



AR LEGAL SOLUTIONS

Patent Perspectives Quarterly

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Welcome!

Thank you for taking the time to subscribe to our newsletter, *Patent Perspectives Quarterly*. We hope you enjoy this issue.

In each issue we include tips and tricks based on real-world inquiries from paralegals and patent attorneys. We would love for this section to be interactive—feel free to send us additional questions to address in the next newsletter to newsletter@arlegalsolutions.net.

Top 5 FAQs from Patent Professionals

- 1. How do I sponsor a paralegal or request sponsorship from an attorney?** The USPTO has created a comprehensive Sponsorship Tool Guide that provides instructions for practitioners and support staff. Please note that support staff need to have their own USPTO.gov account in order to be sponsored. [SponsorShip-PatentCenter.pdf \(uspto.gov\)](#)
- 2. Can inventors sign with an s-signature?** The USPTO accepts three types of signatures: handwritten, s-signatures and a graphic representation of a handwritten signature. [This document](#) provides specific guidelines for the various types of signatures. The USPTO just released [new rules](#) regarding electronic signatures using third-party platforms, such as DocuSign® and Adobe Sign®. Just be sure to read the rules carefully to understand the requirements specific to each third-party platform and get clarification on your firm's internal policies relative to this change. Please note that the information provided by the USPTO applies to the U.S. only as each country has its own rules for signature formats.
- 3. Why is the USPTO charging me the non-Docx fee when I submitted the application in Docx and filed a Preliminary Amendment (PDF) with it? Is there anything I can do to avoid this fee?** This has been a common error with the USPTO recently. Many users have had to request a refund, which the USPTO has been approving. One option to avoid this (until the USPTO can resolve the issue) is to file the application in Docx and then file a preliminary amendment the next day to avoid the fee.
- 4. Who do I contact at the USPTO when I run into administrative issues?** Contact the Application Assistance Unit (AAU) at 888-786-0101 or email HelpAAU@uspto.gov. Calling the AAU is strongly encouraged vs. email as the USPTO has indicated it can take up to a month for them to respond to emails. Callers must be associated with the application in question and have the application number ready when calling.
- 5. We've had a PCT case transferred in and need to change the correspondence address. How do I make this change and through which filing system?** There are a few options. Note: filing it with your local receiving office is not recommended. The most efficient option is through ePCT.
 - Log in a private ePCT.
 - Bring up the particular PCT application of interest. In this situation, choose "Find IA outside of my workbench," search using the application number and filing date, and under Reason choose "upload documents."
 - Under Upload Documents choose "IB as Recipient under "Request for Change Under 92bis" Documents.
 - Make sure the request is signed by an attorney and then submit.

Another option – if you have a signed Power of Attorney – is to submit a 92bis on the WIPO website or prepare and fax it to WIPO.

Free Training Alert!

For paralegals, moving to a new area of law can be difficult, especially if your firm or organization is not able to sponsor you to receive the necessary training. We love sharing our knowledge and experience with aspiring patent paralegals, which is why we are offering a **free 30-minute basic training during the month of April**. Reach out if you're interested to [aubrerabe@arlegalsolutions.net](mailto:aubrera@arlegalsolutions.net).

How AI Can Improve the Busy Life of an IP Professional

Law firms are grappling with the fast emergence of artificial intelligence. How can we ethically use it in practice? How can we respond to client demands to incorporate these tools to become more efficient in the work we do for them?

At AR Legal Solutions, we are relying on our software vendors to educate us on AI-related improvements to their systems, but we are also trying to understand how public platforms, such as Chat GPT, can be used to free up our busy work lives. Before we provide a few ideas, we want to share a few warnings when using public AI platforms. Keep in mind that public generative AI tools are learning from the information provided. You can only imagine how a slip of sensitive client information could jeopardize the confidentiality that clients expect from their law firms.

- Never input client information – company names, details about inventions or any information that could identify your client or the work you are doing for them.
- Always fact-check AI outputs. AI should not be trusted to replace your years of education and experience.
- Make sure you know your client's and organization's rules about using AI for legal work product.
- Develop your own internal guidelines for use of AI and make sure every employee is aware and well trained on these policies.

So, how can patent lawyers and paralegals use AI to improve efficiency?

1. Drafting emails. AI writing tools like Grammarly, Chat GPT and Bard can create a first draft for you, especially when writer's block hits. You can even teach these tools to mirror your style and tone by uploading examples.
2. Personal notes. Whether it's a thank you, holiday greeting or congratulatory note, AI can come up with some elegant ways to express your sentiments.
3. Optimize your schedule. Common calendar tools like Gmail and Outlook are adding AI tools that will analyze your calendar to help find meeting slots, find focus time and triage your to-do list. Calendly is another option that I really like. It helps sync up calendars so that meetings don't overlap. The basic model is free.
4. Patent searching, preparing Office Action responses and IDS filings. Some of the vendors that you may already be using are incorporating AI into their tools that assist with these tasks. It's worth taking the time to demo these tools and review pricing scenarios to see if the investment in an upgrade is worth the time savings.
5. Updating your firm or LinkedIn profile photo. There are several tools out there that can update your background, touch up photos and even add professional attire to your favorite selfie. (Note: This may turn into more of a time waster!)
6. Updating your firm website biography or LinkedIn profile. This is a task that can linger because of the cost and time investment. Let AI help make your profile shine!

One final note on using AI for work product, our founder, Aubre Rabe, teaches paralegal courses at a local college and says "I can tell when students are turning in AI-generated work verbatim. Yes, I've had to have that conversation." AI is a tool that makes research and writing more efficient by giving you an initial data set or draft, but not a substitute for your well-educated brain, legal knowledge, reasoning skills, and years of experience in practice. And, the hope is that AI gives us more time to think critically and creatively for our clients.

Patent Center Help

Still getting the hang of Patent Center? Below are some FAQs submitted to the USPTO recently.

Q: What is Patent Center training mode?

As a learning tool, Patent Center has a training mode where users can anonymously go through the steps of uploading documents for various filing types without actually submitting the application for processing.

A: Go to patentcenter.uspto.gov, scroll to the bottom of the page and click the Enter Training Mode button under Patent Center - Training Mode. As a reminder, this is a simulated environment and absolutely no information that you enter in Training Mode is submitted, even when you hit the Submit button.

Q: What size documents can be uploaded into Patent Center?

PDF: 25MB maximum file size

A: DOCX: 10MB maximum file size

.zip and .txt: 50MB maximum file size

Q: Can I get a combined Submission and Payment Receipt?

Patent Center provides the Submission Receipt and Payment Receipt as two separate documents.

A: This benefits applicants by providing an immediate Submission Receipt upon submission and another receipt when payment is made. It also solves the problem where applicants are not able to tell that their submission had been received by the USPTO when the fees system is unavailable or slow to respond.

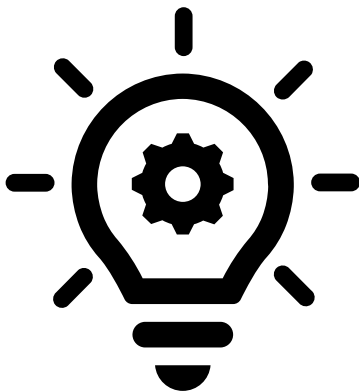
Q: How can I become a “proofed” user and what is the benefit?

Proofed users are able to view their pending application(s) and file follow-on submissions. When using Patent Center as a guest user, your scope is limited to fewer filing options and accessing only public applications.

A: Guest users also cannot see the Workbench and Manage tabs.

Visit the Getting started. New users page for instructions on becoming a proofed user or contact the Patent Electronic Business Center for assistance at 1-866-217-9197.

Patent Center Notable Updates



- Patent Center users will soon be able to file Provisional and Non-Provisional Plant applications, as well as Track One Prioritized Examination for Plant Applications.
- Per customer feedback, Practitioner Support users will have the option to select a “sponsoring practitioner” in Workbench/Correspondence. When selected, the list of available customer numbers will be limited to the selected practitioner. Support users can switch to a different sponsoring practitioner or back to “All” practitioners within the session. Sponsorship selection will be implemented Q2, 2024.
- New functionality in the works:
 - Displaying the attorney document number on the fee payment page
 - Assignment Filing capability
 - An “inventor name” filter in the Workbench
 - Ability to remove a registration number from multiple customer numbers
 - A download documents indicator for Correspondence

Helpful link > [Patent Center Information Page](#)

Patent Center Known Issues and Work-Arounds

IDS form entry for Design Patent Numbers over 1M: Users have reported that they are unable to enter issued design patents over D1,000,000 in the SB/08a form. The Patent Center Team is working to resolve the issue by the end of April, but in the meantime, the remedy is to submit a customized IDS form or to enter the design patent number in the Non-Patent Literature section of the SB/08a form.

Intermittent issues with the ePetition for Request for Withdrawal: If you experience problems with the ePetition for Request to Withdrawal as Attorney or Agent of Record, the workaround is to file the petition manually. Select the Upload Documents/Pay fees option and use the Request for Withdrawal AIA/83 form.

Corrected ADS errors: If users receive an error when entering the application number and confirmation number at the initiate page of the Corrected ADS, the workaround is to submit a follow-on submission with a customized ADS form.

USPTO Launches Diversity Information (DI) Platform

The USPTO just launched a tool to provide data-driven analyses on diversity in the innovation ecosystem. We like the fact that, in addition to the data, it also provides a hub for discussing ideas and best practices for moving the needle.

The platform visualizes demographic detail by industry and the U.S. in general, as well as the USPTO's own workforce diversity statistics. The platform is built on data from the U.S. Census Bureau, EEOC and USPTO and is all available for download.

USPTO Director Kathi Vidal said about the program: "This new Diversity Information Platform provides a venue for all of us to put skin in the game to scale our efforts and build on our work together."

The platform is brand new, so we'll all have to keep our eye on it for new resources and encourage each other to join the discussion.

Check it out here > [Diversity Information Platform](#)

Cybersecurity: Are Your Vendors Meeting Their Obligations?

IP law firms, particularly driven by client demands for cybersecurity measures and those daunting security audits, typically have this issue well in hand. However, do you have a handle on your service providers' attention to cybersecurity (especially the smaller companies)?

We wanted to take this space to assure our clients that AR Legal Solutions takes cybersecurity seriously. We utilize a secure VPN and other technologies to ensure that your documents and information, as well as your clients', are safe.

We also work with an external cybersecurity company to run audits, provide periodic updates on new threats and measures to take, and send us test phishing simulations, so that we are on our toes when it comes to new phishing tactics.

We welcome any questions in this regard and will work diligently to complete IT security audits at our client's request.

