

The Case for a Boston USPTO Patent Pro Bono Program

Results from the 2012 Survey of the
Boston Patent Law Association
Membership

Prepared by Chelsea A. Loughran
Co-chair, BPLA Pro Bono Committee
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Methodology

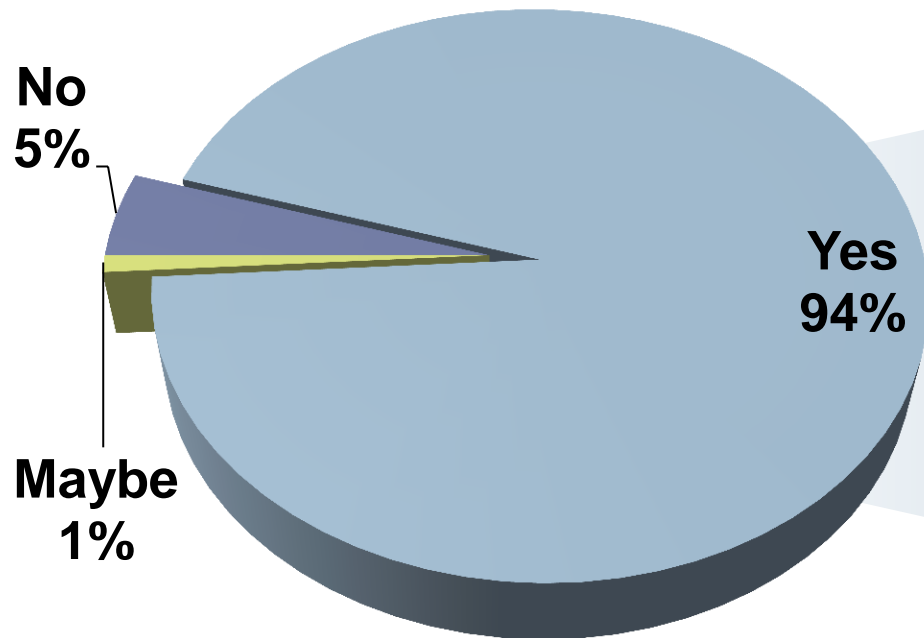
- On December 12, 2012 the Boston Patent Law Association (BPLA) held its annual lunch meeting for approximately 250 members.
- A survey was distributed during this lunch and results were collected from 105 members.
- Survey questions were designed to determine:
 - Whether the BPLA membership supported the idea of a Boston-based USPTO pro bono program generally;
 - Whether the BPLA should play a role (through volunteer and/or financial assistance) in such a program;
 - Whether members themselves would support such a program through volunteer and/or financial assistance;
 - How much financial assistance interested members would be willing to contribute to the development and maintenance of such a program.

An overwhelming majority of BPLA members surveyed support establishing a USPTO Patent Pro Bono Program

Among those supporting the program, over half believe the BPLA should provide support via a **volunteer panel** and **financial assistance**

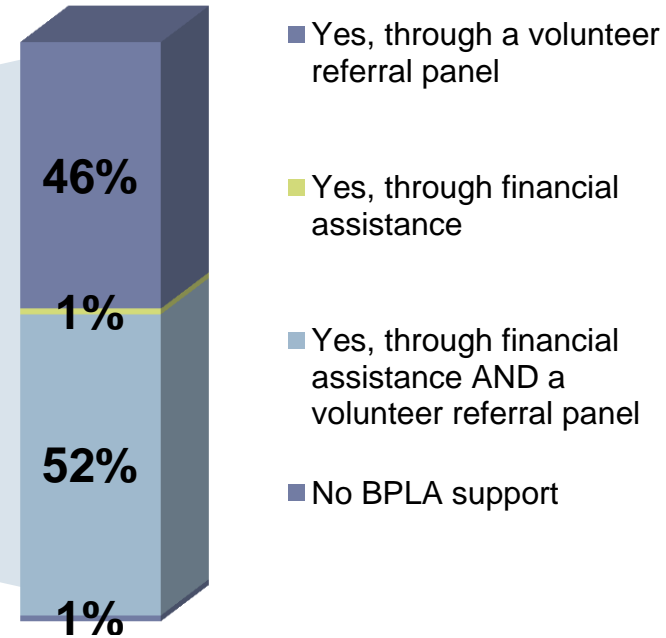
Establish USPTO Patent Pro Bono Program

(n = 105)



BPLA Support

(n = 100)



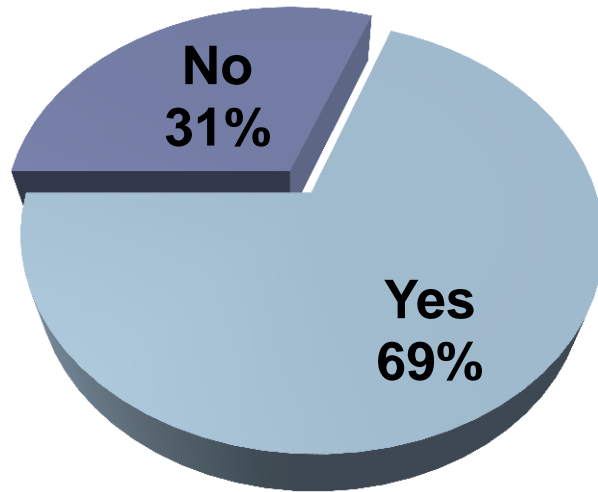
Q1 - Do you believe that a USPTO Patent Pro Bono Program should be established in the Greater-Boston area?
Q2 - Do you think that the Boston Patent Law Association should support a Boston USPTO Patent Pro Bono Program?

Interest in Participating in USPTO Patent Pro Bono Program

The majority of BPLA members surveyed report they would be interested in personally representing or supervising a law student in the representation of an under-resourced inventor or small business

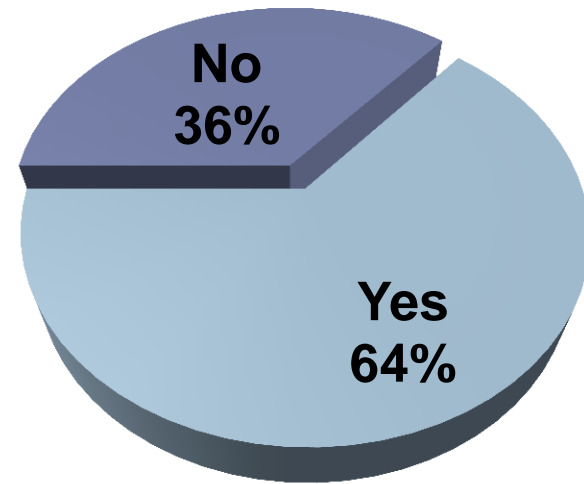
Personally Represent

(n = 101)



Supervise Law Student Representation

(n = 99)



Q3 - Would you be interested in participating in a USPTO Patent Pro Bono Program if one were established in Boston area by representing an under-resourced inventor or small business?

Q4 - Would you be interested in participating in a USPTO Patent Pro Bono Program by mentoring or supervising a local law student in the representation of an under-resourced inventor or small business?

Funding a USPTO Patent Pro Bono Program

- Individual BPLA members tentatively pledged to contribute **\$2,200 per year** (added to BPLA membership dues)
- BPLA members willing to make a firm/corporate sponsorship tentatively pledged to contribute up to **\$25,000 per year**



INDIVIDUAL

\$2,200
PER YEAR

FIRM

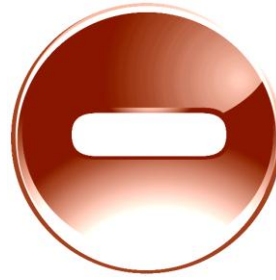
\$25,000
PER YEAR

Other Thoughts Regarding a Boston-based USPTO Patent Pro Bono Program



“I would be willing to work on committee.”

“I am not a patent attorney, but seems like a great program.”



“I think pro bono patent work is problematic in that a major factor that makes clients have a reasonable expectation on the amount of work a practitioner will put into an application and/or prosecution is the requirement to pay for the time. I think this is a dangerous idea for practitioners and do not support it.”



“I would want to know more about how one qualifies, who covers PTO fees, and how is "representation" handled, i.e., by project or forever. Will there be a standard engagement agreement or can each firm use their own?”