

Comments With Regard to Filing Paperwork

1. General

- A. Remember - You know the filing date – April 1, 2011, the title, inventor, and attorney docket number.
- B. Check-Plus = 6
Check = 4
Check-Minus = 6
- C. Number with no errors = 3
Number without an IDS = 4
- D. Be careful with regard to who signs a document
App Transmittal, Fee Transmittal = attorney (not firm)
Declaration, Power of Attorney = inventor
- E. Note: You really want to get the filing paperwork right because Partners may judge you by your paperwork. If your paperwork includes errors, they might conclude that you do not pay attention to details, are not focused, or are not a good patent attorney.

2. Application Transmittal

- A. Remember – small entity – check it
- B. Include Title and Filing Date
- C. The correspondence address is to the firm, but you are signing as the patent attorney.

3. Fee Transmittal

- A. VERY IMPORTANT - Always give the PTO permission to charge the deposit account – not just for this filing, but for any needed fee. If you do not, and the PTO decides it needs an additional fee, then it won't ask for it – it will just abandon your application –Yikes! At least 3 people did not do this
- B. Small entity – remember half off on the fee

- C. Remember to enter the total fee at the top of the page
- D. You are signing as the patent attorney.

4. Declaration

- A. Lots of people checked the “Authorization to Permit Access to Application by Participating Offices” box. – Did you know what you were checking? What are the pros and cons for your client?
- B. Remember to fill in the title
- C. Remember to have the inventor sign
- D. The mailing address is the firm’s mailing address – you will not be signing this form as an attorney.

5. Power of Attorney

- A. Be sure to use the right form – read the form if confused. We want a form that is signable by the inventor. There is also a form that is signable by a corporate officer of the assignee, but you would need 1) an Assignment from the inventor to the assignee, and 2) a 3.73(b) form executed by the assignee in order to use that form
- B. Some people checked “A power of attorney is submitted herewith” – that would only be if the POA appears on a separate document. Instead you want to check “I hereby appoint...” so that this document itself is the POA.

6. IDS

- A. You need to disclose the references to the PTO! – Big minus if you did include an IDS.
- B. Some attorneys may have chosen to disclose the link to Skype Mobile in your invention disclosure
- C. Reminder - Normally need to submit copies of the NPLs