

NEIFELD IP LAW, PC PATENT AND TRADEMARK FILING INFORMATION

I. INSTRUCTIONS AND DOCUMENTS WE NEED FROM YOU FOR PATENT APPLICATION FILINGS

A. FOR A U.S. NATIONAL APPLICATION FILING (NON-PROVISIONAL)

1. A copy of the **specification including abstract and claims in a text editable format** (WordPerfect (.wpd), Word (.doc), Rich Text Format (.rtf), text format (.txt)).
2. Image copies of the **figures**, in **pdf** format. With minimum of 1 inch margins on all sides.
3. **Executed inventor's declaration and power of attorney.** Note that the inventors **must provide residence and postal addresses, and country of citizenship, per U.S. law, and must both date and sign the declaration.** Please use our combined form inventor's declaration and the power of attorney:
http://www.neifeld.com/web_download/NeifeldForms/PatentDeclarationAndPowerOfAttorneyAndPowerToIdentify.pdf
4. If the owner of the application is not the inventor, an assignment from the inventors to the assignee/owner for recording in the USPTO. Please use our patent assignment form:
http://www.neifeld.com/web_download/NeifeldForms/37_CFR_1_46_AssignmentOfApplication.pdf
5. An indication whether the applicant is claiming **small entity status**. Small entity status results in a 50% reduction in most government fees. Small entity status for patents, under U.S. law is, defined by 37 CFR 1.27. For an explanation of small entity status, see:
http://www.uspto.gov/web/offices/pac/mpep/documents/appxr_1_27.htm

Generally, a person or legal entity that has only a few employees, and that has no obligation to license or assign the rights to the claimed invention to any other entity, qualifies as a small entity. Entity status is established at the time of filing, must be reviewed and updated prior to paying the issue fee, and prior to paying each post issuance maintenance fee.

6. The **priority application number and filing date**, if any. Priority must there after be perfected by filing a certified copy of the priority document prior to issuance of the application.
7. Any additional instruction, such as:
Whether you want us to substantively review and revise the specification and/or claims prior to filing. This will entail additional costs.
Whether you want us to obtain formal patent drawings. This will entail additional costs.
Whether you want us to obtain a translation of the specification into English, if it is not in

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English. This will entail additional costs.

Whether to file an Information Disclosure Statement (IDS) at time of filing. This will entail additional costs. (We normally file an IDS after the application has been filed, and based upon materials you send to us. As to IDS contents, please email all examining authority search reports, examination reports based upon prior art, citation list of references, and pdf image copies of any references other than those published by the USPTO.)

B. FOR A PCT U.S. NATIONAL STAGE FILING

The following are requirements for a PCT U.S. national stage filing.

1. The same documents and information specified in items 1 to 5, in section IA, above.
2. The PCT publication or the PCT publication number. The USPTO deems the PCT publication the official specification.
3. A copy of the PCT/IB/308 showing that any priority application was transmitted to the USPTO during the international phase.
4. A copy of the ISR and any Written Opinion or Report on Patentability.
5. A text file containing only the claims you desire to have examined in the PCT US national stage.

II. TRANSMISSION MODE INSTRUCTIONS ON PATENT APPLICATION FILINGS - EMAIL OF FAX

Please email instructions for filing to either the email for an attorney at our firm or our general email address. Expect us to confirm receipt, same day.

Alternatively, fax your instructions to us at our fax number: 703-415-0013.

If this is a rush filing, please telephone us to confirm our receipt of the instructions.

We **do not** need, and we **do not** want, original signature documents, paper copies, or confirmation copies. Please **do not** send paper copies or confirmation copies.

III. COSTS FOR FILING PATENT APPLICATIONS

For ready to file patent applications of normal size and complexity, our firm charges are a flat fee.

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IV. **WHAT WE NEED FROM YOU TO FILE A U.S. NATIONAL TRADEMARK APPLICATION**

(1) Our trademark application form signed by the applicant for the trademark. Please use our trademark form at:

http://www.neifeld.com/web_download/NeifeldForms/TrademarkApp.pdf

Our trademark application form includes our power of attorney and specifies applicant, address, mark, international classes, description of goods and services, priority information if any (priority application number, country, and filing date), whether the application is based upon intent to use or actual use, and whether the mark is a stylized design.

(2) If the mark is a stylized design, please email a graphic file showing the design in jpeg format. If the mark is in use in commerce in the U.S., the jpeg must be a representation of the specimen of the mark in its actual use.

We do not need, and we do not want, original signature documents, paper copies, or confirmation copies. Please do not send us such documents.

V. **WHAT WE NEED FROM YOU TO PROSECUTE A MADRID PROTOCOL TRADEMARK APPLICATION IN THE USPTO**

(1) A power of attorney. Please use our trademark power of attorney form at:

http://www.neifeld.com/web_download/NeifeldForms/TrademarkRevocationPowerOfAttorney.pdf

(2) The U.S. application's serial number, filing date, and mark.

We do not need original signature documents, paper copies, or confirmation copies. Please do not send us such documents.

VI. **WHERE TO SEND REQUESTS TO FILE TRADEMARK APPLICATIONS, MADRID PROTOCOL PAPERS, AND OTHER TRADEMARK RELATED DOCUMENTS**

Email requests to file new trademark applications, Madrid protocol papers, and other

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trademark documents to [Bruce Margulies](#).

VII. COSTS FOR FILING TRADEMARK APPLICATIONS

For ready to file trademark applications (that is, instructions that contain all information necessary to file the application), we charge a flat fee.

VIII. NOTARIZATION AND PAPER DOCUMENTS NOT REQUIRED

No notarization or paper documents are required for filing U.S. patent or trademark applications. The USPTO accepts image documents, and we file all papers electronically with the USPTO as image documents. Please do not send us any paper documents.

IX. PAYMENT EXPECTATIONS

CREDIT:

For law firms, we normally do extend credit for new filings and do not require an engagement agreement. A law firm, and not that law firm's client, is committing to paying our charges by sending us instructions to perform services.

For non law firm entities, we normally do not extend credit and require an engagement agreement and a retainer before providing legal services.

TIMING OF PAYMENT:

In all cases, we expect payment within 30 days of date of invoice for U.S. clients and 60 days from date of invoice for international clients. We generally invoice law firms upon reporting out completion of requested services (Demand billing). We generally invoice domestic clients monthly on or about the first of each month (Monthly billing).

AMOUNT CREDITED:

We credit as payment only the ***amount we actually receive in our bank account***. Thus, if you are paying by wire transfer, Paypal, or credit card, ***please be prepared to pay your local and international banking charges***.

INTEREST ON BELATED PAYMENTS:

We charge interest at 2 percent per month for amounts outstanding over 60 days from date of invoice.

FOR FILING APPLICATIONS:

For our standard rates and fees are available here:

http://www.neifeld.com/web_download/NeifeldPromoInfo/NeifeldIPLawPromo.zip

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