

Comments With Regard to Filing Paperwork

1. General

- A. Remember - You know the filing date, the title, inventor, and attorney docket number.
- B. Check-Plus = 1
Check = 5
Check-Minus = 2
Incomplete = 1
- C. Be careful with regard to who signs a document
ADS, Fee Transmittal = attorney (not firm)
Declaration, Power of Attorney = inventor
- D. 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. ADS

- 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.
- D. Read form carefully. Several people omitted the customer number from areas it should have been mentioned, including the correspondence address.

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!

- 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.
 - E. Some people checked multiple boxes – deposit account, check, and credit card. Only check the box with regard to how you are paying – and at least the ability to charge the Deposit account as a backup.
4. Declaration
- A. Good job – most errors avoided!
5. Power of Attorney
- A. Remember that there are several forms – one is signed by the inventor. The other is signed by a corporate officer (this gives power of attorney to the practitioner generally) and then the practitioner submits a copy of the POA with a 3.73(c) statement specifically identifying the application. The PTO does not give POA for a specific application without the 3.73(c) statement.
6. IDS
- A. Congrats! Everyone filed an IDS! However, not everyone included all 5 references named by the inventor. Additionally, not everyone included a link to the GPS website in the invention disclosure.
 - B. An IDS is absolutely necessary to comply with your duty of disclosure. With regard to the website, it is probably better to be on the cautious side and disclose it also.