



AR LEGAL SOLUTIONS

Patent Perspectives Quarterly

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Fall is Here!

Thank you for subscribing to our newsletter, *Patent Perspectives Quarterly*. In this issue, we share some new insights gleaned over the summer, offer tips for starting client relationships with an eye toward long-term partnership and provide updates from the USPTO and Patent Center. Enjoy the read and [reach out](#) if you have topics for us to dig into for our first 2025 issue.

Let's start with our favorite highlights from the **MN CLE Duluth Small and Solo Law Firm Conference** that our team attended in August. Amazing people + willing to share their knowledge = we had a great time, met many of those amazing people and learned a ton!

TECHNOLOGY!

Successful firms are embracing technology, and smaller firms seem to have the ability to experiment more than others. From project management platforms that make it easy for teams to establish workflows, avoid email overload and collaborate with clients to embracing the AI functionality that software companies are adding to their systems, the message is to not get left behind. Clients are expecting firms to use technology to ensure they are paying for the knowledge of their legal professionals, not busy work.

Some interesting services that we are planning to look into include:

- Scribe – an extension that turns any web, desktop or mobile process into a step-by-step guide that can be shared with your team and help onboard new hires (no more screenshots).
- Google Skylight Wall Calendar – your Google calendar becomes office artwork.
- Adobe Scan – turns your phone into a scanner.
- AI note takers – there are several out there. We recommend researching a product's data privacy before using it. We have used Otter.ai to record meetings with client permission on Teams or Zoom. While these tools provide additional support for notetaking, they should not be considered a replacement. These products have a ways to go in terms of accuracy.
- Zapier – for streamlining your tasks and workflows without the need to hire a developer.

HIRING TOP TALENT

Some tactics we heard include embracing employees' desire to work from home and the need for collaboration by creating meaningful experiences in and away from the office. Also, some firms are finding ways to train staff on the job by hiring go-getters and then teaching them the law and the practice on the job. The growing availability of virtual legal professionals or freelancers also seems to be helping firms by providing HR budget flexibility and gaining high-level expertise without adding staff.

MARKETING AND CLIENT ENGAGEMENT

We met so many creative people. From making sure your local restaurant has a never-ending supply of "XYZ Law Firm" pens to budgeting and planning an annual, unforgettable client experience – firms are maximizing their marketing budgets in simple, but meaningful ways.

PRICING

Flat fees continue to be a hot topic. It's important that firms use a time tracking system and provide detailed time entries when billing. Clients want to understand what you are working on even under a flat fee arrangement. Another interesting tidbit: A client that is referred to you is less concerned about your rates. Foster those referral relationships!

New Client? Here's How Start the Relationship Out on the Right Foot.

Onboarding a new client is a critical step in establishing a strong relationship between your team and the client. A well-structured onboarding process enhances client satisfaction and sets the stage for successful collaboration. Here are some essential tips for law firm teams to effectively onboard new clients.

Initial Consultation: Set the Tone

The first meeting is crucial. Use this opportunity to build rapport, understand the client's needs, and clarify the scope of services. Prepare by researching the company and any relevant legal issues. Listening actively and addressing concerns demonstrates your commitment to providing solutions.

Clear Communication: Establish Expectations

From the outset, outline the services you will provide, timelines, and communication methods. Discuss how often you'll provide updates and the best ways to reach you. Transparency in your processes and expectations can help alleviate client anxiety and foster trust.

Gather Necessary Information: Create a Comprehensive Intake Form

Utilize an intake form to collect essential information about the client and their case, patent portfolio and/or other IP-related needs. The form can also provide a checklist of essential documentation that your team will need to get started. Include additional items, such as contact preferences, billing guidelines and information for essential company contacts. This not only streamlines the onboarding process but also ensures that you have all the necessary details to represent them effectively.

Educate the Client: Provide Resources

Clients may not be familiar with legal terminology or processes. Offer educational materials, such as brochures or links to articles, that explain what they can expect during the legal process. This empowers clients and helps them feel more involved in their legal representation.

Assign a Dedicated Team: Foster Personal Connections

Designate a primary point of contact, such as a lead attorney, who will be responsible for the client's case. You may consider providing a contact team that includes a paralegal, LAA and billing contact. This builds a personal connection and ensures that the client knows who to turn to with questions or concerns.

Utilize Technology: Streamline Communication

Leverage technology to enhance communication and document sharing. A secure client portal or a shared project management system can facilitate the sharing of documents and updates, making it easier for clients to stay informed. This also demonstrates your firm's commitment to efficiency and security.

Follow Up: Reinforce the Relationship

After the initial onboarding, follow up with the client to address any lingering questions or concerns. A simple check-in can reinforce the relationship and remind the client that you are committed to their case. This could take the form of a coffee or lunch meeting, at which point providing some firm swag is appropriate and often appreciated.

Seek Feedback: Improve the Process

Finally, solicit feedback on the onboarding experience. Understanding what worked well and what could be improved allows you to refine your process for future clients.

A successful onboarding process is key to fostering strong, long-lasting relationships with clients. By focusing on clear communication, education, and personal connections, law firms can ensure that new clients feel valued and informed from day one. Implementing these strategies not only enhances the client experience but can also lead to better outcomes and referrals in the future.



Our Patent World is Complex, How Can We Find Quality Help?

We all know that patent practice is nuanced and complicated. Let's face it, that's part of why we are afraid to seek help rather than working long hours for diminishing return. However, there are high-quality patent legal services companies and freelancers out there who can bring value to your practice and make life more balanced. Bottom line – it's essential to ensure your chosen vendor has the expertise to handle even the less common challenges, let alone the more complex. Here's a closer look at what to consider when selecting a legal services vendor for patent work.

Challenge Their Knowledge

Engage potential vendors in a dialogue that goes beyond surface-level qualifications. Develop a set of difficult questions about U.S. patent law and various scenarios they might face. Understanding how well the vendor's team, particularly the paralegal supporting you, grasps the intricacies of patent law can make a significant difference in the outcomes of your cases.

Address Communication Challenges

In a globalized environment, time zone differences and language barriers can pose significant obstacles. Ensure that your legal support service can operate effectively within your working hours and communicate clearly. Regular communication is key to seamless collaboration, especially when deadlines loom.

Watch for Hidden Costs

Many vendors offer flat fee structures, which can simplify budgeting. However, it's important to ensure that these fees align with the services you need and that there are no unexpected costs lurking in the fine print. Clear, upfront pricing can help maintain transparency in the working relationship.

Consider Cost Pass-Throughs

One advantage of hiring a qualified patent legal services vendor is that their costs can often be billed to clients. Evaluate how this model can benefit your firm and enhance the quality of service you provide without incurring the full overhead of a new full-time employee.

Beware of the Bait and Switch

Consistency in personnel is crucial when outsourcing work. Confirm whether you will work primarily with the same professional for ongoing projects, as continuity helps maintain quality and understanding of your firm's (and clients') specific practices. A dedicated point of contact can streamline the process and reduce the learning curve for your vendor.

Prioritize Cybersecurity

In today's digital landscape, cybersecurity cannot be an afterthought. Collaborate with your IT professionals to assess potential vendors' security practices. Ensuring that they take cybersecurity seriously is essential to protecting sensitive client information.

One final observation, an experienced patent paralegal has likely taught you a thing or two in your practice. Patent attorneys and their support staff should be able to partner with their outside legal services provider to create efficiencies, keep up with the ever-changing rules and procedures and recognize how to better meet unique client needs.

AR Legal Services would be more than happy to have a discussion with you if you are considering hiring outside help. [Schedule a call.](#)

Patent Practitioners: Protect Your Credentials

The Patent Office issued a final order as we were finishing up this issue. It terminated proceedings in roughly 3,100 patent applications for fraudulent entry of the S-signature of a registered practitioner by someone other than the practitioner.

In October 2022, the USPTO contacted a practitioner whose signature appeared on a large number of micro entity certification forms received by the agency. It was discovered that the signature of the practitioner was being used by another person.

USPTO Director Kathi Vidal commented: "The scale of this fraudulent action is a stark reminder for registered practitioners of their obligations under the USPTO Rules of Practice to take reasonable precautions to protect their credentials and alert the USPTO of any suspected fraud."

We covered the rules regarding e-signatures in the April 2024 issue of *Patent Perspectives Quarterly*. If you want to review current information on the topic, you can find that issue [here](#).

Patent Center Known Issues and Workarounds

Data Exposure Incident

Following a data exposure incident discovered on August 1, 2024, Patent Center is still unable to provide assignment information. As a work-around, applicants wishing to have certain assignment information added to their non-public patent application(s) viewable in Patent Center Private View, a new form, [SB469](#), is now available. According to Patent Center notifications, the form should not be submitted in applications that have been patented, published under 35 U.S.C. 122(b), or are otherwise open to the public. Assignment records for patent applications that are open to the public continue to be available to all users via Patent Assignment Search. The form is available for use until electronic access to such assignment records via Patent Center is fully restored. More information can be found in the [FAQs](#).

Partial Display of P.N.101.CONV, P.N.101.ANX, P2.401, P2.401.ANX: When the following document(s) are accessed using Preview/Quick download function at Documents & Transactions tab, users may see the following. Users should contact the EBC to provide an Application Number and a Patent Center Number so that USPTO can troubleshoot the specific issue.

- Partial display of PCT/RO/101 – Request form for new International Application – Convention (P.N.101.CONV)
- PCT/RO/101 Annex (fee calculation sheet)
- Chapter II – Form PCT/IPEA/401 – Demand (P2.401)
- Chapter II – Form IPEA/401 Annex (P2.401.ANX)

ePetition for Request for Withdrawal as Attorney or Agent of Record: Intermittent issues are being experienced. Users should file a petition manually as a follow on by selecting Upload Documents/Pay fees option and using Request for Withdrawal as Attorney or Agent AIA/83 form as an alternative.

Functionality in the works!

- Displaying the attorney document number on the fee payment page.
- Filing an Assignment through Patent Center.
- Inventor name filter in Workbench.
- Ability to remove a registration number from multiple customer numbers.
- Download documents indicator for Correspondence.

Patent Center Help

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

Q Filing Business Methods: Do I file documents for an appeal with the Board?

A: No. Appeal documents are not filed with the Board. File appeal documents online via the Patent Center.

Q: What happens when a support staff member leaves their law firm?

A: The sponsoring attorney can remove sponsorship, or the departing support staff can leave the sponsorship of the practitioner.

Q: What code generators will work with a USPTO.gov account?

A: Any code generator that meets RFC 6238 (TOTP) standard. Feel free to read up on TOTP [here](#), [here](#), or [here](#).

Q: Helpful reminder: Where can I find the Patent Center user guides?

A: You can find more information about using Patent Center on the [Patent Center reference guide](#) webpage. More information specifically about docx filing can be found on the [File patent applications with docx documents webpage](#).

The Patent Center team is constantly adding new information and resources to the website. You can also contact the Patent Electronic Business Center for assistance at 1-866-217-9197.

In Other News...

USPTO Fee Changes Coming in 2025

The USPTO has submitted proposals to increase certain patent and trademark fees in 2025.

Attorneys, as well as paralegals and support staff, should be aware, alert clients as the rate effective date nears and watch for a new fee schedule to be published. Fee adjustments would go into effect in January 2025.

More information can be found on the [USPTO's Fee Setting and Adjusting](#) website.

Client Service Tips:

- Alert your clients early about the coming changes.
- Do some research on client portfolios and any trends in their common practices that might cost them more money under the proposed changes.
- Pay attention to continuations and IDS fees (some of the largest proposed rate hikes) and help clients budget based on previously determined strategy or advise them on potential ways to pivot.