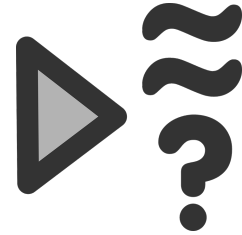


## Intellectual Property Law Department Operations

Best practices lead to superior performance. The purpose of the best practices analysis is to illuminate the best practices associated with the Intellectual Property Law Department. We analyzed key questions using a number of IP program performance metrics to provide best practices insights.



For example, companies that stated that their patent operations are centralized reported that their patent efficiency is higher and the number of patent applications per patent attorney is greater.

Following are the Intellectual Property Law Department Operations practices that are analyzed:

- How are most of your IP attorneys assigned?
  - Assigned to handle a variety of matters for a single business unit of the company
  - Assigned to a legal specialty
  - A combination of the above
- Average docket size of U.S. applications: per in-house attorney/agent
  - Small (< 30 cases)
  - Medium (31-65 cases)
  - Large (65-150 cases)
  - Very large (> 150 cases)
- What is the estimated percentage of time that the entire in-house attorney/agent staff spends on the preparation/prosecution docket?
  - Small (< 30 percent)
  - Medium (31-60 percent)
  - Large (> 60 percent)
- Are patent operations centralized or decentralized?
- Does your company use a patent committee to review invention disclosures and select disclosures for which to pursue patent protection?
- In the past fiscal year, did your company's IP department use external benchmarks to manage performance?
- Was there an annual goal for the number of patent applications to be filed by your company?
- Was there an annual ceiling on the number of patent applications that would be filed by your company?
- Does your company charge internal clients (business units, divisions, etc.) for in-house legal work?
- How do companies allocate patent prosecution work to their U.S. firms?
  - Individual attorney decision
  - Topical area assignments
- Company use of data analytics (Examiner data, Art Unit data, etc.) to drive patent prosecution strategy.
- Does your company have a financial reward (cash or stock) program for U.S. inventors?
- Have you adopted alternative billing arrangements?

### Contact Information

- The ratio of in-house FTE IP professionals to support staff.
  - 2 or Less Professionals to 1 Staff
  - 3+ Professionals to 1 Staff

The performance metrics that are used to evaluate Intellectual Property Law Department best practices to show superior performance are:

- Patent efficiency: number of patents filed per million dollars spent on R&D
- Invention disclosure activity: the number of invention disclosures (IDs) per million dollars spent on R&D
- R&D dollars spent per patent application
- R&D dollars spent per ID
- Percentage of internally generated IDs that you filed original patent applications
- R&D dollars spent per Patent Attorney
- Patent applications per Patent Attorney
- Patent applications per Patent Attorney/Patent Agent
- IDs per Patent Attorney
- IDs per Patent Attorney/Patent Agent
- IP operations expenses (million dollars) per IP Attorney
- IP operations expenses (million dollars) per Patent Attorney