

# **Quality – The Point of View of the Attorney**

**by**

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# Quality

- Where do attorneys stand?
- Between clients and Patent Offices

# Quality

- Who are our clients?
- Applicants, opponents, third parties, licensees, etc

# Quality

- What do attorneys want as a quality procedure?
- Procedure which makes it easy to communicate both ways and which is cost effective

# Quality

- Communication both ways
- Attorneys have to be able to tell their clients ALL the problems
- Attorneys have to be able to tell the Patent Offices ALL the solutions



# Quality

- Cost Effective
- Minimum number of stages
- Maximum effect at each stage

# Quality

- What can Patent Offices do?

# Quality

- 1 A good quality search
- 2 A timely search

# Quality - Search

- Do Patent Offices deliver?
- Good quality – usually
- Timely search – not as often as we want

# Quality

- Efficient examination
- Quality examination
- No absolute need for timely examination – depends on technical field

# Quality

- Do Patent Offices deliver?
- Efficiency – no – too many incomplete examination reports
- Quality – mainly yes

# Quality

- What Can Clients Do?
- Draft better applications (or let attorneys do it)
- Study the Search Report
- Reply to all points raised in Examination
- Address issues according to local practice



# Quality

- What Can Attorneys Do?
- Be a clear channel of communication
- Be honest with client and Patent Offices
- Be skillful and well-educated, legally and technically

# Quality

- Article 83 EPC (as adapted) applies
- All Communications (PO/attorney, attorney/client, client/attorney, attorney/PO) must disclose ALL the grounds and arguments in a manner sufficiently clear and complete for them to be understood and answered by the other party.