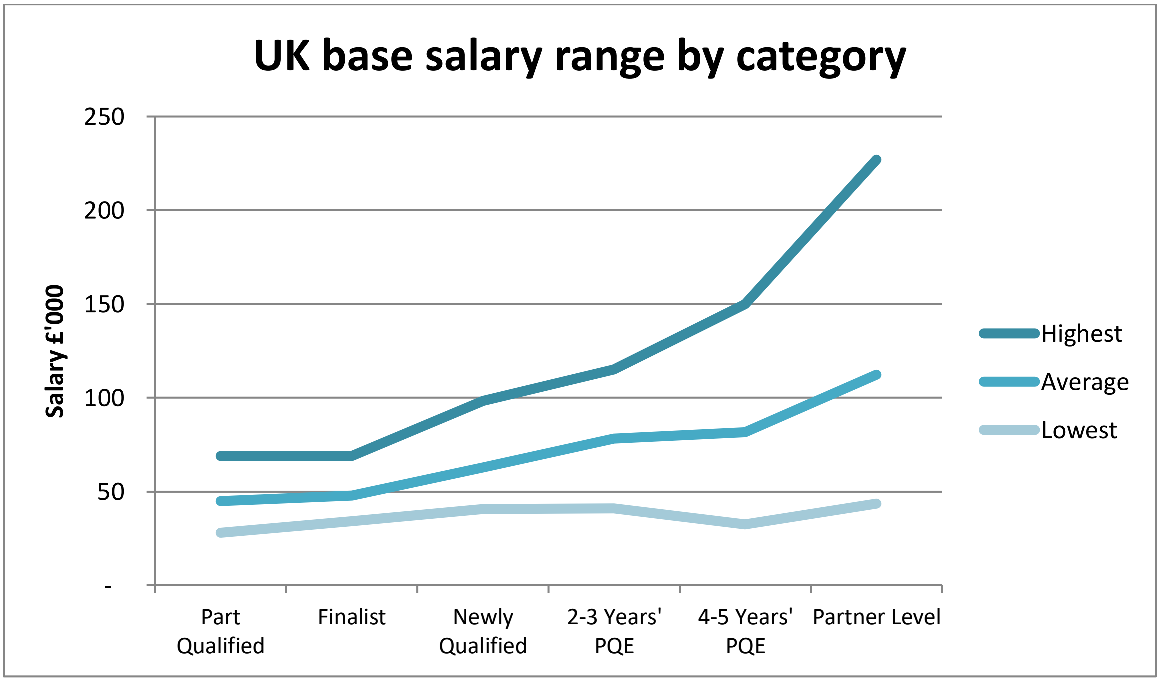


Graph 3.2.1

Discrepancies between international and UK respondents have returned to some semblance of expectation following the wildly volatile currency situation as a result of the COVID-19 pandemic. Currencies have stabilised somewhat, in comparison to last year, although all are weaker against Sterling (GBP) this year vs last. This year the higher international salaries are being driven by respondents from Switzerland and Germany which tend to have much higher salaries



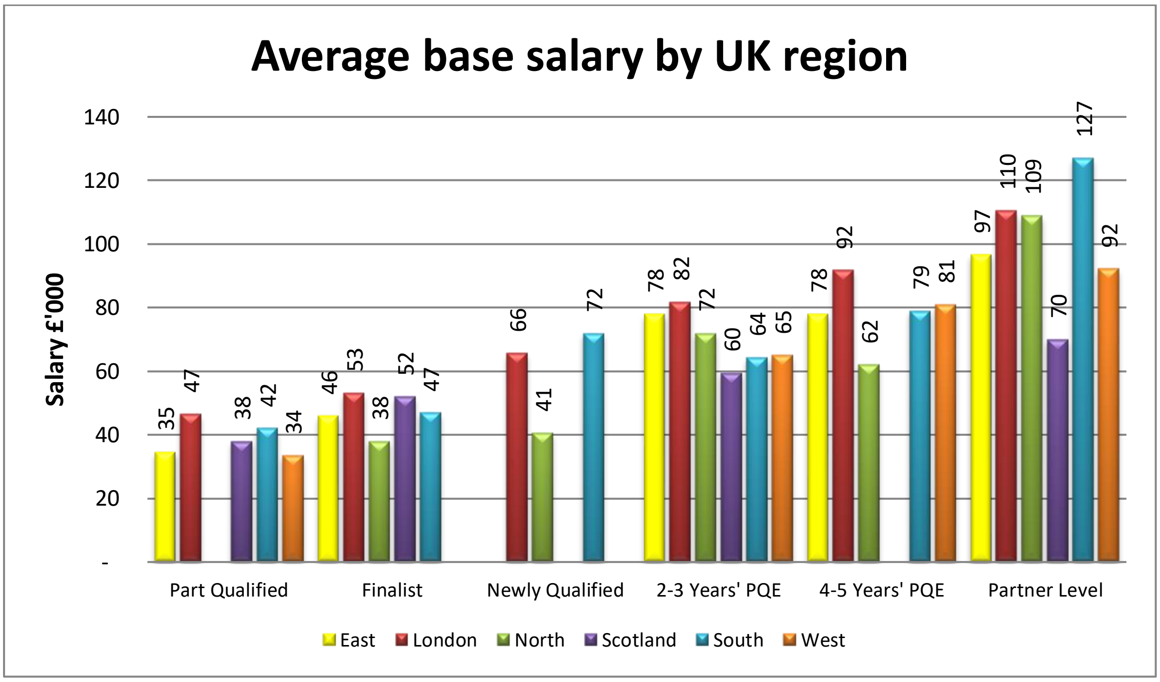
Graph 3.2.2



Graph 3.2.3

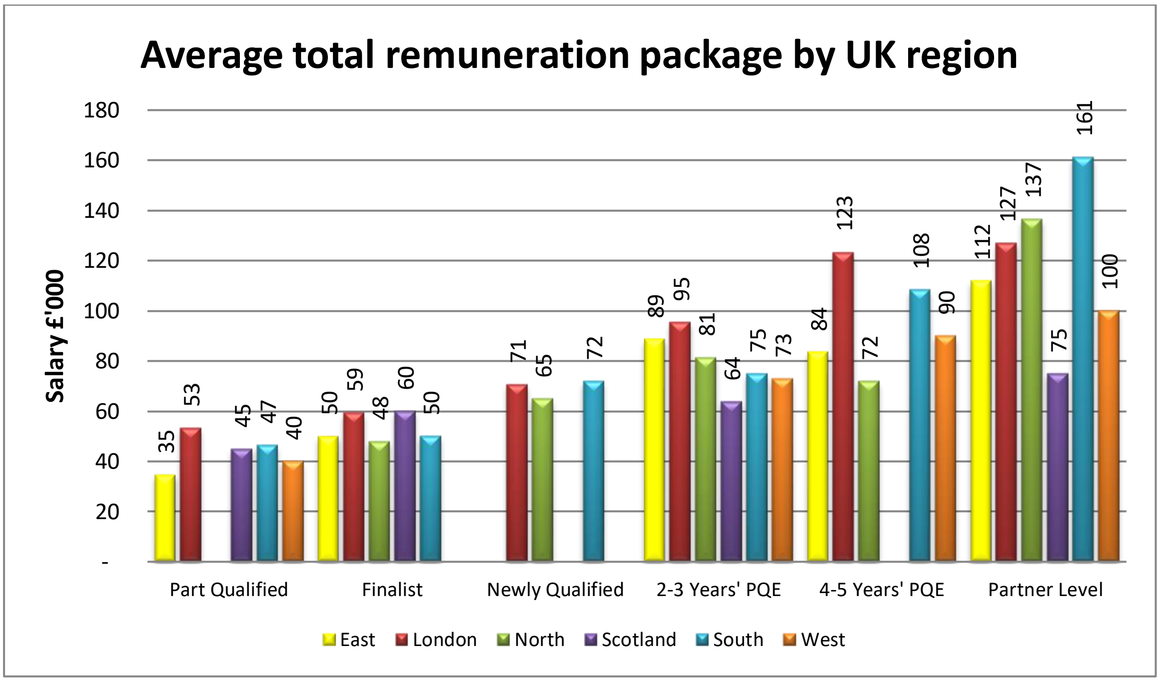
Note: There was an equity Partner earning in well in excess of £350k that has been excluded from the "Highest" bracket to make the graph more reader friendly.

Please bear in mind that not all respondents at the Partner level are actual Partners. Many at Partner level, especially those at the lower end of the salary spectrum are in in-house positions. Furthermore, those that are Partners will often take a small(er) base salary and the majority of their remuneration is through a share of the profits.

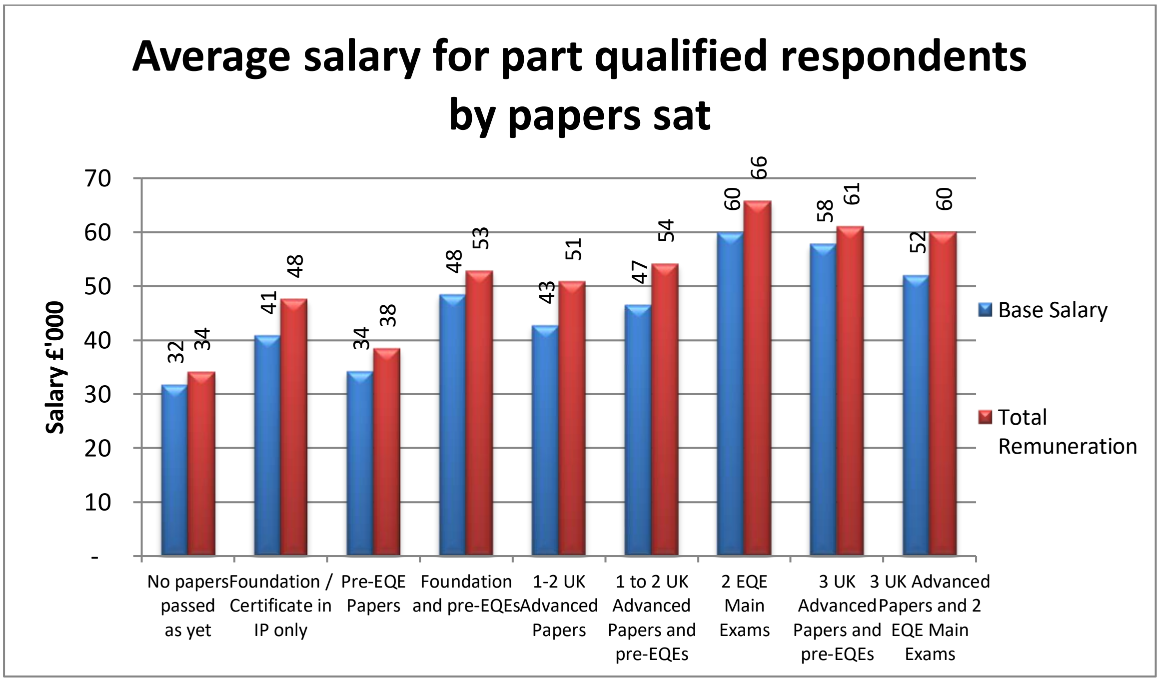


Graph 3.2.4

There are wide variations across all categories and locations with no one region tending to have higher salaries than another in all areas. However, we did note that Scotland and the West do feature more regularly at the lower end of the bracket compared to other regions. This is by no means an absolute and we would propose most deviations are as a result of technical specialism and employment type rather than location. See graphs 3.3.1, 3.3.2, 3.3.3 and 3.4.1.



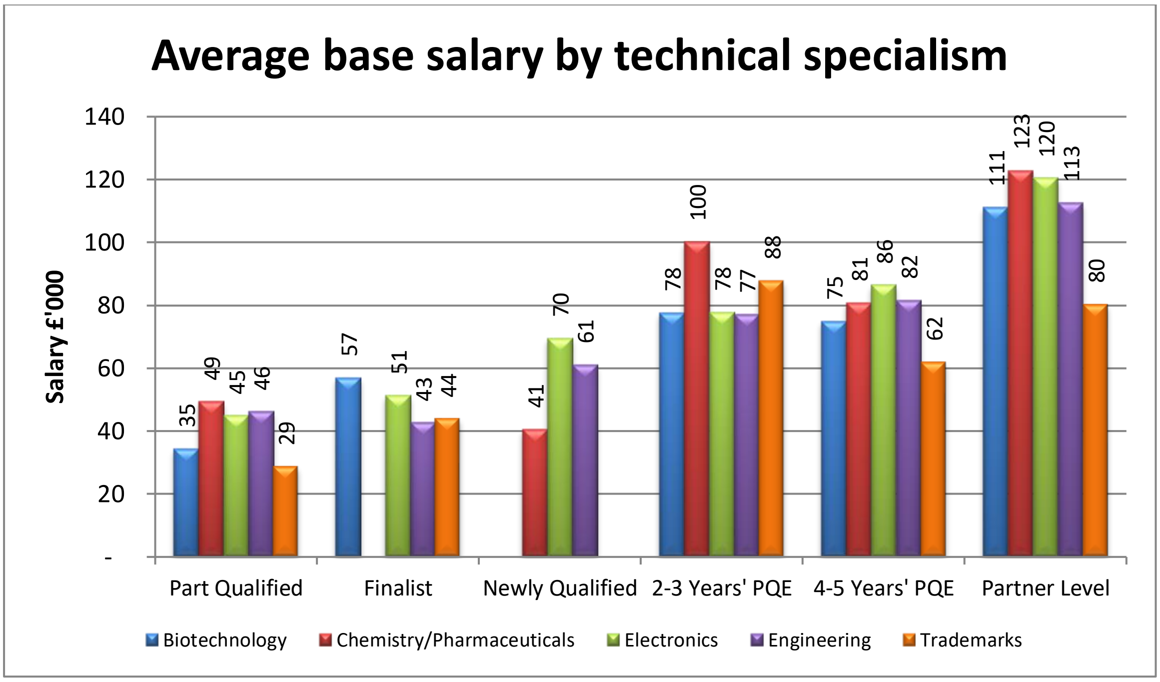
Graph 3.2.5



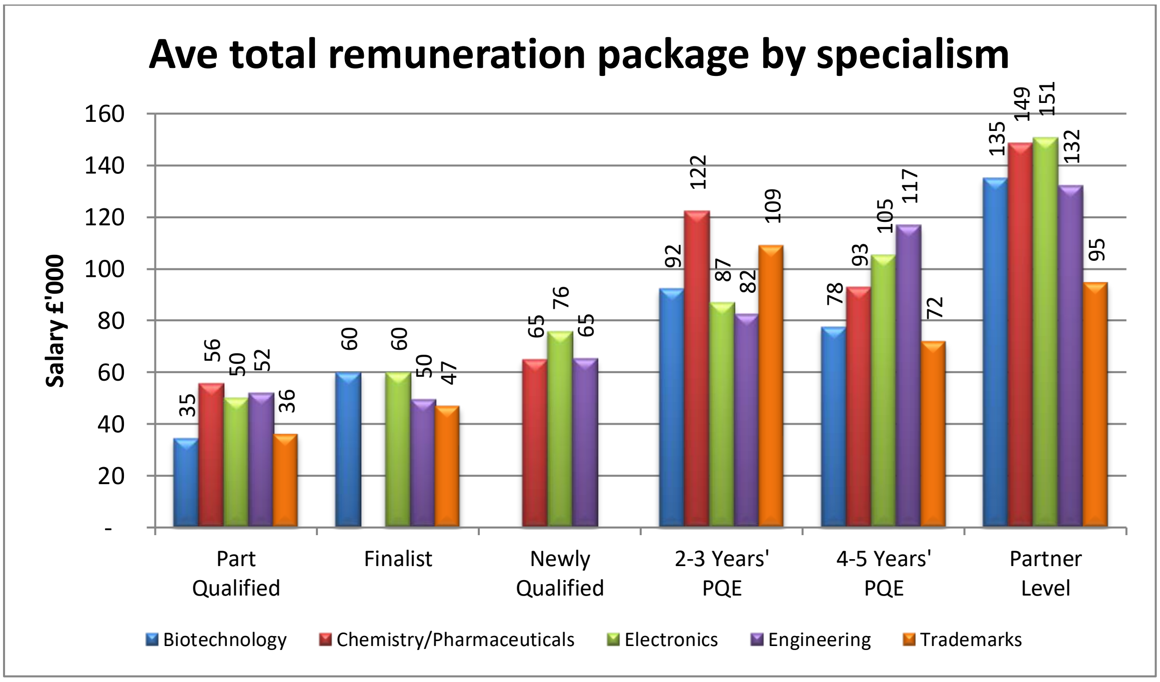
Graph 3.2.6

3.3 Technical specialism

Respondents were asked to select the specialism that most closely represented their technical background.



Graph 3.3.1



Graph 3.3.2

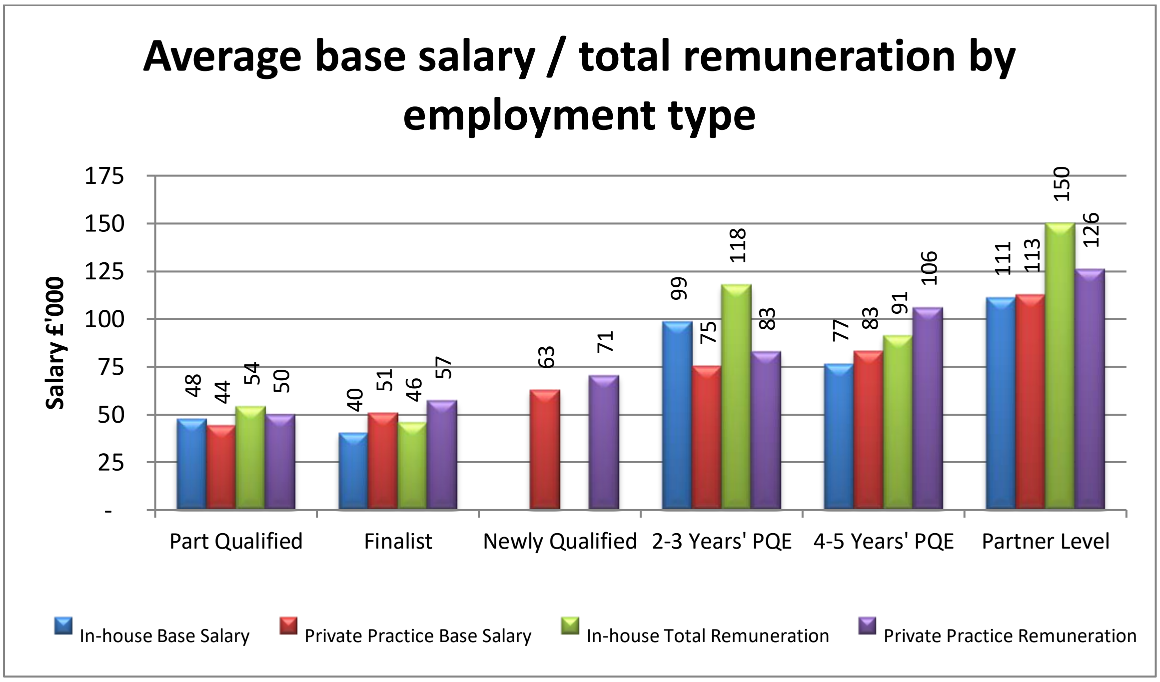
For easy reference we have also depicted the above graphs in table form (see 3.3.3).

Average salary by specialism (total remuneration package)						
GBP £'000	**Part Qualified**	**Finalist**	**Newly Qualified**	**2-3 Years' PQE**	**4-5 Years' PQE**	**Partner Level**
Biotechnology	34.5 (34.5)	57.0 (60.0)		77.7 (92.2)	75.0 (77.5)	111.2 (135.2)
Chem/Pharma	49.4 (55.6)		40.6 (65.0)	100.2 (122.2)	80.9 (92.8)	122.9 (148.5)
Electronics	45.0 (50.1)	51.3 (60.0)	69.5 (75.8)	77.8 (86.8)	86.5 (105.2)	120.4 (150.7)
Engineering	46.2 (52.0)	42.8 (49.5)	61.1 (65.4)	72.3 (82.4)	81.6 (116.8)	112.6 (132.2)
Trademarks	28.8 (36.0)	44.0 (47.0)		87.9 (109.1)	62.0 (72.0)	80.4 (94.6)

Graph 3.3.3

Note: The anomaly in Chem / Pharma at 2-3 Years' PQE is driven by respondents based in-house in Switzerland.

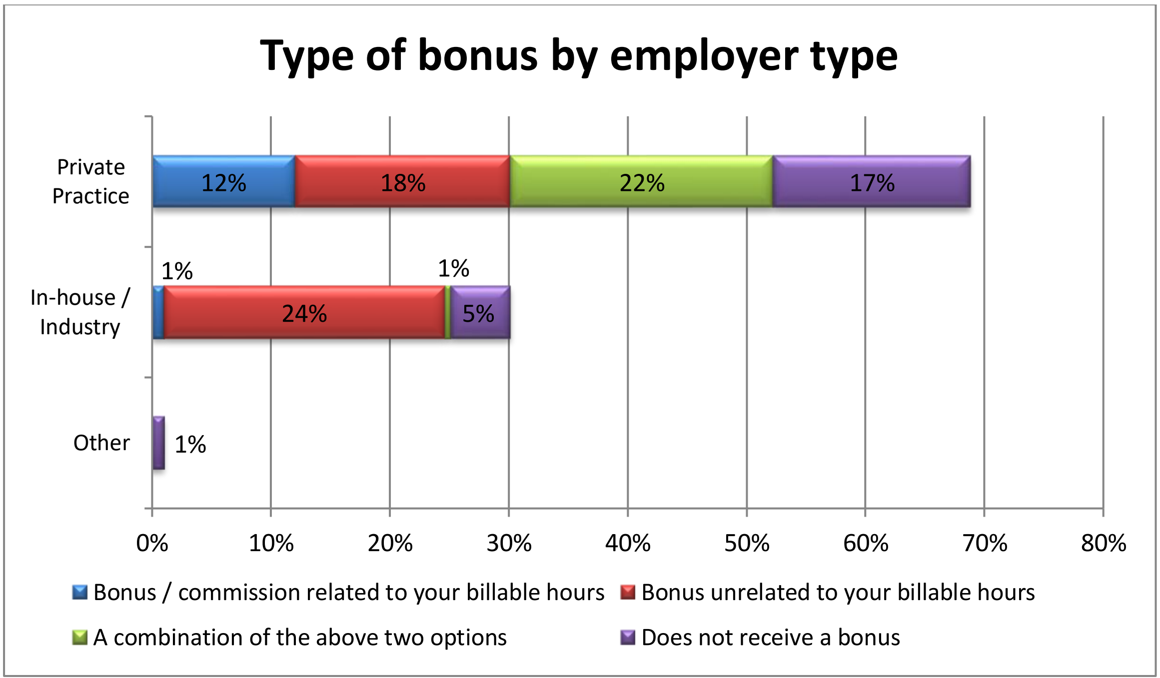
3.4 Employer type



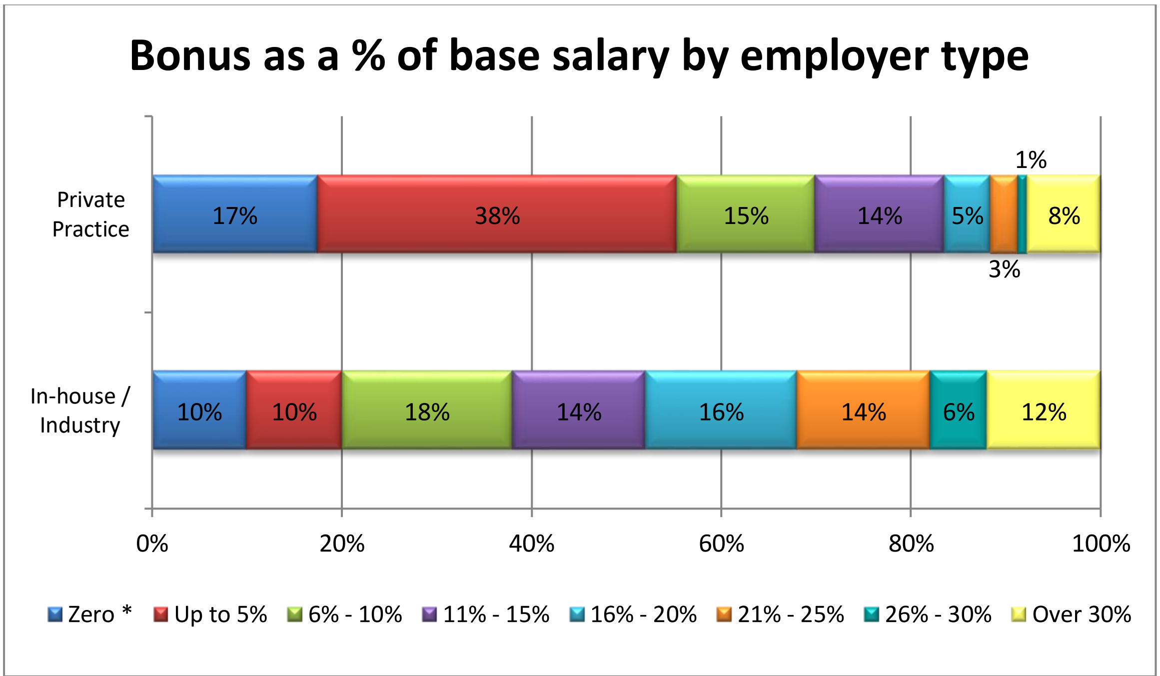
Graph 3.4.1

Note: The anomaly at 2-3 Years' PQE is driven by respondents based in Switzerland.

We have chosen not to show those that selected Other: Consultancy / Education / Service Provider within the survey as there were only limited respondents and these roles are usually unique to the individual circumstance and cannot be considered in general terms.



Graph 3.4.2



Graph 3.4.3

Note: Zero * refers to those that did not receive a bonus, or received a notional bonus when they would receive a larger bonus under normal circumstances. It does not refer to those that do not usually receive a bonus at all.

There is no definitive reason for the high numbers not receiving a bonus this year, however, one can hypothesise that the COVID-19 pandemic continues to have an impact. Within in-house positions, 80% of those not receiving a bonus have theirs tied to company performance and other objectives rather than billable hours. Whilst for private practice this accounted for 60% of those not receiving a bonus this year.

3.5 Salary guide

These figures are based on anecdotal evidence and informed deliberation from positions Fellows and Associates have recently recruited, and not on data collected from survey respondents. As such this section gives an impression of a candidate's market value, looking not at the current earnings of an individual (averages shown above), but at the salary an individual is likely to achieve when moving positions (see below).

Salary range achievable on moving positions						
GBP £' 000	**Part Qualified**	**Finalist**	**Newly Qualified**	**2-3 Years' PQE**	**4-5 Years' PQE**	**Partner Level**
Patent Attorney	38-45	52-58	65-70	70-80	85-115	115-150
Trademark Attorney		42-48	55-60	65-70	75-110	110-140

Graph 3.5.1

We have left the 'Part Qualified' Trademark Attorney section blank as movement at this level continues to be relatively infrequent, resulting in it being difficult to get an accurate gauge.

3.6 Earnings above £150k

A total of 13 respondents (6.5% of the population surveyed) earned a base salary of £150k or more per annum.

Respondents earning a base salary £150k and over per annum				
	In-house / Industry		**Private Practice**	
	UK	**International**	**UK**	**International**
Average base salary	169,000	194,000	210,000	184,000
Total remuneration	238,000	226,000	258,000	192,000
No. of respondents	2	2	7	2

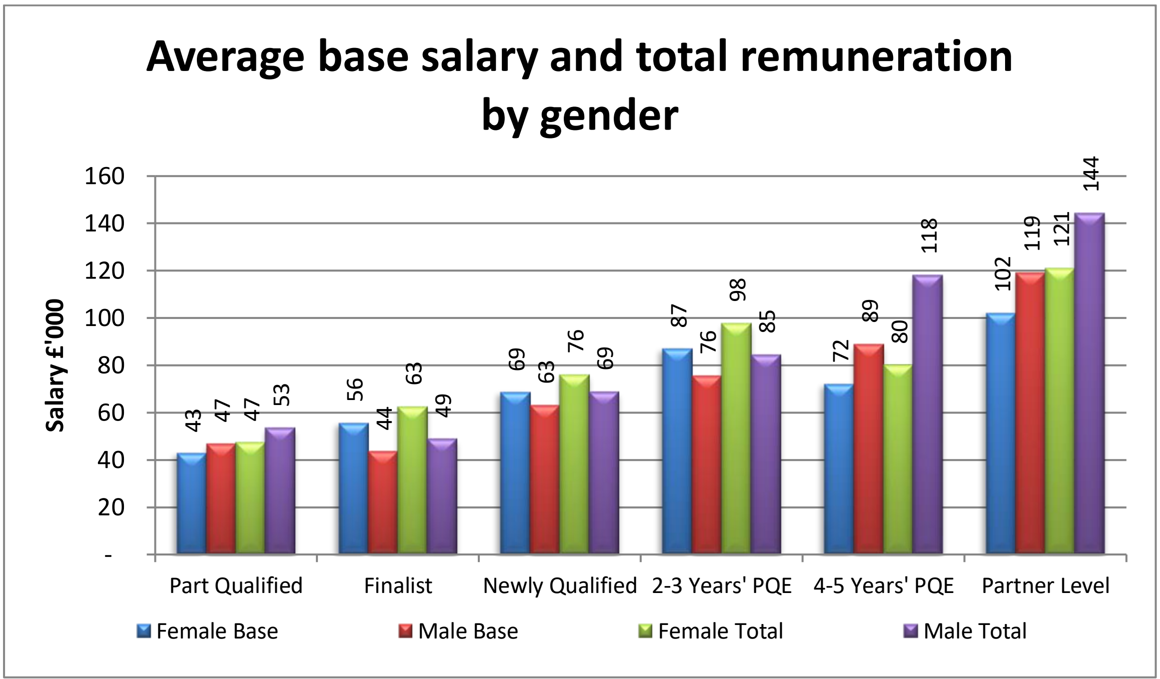
Graph 3.6.1

A further 16 respondents (29 in total) did not earn a base salary in excess of £150k however, their total remuneration package was in excess of £150k (a total of 14.6% of the population surveyed).

Respondents with a base salary under £150k but total remuneration over £150k per annum				
	In-house / Industry		**Private Practice**	
	UK	**International**	**UK**	**International**
Average base salary	132,000	152,000	192,000	166,000
Total remuneration	191,000	222,000	236,000	183,000
No. of respondents	11	6	9	3

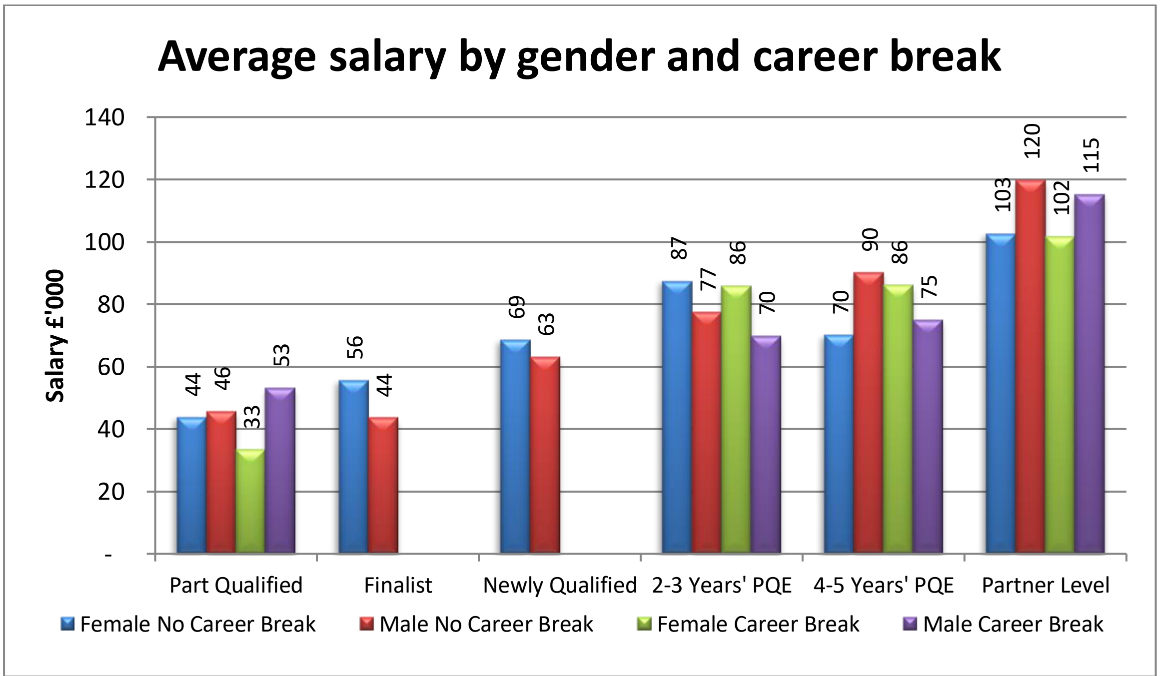
Graph 3.6.2

3.7 Gender and career breaks



Graph 3.7.1

The graph represents 94% of the respondents as 6% declined to answer the question of gender.

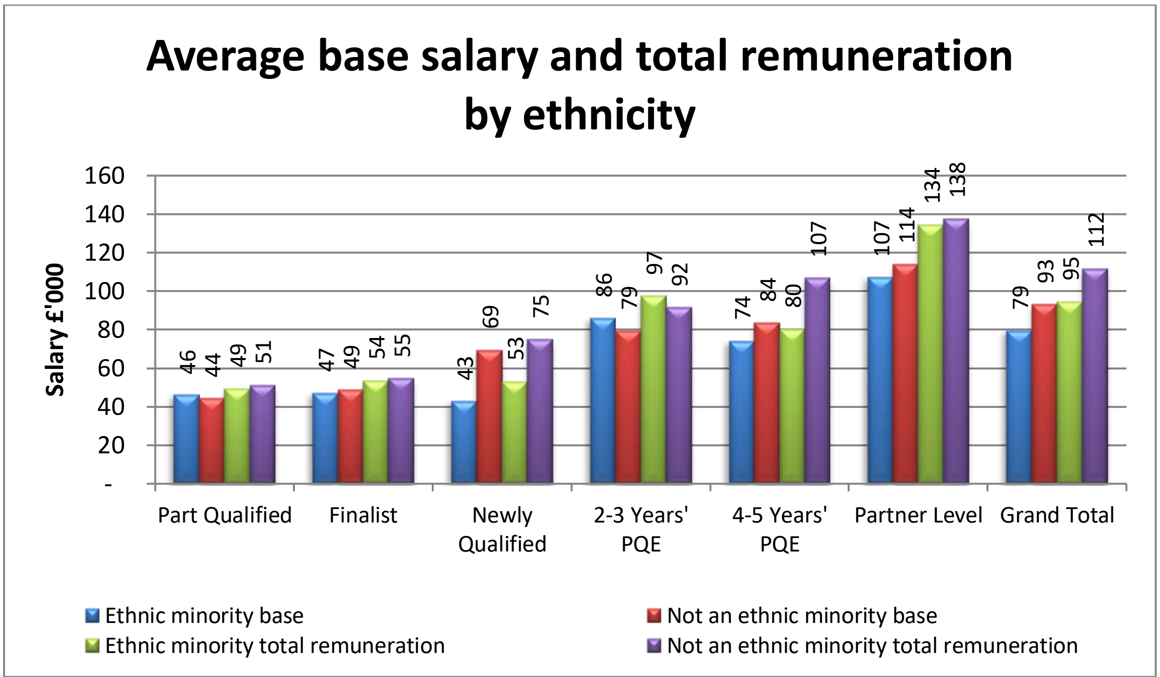


Graph 3.7.2

For 78.3% of the women, their career break reason was down to maternity / adoption leave which does not appear to have had any real impact on their earning potential. For the men, this only accounted for 37.5%. Career breaks do not have a strict correlation to either a positive or negative impact on earnings and one would need to consider each individual's circumstances.

3.8 Ethnicity

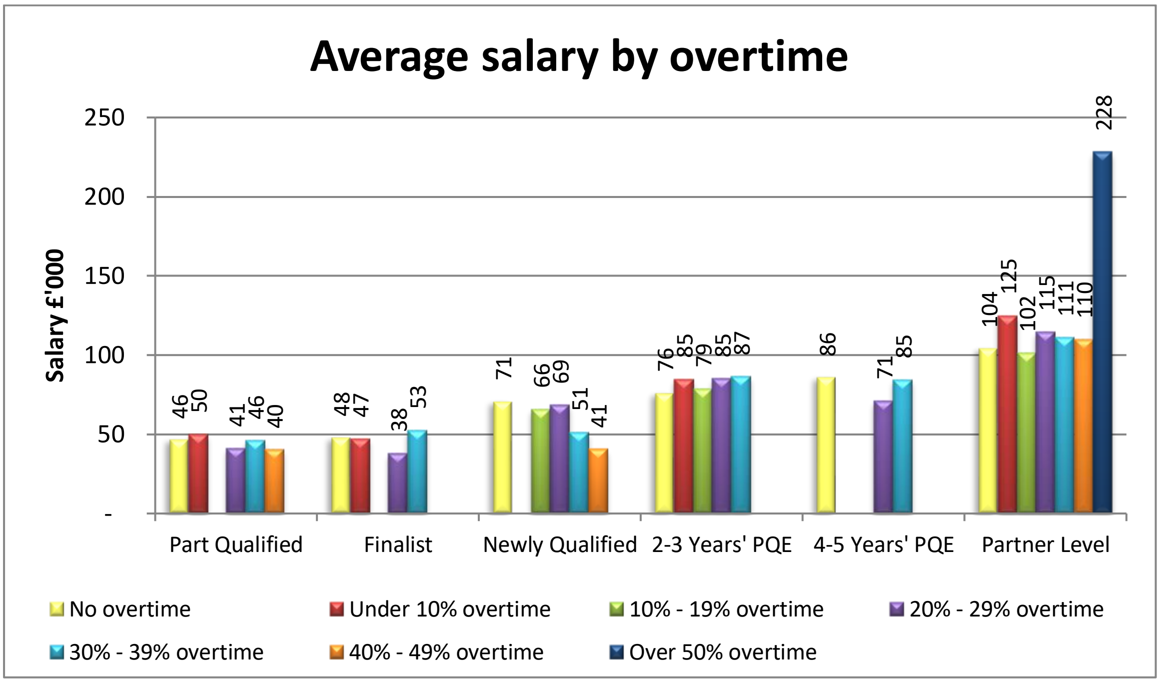
This year we have included a graph based on whether respondents identified as an ethnic minority or not.



Graph 3.8.1

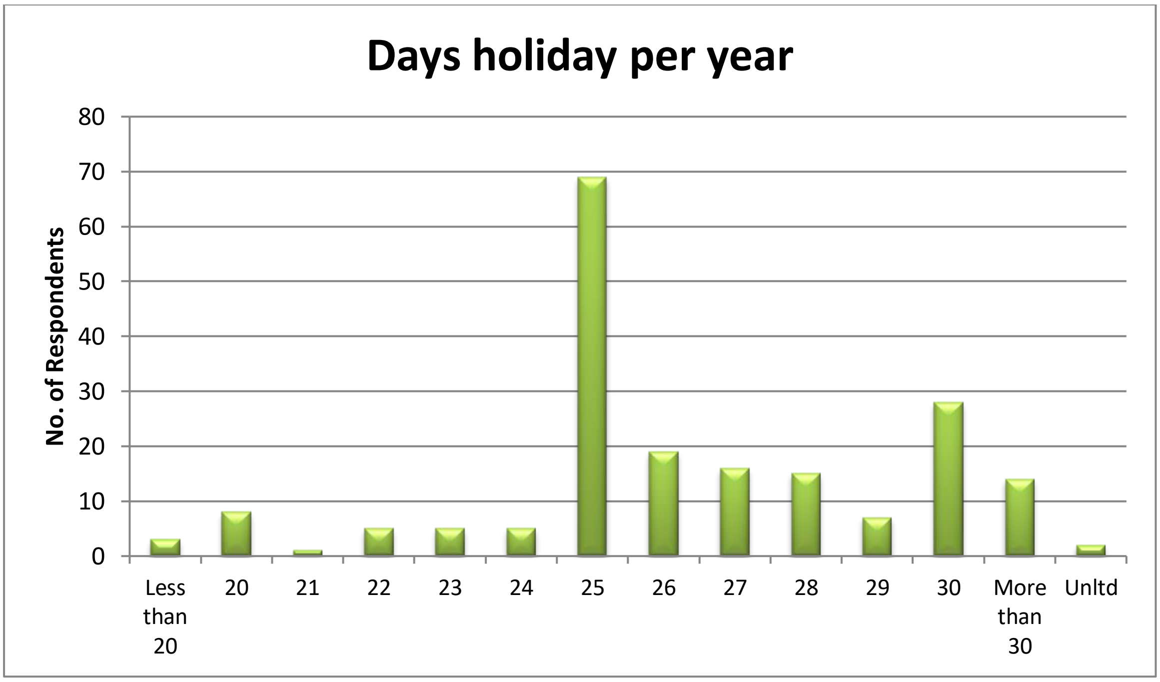
This survey is a small snapshot of the market and whilst that needs to be taken into consideration when reviewing these results, it does indicate that there is probably substantial work to be done in this area.

3.9 Overtime



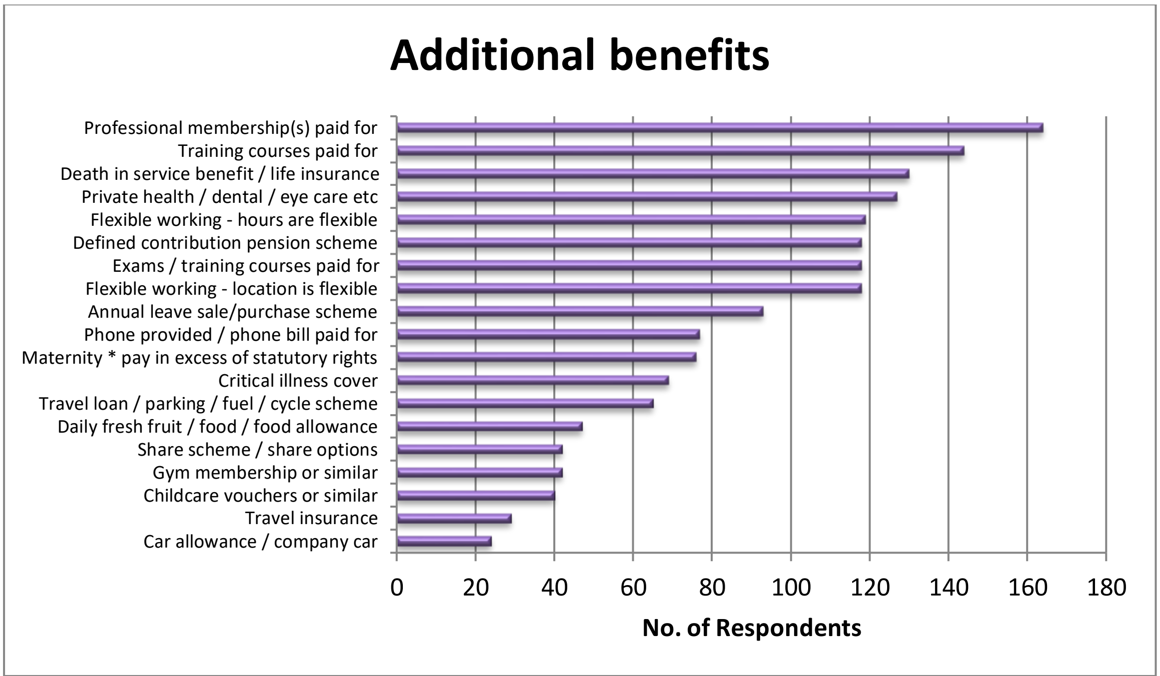
Graph 3.9.1

3.10 Additional benefits



Graph 3.10.1

37% of the respondents receive 25 days holiday per year, with 47% receiving more than 25 days annual leave (8% receiving more than 30 days), and 13% receiving less than 25 days.



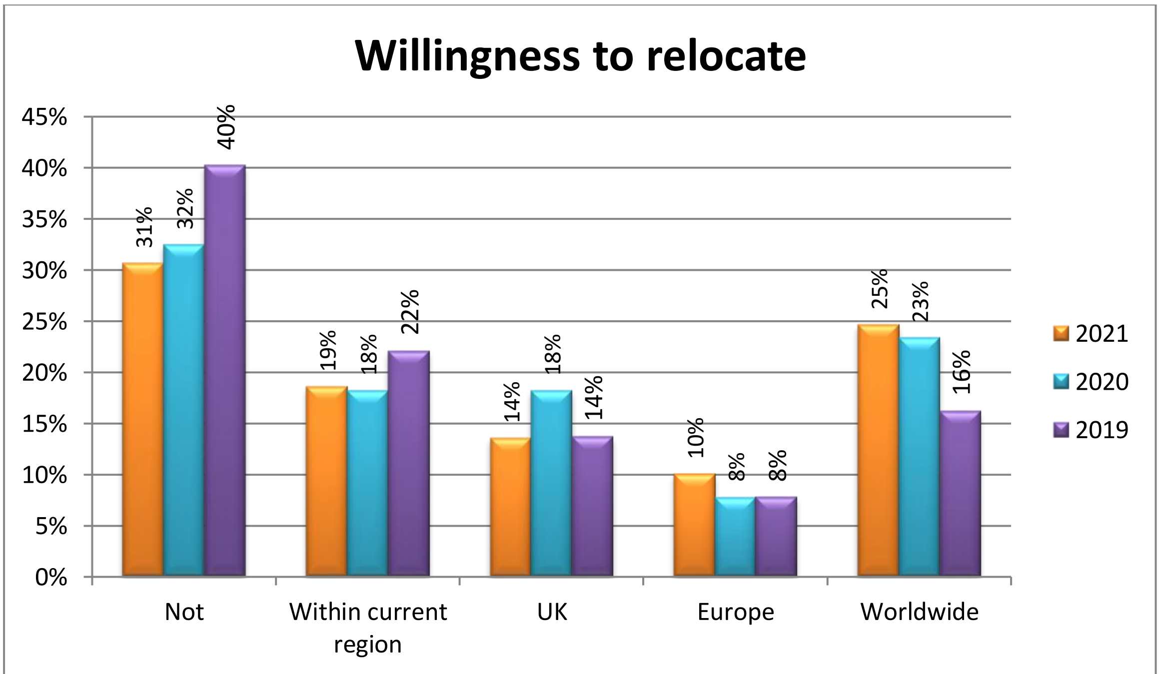
Graph 3.10.2

*** Maternity includes Paternity and Adoption**

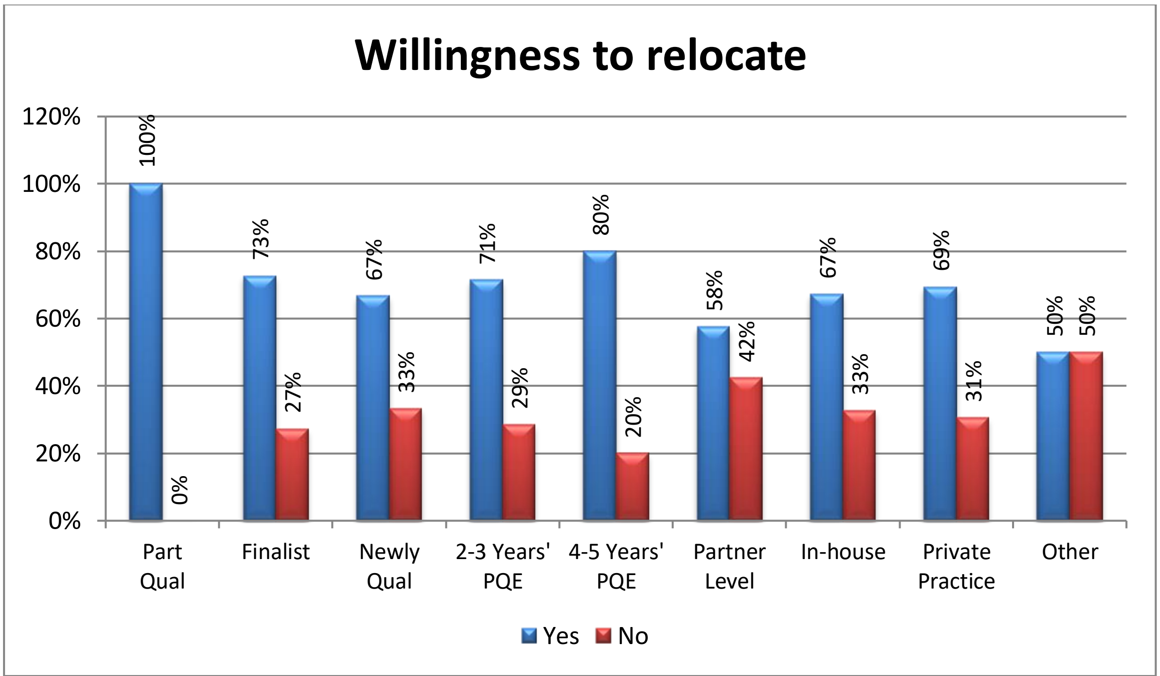
4 The Future

4.1 Willingness to relocate

The willingness of respondents to relocate has decreased slightly this year to 60% (2020: 67.5%, 2019: 59.8%), back to pre-pandemic levels. There is also a substantial increase in the willingness to move internationally. Given the timing of the survey (in the midst of the COVID-19 pandemic) we believe this will have contributed to the overall appetite to move.



Graph 4.1.1

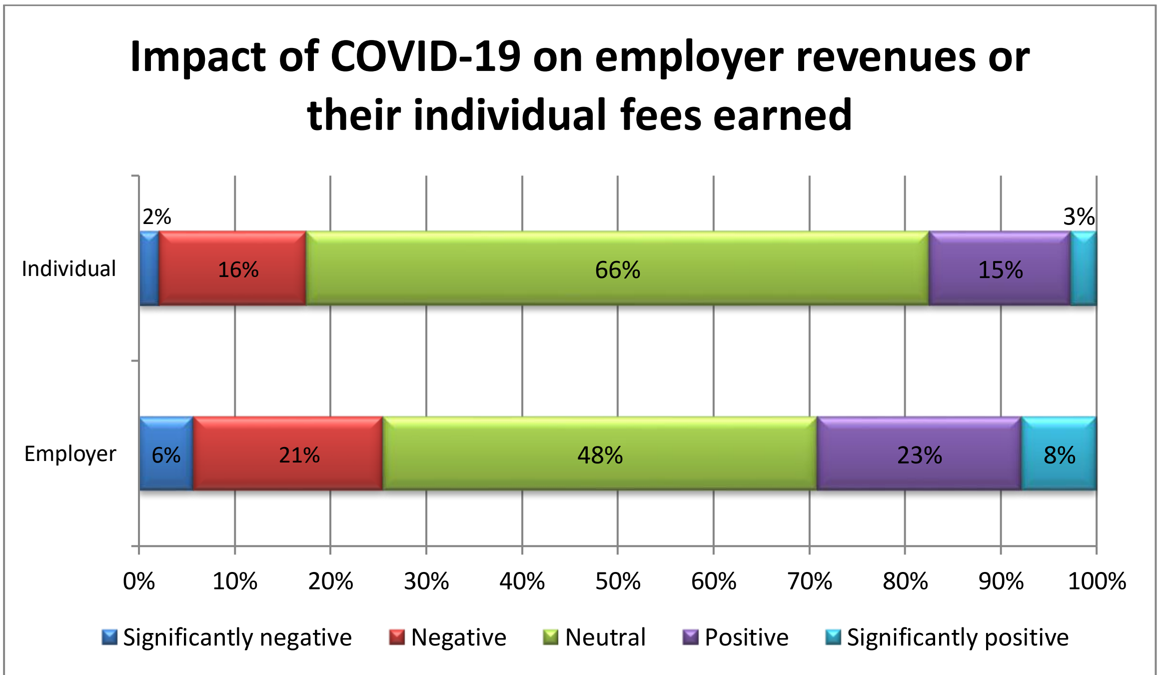


Graph 4.1.2

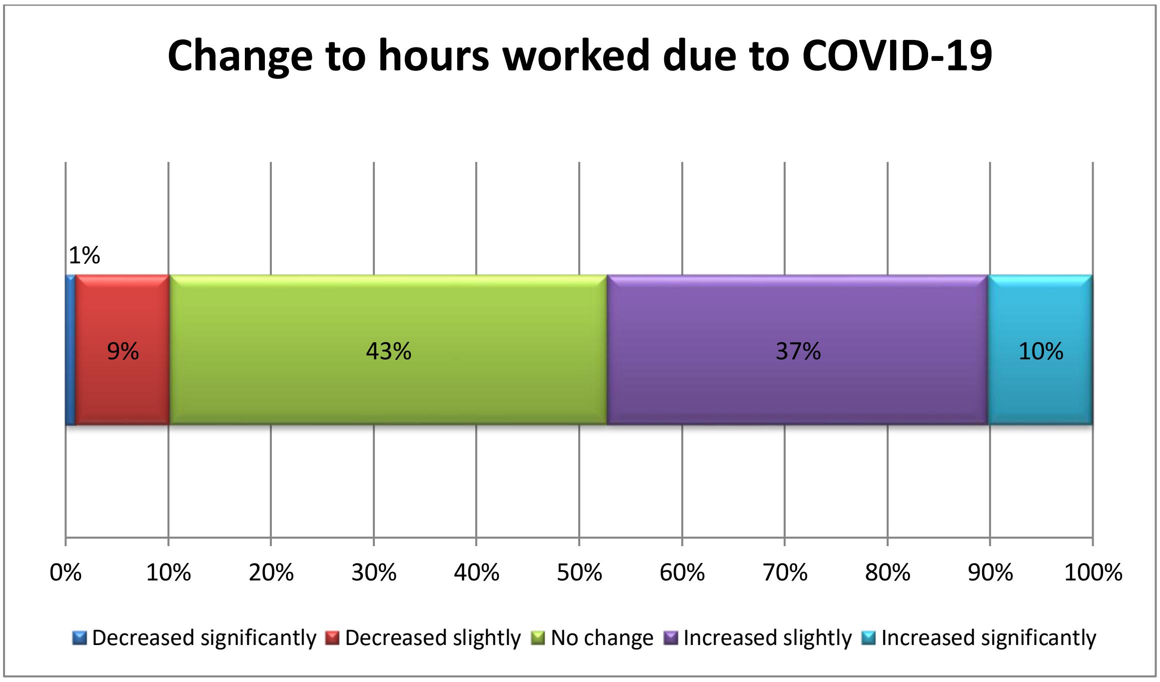
Those that are newly qualified or at Partner level are the least inclined to move, although this is relative given that the vast majority would be willing to relocate. Whilst those at the earlier stages of their careers are very receptive to moving, particularly in light of the COVID-19 pandemic.

4.2 The impact of the COVID-19 pandemic

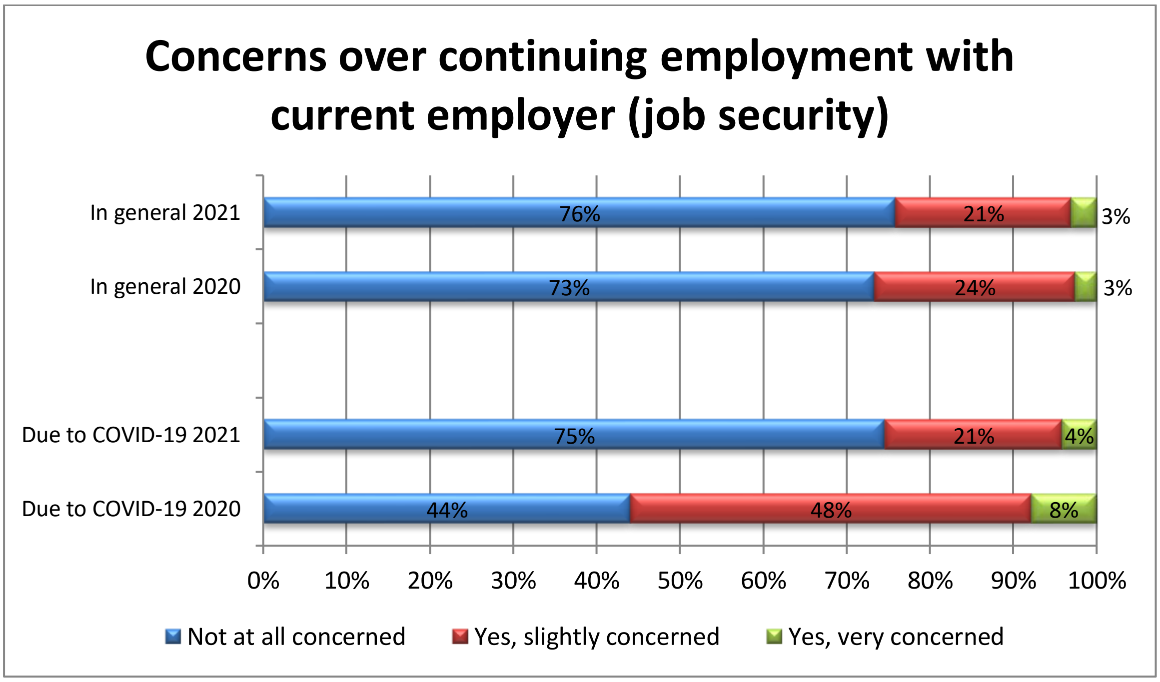
At the time of going to market for the data collection phase of this survey the world was 15 months into a global pandemic due to COVID-19. We felt it would be prudent to consider a respondent's outlook with regards to their career progression and job security in light of the current climate.



Graph 4.2.1

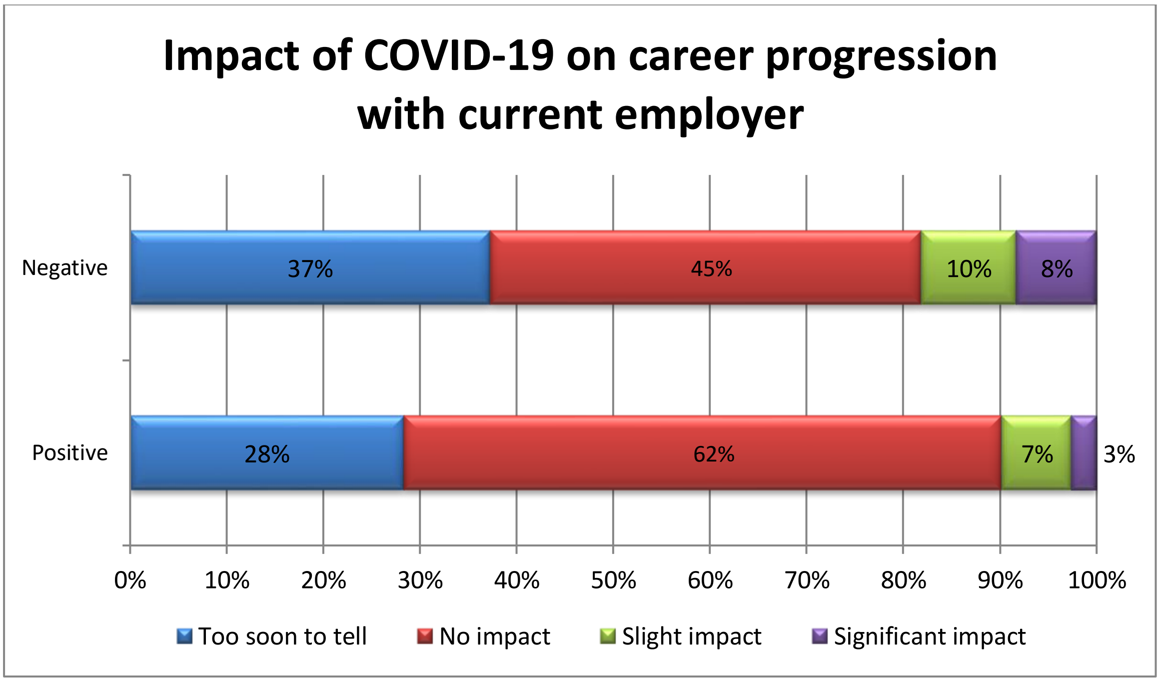


Graph 4.2.2

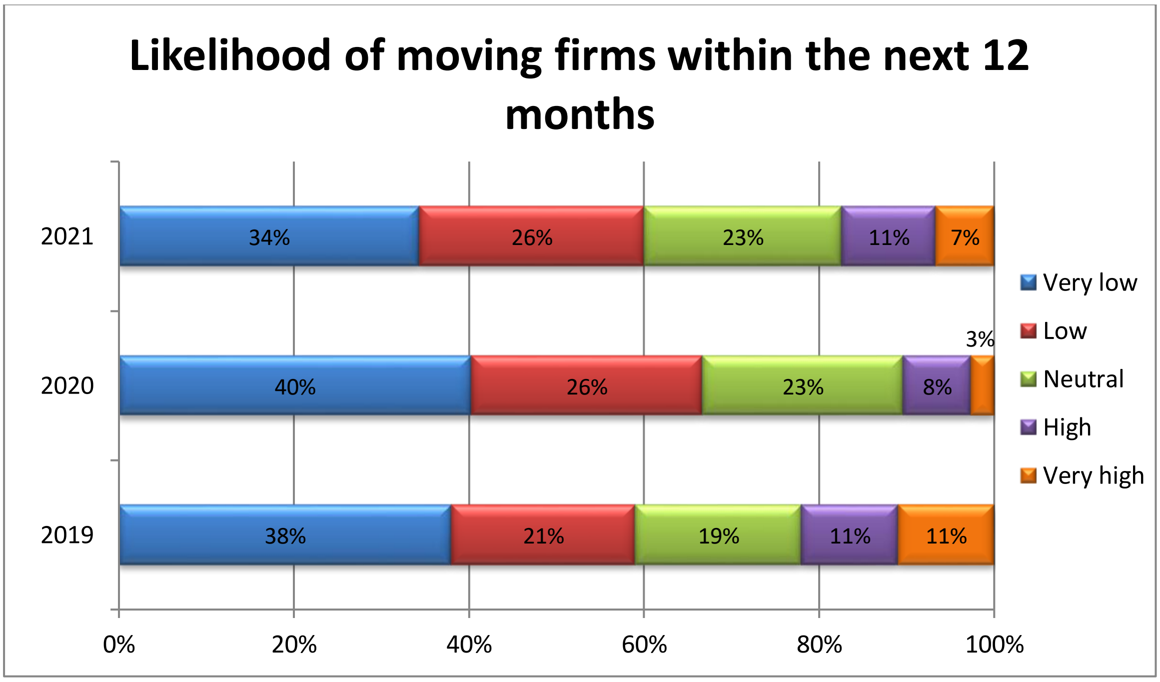


Graph 4.2.3

With an additional 12 months experience of the pandemic, many respondents' initial concerns have been allayed.

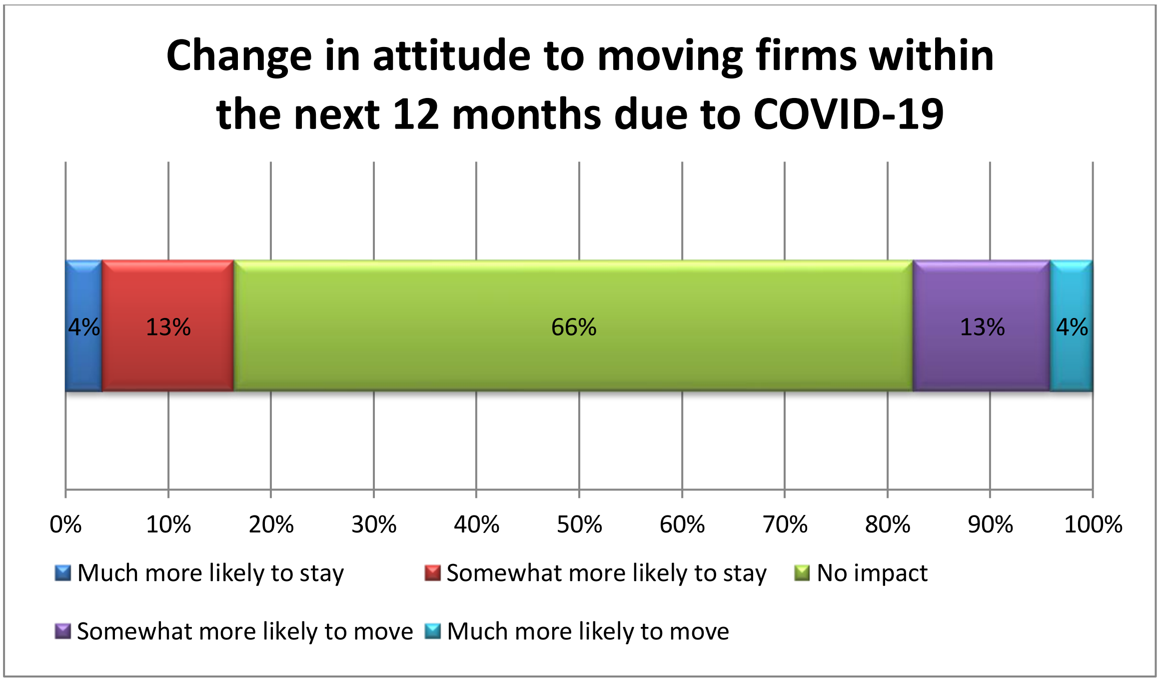


Graph 4.2.4



Graph 4.2.5

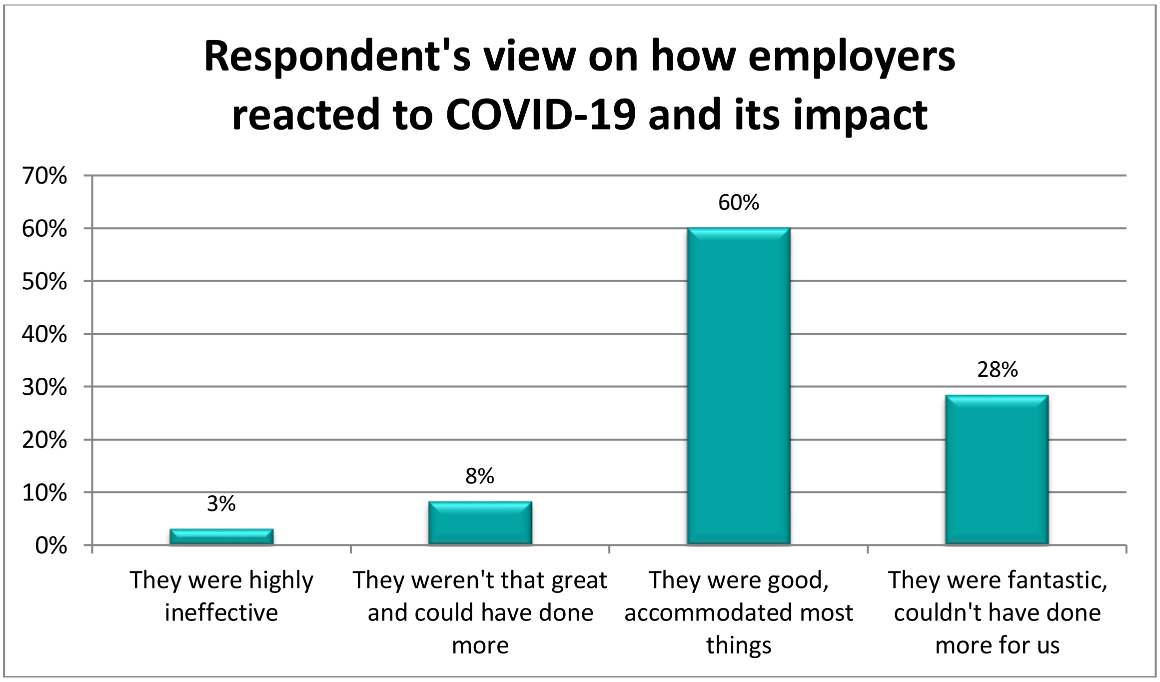
64% more respondents have indicated either a high or very high likelihood of moving firms in the next 12 months, compared with 2020, indicating a return to pre-COVID-19 confidence and less willingness to accommodate the frustrations they may be experiencing at work. In the graph below 34% of respondents state that COVID-19 has been a factor as to why they have changed their mind about moving.



Graph 4.2.6

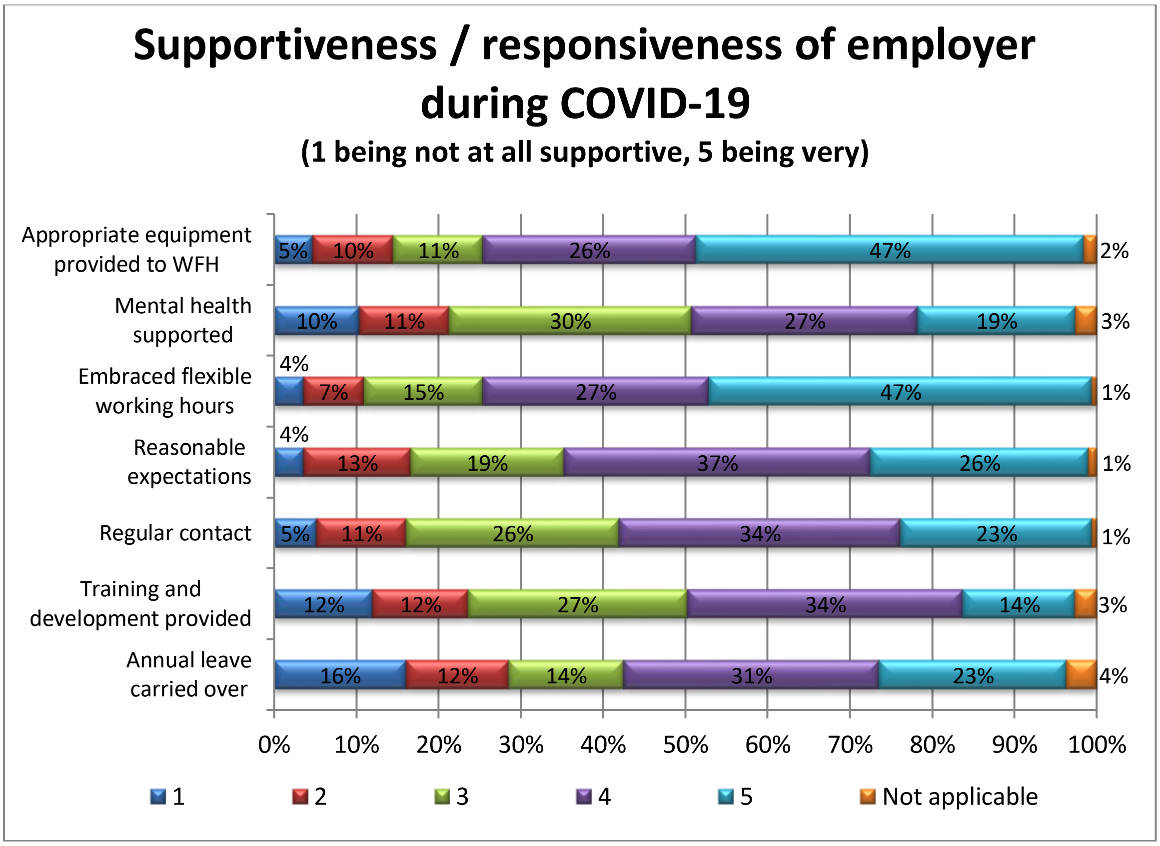
4.3 Employers response to the COVID-19 pandemic

This year we asked respondents how they felt their employers dealt with COVID-19 and the tremendous impact it had on our lives.



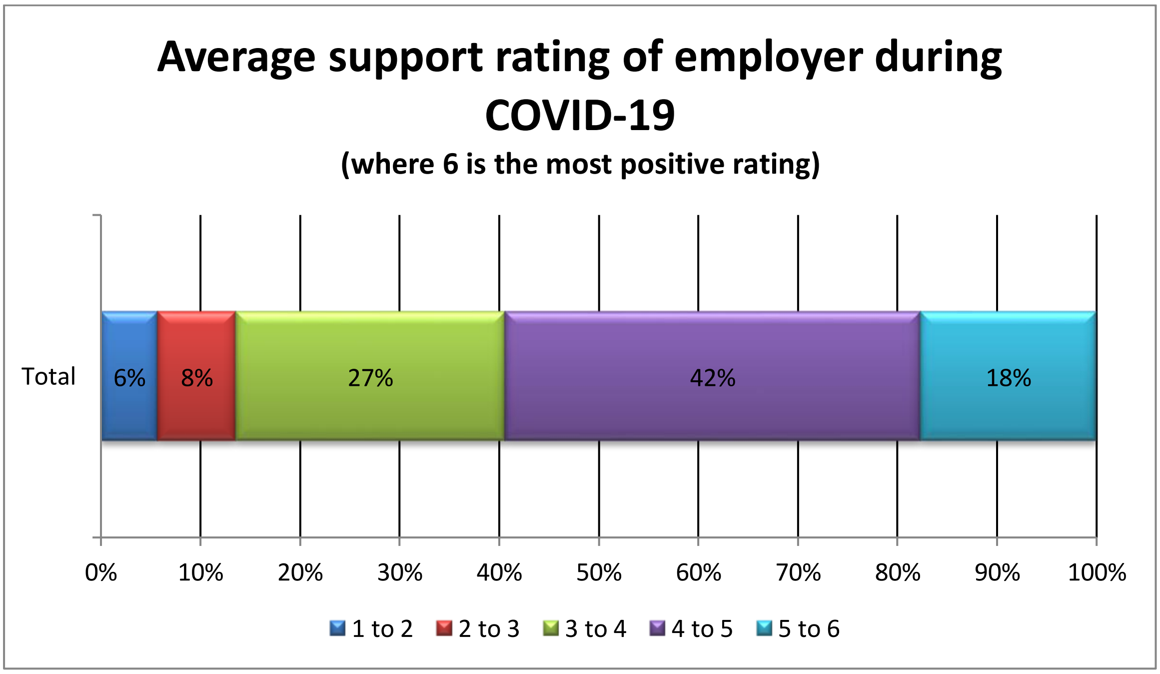
Graph 4.3.1

Respondents were then asked to give a rating from 1 to 5 on six specific issues on how supportive they felt their employers were. 1 being not supportive at all, 5 being very supportive.

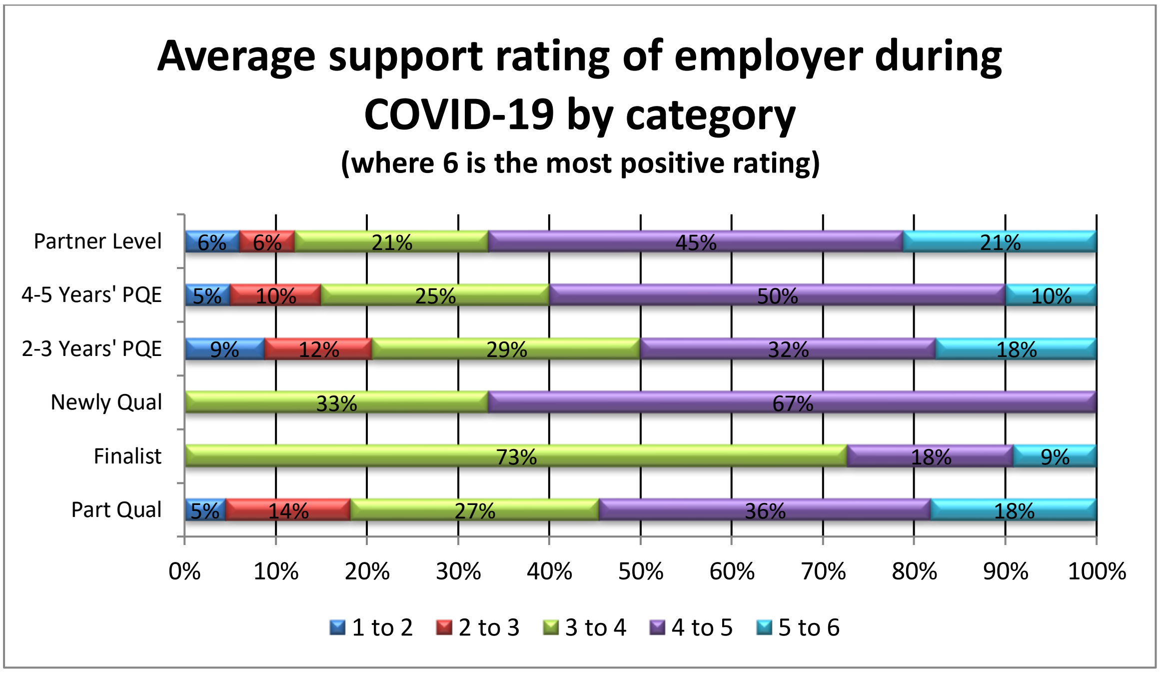


Graph 4.3.2

We then took all the ratings respondents gave their employers and averaged this over the six categories to achieve an average rating, between 1 and 6, for each employer of how it was felt they responded to the COVID-19 pandemic and supported their workforce. The higher the rating the more the respondents felt supported by their employer on the various issues during the pandemic.

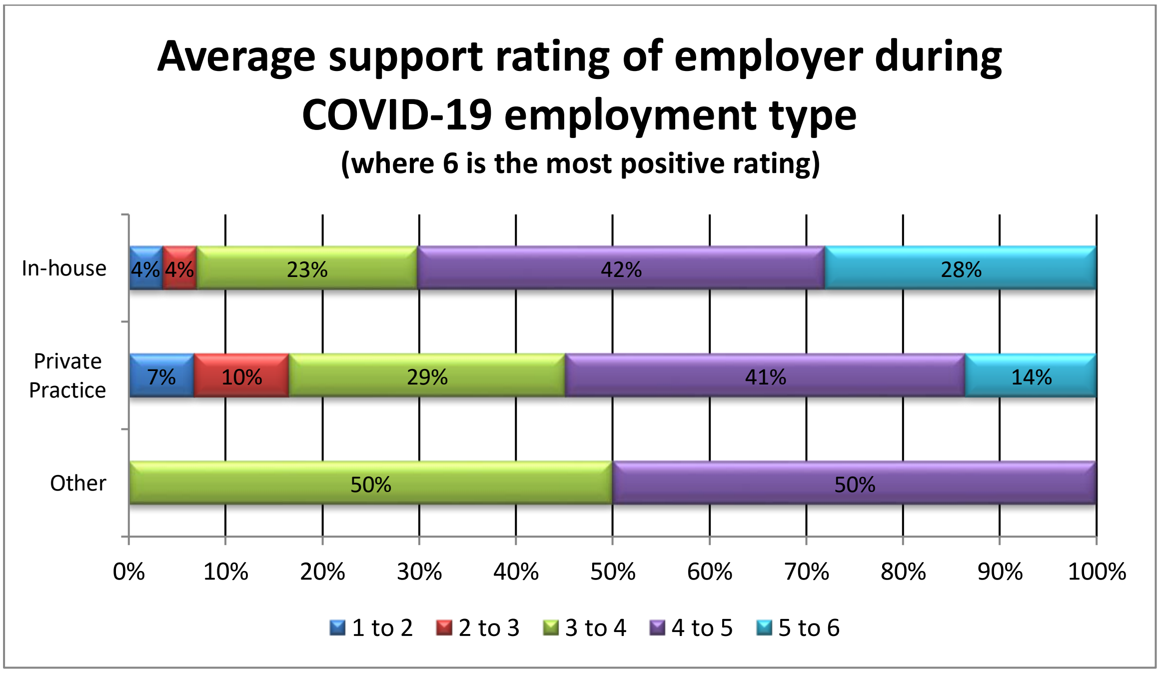


Graph 4.3.3



Graph 4.3.4

We can see that Newly Qualified and Finalist respondents felt their employers were rather supportive overall with no-one giving them a below average score. This could be due to, at that level, no longer requiring in-depth training and support but not yet having too much responsibility for work or staff supervision either.



Graph 4.3.5

The following are a few of the comments left by respondents as to how they felt their employer dealt with the COVID-19 pandemic:

Some of the firms definitely got things right:

- “My employer has been excellent. I have changed my hours a couple of times to work around childcare and there has been no issue at all. They have been in regular contact checking in with everyone to ensure we are ok. We were all set up for home working within 1-2 weeks of the lockdown in 2020 which was an exceptional feat. We have regular virtual social events to stay connected. There is no pressure to return to offices, but also flexibility to allow people back in who want to as soon as it was safe and permitted again. Our CEO gives regular updates directly to staff and was hugely reassuring in the anxious early days of the pandemic. Genuinely cannot speak highly enough of the effort the company has put in to get us all through this.”
- “Put you and your family first message - not business as usual. Complete flexibility in when and where to work (office was open for those who could not work at home due to no available space or for mental health benefit, although most people at home most of the time).”

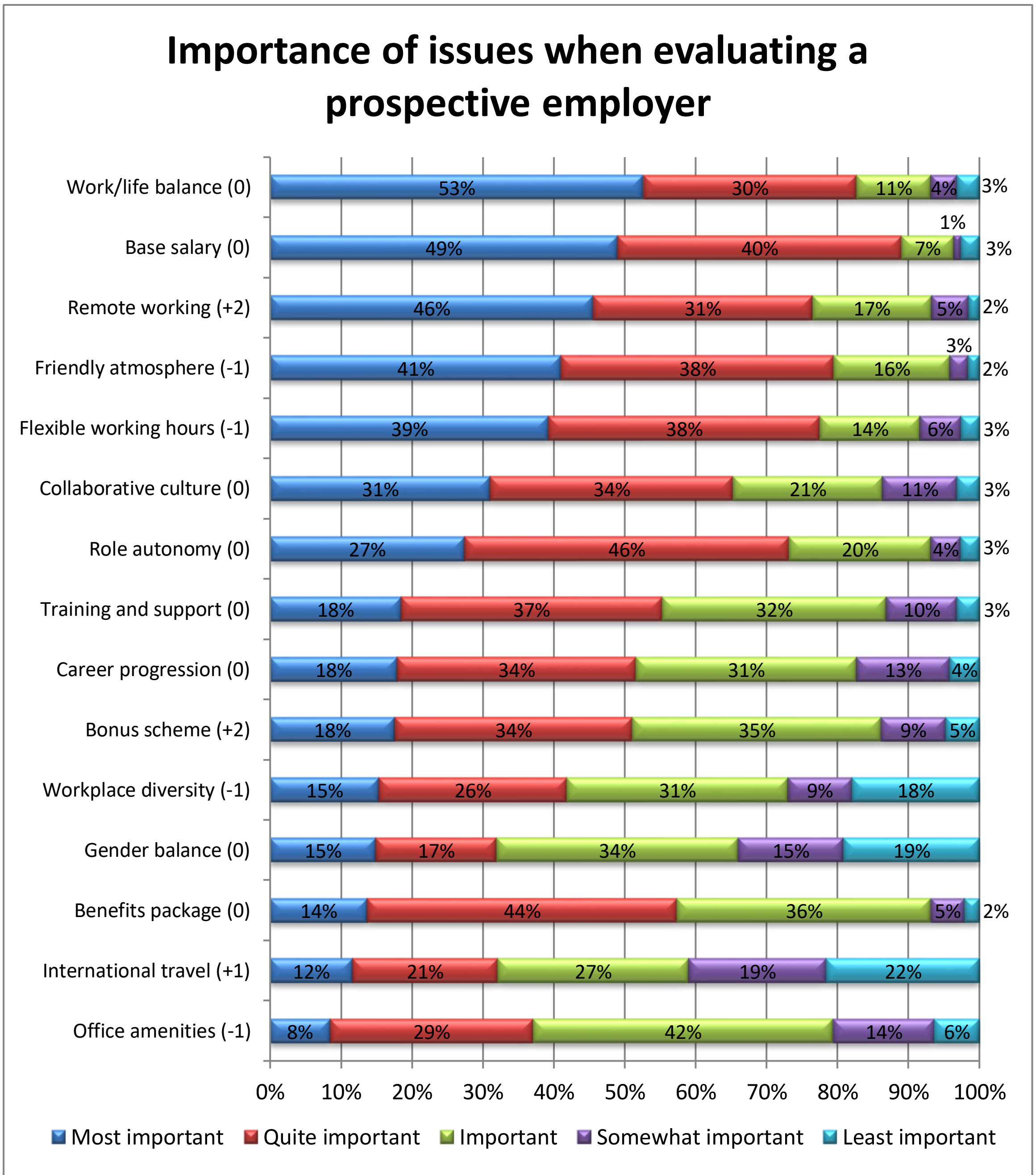
Whereas other firms perhaps did not necessarily make sufficient adjustments for their employees and their home lives:

- “Demands became insane, we often found ourselves working 12+ hour days and this became the norm. Management does not care, they demand results at any cost.”
- “I've been working from home since March 2020. The time that I would have spent travelling to work has turned into additional hours of work, rather than additional hours of free time. So I start / finish work at the time I would have left / returned home rather than the time I would have arrived at / left the office.”
- “Targets were impossible to meet due to home schooling and reduced workload at the start of the pandemic. Hence I think it would have been fairer to suspend targets for the 2020/21 financial year.”

5 Working Environment

5.1 Prospective employers

We asked respondents to indicate what factors play a role in their evaluation of a prospective employer.

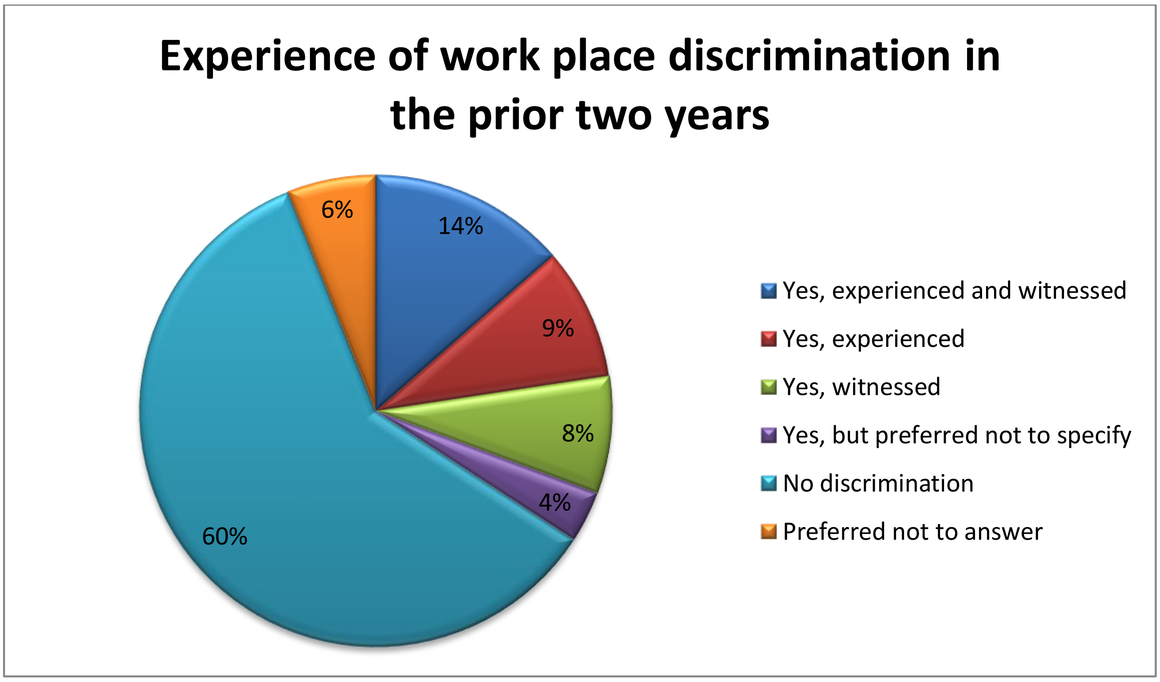


Graph 5.1.1

Note: The number in brackets ( ) refers to the movement in ranking position compared to the 2020 figures

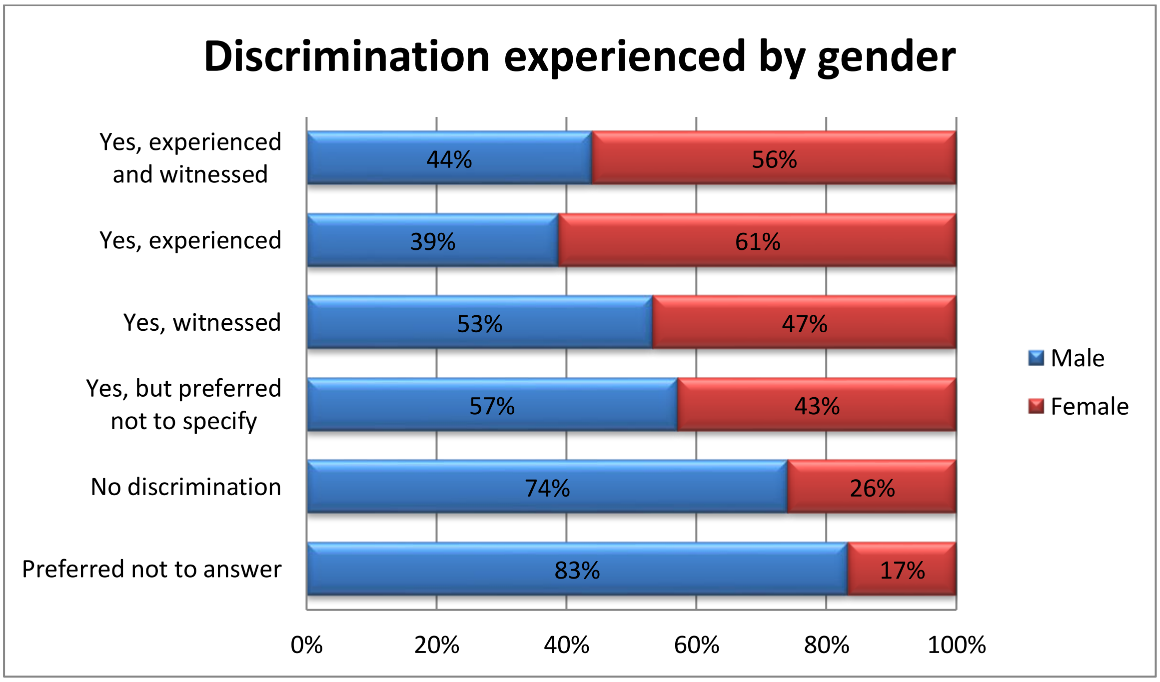
It is interesting to note that the ability to work remotely has increased in importance, whilst office amenities are now bottom of the list.

5.2 Discrimination

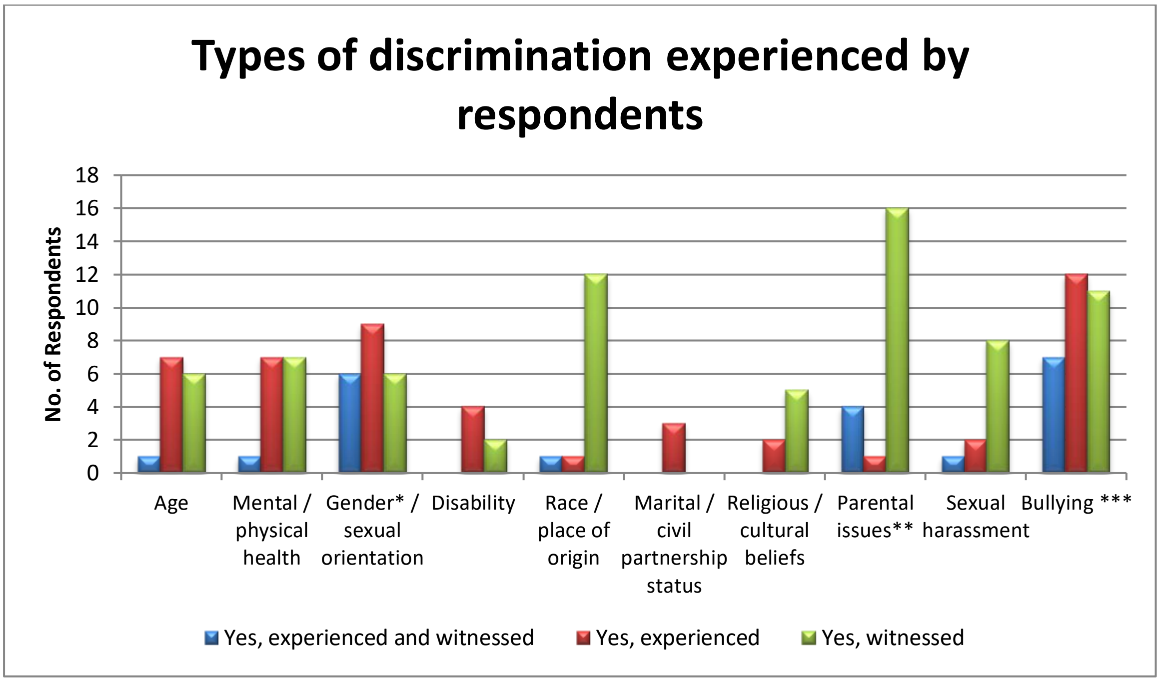


Graph 5.2.1

This year we also asked the question of ethnicity. 16% of respondents identified as being from an ethnic minority, 80% did not and 4% declined to answer. 45% of those identifying as being an ethnic minority had experienced or witnessed discrimination whereas this was only 33% for those not from an ethnic minority.



Graph 5.2.2



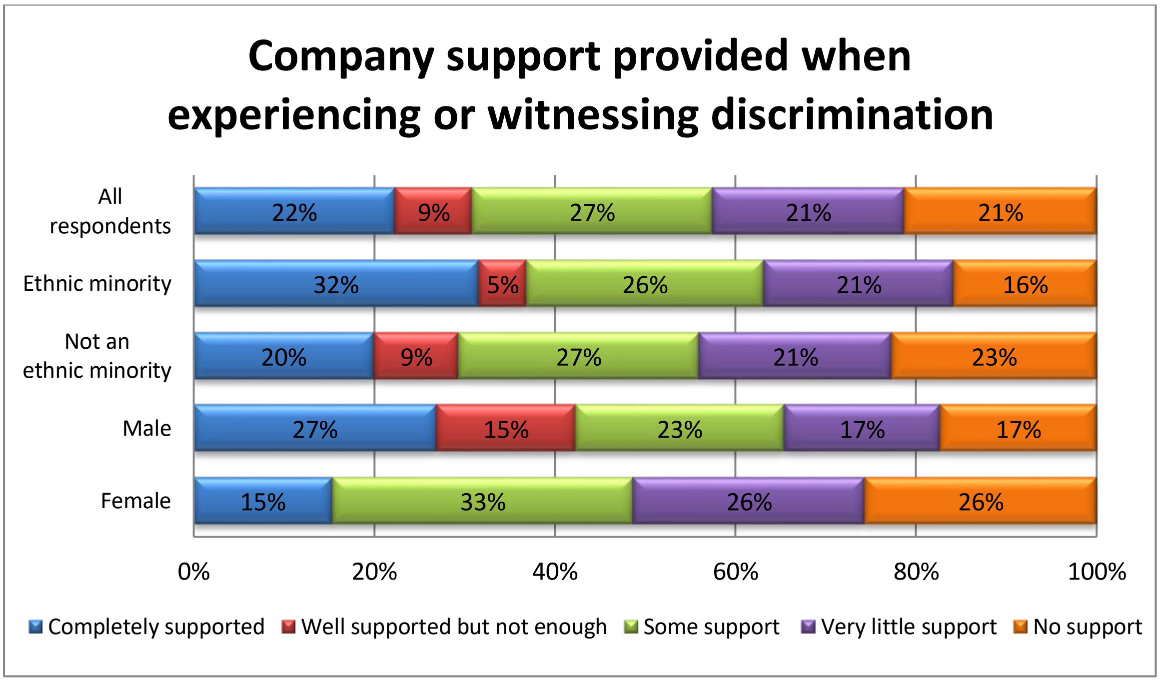
Graph 5.2.3

Note: * Gender includes gender reassignment status, ** Parental issues include pregnancy, maternity, paternity and adoption rights, * Bullying includes any other harassment or discrimination not already mentioned**

Well over half (63%) of respondents experiencing discrimination, experienced more than one type of discrimination directed at either themselves or another.

5.3 Support

We asked if respondents felt they had been positively supported by their employer when they had experienced and were negatively impacted by discrimination, bullying or harassment.



Graph 5.3.1

It is evident that there is still much progress to be made in this area when 52% of women felt they had received little to no support (34% for men). Unexpectedly when looking at those from ethnic minority backgrounds 37% felt that they had received little to no support whereas a higher number (44%) of those not identifying as an ethnic minority felt the same.

This report was compiled by Michele Fellows, Director and Management Consultant, Fellows and Associates.

We would like to thank everyone who participated in the survey, as well as those who helped to spread the word – in particular The Patent Lawyer Magazine and CIPA.

If you should have any questions or comments regarding the salary survey, or this report, please do not hesitate to contact Michele at [Michele.Fellows@fellowsandassociates.com.](mailto:Michele.Fellows@fellowsandassociates.com)

COMMENTS

This survey, now in its tenth year, is the longest running independent salary survey in the IP industry that we are aware of.

Whilst we acknowledge that there are a number of firms that share their salary information with each other in order to benchmark their own performance, there are many more without access to this information. Moreover, none of that information is available to employees (our candidates) to better enable them to understand their market worth and whether or not their employer is recognising their abilities.

For us, the most important aspect of this survey is that the information is gathered directly from employees and provides an unfiltered and unvarnished view of the industry from their perspective. In our opinion, it is this facet that makes the survey useful to so many.

Each year we try and improve upon the previous survey based on any feedback we receive from clients and candidates alike. We include more relevant data and graphs and omit those that perhaps do not offer any additional insight. Any feedback you may have on this, or a past survey, is welcomed and can be forwarded to Michele at Michele.Fellows@fellowsandassociates.com.

AUTHOR PROFILE

Michele Fellows is a Chartered Management Accountant with over 20 years' experience. She is a founding partner of Fellows and Associates, heading up Fellows Business Consulting and offering a bespoke service to the intellectual property sector. Prior to establishing Fellows and Associates she enjoyed an eventful career that spanned a multitude of countries and jurisdictions with a wide range of companies, from large multinational corporations to SME's across a variety of industries and sectors. This includes founding and then running a promotional company in South Africa for 4 years.

Fellows Business Consulting has a proven track record of helping new and small businesses to establish an in-house finance function and training non-financial staff to perform the majority of tasks. Looking for an exit strategy? We can assist you there too, by putting together a prospectus of your company, identifying interested parties and assisting with the negotiations. Fellows Business Consulting can also streamline your financial and business processes; assist with simple or more complex measures to help increase profitability, such as cost reduction and supplier management, systems integration, charging structures and debt collection, business strategy and market offering; assess your recruitment strategy or advise, negotiate and facilitate the buying, selling or merger of private practices.

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Fellows and Associates would like to thank all respondents as well as everyone who assisted in the promotion of the Salary Survey during the data collection period.

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