

IP PRACTITIONER COST GUIDE

Given the low overhead model at Culhane, 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 Culhane use for its IP Practitioners?*

Culhane uses the AppColl PM Plus intellectual property management software for docketing all patents applications and related events (<https://www.appcoll.com/>) and uses Alt Legal intellectual property management software for docketing all trademark applications and related events (<https://www.altlegal.com/>).

2. *Does Culhane 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?*

Culhane 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

CULHANE 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
New Patent Application	<p>“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 Culhane is the attorney of record.”</p> <p>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.</p>	\$ 100.00
Notice, Other	<p>“Official Action (<i>insert title of notice, such as Notice of Written Opinion (PCT), Notice of International Preliminary Report on Patentability (PCT), and the like</i>): Confirm due date generated by our docketing system; notify the attorney about the action.”</p> <p>Exceptions: The client should <u>not</u> 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.</p>	\$ 40.00
Restriction Requirement	“Official Action (Restriction Requirement): Confirm due date for filing an Election of Claims, as generated by our docketing system; notify the attorney about the action.”	\$ 40.00
Office Action, Non-Final	“Official Action (Office Action, Non-Final): Confirm due date for filing a Response, as generated by our docketing system; notify the attorney about the action.”	\$ 40.00
Office Action, Final	“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
Office Action, Other	“Official Action (<i>insert description, such as Advisory Action, Ex Parte Quayle Action</i>): Confirm due date(s) for filing a response, as generated by our docketing system; notify the attorney about the action.”	\$ 40.00
Notice of Allowance	“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
Issuance of Patent	“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
Fee Payment	“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

TRADEMARK DOCKETING		
Docket Category	Docket Type	Expense Fee in B4T
US PROSECUTION	New App Filed	\$50
US PROSECUTION	Office Action In	\$45
US PROSECUTION	Final Office Action In	\$45
US PROSECUTION	Request to Divide	\$45
US PROSECUTION	Notice of Suspension	\$45
US PROSECUTION	Examiner's Amendment	\$25
US PROSECUTION	Publication	\$25
US PROSECUTION	Notice of Allowance	\$45
US PROSECUTION	EOT Extension Filed	\$45
US PROSECUTION	SOU Filed	\$45
US PROSECUTION	Reg Cert	\$45
US PROSECUTION	8&15 filed	\$45
US PROSECUTION	8&9 filed (US Renewal Filed)	\$45
INT'L PROSECUTION	New App Filed	\$50
INT'L PROSECUTION	Filing Priority Document with TMO	\$10
INT'L PROSECUTION	Filing Power of Attorney	\$25
INT'L PROSECUTION	Office Action In	\$45
INT'L PROSECUTION	OA Extension Filed	\$25
INT'L PROSECUTION	Request to Divide	\$45
INT'L PROSECUTION	Application Accepted	\$25
INT'L PROSECUTION	Reg Fee Due	\$25
INT'L PROSECUTION	Publication	\$25
INT'L PROSECUTION	Reg Cert	\$45
INT'L PROSECUTION	Renewal Filed	\$45
WIPO	WIPO Record Filed (+ Local Extension Countries)	Creation of WIPO record and designation of up to 3 countries: \$50 Each additional country designation \$20
WIPO	Letter of Irregularity	\$45
WIPO	Provisional Refusal	\$45
WIPO	WIPO Reg Cert (+ Local Extension Countries) This includes local reg certs & stmnt grant of protection.	No Charge for WIPO Reg Cert: 45 charge for each Extension Country record.
WIPO	Publication (Rule 18)	\$25
WIPO	Other WIPO Notices	\$25
US ASSIGNMENTS	TM Owner Assignment or Name Change Filed	\$45 up to 10 records then an extra \$10 for each additional 10 added.

TRADEMARK DOCKETING		
Docket Category	Docket Type	Expense Fee in B4T
INT'L ASSIGNMENTS	TM Owner Assignment or Name Change Filed	\$45 up to 10 records then an extra \$10 for each additional 10 added.
US DISPUTE	EOT to Oppose Filed	\$25
US DISPUTE	EOT to Oppose Received	\$25
US DISPUTE	Opposition Filed (OUT)	\$75
US DISPUTE	Opposition Filed (IN)	\$75
US DISPUTE	Cancellation (OUT)	\$75
US DISPUTE	Cancellation (IN)	\$75
INT'L DISPUTE	Opposition Filed (OUT)	\$75
INT'L DISPUTE	Opposition Filed (IN)	\$75
INT'L DISPUTE	Cancellation (OUT)	\$75
INT'L DISPUTE	Cancellation (IN)	\$75
Global	Intake of a record	\$50