

CLOC Unveils IP Core Competencies Model

By: **Stephanie Sanders**

At its 2019 Vegas Institute in May 2019, the [Corporate Legal Operations Consortium \(CLOC\)](#) debuted a new intellectual property (IP) core competencies model, which provides a practice-specific lens through which legal operations professionals can view the best practices and industry standards defined by CLOC.

Since its inception in 2016, CLOC’s calling card has been its [12 core competencies](#) that “represent areas of focus that every legal operations department must manage to have a disciplined, efficient, and effective [legal operations function](#).” Legal operations professionals can use CLOC’s model to gauge their organization’s level of maturity—foundational, advanced, and mature—by benchmarking itself against others in the industry for each competency. CLOC has also worked to define the contours of legal operations with [initiatives](#) covering topics such as legal project management (LPM), diversity and inclusion efforts, and metrics.

CLOC CORE COMPETENCY MODEL



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The IP core competencies model is CLOC’s first effort to define key aspects of people, process, and technology necessary to successfully handle specific types of legal matters. To develop the IP core competencies model, a team of thought leaders from industry, law firms, and consulting firms¹, spent more than nine months identifying and documenting best practices for in-house legal departments that handle IP matters. The result of that effort is a set of IP core competency matrices—one each for patents, trademarks, and IP litigation—that provide a maturity scale against which legal operations professionals can rate their organizations in each of the IP core competency areas: people, process, technology, policies, 3rd party support, and enforcement / monetization.

SUMMARY OF CLOC IP CORE COMPETENCIES MATURITY SCALE

IP Maturity Scale				
	Under-Developed	Foundational	Advanced	Mature
PEOPLE	General and distributed functions with undefined roles and responsibilities	Specialist functions with defined roles and responsibilities	Performance metrics and management	Strategy and priorities aligned to corporate goals
PROCESS	Fragmented and individual work styles	Mostly defined processes	Best-practice processes	Processes metrics with continual improvement
TECHNOLOGY	Work performed manually	Lack of alignment to processes	Integrated tools and technology	Real-time dashboard and self-service tools
POLICIES	Undefined policies or service level agreements	Some recorded and adhered to inconsistently	Recorded, communicated and audited periodically	Compliance mandated with training programs
3 RD PARTY SUPPORT	All-or-nothing outsourcing	Selective outsourcing with some oversight	Vendor usage driven by strategy, cost saving, ROI	Best practices, metrics, quality control utilized
ENFORCEMENT/MONETIZATION	No licensing or enforcement programs	Intermittent licensing and enforcement	Formal licensing program	Program integrated with corporate strategy and systems

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¹ Including the author, Stephanie Sanders, Global Patent Operations Chief at Kilpatrick Townsend & Stockton LLP.

Attendees at the 2019 Vegas Institute were introduced to the new IP core competencies model and matrices during three sessions—two presentations and a panel discussion—from members of the IP core competencies team. The team members representing in-house legal departments shared success stories about how their organizations moved up the rungs of the maturity model with respect to defining their team (people), refining workflow (process), and improving their use of, or embracing entirely new, tools (technology). The presenters also shared how they used the specific activities and tasks associated with each core competency (which are included in the matrices) to help improve in each area over time, and how they are continuing to do so.

The panel discussion focused on why organizations—both legal departments and the law firms that support them—should be enthusiastic about the IP core competencies model. The panelists representing law firms urged outside counsel to use the matrices in a number of ways.

- To better understand their clients' internal business constraints and why clients may make certain requests and set forth specific procedures
- Use their knowledge of how various organizations (i.e., other clients) manage legal operations to advise clients on possible ways to increase their maturity level in any given competency
- Improve their own internal operations within the IP practice groups, specifically as it relates to staffing matters with the right timekeepers (people), managing firm-wide, and client-specific, workflows (process), and selecting tools that support both the needs of firm personnel and their clients (technology).

In addition to the matrix, the IP core competencies team developed an online tool that organizations can use to score their organization's maturity level in each of the IP core competencies, which can be accessed by visiting <http://ipcorecompetencies.com>. As noted on the website, legal operations professionals can use the results of the IP maturity scorecard to perform the following activities.

- Identify existing and desired competencies in the areas of Patents, Trademarks, and IP Litigation
- Benchmark maturity level against other IP legal departments
- Focus on specific information, tools, and tasks that will help you mature your IP operations function

CLOC IP CORE COMPETENCY MATURITY SCORECARD



Welcome to the Intellectual Property Maturity Scorecard!

Available at <http://ipcorecompetencies.com>.

After a well-deserved break, the IP core competencies team will reconvene in the summer of 2019 to identify next steps. The group plans to expand the IP core competency matrices to include other aspects of IP practice, such as trade secret and licensing programs, and look into the best ways to increase cooperation across the legal ecosystem between companies, law firms, technology vendors, consultants, and extended services teams.

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