



How customer experience drives competitive advantage



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Jeff Van Hoosear is a partner and co-chair of the Trademark Practice Group at IP law firm Knobbe Martens. He focuses on international trademarks and unfair competition matters, as well as domestic and foreign trademark selection, clearance and prosecution across a wide range of industries from apparel to software to entertainment.

Kerri Nelson

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As Chief Strategy Officer, Kerri Nelson is focused on improving Clarivate customers' experience, building customer-centric operational models across the organization and leading M&A integrations. Prior to joining Clarivate in 2020, she was founder and CEO of CustomersFirst Now LLC, a leading customer experience (CX) implementation and analytics firm.

Charting a course for increased client loyalty

Intellectual property (IP) law firms face growing client expectations for speed, efficiency and value.

This is forcing firms to reexamine every aspect of their client service – from how they handle client requests to how they bill for services. Adopting a customer-first strategy can equip firms to thrive in today's demanding environment. This white paper examines how client expectations have evolved and how customer journey mapping can help IP law firms meet those expectations by enhancing the customer experience (CX).

Clarivate Customer Experience (CX) Services help organizations implement journey mapping programs that reveal deeper customer insights, informing CX improvements that drive higher revenue, better retention rates and improved margins.

Accelerating business, increasing pressures

Like other client-service industries, the practice of IP law has seen a trend of accelerating business cycles driving increased demands on attorneys and their firms.

"Clients want opinions on clearance, availability and registrability of their trademarks and logos much faster than in the past, due to accelerated launch

deadlines," Jeff Van Hoosear says, noting that social media and other instant online communication platforms are a big driver of this acceleration. "With Twitter, Facebook and Instagram, it's not like in the days of radio and television or print, where you had a lot of lead time. Everything is happening faster."

Round-the-clock workstyles are also placing new pressures on attorneys. "All of my clients have my cell number and many have my assistant's number, as well as the associate and some of the paralegal teams. It's just the way it works now; there's really no full vacation anymore," Van Hoosear says, noting that with many clients working from home due to the COVID-19 pandemic, this expectation of round-the-clock access has only increased.

Budget pressures are also increasing as many in-house legal departments are seeing cuts and companies seek the greatest return on their investment.

All of these pressures are contributing to a decrease in client attention spans, Van Hoosear notes. "The way we provide information has changed dramatically. I rarely do a formal six- or eight-page report like I used to do in connection with trademark matters. Now, I send an email with a brief executive summary. The client can read that paragraph and if they don't need to go any further, they don't go any further. There will be some further detail and particularly some things I want to point out that someone will review, hopefully, in connection with it," he explains.

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A new competitive landscape **Managing the customer experience**

Another major change in the legal services industry is increasing competitiveness, Van Hoosear says.

"When I started my legal career, lawyers didn't advertise. If your firm did good legal work you got referrals from clients and other people, and that's how it worked," he recalls. "That's not the case anymore. You've got to be out there, marketing and promoting and getting the work, just as in any other business." Van Hoosear notes that legal outcomes by themselves are not enough to satisfy clients today; you need to adopt a "customer-first" business model.

"The client must be happy with everything that you do in connection with them, from start to finish," he says, explaining that this means reexamining every touchpoint to streamline processes and eliminate pain points. "That means changing how your firm works internally to accommodate client needs and preferences. It's not just about processes; it's a culture shift."

Recognizing this trend, Van Hoosear's firm recently hired a Chief Marketing Officer (CMO) focused on the customer experience.

"We realized how much money we were spending on business development to get clients in the door, and thought we should be looking just as much at retaining those clients and growing that business by cross-selling," he explains, noting that the CMO started by surveying clients to identify areas of potential improvement.

The surveys revealed some interesting customer requests. These ranged from staffing matters, such as increasing the firm's diversity, to faster submittal of invoices and alternative fee arrangements to delivering more concise opinions rapidly. "We even changed our report format based on client requests, using red, yellow and green colors to provide a visual representation of risk that everyone can quickly understand."



An end-to-end perspective

Optimizing the customer experience requires looking not just at interactions with lawyers and paralegals, but at everything that impacts the client's experience with the firm, Van Hoosear notes.

"For example, we made our docketing system available to certain clients, so they don't have to wait for an answer. They can go right in and see the status on specific matters, which saves them time," he says, noting that this benefits both the client and the firm.

Faster conflict checks was another key client preference, Van Hoosear says, noting that the firm now has the goal of same-day decisions on conflicts. "This has been challenging, especially on the patent side, but we have worked hard to meet that same-day goal." The firm also has worked to deliver same-day invoicing for certain

tasks, as requested by clients. He notes that taking an end-to-end approach to client experience requires coordination across the entire firm and may involve integrating and/or automating systems.

"Our firm is very team-oriented with a very deep and broad bench. We enable our clients to select their team based on what they would like. I think this allows clients to be more invested in the relationship. And it just creates a better relationship for everyone," Van Hoosear explains.

"Clients are in the driver's seat. They always have been, but I think the legal profession has, at times, had the attitude that we know best. But that has really changed," Van Hoosear says, noting that law firms need to break out of traditional service models and focus more on customer experience, just as other industries have done.



Mapping the customer journey

A key step in optimizing the customer experience is examining and mapping the end-to-end "customer journey," says Kerri Nelson, Chief Strategy Officer at Clarivate.

So what is a customer journey map? Nelson explains that it is a visualization of the end-to-end journey that customers experience over time. It captures the outcomes of interactions at each step in the journey. She emphasizes that it's about capturing the customer's perspective – how it feels to be the customer – not the firm's internal perspective.

"A journey map is not an end in itself; it is a framework that serves as a catalyst for change. It provides the insight to help drive business improvement activity," she explains.

Nelson explains that the journey map is composed of several "outcome stages":



The "inspire to purchase" stage

This focuses on awareness and interest; what leads the customer to come to you.



The "increase value / commitment" stage

This looks at what you're doing to deepen the customer relationship to drive customer loyalty and referrals.



The "early engagement" stage

This includes the decision stage, why they choose you, and the onboarding experience.



The leave/return stage

This focuses on why customers leave or stay.



The "deliver the promise" stage

This looks at what you do to deliver on the customer's needs, including customer support and complaint handling.

Within each outcome stage are multiple "journey stages" composed of specific touchpoints. Nelson points to the example of invoicing as a touchpoint.

"This is a common pain point. Is the invoice accurate? Is it clear, does the customer understand what they are being charged for? Is the customer receiving it when they want to? Are they able to pay the way want to pay? You want to document every touchpoint in detail from the customer perspective," Nelson explains.

Pain points and moments of truth

As you map the customer journey, you want to identify both "pain points" – interactions that are frustrating, stressful or require more effort from the customer – and "moments of truth," interactions that can determine whether a customer stays or leaves. Moments of truth are those touchpoints where the customer is personally invested in the outcome, where their expectations are heightened and they feel a lot depends on it.

To illustrate the difference, Nelson offers an example. "I'm a Starbucks fan. I go to the drive through every morning and I order

the same thing. Everything's easy and I love the product. But the one thing I have to do every time is ask for a napkin to go with my yogurt. They have a policy to be environmentally friendly, so they don't give you the napkin; you have to ask for it. Is that a pain point, or a moment of truth or both? The answer is, it's a pain point to me, an irritant. It's not a moment of truth, because I continue to go back every day," she explains.

Identifying interactions that are both pain points and moments of truth is particularly important. "Invoicing can be a pain point but if it's also a moment of truth, then providing the bill the way the customers wants is crucial," Nelson says. "Is the customer going to stay with you because you're so flexible and customer-focused? That could be a differentiator."

Just focusing on pain points can distract you from what's really important, she cautions. "If you stop at pain points, you will be trying to solve multiple things, and half of them will not make a difference to your customers staying with you longer or returning."

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Measuring the experience

Once you have identified those critical moments of truth, it is important to translate these insights into action. Nelson advocates using a "scorecard" method to track key metrics related to your progress in addressing the moments of truth that are also pain points, as well as moments of truth that you're doing well.

Tracking your CX performance in such a clear and visual way helps reinforce what is truly a culture shift in your firm. "This keeps everyone on the same page, focused on what's important to your clients. It's a great way to make sure you're keeping everyone engaged internally," Nelson says, noting the importance of creating CX "champions" across the firm, recognizing successes, sharing best practices, and maintaining continuous communication on CX topics.

Nelson emphasizes that journey mapping isn't just about improving your competitive stance in your industry, but about meeting clients' expectations for all types of services.

"You're actually measuring yourself against how other people do business today," Nelson says. "When it comes to your customer experience, you don't merely want to be better than all the other IP law firms. You want to be better than everybody, because that's the perspective your clients have when doing business with you."

A continuous process

Customer journey mapping is not a "one and done" initiative, but an ongoing process, Nelson emphasizes.

"It's important to review your journey map and your scorecard on a regular basis to track your progress and to spot additional moments of truth that drive client loyalty," she says. "Think of your journey map as a living, breathing plan that never stops."

Van Hoosear agrees. "In our firm, the trademark attorneys have lunch together once a month. We talk about best practices and we share the things that have worked well for us. It's given us a way to focus on continuously evaluating and improving our clients' experience of working with us."



About Clarivate

Clarivate™ is a global leader in providing solutions to accelerate the lifecycle of innovation. Our bold mission is to help customers solve some of the world's most complex problems by providing actionable information and insights that reduce the time from new ideas to life-changing inventions in the areas of science and intellectual property. We help customers discover, protect and commercialize their inventions using our trusted subscription and technology-based solutions coupled with deep domain expertise. For more information, please visit clarivate.com.

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