

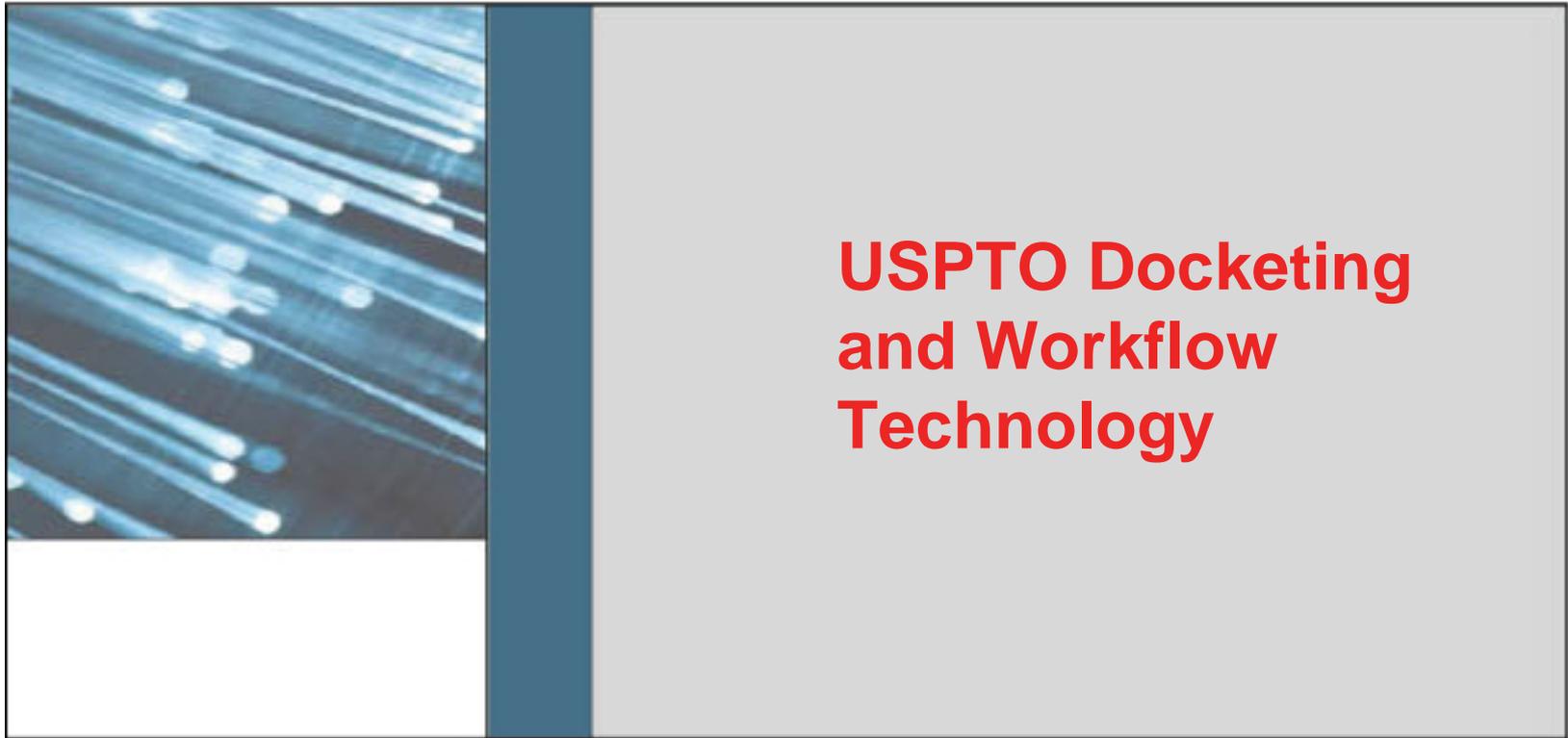
# Understanding Patent Examiner Docketing & Workflow to Expedite Prosecution

John Pani and John Freeman

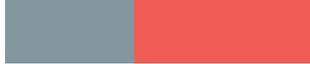
October 25, 2016

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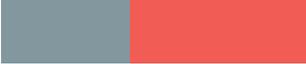


**USPTO Docketing  
and Workflow  
Technology**



# Overview of Docketing/Workflow Technology

- At the end of FY2015, close to 1.2 million patent applications were pending at the United States Patent & Trademark Office (USPTO)
  - Correspondingly large numbers of incoming filings received and outgoing Office correspondence issued
- IT tools are critical to USPTO's intake, creation, storage, and monitoring of application-related documents
- USPTO is in process of moving from legacy patent application processing tools to a single software platform, Patents End-to-End (PE2E)



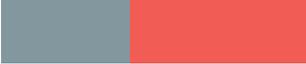
# Legacy Docketing/Workflow Technology

- **Image File Wrapper (IFW)**

- Electronic file record in which USPTO maintains an application's documents
  - Application as filed, amendments, Office Actions, etc.
- Documents are scanned into electronic image files, assigned a document code, and indexed for retrieval

- **Patent Application and Location Monitoring (PALM)**

- Multi-component system USPTO uses to support creation and maintenance of applications and their data, track workflow, report application status information, and provide examiner production and docket information
- Interfaces with many USPTO systems including IFW, eDAN, OACS, PAIR, and EFS



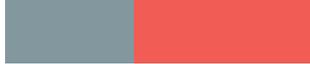
# Legacy Docketing/Workflow Technology

- **Office Action Correspondence System (OACS)**
  - Central word processing tool for creation, modification, review, approval, and routing of correspondence generated by the USPTO
  - Correspondence templates, form paragraphs, and fillable USPTO forms
  - Imports externally generated PDFs to include with Office correspondence
  - Allows examiners to submit correspondence to others for review and/or credit (i.e. counting)
  - Includes graphical user interface (GUI) with tabs showing correspondence at various stages of completion
    - Submitted by the examiner to a reviewer, returned to the examiner for corrections, etc.

# Legacy Docketing/Workflow Technology

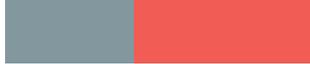
- **electronic Desktop Application Navigator (eDAN)**
  - GUI application that accesses patent application documents and displays an examiner's docket and corresponding document images
  - Information about application documents, status, associated data, etc.





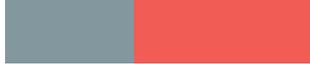
# Patents End-to-End (PE2E)

- USPTO is in the process of developing and implementing a single software platform to manage examination activities and integrate with certain existing systems.
- **Promised PE2E Benefits:**
  - Integrated user-oriented tools to help examiners act on applications
  - Optimize to eliminate repetitive tasks
  - Structured text-based (XML) filing and examination
    - Automated processing
    - Analytics support
- **Major PE2E Components:**
  - Docket & Application Viewer (DAV)
  - Official Correspondence
  - Examiner Search
  - Cooperative Patent Classification (CPC)
  - Central Enterprise Data Repository (CEDR)



## PE2E Docketing/Workflow Technology

- **Central Enterprise Data Repository (CEDR)**
  - New operational database to replace PALM and support PE2E
  - Status (as of August 2016): incremental releases for critical path items of other PE2E components
- **XML-based Filing and Examination**
  - Goal is to move to structured text (XML) filing and examination to increase automation of processing and provide additional analytical capabilities
  - Status (as of August 2016):
    - Conversion of received image data to XML
      - Documents include claims, specifications, abstracts, remarks, IDSs, petitions, and briefings
    - Focusing on accepting applications in Office Open XML format (e.g., DOCX) and converting to XML4IP



## PE2E Docketing/Workflow Technology

- **Official Correspondence System**
  - Correspondence authoring and workflow
  - Integrates with DAV through notes, references, and dispositions
  - Production release target December 2016
- **Docket & Application Viewer**
  - Application management tool to replace eDAN
    - Docket with multiple views
    - Planner to prioritize work
    - Document, claims, and application management
      - E.g. automated searching for text in application files and drawing of claim trees
    - IDS viewer
    - Electronic notes
  - Released March 2015

# PE2E Docketing/Workflow Technology

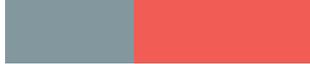
## Docket & Application Viewer (DAV)

Active Rejected Completed Disposals

New 45 Amended 4 Special New 3 Special Amended 0 Returned 0 Expedited 0 All 52

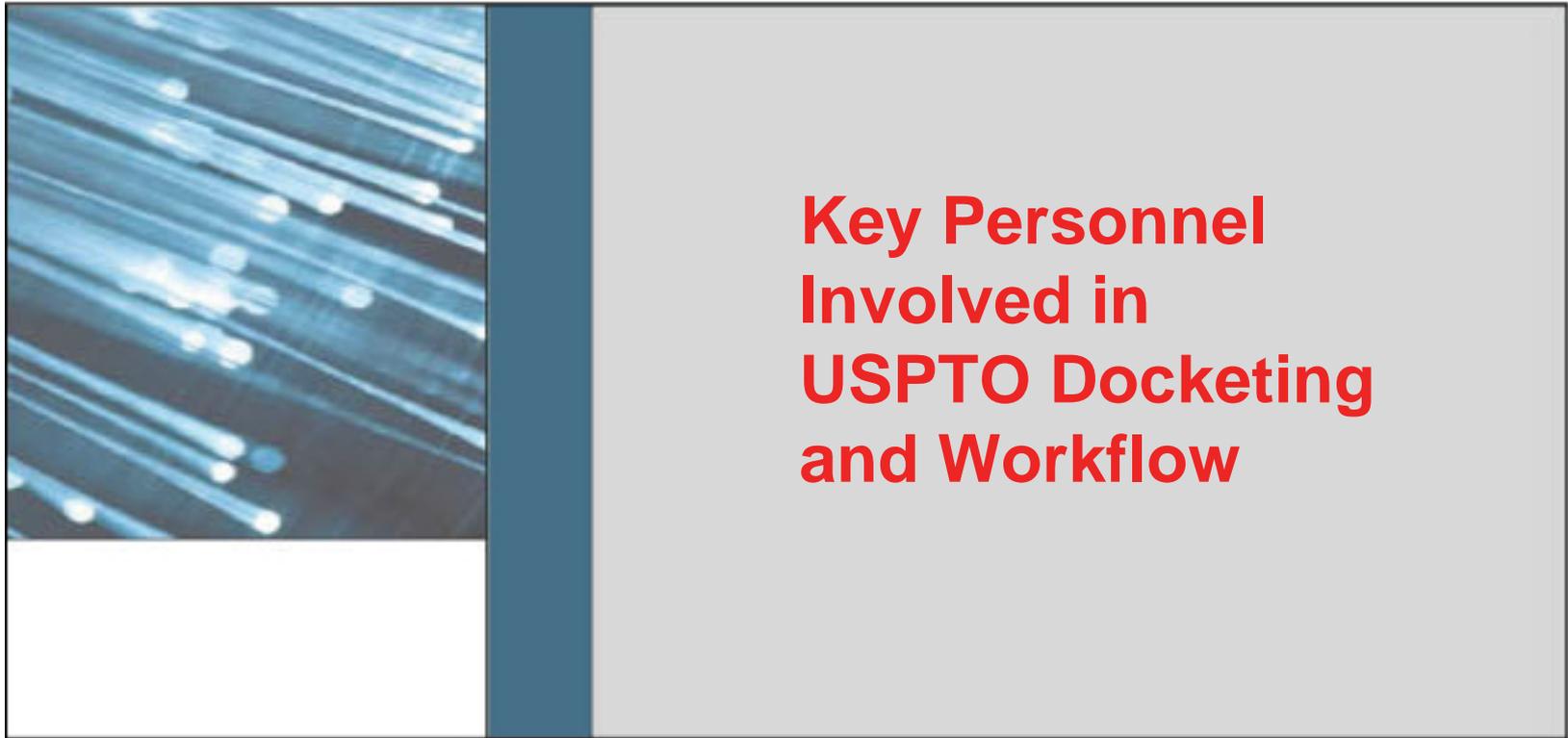
Regular Oldest New = 13/ [REDACTED] Exp. Avg. = 28 Ceiling Days = 56  
 RCE Oldest New 1 = 11/ [REDACTED] Completed Exp. Avg. = n/a Ceiling Days = n/a

Thumbnail	Title	APP. #	AIA(FITF)	Filing Date	RCE Filing ..	Oldest New	Elapsed Days	Days to Exp. Avg.
	POLICY ENFORCEMENT IN COM...	13/[REDACTED]	No	02/28/2013		*1	22	6
	Content Management System f...	13/[REDACTED]	No	05/22/2013		*2		
	SYSTEM AND METHOD FOR SU...	14/[REDACTED]	Yes	09/24/2014	04/08/2015	*8		
	SYNCHRONIZING PRESENTATIO...	13/[REDACTED]	No	06/24/2013		*3		
	Zero-Click Sharing of Applicatio...	13/[REDACTED]	No	02/25/2013	06/12/2015	*C		
	MANAGEMENT AND PRIORITIZ...	13/[REDACTED]	No	07/01/2013		*4		

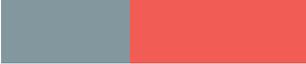


## How Might the USPTO's Change to PE2E Affect You?

- File applications and responses as text documents
  - No need to convert all files to PDF when filing electronically
- Receive Office correspondence in XML or DOCX format
  - Improved text-searching within Office correspondence
  - Copy and paste directly from Office correspondence
- More efficient examination of applications and reduced average application pendency?
- Potential for USPTO to provide applicants with prosecution-related alerts of new types and in real-time

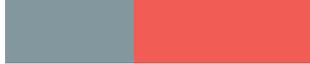


**Key Personnel  
Involved in  
USPTO Docketing  
and Workflow**



## Overview of Key Personnel

- The USPTO employs over 9,000 patent examiners who are responsible for a variety of docketing and workflow management functions. They are supported by a large staff, many of whom perform docketing tasks critical to the examiners' ability to perform their examining duties.
- **Support Staff**
  - Office of Patent Application Processing (OPAP)
  - Legal Instruments Examiner (LIE)
- **Patent Examiners**
  - Supervisory Patent Examiner (SPE)
  - Primary Patent Examiner
  - Assistant Patent Examiner



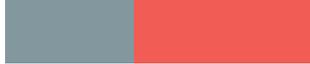
## Support Staff Involved in Docketing and Workflow

- **Office of Patent Application Processing (OPAP)**
  - Initial processing of newly filed applications
    - Receives incoming documents, indexes documents, assigns a serial number to application, captures/stores documents into the Image File Wrapper (IFW), performs pre-examination formalities review, forwards application for initial classification to determine which Technology Center (TC) the application should initially be routed, assigns application to appropriate TC
  - Initial processing of follow-on papers
    - Receives incoming documents, indexes documents, captures/stores documents into IFW, forwards to appropriate LIEs



# CLE CODE #1

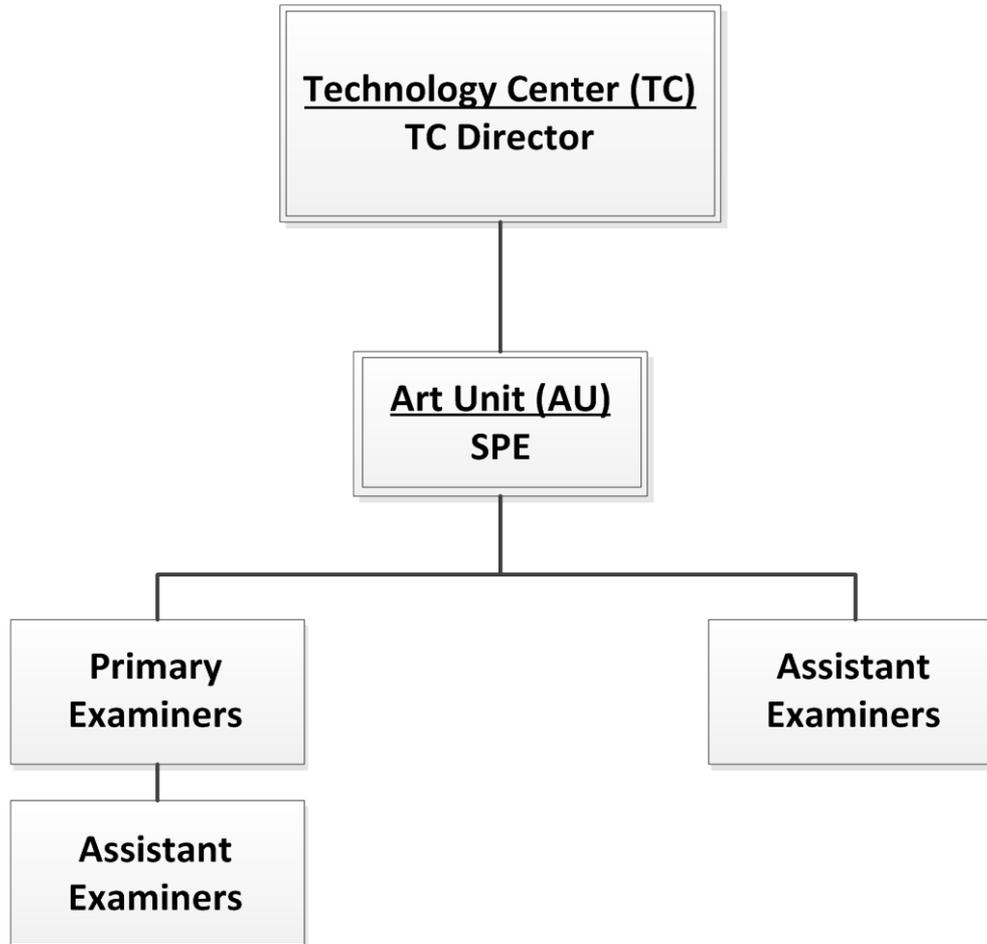
- Docketing

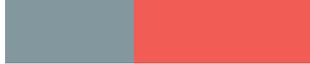


## Support Staff Involved in Docketing and Workflow

- **Legal Instruments Examiner (LIE)**
  - Docketing of new applications in PALM to patent examiners selected by their SPE
  - Additional processing of follow-on papers
    - Formalities review of documents
    - Checking of document codes
    - Checking of fees
    - Performance of necessary PALM transactions
  - Processing of outgoing Office correspondence
    - Formalities review
    - Entry into PALM
    - Coordination of mailing

# USPTO Technology Center Hierarchy

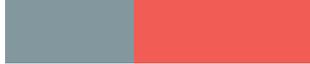




## Patent Examiners' Roles in Docketing and Workflow

### ▪ **Supervisory Patent Examiner (SPE)**

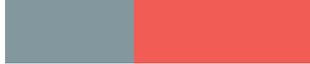
- Former examiner who now acts as an administrator rather than examining applications
- Manages and oversees an Art Unit (AU) composed of primary and assistant examiners
- After new applications are classified and routed to the SPE's AU, SPE reviews them to determine if they have been properly classified and should be examined in the AU
  - If properly classified, SPE chooses to which examiners in the AU they should be assigned
  - If improperly classified, SPE initiates a transfer inquiry to an appropriate AU
- Oversees examiners' workflow management
- Reassigns applications within AU as necessary



# Patent Examiners' Roles in Docketing and Workflow

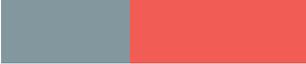
## ■ Assignment of Applications to Examiners

- Generally SPEs manage examiners' caseloads so they are assigned an appropriate amount of applications for their experience level and production requirements.
- SPEs also make sure that related applications (e.g. continuations, divisionals, and continuations-in-part) are assigned to the same examiner.
- Is there any way to cause your application to be reassigned to another examiner?
  - Amend claims so the application will be classified in another AU
  - In response to a restriction requirement, elect an invention classified in another AU
  - File a related application with claims classified in another AU
  - Consider moving up through the USPTO hierarchy to address unreasonable treatment



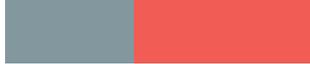
## Patent Examiners' Roles in Docketing and Workflow

- **Working with SPEs to Expedite Prosecution and Address Unreasonable Treatment**
  - As supervisors, SPEs can press their examiners to timely respond to applicant filings, conduct compact prosecution, and generally treat applications (and applicants) in a reasonable manner
  - See, e.g., MPEP § 707.02:
    - SPE is expected to personally check on the pendency of **every** application up for a **3<sup>rd</sup> or subsequent Office Action** with a view to concluding its prosecution
    - **Any** application **pending 5 years or more** should be carefully studied by the SPE and every effort should be made to terminate its prosecution



## Patent Examiners' Roles in Docketing and Workflow

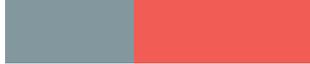
- **Working with SPEs to Expedite Prosecution and Address Unreasonable Treatment**
  - When should you consider contacting a SPE?
    - Long-pending applications where it seems the responsible examiner is needlessly prolonging prosecution
    - Your position seems objectively strong and examiner's seems unreasonable
      - Applying new and questionable art or other rejections late in the prosecution
      - Frequently withdrawing Office Actions and then issuing new ones
    - **After** unsuccessfully trying to work things out with the responsible examiner
      - Always best to move **up** the USPTO hierarchy when trying to address unreasonable treatment
  - If the SPE is unhelpful the TC Director *can* be contacted
    - This is rarely done and should be seen as a **last resort**



# Patent Examiners' Roles in Docketing and Workflow

## ■ Primary and Assistant Examiners

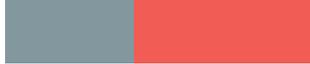
- Perform substantive examination
- Both groups generally responsible for managing their own workflow according to USPTO protocol
- Both groups review applications docketed to them to make sure they are properly classified for examination in their AU
  - All primaries and some assistant examiners are able to initiate transfer inquiries if they believe the application should be classified for examination in another AU
  - Appropriate AU for examination may change after docketing, e.g. because it was amended, or due to the invention elected in response to a restriction requirement
  - Generally up to the responsible examiner to make sure a transfer inquiry is initiated, so even if application would be better examined elsewhere it might remain with the originally assigned examiner



# Patent Examiners' Roles in Docketing and Workflow

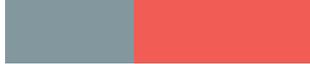
## Different examiners have different levels of authority

- Primary examiners have full signatory authority
  - Able to approve and sign both non-final actions (e.g. non-final rejections, restriction requirements, etc.) and final actions (e.g. final rejections, notices of allowance, etc.) so they can be sent out as official USPTO actions
  - Can approve and sign their own actions and actions of other examiners
- Assistant examiners have no or partial signatory authority
  - Examiners with partial signatory authority are able to approve and sign only non-final actions
    - Primary examiner must still approve and sign their final actions
  - Examiners with no signatory authority must have a primary examiner approve and sign **all** of their actions
- SPEs have full signatory authority **and** can approve additional actions
  - E.g. reopening prosecution after an appeal brief, entry of amendments after allowance that change claim scope, granting various petitions or requests by applicants, etc.
  - Also act as one of 3 conferees during appeal conferences



## Patent Examiners' Roles in Docketing and Workflow

- **Examiners cannot always see or respond to a filing you submitted and can view in PAIR**
  - An examiner's knowledge of what was submitted to USPTO is generally limited to filings an LIE has used PALM to docket to the examiner.
    - Only then does it become visible to the examiner in eDAN or DAV
  - PALM also used to change the status of an application
    - For an examiner to act on an application, its PALM status must allow the examiner to use OACS to send a response to the applicant
    - You can monitor an application's current PALM status in PAIR's Application Data tab

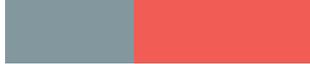


## Patent Examiners' Roles in Docketing and Workflow

- **Working with Examiners to Expedite Prosecution - Example**
  - During interview discussing a potential amendment, an examiner mentions that, for practical reasons, “right now” is an especially good time for him to formally consider the amendment
    - E.g. has an upcoming deadline, wants to consider it while still fresh in mind, wants to consider along with a related case, etc.
  - If you decide to file it, consider calling the examiner to let him know that the discussed amendment has been filed
  - Examiner can then request that an LIE expedite docketing of the filed amendment
  - Can avoid a situation where, by the time the amendment is actually docketed, examiner no longer finds it practical to work on that particular application

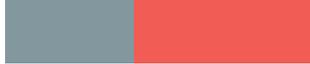


**Examiner  
Workflow  
Management**



## Examiner Workflow Management

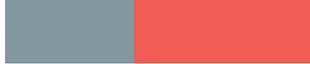
- **Order of Examination of Applications – Office Policy**
  - Generally, new applications are taken up for examination by the assigned examiner in the order filed
    - Unless advanced for examination under 37 CFR 1.102
  - Priority in taking up cases for action is given to the application on the examiner's docket with the oldest effective U.S. filing date
  - CIPs are generally treated based on their actual filing date
  - Among types of applications/proceedings, the priority is:
    - Reissues > reexaminations > special cases w/ fixed 30-day due dates (e.g. examiner's answers) > special cases > regular cases



# Examiner Workflow Management

## ▪ Order of Examination – The Reality

- The official policy provides guidance, but in reality examiners have a lot of leeway to choose what to work on at a given time
- For example, as deadlines such as the end of a quarter or fiscal year approach they might pick easier cases out of order to meet production requirements
  - E.g. low number of claims, claims for which the examiner already knows of art, claims the examiner thinks are close to being allowable, etc.
  - Can be effective time to try to make a deal with examiner, e.g. by agreeing to accept a proposed examiner's amendment or to file an agreed upon amendment prior to the deadline in exchange for examiner's agreement that case will be allowed
    - Example of good time to alert the examiner of the filing so examiner can ensure it is entered and docketed in time
    - Ends of quarters (generally): 1<sup>st</sup> (late December), 2<sup>nd</sup> (late March), 3<sup>rd</sup> (late June), 4<sup>th</sup>/end of fiscal year (last day of September)



## Examiner Workflow Management

- **Docket Management Element of Examiner's Performance Appraisal Plan (PAP)**
  - Used by USPTO to evaluate examiner's workflow performance
  - Specifies average number of days in which examiner should respond to a given type of filing/action
  - Docket Management score is generated using method that measures examiner's actual response times compared with specified averages
  - Also specifies a number of "ceiling days" for a given type of filing/action
    - If examiner exceeds number of ceiling days before completing a response, then extra days are added to the examiner's actual response days (for scoring purposes)



## **CLE CODE #2**

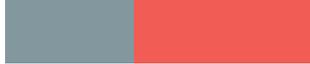
- October Webinar



# Examiner Workflow Management

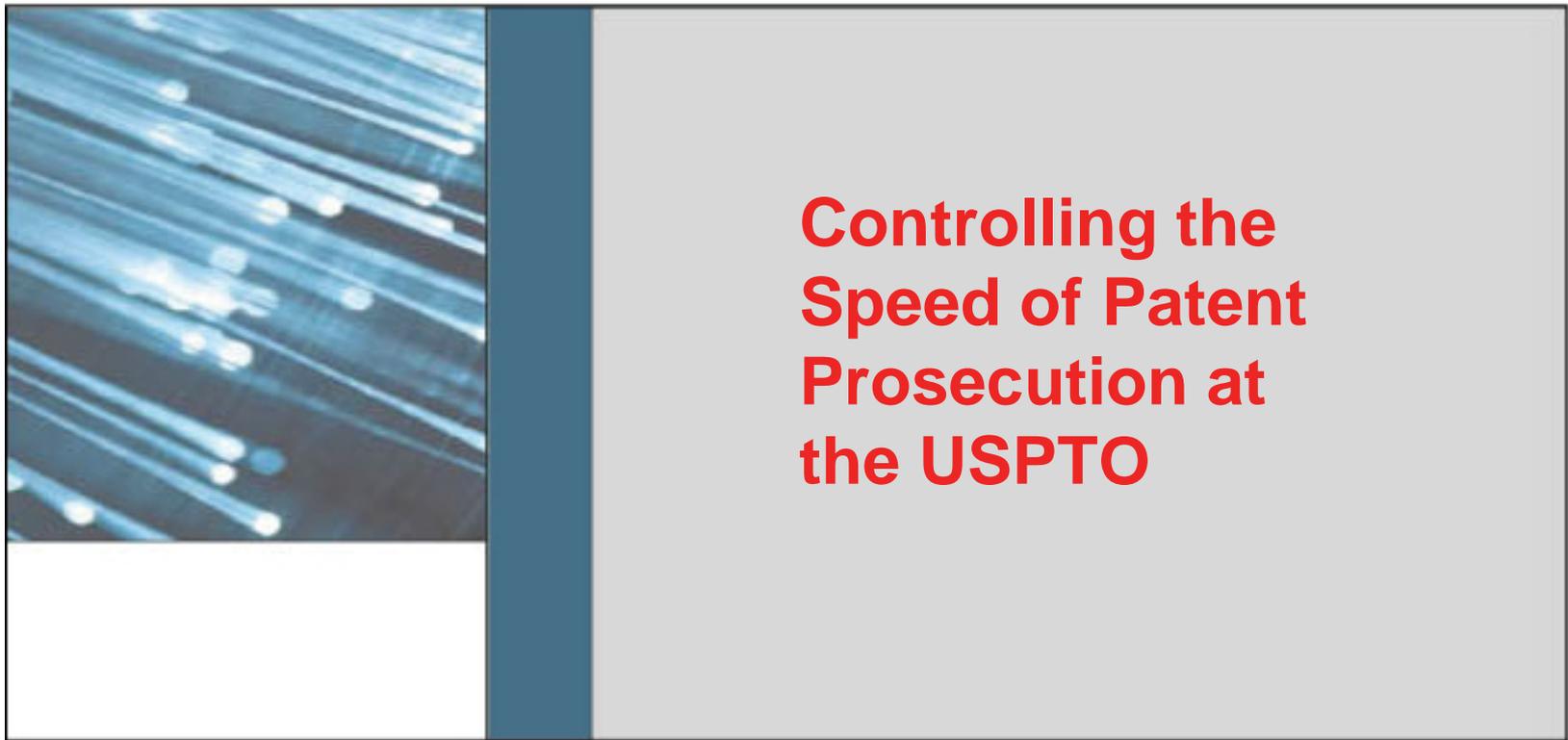
## Expected Average Days and Ceiling Days:

Cat.	Component (Action Types)	Expected Average Days	Ceiling Control (Days)
1	<b>Amendments</b> response to non-final OA, Appeal Briefs	56	84
2	<b>Special New</b> e.g. Patent Prosecution Highway (PPH), Accelerated Examination, Petitions to Make Special, Track 1, PCT, Reexam, Reissues, etc.	14	28
	<b>Special Amended</b> e.g. PPH, Accelerated Examination, Petitions to Make Special, Board Decisions/Remands	14	28
3	<b>New</b> Regular New, Continuations in Part (CIPs), Continuations, Divisionals, RCEs	28	56
4	<b>Expedited</b> e.g. After Finals, Responses under 37 CFR 1.312, PUBs Cases (Printer Rushes)	14	28
5	<b>Returns</b> (Returned by TSS & Reviewer)	14	28

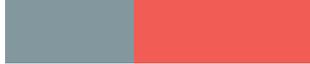


## Examiner Workflow Management

- **Working with Examiners to Expedite Prosecution - Example**
  - You have a promising interview with an examiner where:
    - Examiner agrees a proposed amendment would overcome all pending rejections
    - Examiner requests that you file the amendment and indicates she will update her search before agreeing it is allowable
  - If you alert the examiner once the amendment has been filed, she can pick up the case as soon as it is docketed, update the search, and benefit with an easy allowance count **and** an improved Docket Management score
  - In return, you can benefit by more quickly securing an allowance, because you avoid the risk that the amendment would otherwise sit on her docket until she noticed it

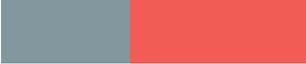


**Controlling the  
Speed of Patent  
Prosecution at  
the USPTO**



## Controlling Speed of Prosecution at the USPTO

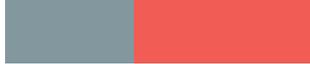
- A number of provisions and programs exist to increase or decrease speed of prosecution of a patent application at the USPTO:
  - **Speeding up prosecution**
    - Petitions to Make Special
    - Accelerated Examination
    - Track 1 Prioritized Examination
    - Patent Prosecution Highway (PPH)
  - **Slowing down prosecution**
    - Suspending examination
    - Deferring examination
    - Taking extensions of time to respond to Office actions
    - Filing continuations



# Speeding Up Prosecution

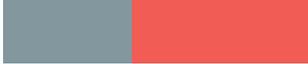
## ▪ **Petitions to Make Special**

- Each type of petition has particular requirements of varying complexity
- Once petitions are granted, the applications will be examined out of turn and more quickly than normal applications
  - Specific details of examination vary depending upon the type of petition granted
- Types of petitions to make special:
  - Based on applicant's age or health
  - For certain types of inventions dealing with:
    - Environmental quality
    - Energy
    - Countering terrorism
    - Cancer immunotherapy (Pilot Program)
  - Based on a collaborative search between USPTO and JPO or KIPO (Pilot Programs)
  - Based on participation in PPH Pilot Program
- Petitions to make special based on applicant's age, health, participation in a PPH Program, or under a Pilot Program, are decided by the Office of Petitions
- All other petitions to make special are decided by the Quality Assurance Specialist of the TC to which the application is assigned



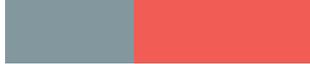
## Speeding Up Prosecution

- **Petition to Make Special Based on Applicant's Age**
  - Requires one of the following:
    - Statement by **one** named inventor in application that he/she is 65 years of age or more; or
    - Certification by registered attorney/agent having evidence such as birth certificate, passport, driver's license, etc. showing **one** named inventor in application is 65 years of age or more
  - No fee required
- **Petition to Make Special Based on Applicant's Health**
  - Requires evidence showing that the state of health of the applicant is such that he or she might not be available to assist in the prosecution of the application if it were to run its normal course
    - E.g. Doctor's certificate or other medical certificate
  - No fee required



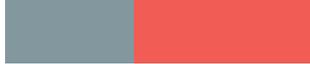
## Speeding Up Prosecution

- **Petition to Make Special Under the Cancer Immunotherapy Pilot Program**
  - Goal is to complete examination of the application within twelve months of special status being granted under the Pilot Program
  - Requires a variety of certifications including:
    - Application contains a claim to a method of treating cancer using immunotherapy that meets the detailed requirements in the notice in Federal Register Vol. 81, No. 125 at p. 42328; and
    - Application and petition comply with several formal requirements.
  - No fee required



# Speeding Up Prosecution

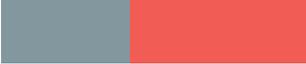
- **Collaborative Search Pilot Programs**
  - Goal is to expedite search results and final disposition
  - Collaboration between USPTO and Japan Patent Office or Korean Intellectual Property Office
  - Applicant requirements:
    - Applicant consents to sharing of information between Offices:
      - For sending to and receiving from KIPO search results in US Applications
      - For receiving KIPO/JPO search results and commentary in published US Applications
  - Application requirements:
    - Claim limits – 3 independent/20 total
    - Directed to single invention
    - Claims correspond between Offices
    - Earlier priority date is post AIA
    - Granted petition in both Offices



# Speeding Up Prosecution

## ▪ Accelerated Examination

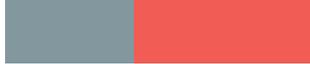
- Goal is to complete examination of application within 12 months from the filing date of the application
  - Mailing of notice of allowance or final Office Action, filing of an RCE, or abandonment
- Requires a petition to make special, preexamination search documents, and an examination support document
  - Examination search document must provide substantial information to expedite prosecution, e.g. citations of each reference deemed by applicant to be most closely related to subject matter of each claim, identification of limitations in claims disclosed by each reference, explanation of how the claims are patentable over the cited references, etc.
- Petition fee of \$140 (\$70 small entity, \$35 micro entity)
  - Exception - certain inventions materially contributing to environmental quality, energy, or countering terrorism
- Application must meet several formal requirements and applicant must agree to specific conduct during prosecution



# Speeding Up Prosecution

## ▪ Track 1 Prioritized Examination

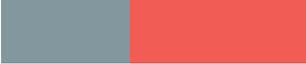
- Goal is to provide final disposition within 12 months, on average, from the date prioritized status was granted
  - Mailing of notice of allowance or final Office action, filing of a notice of appeal, completion of examination as defined in 37 CFR 41.102, filing of an RCE, or abandonment
- Entry requirements include:
  - Certification that application may not contain, or be amended to contain, more than 4 independent claims, more than 30 total claims, or any multiple dependent claims
  - Certification that any request for extension of time will cause Track 1 request to be dismissed
  - Processing fee of \$4000 (\$2000 small entity, \$1000 micro entity)
- Must be a utility or plant nonprovisional application
  - Includes continuations, CIPs, divisionals, and RCEs
    - Additional requirements for RCEs
- Does **not** require examination support documents
- Requests for entry decided by Office of Petitions



# Speeding Up Prosecution

## ▪ Patent Prosecution Highway (PPH)

- Examination under PPH leverages fast-track examination procedures already in place to allow applicants to reach final disposition of a patent application more quickly
- Requires a request for participation and a petition to make special
  - Entry based upon:
    - At least one allowable claim in a counterpart foreign application; or
    - Claims being deemed novel and to involve an inventive step in a counterpart Patent Cooperation Treaty (PCT) application searched/examined by a PPH participant
  - Request can be based on work product of foreign offices participating in the Global PPH pilot program, the IP5 PPH pilot program, or of foreign offices from countries with which the USPTO has separate agreements
- Claims must be substantially the same as in counterpart application
  - Required to certify this
- Required to submit Office Actions, and art cited therein, from counterpart application
- No additional fee required
- \*\*For more information, please tune in to Brinks Gilson & Lione's upcoming webinar discussing the ins and outs of the PPH process (November 2016)\*\*



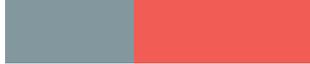
# Slowing Down Prosecution

## ▪ Suspension of Action - Overview

- Suspends ability of examiner to issue Office actions
- Action **cannot** be suspended in an application with an outstanding Office action or requirement awaiting reply by applicant
- Suspension of action requested by applicant can be terminated upon applicant request
- Suspension of action requested by applicant causes reduction in Patent Term Adjustment

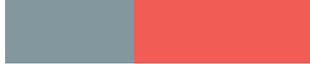
## ▪ Suspension of Action for Cause

- Requires petition showing good and sufficient cause, for example:
  - Belief by applicant that Office does not possess all information necessary to properly examine application, but that more time is required to obtain the information; or
  - Temporary and unavoidable unavailability of party whose input and participation in prosecution are critical;
  - But **not** for a mere business reason
- Petition fee of \$200 (\$100 small entity, \$50 micro entity)
- For up to 6 months



## Slowing Down Prosecution

- **Limited Suspension of Action after Filing RCE/CPA**
  - No cause is necessary
  - Requires request and processing fee of \$140 (\$70 small entity, \$35 micro entity)
  - Potential reasons to suspend action after RCE/CPA:
    - Provide time to gather evidence and/or file supplemental amendment
    - Defer costs
    - Wait for new law
    - Can be less expensive to request a suspension than to take the necessary extensions of time to respond



# Slowing Down Prosecution

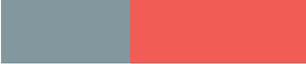
## ▪ Suspension of Action by the Office

### – On initiative of the Office:

- Office is aware that relevant references may be coming available, or aware of a possible interference, or wants to avoid considering an issue being considered in *inter partes* proceedings
- Examiner may grant initial suspension on own initiative for maximum period of 6 months
- Subsequent suspensions require approval of TC Director
- Notification of suspension must be sent to applicant
- Should be avoided if possible, and terminated immediately once the reason for suspension ends
- May lead to shortening of effective patent term, or patent term extension or adjustment

### – For public safety or defense, by order of the Director, if:

- Application is owned by the United States;
- Publication of invention may be detrimental to public safety or defense; and
- Appropriate department or agency requests such suspension



## Slowing Down Prosecution

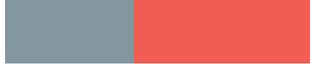
### ▪ Deferral of Examination

- Examination of an application can be deferred for up to 3 years from earliest priority date
- Requires a request by applicant in a new utility, plant, or national stage entry
- Office must not have issued an Office action or notice of allowance
- Application must be in condition for publication with no pending nonpublication request
- Requires SPE approval
- Reasons to consider deferring examination:
  - To watch market develop and determine whether to expend resources on pursuing patent
  - To wait for the invention to attain regulatory approval



## CLE CODE #3

- Workflow



## Questions?



### **John Pani**

John Pani brings nine years of experience as a patent examiner at the USPTO to his work as an associate. He has experience with a wide range of medical device technologies, including systems and methods for bio-signal processing, tissue and fluid sampling, guidewires, and movement analysis. John has further technical experience with online advertising, automotive systems, mobile devices, consumer goods, and food products.



### **John Freeman**

A former U.S. Patent and Trademark Office (“USPTO”) Patent Examiner, John Freeman focuses his practice on patent preparation and prosecution; counseling; licensing; and opinion work, particularly in the electro-mechanical arts. He has extensive experience preparing and prosecuting both domestic and international patents. Clients regularly come to John for opinions regarding patentability and patent validity, as well as potential infringement liability for new products. He has recent experience with the new post-grant review proceedings instituted under the America Invents Act.