

TERMS OF ENGAGEMENT – DESIGN PATENT APPLICATION

Dear Potential Client:

I believe my firm can be of service to you for design patent application preparation and prosecution services. Should you desire TRACY P. JONG, ESQ. to represent you, we would proceed on the following terms:

Cost estimate \$750 for a single invention of:

What you will receive:

1. Legal services to prepare a Design Patent Application:
 - a. exclusive representation of this office, our firm's commitment of its resources to handling this matter for you;
 - b. 1 hour conferring with the inventor about the details of the invention;
 - c. 1 hour of invention review, and assessment of patentability issues;
 - d. 1 hour of review and analysis of patent drawings and communication with drawing professionals;
 - e. 0.5 hour to prepare a specification for your invention;
 - f. 0.5 hour of review, edit, and proofreading; communicating with you about changes you desire to the draft;
 - g. 1 hour to prepare patent application filing paperwork;
 - h. Other: _____
2. Filing of the application with the United States Patent and Trademark Office and payment of all required fees on your behalf from our Patent Office deposit account.
3. Receipt and review of application filing confirmation/acknowledgement.
4. Letter to you to confirm filing with the United States Patent Office and provide your application serial number when it is available.
5. Receipt and review of official filing receipt and communication with USPTO to correct any errors.
6. Letter to you with a copy of the official filing receipt for your records.
7. Reminder letter about your duty of disclosure.
8. Reminder letter to warn of expiration of foreign filing deadlines.
9. Responsive professional to address your questions about the patent process.
10. Provide paper and/or electronic copy of application for your records.

Additional costs you may incur:

Patent drawing fees \$300-\$700, average \$600 for 7-9 drawings of average complexity;

Filing fee for United States Patent and Trademark Office (\$220 for small entity rate);

Additional legal services and patent drawing costs for additional versions/alternative embodiments of the invention;

\$150 to prepare and file an assignment with the patent application to make a non-inventor a co-owner (includes a \$65 filing fee); and/or

\$150 to prepare and file an Information Disclosure Statement.

Other Services billed at currently effective rate schedule:

The schedule of hourly rates is: \$200 per hour for an attorney doing patent, trademark, copyright and intellectual property related work, \$150 for Patent Agents, and \$65.00 for paralegals. Of course, the decision regarding which individual will work on your case, or any aspect of the case, rests solely with us.

You will be responsible for out – of – pocket expenses incurred by this office such as filing fees, patent and trademark fees, document retrieval services, consultants, long distance telephone calls, travel, parking, telefax charges, computer assisted legal research charges, postage and photocopies made by this firm or requested by you. There is no mark-up, no administrative fees or other “add-on” fee, just reimbursement for actual costs. Mileage is billed at the federal IRS rate.

We mutually acknowledge:

We will send you itemized bills from time to time so you are aware of the costs incurred on a regular basis. You agree that any bills not paid within thirty (30) days accrue interest at the legal rate (presently 9% per annum) from the date of the bill, and you will be liable for reasonable attorney’s fees for collection of said sums.

You have the right in your sole discretion to terminate our representation of you prior to the conclusion of the case. Any unpaid charges for legal services will be due upon our discharge. Should TRACY P. JONG, ESQ., withdraw as your counsel or you discharge TRACY P. JONG, ESQ. as your attorney, you will pay all costs of copying the entire file, all attorneys’ fees due and all disbursements and costs due before the file is released.

In the event that a dispute arises between us relating to our fees, you may have the right to arbitration of the dispute pursuant to Part 137 of the Rules of the Chief Administrator of the Courts, a copy of which will be provided to you upon request.