

Client charter



We are committed to providing outstanding advice and service to our clients.

This document sets out:

- what you can expect when you deal with us;
- ways you can help us give you the best service;
- who we are; and
- the New Zealand Law Society's client care and service information.

What you can expect from us

We will give you an estimate of the fee for your work if you want us to

We are happy to give you an estimate of the likely costs of your work. This will be based on the information you give us about what you need. Before we begin the work, we can also give you an estimate of other costs you will have to pay (such as official fees and travel costs).

We will let you know if the actual fees are likely to be different from the amount we have estimated.

How we set our fees

When setting our fees we consider:

- our standard fees for carrying out certain actions;
- the time and work involved;

- the skill, specialised knowledge, experience and reputation of the person advising you;
- the project's importance, complexity, and the outcome;
- how quickly you need us to carry out the work;
- the possibility that acting for you may prevent us acting for other clients;
- the estimate of fees we gave you, or our fee agreement;
- the reasonable costs of running a practice; and
- the market fee for similar services.

We give work to staff at the right level to make sure that you get the best value.

Auckland
Level 14, AMP Centre, 29 Customs Street West, Auckland 1010
PO Box 565, Auckland 1140, New Zealand | www.ajpark.com
Phone: + 64 9 356 6996 or 0800 257 275, Fax: + 64 9 356 6990

Wellington
Level 6, Huddart Parker Building, 1 Post Office Square, Wellington 6011
PO Box 949, Wellington 6140, New Zealand | www.ajpark.com
Phone: + 64 4 473 8278 or 0800 257 275, Fax: + 64 4 472 3358



We will bill you regularly

We will usually send you invoices every month unless we have agreed a different arrangement.

If we are holding a deposit from you on trust, we will take the amount that we invoice you for out of that deposit.

How we deal with other costs

While providing services to you, we may have to pay other costs such as official fees, foreign agents' charges, barristers' fees, courier costs and travel costs. These other costs are called 'disbursements' and we pass them on to you. Depending on your project, disbursements may be the largest part of our invoice. Our invoice will show which part of your invoice total is disbursements.

For disbursements in foreign currencies, we add a 3% foreign currency fee to cover exchange rate changes and bank and credit card fees.

We charge a separate office disbursements fee to cover the costs for printing, photocopying, and communication charges. We may pass on the actual costs to you if they are significant.

Your information stays private

While we are advising you, we may collect and hold personal information about you. We will only use this information:

- to help us with the work we are doing for you;
- to get credit information or other references;
- to tell you about issues that may affect you.

We keep information about you in Wellington or Auckland, New Zealand. Under the Privacy Act 1993 you have the right to see the information we hold. To arrange to see this information, please speak to your contact with us.

We store your files for at least seven years

We store all files for at least seven years. We may keep your files for longer depending on the type of work we are doing for you. We destroy files when we stop storing them. Please let us know if you would like a copy of our policy on storing and disposing of files.

Governing law

We do business under the laws of New Zealand. Any legal disputes will be dealt with by the New Zealand courts.

If you have a complaint about us, we want to know

If we have failed to meet your expectations, please tell us.

We take clients' complaints seriously, and want to do what we can to put the problem right. If you are unhappy, we encourage you to talk to the person you are dealing with to see whether the problem is simply a misunderstanding. If this does not sort your problem out, contact the supervising partner or Chief Executive.

If you are still not satisfied with the way we have responded to your complaint, you can make a formal complaint to the New Zealand Law Society or New Zealand Institute of Patent Attorneys.

Our professional indemnity insurance meets New Zealand Law Society standards

We have professional indemnity insurance. This insurance covers claims brought against us because of professional negligence. Our insurance meets or goes beyond the minimum standards set out by the New Zealand Law Society. Please ask us if you would like details of the minimum standards.

The New Zealand Law Society's Fidelity Fund

The New Zealand Law Society's Solicitors' Fidelity Guarantee Fund (the Fidelity Fund) gives clients of lawyers protection against theft by a lawyer or a lawyer's employee or agent. For more information about what the Fidelity Fund covers, go to www.lawyers.org.nz.

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Ways you can help us give you the best service

Return your signed account application form quickly

If you are a new client, we will usually ask you to sign and return an account application as soon as you instruct us.

Pay your deposit so we can begin work

Sometimes we may also ask you to pay a deposit based on our estimate of the fees and disbursements. We may choose not to begin work until we receive your deposit, even if deadlines for filing patents, design or trade mark applications or other deadlines are due.

Deposits are paid into our trust account and will not be taken out until we have completed the work and invoiced you. We will take fees and disbursements that we have invoiced you for from the deposit held in our trust account.

Give us all relevant information before we start work

So we can give you effective advice, please tell us all relevant information about your matter at the start of our discussions. Instruct us well before deadlines to save money – you will avoid paying expensive urgency costs.

We act for you

When we give you advice we will consider your particular situation and needs. No-one else may use the advice we give you, unless we agree otherwise. If you instruct us, you are responsible for paying our fee.

Make sure you pay our invoices on time

Please make sure you pay our invoices on time. Our invoices are due to be paid on the due date shown on the invoice. Please discuss any questions you have about an invoice with us before your payment is due.

In rare circumstances (for example, if you have not paid our invoices), we may be forced to stop acting for you even if important deadlines are due for things such as filing patents, design or trade mark applications. We are entitled

to keep your files or documents until you have paid the invoices.

We may charge you interest of 2% each month, worked out daily, on invoices you have not paid by the due date. We may also charge you for the costs of collection and legal fees.

Who we are

A J Park is the trading name for two partnerships – the law firm A J Park Law and the patent attorney firm A J Park Patent Attorneys. Most of our partners are qualified lawyers and registered patent attorneys, and are members of both firms. For a full list of the partners of each firm go to www.ajpark.com/our_structure.php. The partners share income between these two firms.

A J Park Patent Attorneys carries out the business of patent attorneys

A J Park Patent Attorneys provides specialist intellectual property services relating to protecting and exploiting rights in new technology, science and product design.

A J Park Law specialises in intellectual property law

A J Park Law specialises in intellectual property and information technology law. A J Park Law provides a full range of services within these areas, including trade mark protection, copyright advice, commercialisation and litigation.

All lawyer employees are employed by A J Park Law. Some lawyers working for A J Park Law provide services to clients on behalf of A J Park Patent Attorneys. Some patent attorneys working for A J Park Patent Attorneys provide services to clients on behalf of A J Park Law.

To check the position of any person you are dealing with, please ask that person or contact our Chief Executive.

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New Zealand Law Society's client care and service information

Here is the Law Society's 'Rules of client care and service information for lawyers'.

"Whatever legal services your lawyer provides, they must:

- act competently, in a timely way, and in accordance with the instructions received and arrangements made;
- protect and promote your interests and act for you free from compromising influences or loyalties;
- discuss with you your objectives and how they should best be achieved;
- provide you with information about the work to be done, and the way the services will be provided;
- charge you a fee that is fair and reasonable and let you know how and when you will be billed;
- give you clear information and advice;
- protect your privacy and ensure appropriate confidentiality;
- treat you fairly respectfully and without discrimination;
- keep you informed about the work being done and advise you when it is completed; and
- let you know how to make a complaint and deal with any complaint promptly and fairly.

The obligations lawyers owe to clients are described in the 'Rules of conduct and client care for lawyers'. Those obligations are subject to other overriding duties, including duties to the courts and to the justice system."

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