



# IP Practitioner Cost Guide

Given the low overhead model at CM Law, the cost of any software and support specific to a given practice area is not allocated to all partners at the firm but is instead allocated only to the partners in that given practice area. For IP Practitioners (patent and trademark partners) this would include the cost of docketing software and related infrastructure as well as the cost of the services performed by the firm's docketing paralegals. This cost guide explains how these costs are shared among IP Practitioners.

## 1. What kind of docketing systems does CM Law use for its IP Practitioners?

CM Law uses the **AppColl PM Plus** intellectual property management software for docketing all patents applications and related events ([www.appcoll.com](http://www.appcoll.com)) and uses **Alt Legal** intellectual property management software for docketing all trademark applications and related events ([www.altlegal.com](http://www.altlegal.com)).

## 2. Does CM Law have a docketing clerk that manages these IP docketing systems on behalf of the firm?

Yes, we have a **patent paralegal** who manages the AppColl system and a **trademark paralegal** who manages the Alt Legal system.

## 3. How is the cost of the docketing software and the docketing clerk passed along to IP Practitioners?

CM Law charges a **docketing fee** for any patent and trademark applications and related events, e.g., office actions, notice of allowance, renewals, etc., that generate a deadline. A list of the docketing fees can be found in **Attachment 1** to this Cost Guide. These docketing fees are automatically included on a client's invoice for the relevant client matter. Occasionally our IP practitioners have client matters where they have built in the cost of these docketing fees into the fixed fees they quote the client or otherwise do not want to separately list docketing fees for a specific client matter. In this case, the partner simply notifies the docketing clerk to not include such docketing fees on the invoice and instead those fees are deducted directly from the partner's draw.

## 4. Do I pay intake fees for my IP portfolio that I bring to the firm that need to be added to the firm's docket?

Yes, you will pay on an **hourly basis (\$85/hour)**, i.e., not docketing fees, the cost for the docketing clerk to intake all your patent and trademark filings into our docketing system, but the firm provides each new partner a **\$500 credit** towards the cost of such intake fees.

**5. Do I also pay intake fees if I bring in a new patent or trademark portfolio subsequent to joining the firm?**

Yes, you will pay on an **hourly basis (\$85/hour)**, i.e., not docketing fees, the cost for the **docketing clerk** to intake any new patent or trademark portfolios into our docketing system that you might bring into the firm after you join. If a non-IP Practitioner is the Originating Attorney ("OA") who brings in a new patent or trademark portfolio, then that cost will be passed along to the OA, but it is your responsibility to ensure that the OA is aware of the cost of the intake fees when assisting the OA in providing the potential new client with a quote for the cost of taking over that client's IP portfolio.

**6. What about paralegal support for my IP Practice? Can I use the firm's IP paralegals to help me file applications?**

Yes, you can utilize the firm's **patent or trademark paralegals** on an ad hoc basis for any assistance with your filings. You will pay for the cost of such services out of your draw at **\$85/hour**, and the paralegal will include a charge on the client's invoice at an hourly rate of no less than **\$120/hour** (or such other higher amount that you request for a given client matter). When the client pays the invoice, the firm will keep the margin as the firm is taking on the risk of paying the IP paralegal as well as managing the draw deductions and invoices. If you start to utilize the firm's IP paralegal on more than an ad hoc basis and are not passing through the paralegal's marked up cost to your clients, the firm will invite you to engage with a paralegal directly using our approved Service Provider Agreement (referred to internally as the Resource Package).

**7. What is the Resource Package and how do I use that to hire my own IP paralegal directly (or engage the firm's IP paralegals directly)?**

**The Resource Package** is a set of contracts and guidance documents that enable any partner at the firm to directly engage administrative assistants or paralegals to help them in their practice. It includes an approved Service Provider Agreement that must be used to engage such third-party contractors as well as an indemnity to the firm that each partner must sign taking full responsibility for the support staff that they choose to engage. Partners using the Resource Package negotiate their own rates for paying such support staff, and the firm has no responsibility to such support staff, including any payments due to such support staff. When the partner passes through the cost of any support staff under a Resource Package to the client, the firm takes **20%** of whatever the client pays for that support staff, and the partner keeps any margin.

**8. Does the firm have a specific set of protocols that IP practitioners must follow with respect to their IP filings?**

Yes, the firm has a very detailed set of **IP protocols and procedures** that every IP practitioner must follow, which they receive during orientation at the firm from their respective practice group leaders and which includes specific protocols around how IP filings must be completed at the firm to help ensure all events are properly docketed.

**Attachment 1 | CM Law Docketing Fees**

## Patent Docketing

Note: The Events listed below relate generally to the prosecution of U.S. applications. For an equivalent event in an International (PCT) application or a Foreign Country application (specifically, any event that generates a due date), the Description will be customized accordingly, and the corresponding Docketing Fee will be entered into Bill4Time.

EVENT	DESCRIPTION	DOCKETING FEE
<b>New Patent Application</b>	"New Patent Application: Confirm filing date and official application serial number. Our patent docketing system tracks the due dates associated with a patent application as long as CM Law is the attorney of record."	\$ 100.00
<b>Notice, Other</b>	Note: Every new record added to AppColl will be counted as a new application. For example, each of the following is a new application for which this docketing fee applies: (1) a US Provisional; (2) a US Non provisional claiming priority to the provisional; (3) an International (PCT) application claiming priority to the provisional; (4) a US national-phase entry application filed after the PCT that claims priority to the provisional; (5) foreign applications; etc.	\$ 40.00
<b>Restriction Requirement</b>	"Official Action (insert title of notice, such as Notice of Written Opinion (PCT), Notice of International Preliminary Report on Patentability (PCT), and the like): Confirm due date generated by our docketing system; notify the attorney about the action."	\$ 40.00
<b>Office Action, Non-Final</b>	Exceptions: The client should not be charged a Docketing Fee for a Notice to File Missing Parts, a Notice of Non-Compliant Amendment, a Notice of Abandonment, or a Notice of Defective Appeal Brief.	\$ 40.00
<b>Office Action, Final</b>	"Official Action (Office Action, Final): Confirm due date for filing a Response and a Notice of Appeal, as generated by our docketing system; notify the attorney about the action."	\$ 40.00
<b>Office Action, Other</b>	"Official Action (insert description, such as Advisory Action, Ex Parte Quayle Action): Confirm due date(s) for filing a response, as generated by our docketing system; notify the attorney about the action."	\$ 40.00
<b>Notice of Allowance</b>	"Official Action (Notice of Allowance): Confirm due date for paying the Issue Fee, as generated by our docketing system; notify the attorney about the action."	\$ 40.00
<b>Issuance of Patent</b>	"Official Action (Issuance of Patent): Confirm due dates for filing a re-issue application and for paying the periodic Maintenance Fees, as generated by our docketing system; notify the attorney about the action."	\$ 40.00
<b>Fee Payment</b>	"Confirm payment of US Maintenance fee (or annuity, etc.); Confirm due date for future maintenance fee(s) (annuity) as generated by our docketing system"	\$8

## Attachment 1 | CM Law Docketing Fees

## Trademark Docketing (Part 1)

DOCKET CATEGORY	DOCKET TYPE	EXPENSE FEE IN B4T
<b>US PROSECUTION</b>	New App Filed	\$50
<b>US PROSECUTION</b>	Office Action In	\$45
<b>US PROSECUTION</b>	Final Office Action In	\$45
<b>US PROSECUTION</b>	Request to Divide	\$45
<b>US PROSECUTION</b>	Notice of Suspension	\$45
<b>US PROSECUTION</b>	Examiner's Amendment	\$25
<b>US PROSECUTION</b>	Publication	\$25
<b>US PROSECUTION</b>	Notice of Allowance	\$45
<b>US PROSECUTION</b>	EOT Extension Filed	\$45
<b>US PROSECUTION</b>	SOU Filed	\$45
<b>US PROSECUTION</b>	Reg Cert	\$45
<b>US PROSECUTION</b>	8&15 filed	\$45
<b>US PROSECUTION</b>	8&9 filed (US Renewal Filed)	\$45
<b>INT'L PROSECUTION</b>	New App Filed	\$50
<b>INT'L PROSECUTION</b>	Filing Priority Document with TMO	\$10
<b>INT'L PROSECUTION</b>	Filing Power of Attorney	\$25
<b>INT'L PROSECUTION</b>	Office Action In	\$45
<b>INT'L PROSECUTION</b>	OA Extension Filed	\$25
<b>INT'L PROSECUTION</b>	Request to Divide	\$45
<b>INT'L PROSECUTION</b>	Application Accepted	\$25
<b>INT'L PROSECUTION</b>	Reg Fee Due	\$25
<b>INT'L PROSECUTION</b>	Publication	\$25
<b>INT'L PROSECUTION</b>	Reg Cert	\$45
<b>INT'L PROSECUTION</b>	Renewal Filed	\$45
<b>WIPO</b>	WIPO Record Filed (+ Local Extension Countries)	Creation of WIPO record and designation of up to 3 countries: \$50 Each additional country designation \$20
<b>WIPO</b>	Letter of Irregularity	\$45

## Attachment 1 | CM Law Docketing Fees

## Trademark Docketing (Part 2)

DOCKET CATEGORY	DOCKET TYPE	EXPENSE FEE IN B4T
<b>WIPO</b>	Provisional Refusal	\$45
<b>WIPO</b>	WIPO Reg Cert (+ Local Extension Countries) This includes local reg certs & stmt grant of protection.	No Charge for WIPO Reg Cert: 45 charge for each Extension Country record.
<b>WIPO</b>	Publication (Rule 18)	\$25
<b>WIPO</b>	Other WIPO Notices	\$25
<b>US ASSIGNMENTS</b>	TM Owner Assignment or Name Change Filed	\$45 up to 10 records then an extra \$10 for each additional 10 added.
<b>INT'L ASSIGNMENTS</b>	TM Owner Assignment or Name Change Filed	\$45 up to 10 records then an extra \$10 for each additional 10 added.
<b>US DISPUTE</b>	EOT to Oppose Filed	\$25
<b>US DISPUTE</b>	EOT to Oppose Received	\$25
<b>US DISPUTE</b>	Opposition Filed (OUT)	\$75
<b>US DISPUTE</b>	Opposition Filed (IN)	\$75
<b>US DISPUTE</b>	Cancellation (OUT)	\$75
<b>US DISPUTE</b>	Cancellation (IN)	\$75
<b>INT'L DISPUTE</b>	Opposition Filed (OUT)	\$75
<b>INT'L DISPUTE</b>	Opposition Filed (IN)	\$75
<b>INT'L DISPUTE</b>	Cancellation (OUT)	\$75
<b>INT'L DISPUTE</b>	Cancellation (IN)	\$75
<b>Global</b>	Intake of a record	\$50