



PATENT PRACTITIONER TRAINING 101:

EVERYTHING YOU NEED TO KNOW TO PRACTICE

A PART OF THE IPWATCHDOG INSTITUTE

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Schedule: 3 days; total of 18 hours of instruction plus 3 hours of Q&A

Dates: Monday, August 6, 2018, 8:30am EST to 5:30pm EST
Tuesday, August 7, 2018, 8:30am EST to 5:30pm EST
Wednesday, August 8, 2018, 8:30am EST to 5:30pm EST

Location: 700 12th Street NW, Suite 700
Washington, DC 20005

Materials: Course Book
PowerPoint
6 months access to The Invent + Patent System™

You've passed the patent bar exam. Now what? Having a license to practice is just the beginning. Now you need to learn how to interact with clients, execute written agreements, handle money, prepare applications and respond to patent examiners. Knowing the rules is one thing, knowing how to do it in real life is quite another thing all together.

Increasingly firms are not providing training, and many firms are not even hiring unless practitioners have experience. That means new practitioners are often left to their own devices as they seek experience in the first few years after passing the patent bar examination.

This is why we've designed this *Patent Practitioner Training 101*. This course will provide all the tools necessary to hit the ground running. We will address everything you may need to do up to an appeal at the United States Patent and Trademark Office, including: obtaining clients, initial client intake, client agreements, handling money, opinion letters, patent searching, opinion letters, drafting patent applications, filing patent applications, responding to a restriction requirement, preliminary amendments, reporting office actions to a client, conducting examiner interviews, filing an amendment and response, and options for keeping a case alive after a final rejection.

At the end of this course students should have a strong grasp on the basics of day to day patent practice, and a catalogue of examples and templates to draw upon for a variety of the most common and likely occurrences in the life of a patent practitioner.

This course is designed for those who have already passed the patent bar exam in the U.S. and will assume a level of knowledge commensurate with having passed the patent bar exam. While exceptions may be made in certain cases, familiarity with U.S. patent law and rules of practices is a prerequisite. This course is ideal for those patent practitioners with less than two years of experience, or law students entering a clerkship or internship between their second and third year of law school.

Monday August 6, 2018
The Initial Phase

8:30am to 9:00am	Registration & Continental Breakfast
Session #1 9:00am	Introduction to the Course Ten Things Every Practitioner Should Know: (1) How to write a patent application; (2) The Patent Box; (3) Malpractice Insurance; (4) Finding clients; (5) Networking; (6) Overflow Work; (7) Reading patent files; (8) Patent searching; (9) Client trust accounts and accepting a retainer; and (10) Client agreements.
Session #2 10:00am	Client Intake: (1) Initial communications with potential clients; (2) Confidentiality owed to potential clients; (3) Conflict checks; (4) Initial discussions about the invention and advice about patents; (5) Knowing your limitations (legal and technical); (6) Managing expectations; (7) Engagement letters.
Session #3 11:00am	Client Disclosure: <i>The Invent + Patent System</i>™
12:00pm	Lunch – Assignment: Patent Search
Session #4 1:30pm	Evaluating a Patent Search: (1) Reviewing lunch assignment #1 and comparing student results to a professional search result; (2) Pros/cons of using Google and Free Patents Online for patent searches; (3) How to work with a professional patent search firm; (4) Reviewing a professional patent search report; (5) Using Public PAIR to help formulate your opinion.
Session #5 2:30pm	Writing a patentability opinion letter: (1) Defining the invention searched. (2) How detailed will you be? (3) What advise will you give? (4) Will you ever say absolutely no? (5) Are there insights you can provide based on the search done? (6) Is the project now complete? (7) Quoting further work.
Session #6 3:30pm	A Prelude to Writing the Application: (1) The representation agreement and terms of payment; (2) Importance of filing a provisional patent application in a first to file system; (3) Scheduling work and informing the client; (4) Working with the patent illustrator; (5) A prelude to patent claim drafting.
Tutorial 4:30pm	Open Q&A.

Homework #1
Keeping in mind the closed universe of prior art provided, and only this closed universe of prior art, use *The Invent + Patent System™* to create a draft specification.

Tuesday, August 7, 2018
Application Drafting

8:30am to 9:00am	Continental Breakfast
Session #7 9:00am	Debrief the homework #1.
Session #8 10:00am	The law: 35 U.S.C. 101, 102, 103 and 112. Special emphasis on cases and concepts you will need to know when drafting and prosecuting patent applications.
Session #9 11:00am	Claim drafting 101. Basic claim drafting techniques for a variety of different types of claims including device claims, method claims, means plus function claims and systems claims.
12:00pm	Lunch – Assignment: Claim Drafting
Session #10 1:30pm	Debrief lunch assignment 2 on claim drafting.
Session #11 2:30pm	Specification Drafting: (1) Defining the invention completely with alternatives and variations and with particular care to identify the improvements that will contribute to patentability; (2) Avoiding common mistakes that will unnecessarily limit the scope of protection.
Session #12 3:30pm	Review the example application and office action received.
Tutorial 4:30pm	Open forum for Q&A.
Homework #2	Amend an application in light of the office action received.

Wednesday, August 8, 2018

Prosecution

8:30am to 9:00am

Continental Breakfast

Session #13

9:00am

Filing the patent application: (1) EFS Basics; (2) Application Data Sheet (ADS); (3) Oath/Declaration; (4) Making a priority claim; (5) Filing an Information Disclosure Statement (IDS); (6) Fixing common mistakes at the time of filing; (7) Filing a Preliminary Amendment; and (7) Responding to a Restriction.

Session #14

10:00am

Office Actions: (1) Reporting an Office Action to a client; (2) Responding to the First Action on the Merits; (3) Using an interview with an examiner prior to responding to the first Office Action; (4) Amendment Writing; and (5) Examiner Interviews (generally).

Session #15

11:00am

Debrief homework #2.

12:00pm

Lunch – Read MPEP Chapter 200 & 700.

Session #16

1:30pm

Filling in the gaps – Everything that can happen during prosecution (and why): Continuations, Divisionals, CIP, RCE, CPA, Affidavits, Suspension of Action, Requests for Information, Abandonment/Revival, Advancing a case out of order, General Authorization, Deposit Account, Withdrawal, Power of Attorney, Ombudsman.

Session #17

2:30pm

After Final Rejection: (1) After Final Practice; (2) Filing a Notice of Appeal; (3) Pre-Appeal Brief Review. Post Issuance: (1) Maintenance Fees; (2) Reexamination; (3) Reissue; (4) PTAB challenges; (5) Enforcement; and (6) Licensing.

Session #18

3:30pm

Capstone session: A walk through several applications and file histories to reinforce lessons and continue to provide working examples that can be drawn upon post-course in day-to-day practice.

Tutorial

4:30pm

Open Q&A.