

[Firm Name]
[Address]
[City, State, Zip]

[Date]

[Client 1 Name]
[Address]

[Client 2 Name]
[Address]

Re: Informed Consent and Conflict Waiver for Joint Representation
Matter: [Case Name or Intellectual Property Description]

Dear [Client 1] and [Client 2]:

This letter confirms that [Firm Name] ("the Firm") has been asked to represent both [Client 1] and [Client 2] (collectively, "the Co-Plaintiffs") in connection with the intellectual property litigation/enforcement matter against [Adverse Party Name].

1. Joint Representation

While your interests currently appear aligned, a conflict of interest may arise during the course of this matter. Ethical rules generally prohibit a firm from representing multiple clients if their interests are directly adverse or if there is a significant risk that the representation will be materially limited by the firm's responsibilities to another client.

2. Confidentiality and Privilege

In a joint representation, there is no expectation of confidentiality between the Co-Plaintiffs. Any information shared by one client with the Firm regarding this matter will be shared with the other client. However, the attorney-client privilege remains intact as against third parties.

3. Potential Risks

Conflicts may arise regarding settlement offers, the allocation of damages, or the relative strength of each party's IP claims. If a serious conflict develops that cannot be resolved, the Firm may be required to withdraw from representing one or both of you, which could result in increased legal costs and delays.

4. Informed Consent

By signing this letter, you acknowledge that you have been advised of the potential risks, have had the opportunity to consult with independent counsel, and voluntarily waive any conflicts of interest arising from this joint representation.

Please sign and return a copy of this letter to indicate your agreement.

Sincerely,

[Attorney Name]
[Firm Name]

Agreed and Accepted:

[Client 1 Name / Authorized Signatory]
Date:

[Client 2 Name / Authorized Signatory]
Date: