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Welcome!

Happy New Year! Thank you for subscribing to our newsletter, *Patent Perspectives Quarterly*. This issue offers tips for success in 2025, important practice notes, information on Patent Center improvements, and more.

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. When responding to a Notice to File Corrected Application Papers, do I need to include a copy of the notice when filing electronically?**

No. When filing through Patent Center you do not need to file this notice. That said, some attorneys prefer to include it as a safeguard, particularly for a post-notice allowance.

- 2. During prosecution of a PCT Application, how do I respond to a Notice of Corrected Defects when we do not have better drawings available?**

You should submit a response saying that the submitted drawings are the best available. However, before doing so, make sure this is true. When you later file national phase applications, the drawings should not be better quality or contain anything that could be construed as new matter.

3. We have been receiving Filing Receipts with the priority information omitted even though the information was on the ADS we filed. What happened and how can we fix it?

Unfortunately, and particularly when using the web-based ADS, this is a common and frustrating error being experienced by USPTO users. We would recommend using the fillable form ADS instead of the web-based ADS to avoid this issue. A corrective action that seems to lead to an efficient resolution is to work with the [Ombuds Office](#) to obtain a corrected Filing Receipt.

4. I have my first billable paralegal position and I'm not always clear what is billable beyond research and filing.

Some clients have specific rules about what work performed by their outside counsel and professionals is considered billable. You should talk with your attorney(s) to understand any client-specific guidelines. Many clients appreciate that important work is passed to qualified paralegals because they can have confidence that the work is done correctly – just not at attorney-level fees.

If you work with multiple attorneys, it's a good idea to schedule time with each to understand their perception (based on client guidelines or personal working style) of paralegal tasks that are billable. Firms may also have paralegal billing guidelines, which may or may not align with attorneys' practices, so be sure to understand those guidelines.

Our recommendation would be to enter your time regardless and your firm can determine whether or not to bill your time to the client.

Setting Yourself Up for Success in the New Year

The start of a new year is a good time to reflect on strategies for advancing your career, improving your organization and working styles, and making yourself more valuable within your organization. We reflected on some practices that have helped our team members make a difference in their positions. Send us a note if you have other ideas to share at newsletter@arlegalsolutions.com.

Understand the “best practices” within your organization.

It's smart to start with a baseline. Work with supervisors and peers to understand processes and procedures that are already in place but may or not be standardized across all professionals. Interview attorneys and peers, or even organize an ad hoc committee, to discuss best practices in certain areas of work. Create a working document of practices that are in place so they can be shared and revisited as needed. In patent practice there are often nuanced procedures based on attorney preference or because “that's how we have always done it.” Understand if these nuanced procedures still fit into modern practice, particularly with the rapid advancement of technology tools available and changes being rolled out by the USPTO. Should any of these practices be standardized?

Take on more advanced tasks to leverage your skills or specialized capabilities.

As we advance in our careers we develop new skills. Talk with your supervisor and attorneys to understand if there are gaps you could fill or special projects that need leadership. Are you uniquely tech savvy? Offer to spend time researching new technology tools or to lead a pilot project for software your firm is considering. As a member of the broader patent professional community who talks to others in the field, share what you are hearing about positive changes other firms are making.

Before asking for more advanced work, brainstorm what that looks like for you. Consider what type of work you enjoy—is it refining procedures, training, creating efficiencies, or something else? Communicate some of the tasks you envision adding to your plate. Attorneys and supervisors may have ideas that don't align with what you're hoping for.

Please note that when you make suggestions or ask for new opportunities, the action you seek may not happen overnight. Be persistent but measured in your approach. It can be helpful to find a like-minded partner or two within your organization to help advance the discussion.

Consider how you could make life easier for your attorney(s).

Template letters, Office Action shells, and collections of standardized verbiage are examples of ways to increase efficiency. Can you keep claim amendments updated, so the attorney has a current version at the ready? Is your firm comfortable with you creating a first drafts of Office Action responses? Attorneys often do not have (or make) time to learn about new technology being implemented within a firm—how can you encourage them to make the time? Take initiative for the attorney. When emails come in read the client's instructions and be proactive on what needs to happen next by summarizing the email and creating a task or calendar item for the attorney. You could enter attorney time for routine tasks and also review prebills. Always advise attorneys of deadlines well before the deadline.

Communicate to others how you can be helpful.

If you keep track of USPTO changes (especially as a subscriber to this newsletter), find an efficient way to share that information within your firm. Offer to teach new attorneys how to effectively use their paralegal resources. Provide information on firm best practices (see above) and create a cheat sheet outlining common mistakes made by new attorneys. Help them understand that you can take on certain tasks so they can focus more on providing clients with high-level thinking and strategy. Finally, communicate regularly with your supervisor with respect to your workload, especially if you have extra time on your hands.

Setting Yourself Up for Success in the New Year (cont.)

Keep track of your contributions.

We like to keep a running “wins” document or folder. Document special projects that went well. Did you help implement a time-saving procedure? Hang on to emails from coworkers and clients that sing your praises. Your contributions can be reflected upon throughout the year and be used to merchandise your great work when it comes time for a performance review or job advancement opportunity. Also keep track of your nonbillable work in a very specific, quantifiable way so that you can report those contributions to leadership in meaningful terms.

Final thoughts

- Be more billable.
 - Be a continuous learner.
 - Don't be left behind when it comes to using technology.
 - Go-to people are often very good listeners.
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Patent Fee Increases

The USPTO will implement patent fee increases on January 19, 2025. There are many articles online that go into depth on the topic and the patent office has published a [fee setting section](#) on its website.

Here are a few of the major changes that patent professionals should note:

- New size fees for Information Disclosure Statements based on the **cumulative** references cited
 - New fees for filing continuations
 - 10% increase in utility application filing, search and examination fees
 - 27% increase in design application filing, search and examination fees
 - Increase in fees for excess claims
 - 43% increase for RCE second and subsequent requests
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We Can Help!

Important changes, like USPTO fee increases can create extra work for law firms as it is often a scramble to file applications before the new fees take affect. **AR Legal Solutions** can take on project work to help attorneys and paralegals meet crucial deadlines. We also offer consulting services, such as reviewing uploads for accuracy, checking documents and filings for errors, and reviewing employee work product. Our services include:



- Patent prosecution support
- Patent prosecution projects
- Business process improvement
- Patent paralegal coaching and training
- Software training

Contact us at arabe@arlegalsolutions.net to discuss how we can lighten your workload in the new year.

Patent Center Enhancements

The Patent Center team made two enhancements recently, launching new features for DOCX documents. These features aim to improve efficiency in downloading and uploading documents.

Here are the specifics:

1. In Training Mode, users can now access the Upload Documents screen for nonprovisional utility applications. This change enables faster downloading of validations and the feedback document that shows the location of warnings and errors.
2. Preliminary amendment documents can now be uploaded in DOCX as part of the initial submission of a utility application. Until now, these documents could only be uploaded as follow-ons. Applicants can upload a backup PDF of the combined (only one PDF) original application and preliminary amendment documents as well.

See this [Quick Reference Guide](#) on filing preliminary amendments for detailed instructions with screenshots. For questions or assistance regarding filing in DOCX, contact the Patent Electronic Business Center at ebc@uspto.gov or 866-217-9197, Monday – Friday, 6 am – midnight ET.

Patent Center Known Issues and Workarounds

Here is our quarterly update on the good and the needs-improvement when it comes to Patent Center.

What's New:

- Patent Center is working to support the ID.me verification process by Spring 2025.

File naming convention error: Some filers are experiencing this error when uploading files in Patent Center. The filename extension must be lowercase to be compatible with other USPTO systems. You can go to the [File Naming Convention](#) page for further details.

Workbench and Manage menus: Users report that the Workbench and Manage menus are not displaying when they access Patent Center through the Patents menu in MyUSPTO. If this happens, check to be sure you are still signed. If “Sign in” is displayed, click the link and Patent Center will refresh and these menus should display. USPTO suggests logging directly into Patent Center to bypass this issue until it is resolved.

Workbench/Correspondence ZIP option: When downloading PDF files in Workbench/Correspondence using the ZIP option, the files may download as a single PDF. This issue is currently being addressed.

Maintenance Fee Storefront: Patent Center is working to resolve an issue where the application number is not being passed to the Maintenance Fee Storefront page. When users select “Pay maintenance fee” the application and patent number are not displaying on that page. Suggested workaround: manually insert the application and patent number into the storefront required fields.

RESOLVED – Intermittent DOCX & electronic payment receipt processing issues: This issue, which was occurring for some users in mid-December has been resolved. USPTO is working to restore the submitted DOCX documents so they can be viewable via Patent Center.

Looking to Get Hired in the New Year?

Considering the diversity of our subscribers, we break this topic down into two parts: getting hired by new clients and getting hired by a new employer. Below are a few tips to jump start your new business engine and resume dos and don'ts to help you get noticed.

3 Simple Business Development Tips

1. Get face-to-face with your clients. In-person meetings nearly always lead to a new project or several. Plan at least two meetings for the year well in advance. These meetings should take the form of strategy sessions and/or client service check-ins.
2. Meet new people. Attend at least two legal or industry events this year so that you can continue to build a pipeline of prospective clients. Try to schedule meetups in advance if possible, take good notes and develop a follow-up plan. If you don't do the follow-up, you have wasted time and money (just like most of your peers who won't do the follow-up).
3. For new leads, be persistently helpful. Don't try to conquer the world in one year, choose three of your most promising potential clients and reach out to them at least once per month to provide helpful information, ask thoughtful questions, connect them with someone else you know, or invite an in-person meeting. An invitation to meet can be just to chat over coffee, but you'll be more successful if the meeting is tied to an event the person may be attending or if you offer to provide free advice/consultation on a topic, such as a new rule or patent practice trend.

Resumes: Reflect the Role You Want

Many people view their resume as a static document—you write and fine-tune it once and it's ready for sending or posting on online job sites. The problem with this approach is that every job is slightly different and those responsible for reviewing resumes are individuals who may take very different approaches to the process of going through what could be 50-plus resumes (or more). For those jobs you REALLY want, it's imperative to customize your resume and cover letter to fit the job posting and the organization.

The main steps in preparing your resume for those perfect opportunities:

1. Review the job posting carefully. The responsibilities and qualifications listed first are important to the hiring organization and so you should be highlighting how your skills and experience match up. Rewriting your cover letter and rearranging your resume summary and experiences accordingly is worth the effort.
2. Review the job posting again and look for keywords. Some organizations have software that scans resumes before a human eye sees them. You should work those relevant keywords into your resume.
3. Research the organization. Do you know someone or someone who knows someone who could serve as a referral? Also consider how you can work the organization's values into your cover letter and resume.

Common mistakes we have seen:

- Lack of white space. There's really no need to jam everything onto one page. If your document is hard to read the reviewer may get frustrated.
- Burying the important experience. If I'm looking for a patent paralegal, your trademark experience should be mentioned, but not the first thing I read about.
- Job hopping. If there is a way to explain moving from company to company every few years you should include it. Maybe your first bullet of the newer role explains how this move meant more responsibility and career advancement.
- Lack of a cover letter. See #3 above. This is your opportunity to show what you can do for this specific organization.
- Being vague about your experience. Without specific information about your work and results it's easy to look just like everyone else.

If you need resume writing assistance, we would be happy to connect you with a pro!



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