



United States Patent and Trademark Office:

Legal assistance programs and other helpful resources



UNITED STATES
PATENT AND TRADEMARK OFFICE ®

Legal assistance programs

- **Pro Se Assistance**
- **Pro Bono**
- **PTAB Pro Bono**
- **TTAB Pro Bono**



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Pro Se Assistance Program

- For those filing a patent application on their own, we provide:
 - Tools for filing an application
 - Quick Clinic Video Services
 - Knowledge packs for pre-filing
 - One-on-one assistance (phone and email)



<https://www.uspto.gov/patents/basics/using-legal-services/pro-se-assistance-program>



Overview of Patent Pro Bono Program

Patent Pro Bono Program (PPBP)

- PPBP assists financially under-resourced independent inventors and small businesses
 - Section 32 of the America Invents Act
 - USPTO 2022-2026 Strategic Plan
- Inventor or small business owner may be eligible for free legal assistance
- 20 regional programs



Regional patent pro bono programs

- Each regional program covers one or more states
- Regional programs are independent of the USPTO
- Regional programs follow general guidelines but set their own policies and procedures

Iowa's Pro Bono Program administered by LegalCorps



- Reside or have a business in one of the states in our region (Iowa, Minnesota, North Dakota, South Dakota, Wisconsin)
- [Household income under 400% of federal poverty guidelines](#)
- Complete USPTO online [certificate training course](#)
- Request an application form by emailing iap@legalcorps.org or calling [651-583-5979](tel:651-583-5979)

<https://legalcorps.org/inventors/>



More information

- Visit www.uspto.gov/probonopatents
- Email probono@uspto.gov
- Office of Enrollment and Discipline phone: 571-272-4097
 - Trademark Trial and Appeal Board (TTAB)
 - www.uspto.gov/learning-and-resources/inventors-and-entrepreneurs/ttab-pro-bono-clearinghouse-program
 - Patent Trial and Appeal Board (PTAB)
 - <https://www.uspto.gov/about-us/organizational-offices/patent-trial-and-appeal-board>

Patent Trial and Appeal Board (PTAB) Pro Bono Program and resources

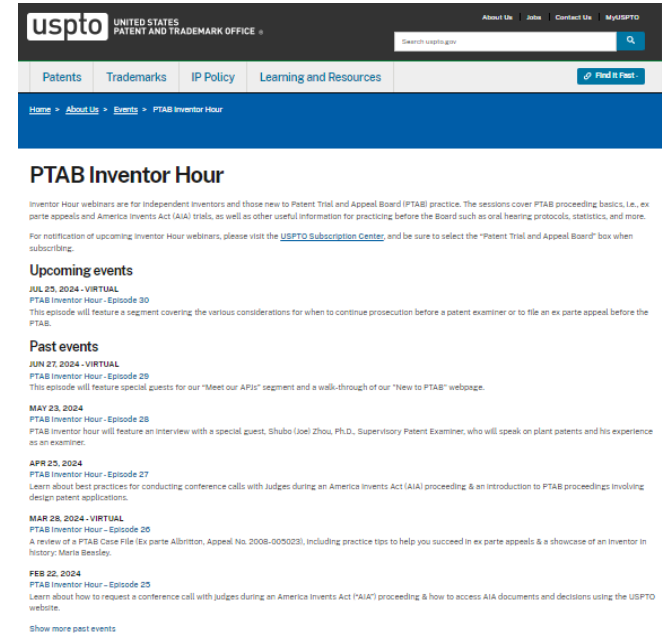
PTAB and inventors

- PTAB sought to develop resources, tools, and guidance for inventors to help them navigate PTAB proceedings
- Concentrated effort over the past five years has resulted in:
 - Inventor Hour webinar
 - PTAB Pro Bono Program
 - PTAB education clinic
 - Guidance and templates



Inventor Hour Webinar

- Education series covering PTAB proceeding basics for independent inventors and those new to PTAB practice
- Each webinar features a variety of topics
- No cost
- Fourth Thursday of each month



PTAB Pro Bono Program

- Matches under-resourced inventors with volunteer patent attorneys or agents
- Currently open to ex parte appeals
 - See Education Clinic for information about America Invents Act (AIA) trial proceedings
- Nationwide program
- Administered by the PTAB Bar Association

<https://www.uspto.gov/patents/ptab/free-legal-assistance>



Solo inventor: eligibility criteria

☐ Number of inventors

- One

☐ Location

- Domiciled in the U.S.

☐ Gross household income

- Limited to 400% of the federal poverty guidelines
- A single person in 2024 could have an income of up to \$60,240 (aspe.hhs.gov/poverty-guidelines)

☐ Timing

- Request assistance within one month from date of office action at issue

☐ Ownership interest

- No obligation to assign to third party

☐ Demonstrate knowledge of the program and the appeal process

- Established by completing a two-part video training online
 - Part 1: PTAB Pro Bono Program and application process
 - Part 2: Overview of ex parte appeals

Inventor group: eligibility criteria

- Same as solo inventor **PLUS**
- No more than four inventors for the invention

Inventor-owned small business: eligibility criteria

- Same as inventor group **PLUS** small business ownership and small business income
 - Small business ownership
 - Small business must be 100% inventor owned
 - Small business owns the invention and is not under an obligation to sell or give the ownership of the pending patent application (invention) to someone else
 - Small business income
 - The business must have a limited total gross income* in the year previous to when they are applying
 - The business must expect a limited total gross income* in the current year in which they are applying

**In 2024, the limited total gross income is \$150,000*



Matching process

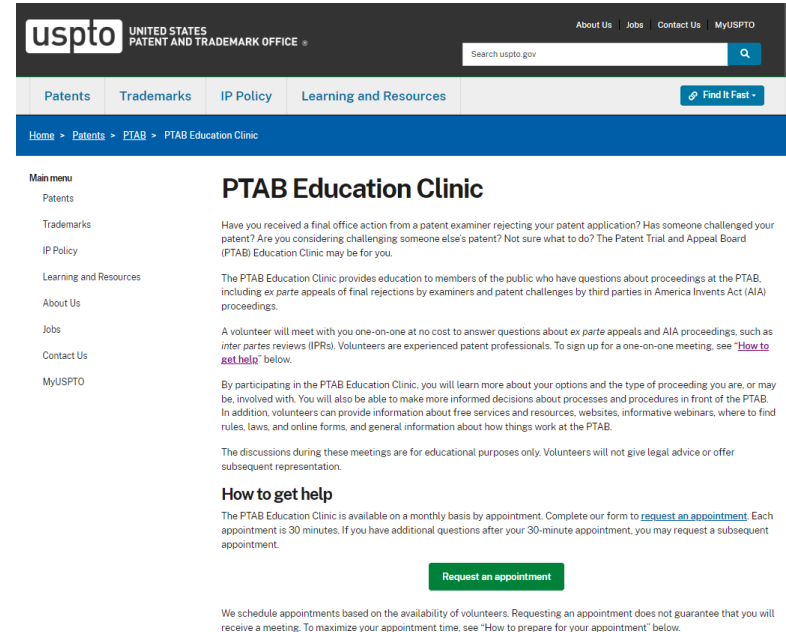
- Conducted by the clearinghouse*
- Clearinghouse reviews application for completeness
- Clearinghouse contacts applicant prior to matching to verify applicant
- Placement requests are sent to all volunteers via email
- Volunteers respond to email request if interested
- Clearinghouse will connect volunteer with inventor via email

**PTAB Bar Association is currently serving as the clearinghouse*



PTAB education clinic

- One-on-one, virtual appointments with former administrative patent judges to answer questions about ex parte appeals and AIA trial proceedings
 - No cost
 - Sign up on webpage
 - Four appointment times per month
- www.uspto.gov/patents/ptab/education-clinic



The screenshot shows the USPTO website header with the logo and navigation links. Below the header is a search bar and a 'Find It Fast' button. The main navigation bar includes links for Patents, Trademarks, IP Policy, and Learning and Resources. The breadcrumb trail indicates the current location: Home > Patents > PTAB > PTAB Education Clinic. The left sidebar contains a 'Main menu' with links to Patents, Trademarks, IP Policy, Learning and Resources, About Us, Jobs, Contact Us, and MyUSPTO. The main content area is titled 'PTAB Education Clinic' and contains several paragraphs of text explaining the clinic's purpose, the role of volunteers, and how to request an appointment. A green button labeled 'Request an appointment' is prominently displayed. At the bottom, there is a disclaimer about the availability of appointments and the non-guarantee of a meeting.

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Patents | Trademarks | IP Policy | Learning and Resources

Find It Fast

Home > Patents > PTAB > PTAB Education Clinic

Main menu

- Patents
- Trademarks
- IP Policy
- Learning and Resources
- About Us
- Jobs
- Contact Us
- MyUSPTO

PTAB Education Clinic

Have you received a final office action from a patent examiner rejecting your patent application? Has someone challenged your patent? Are you considering challenging someone else's patent? Not sure what to do? The Patent Trial and Appeal Board (PTAB) Education Clinic may be for you.

The PTAB Education Clinic provides education to members of the public who have questions about proceedings at the PTAB, including ex parte appeals of final rejections by examiners and patent challenges by third parties in America Invents Act (AIA) proceedings.

A volunteer will meet with you one-on-one at no cost to answer questions about ex parte appeals and AIA proceedings, such as inter partes reviews (IPRs). Volunteers are experienced patent professionals. To sign up for a one-on-one meeting, see "[How to get help](#)" below.

By participating in the PTAB Education Clinic, you will learn more about your options and the type of proceeding you are, or may be, involved with. You will also be able to make more informed decisions about processes and procedures in front of the PTAB. In addition, volunteers can provide information about free services and resources, websites, informative webinars, where to find rules, laws, and online forms, and general information about how things work at the PTAB.

The discussions during these meetings are for educational purposes only. Volunteers will not give legal advice or offer subsequent representation.

How to get help

The PTAB Education Clinic is available on a monthly basis by appointment. Complete our form to [request an appointment](#). Each appointment is 30 minutes. If you have additional questions after your 30-minute appointment, you may request a subsequent appointment.

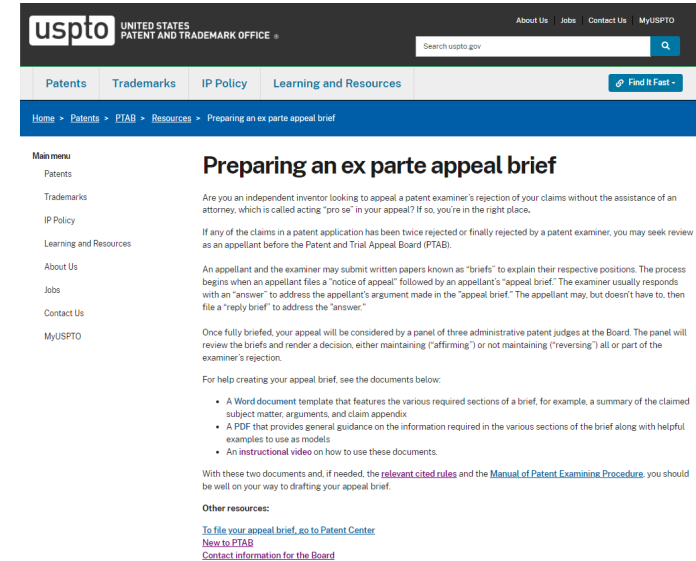
[Request an appointment](#)

We schedule appointments based on the availability of volunteers. Requesting an appointment does not guarantee that you will receive a meeting. To maximize your appointment time, see "How to prepare for your appointment" below.



Ex parte appeal brief template

- Step-by-step instructions on drafting ex parte appeal brief with companion video
 - www.uspto.gov/patents/ptab/appeal/preparing-ex-parte-brief
- Ensure compliance with the rules, achieve better organization, and make more persuasive arguments
- AIA trial templates forthcoming



Trademark Trial and Appeal Board (TTAB) Pro Bono Program

TTAB Pro Bono Program

- Matches under-resourced individuals, small to medium-sized enterprises, and not-for-profit and nonprofit or charitable organizations with low operation budgets with volunteer attorneys
- Referral clearinghouse for attorneys to provide their services in inter partes (trial) proceedings before the TTAB
- Nationwide program
- Launched in January 2022; only approved clearinghouse is the International Trademark Association



<https://www.uspto.gov/learning-and-resources/inventors-and-entrepreneurs/ttab-pro-bono-clearinghouse-program>



TTAB Pro Bono Program (contd.)



**TRADEMARK TRIAL AND APPEAL BOARD
PRO BONO CLEARINGHOUSE RECOGNITION
PROGRAM**

Information and Application Packet

Each recognized clearinghouse must require that:

1. Legal services are provided by an individual who is an active member in good standing of the bar of the highest court of any state
2. Legal services are provided to clients who are financially under-resourced
3. Participating practitioners may neither ask for nor receive any fee or compensation of any kind for legal services from a client referred by a recognized clearinghouse





Other helpful resources

Need patent basics?

Patent Basics

If you're new to the process of protecting your rights to your invention by applying for a patent, you're in the right place. This page will direct you to everything you need to know about U.S. and international patents. If what you see doesn't answer your questions, we'll show you where to go to dig deeper.

Related links

[Inventors Assistance Center](#)

[Glossary](#)

[Patent FAQs](#)

Patent essentials



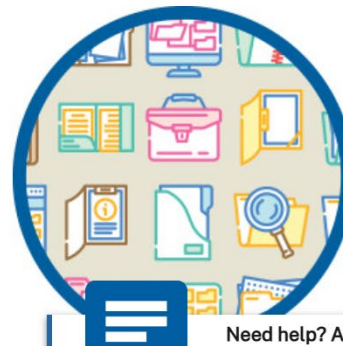
Here you'll find what you need to know if you know

Applying for patents



This section dives into more detail about how you can

Managing your patent



Here we take



Need help? Ask the
USPTO [Virtual Assistant!](#)

www.uspto.gov/patents/basics



Need trademark basics?

Trademark basics



Do you have a name or logo you're using to advertise your business? You might have a trademark. Learn how to protect it through the federal registration process.



Learning the essentials

- > What is a trademark?
- > Trademark, patent, or copyright
- > Trademark examples
- > Scope of protection



Understanding the process

- > Do I need an attorney?
- > How long does it take to register?
- > Checking status



Preparing to file

- > Why search for similar marks?
- > Application requirements
- > How much does it cost?
- > Application filing date





Need help? Ask the
USPTO [Virtual Assistant!](#)

www.uspto.gov/trademarks/basics





Need to identify your intellectual property (IP)?

 UNITED STATES
PATENT AND TRADEMARK OFFICE ®

 **IP Identifier: Learn to identify and protect your intellectual property**

[→ Welcome](#)
[Basic IP Identifier](#)
[Advanced IP Identifier](#)
[Tips for managing your IP assets](#)

 **Feedback**
Please use this brief [survey](#) to share your valuable feedback.

 **Need Help?**
If you need technical help with using the tool please email IPIdentifierfeedback@uspto.gov

Where do I start?

Learn how to identify which of your creative ideas might be intellectual property assets and how to protect them by using the USPTO Intellectual Property (IP) Identifier.

Are you thinking about starting a business? Do you own one already? Or maybe you're an inventor, artist, or designer. Maybe you sell goods online or in a store or provide a service to others. If so, you may have **intellectual property**.

Do you know what types of IP you might have? Do you know how to protect them?

☐ No, I don't know what types of IP I have.

☐ Yes, I do know what types of IP I have.

DISCLAIMER:
The information provided in this website is for general information purposes only and does not constitute legal advice. When filing an application for obtaining specific IP rights, you may benefit from professional legal assistance. While the USPTO cannot aid in the selection or recommendation of an attorney or agent, [a register of active patent practitioners is available from the Office of Enrollment and Discipline](#). The IP Identifier contains links to third-party websites. The USPTO is not responsible for the material found therein. Please review the [Linking policy](#) for more information.

<https://ipidentifier.uspto.gov/>



Need inventor or entrepreneur resources?



www.uspto.gov/learning-and-resources/inventors-entrepreneurs-resources



Need assistance on finding federal funding?

While the USPTO does not provide source funding, there are many sources of startup funding, including grants, loans, and different kinds of investors.

- [Choose the right funding](#)
- [Search federal grants](#)
- [Learn about America's Seed Fund](#)
- [Access SBA loans](#)
- [Review additional funding resources](#)

www.uspto.gov/learning-and-resources/startup-resources



Need access to free IP services?



Filter by:

[Reset](#)

I need help with this topic:

- ☒ All topics
- ☐ Learning the essentials
- ☐ Preparing to file
- ☐ Applying for protection
- ☐ Amending or appealing an application
- ☐ Maintaining your protection
- ☐ Protecting your rights abroad

All (46)

[Patents \(40\)](#)

[Trademarks \(28\)](#)



AccessUSPTO

Get your national organization connected to the USPTO's free services that can help them grow their business.

[Learn more >](#)

Learning the essentials



Application Assistance Unit (AAU)

Get help with questions or issues related to the pre-examination and post-examination processing of patent applications.

[Learn more >](#)

Preparing to file

Applying for protection

Maintaining your protection



www.uspto.gov/freeservices

Need a step-by-step overview of the patent application and maintenance process?

Patent process overview

A step-by-step overview of a patent application and maintenance process.



1 Get ready to apply

2 File your application

3 Application prosecution

4 Receive your patent

5 Maintain legal protection for your invention

Step 1: Get ready to apply

A. Determine the type of intellectual property (IP) protection you need

To protect your invention, you may need a patent, trademark, copyright, trade secret, or some combination of these. Before you begin preparing a patent application, find out if you really need a patent and not some other form of IP protection.

- [Do I need a patent, a trademark, or a copyright?](#)
- [IP Identifier tool](#)
- [Glossary](#)

B. Determine if your invention is patentable

To find out if you can patent your invention, you need to know the answers to a few questions:

Contact Patents

Contact information for USPTO resources accessible at all stages of the patent process.

Filing a patent application on your own

Provides outreach and education for independent inventors who file patent applications without the assistance of a registered patent attorney or agent.

Need to expedite your patent application?

- Track One provides a final disposition within about 12 months
- Utility and plant applications
- Limited to 15,000 requests
- \$4,200/\$1,680/\$840



www.uspto.gov/patents/initiatives/usptos-prioritized-patent-examination-program



Is there information on fakes?

- The International Trade Administration, U.S. Department of Commerce, manages STOPfakes.gov to assist U.S. businesses in protecting and enforcing their IP rights against counterfeits and pirated goods in the global marketplace
- Provides information, guidance, and trainings for businesses and consumers by both industry and country of interest

www.stopfakes.gov/welcome



U.S. Customs and Border Protection

- Customs and Border Protection can detain and seize imported goods that violate IP rights in the United States
- Intellectual Property Rights e-recording
 - Copyrights and trademarks
 - \$190 per International Class of Goods, per trademark registration, or per copyright





Inventors Assistance Center

- Provides patent information and services to the public
- Staffed by former supervisory patent examiners and experienced former primary examiners
- Answers general questions concerning patent examining policy and procedure

Contact Info

Hours: Monday – Friday, 8:30 a.m. to 8 p.m. ET, except federal holidays

Telephone numbers

- 800-PTO-9199
(800-786-9199)
- 571-272-1000

**TTY customers can dial
800-877-8339 for customer
assistance**





Trademark Assistance Center

- General information about registering a trademark
- Trademark literature and publications
- Updates on the status of trademark applications and registrations
- Answers to case-specific questions about an application or registration
- Help navigating electronic forms and systems
- Help finding information on our website about the meaning of trademark terms and concepts, how to start the application process, application and registration timelines, and more

Contact Info

Hours: Monday – Friday, 8:30 a.m. to 6 p.m. ET, except federal holidays

Telephone numbers

- 800-PTO-9199
(800-786-9199)
- 571-272-9250 (press 0)

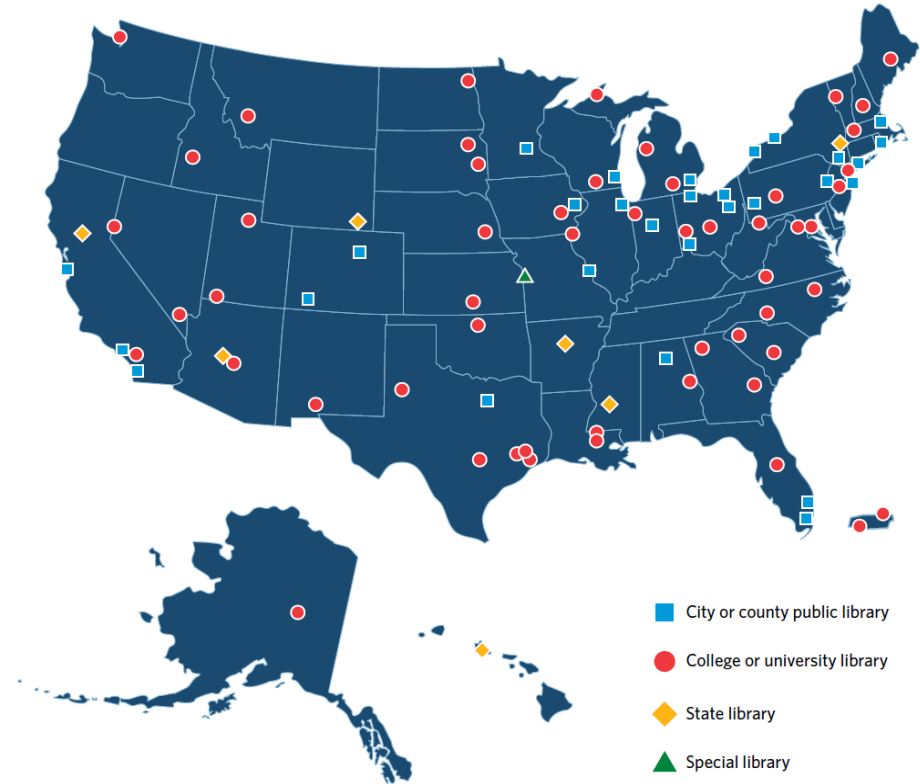
**TTY customers can dial
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Patent and Trademark Resource Centers

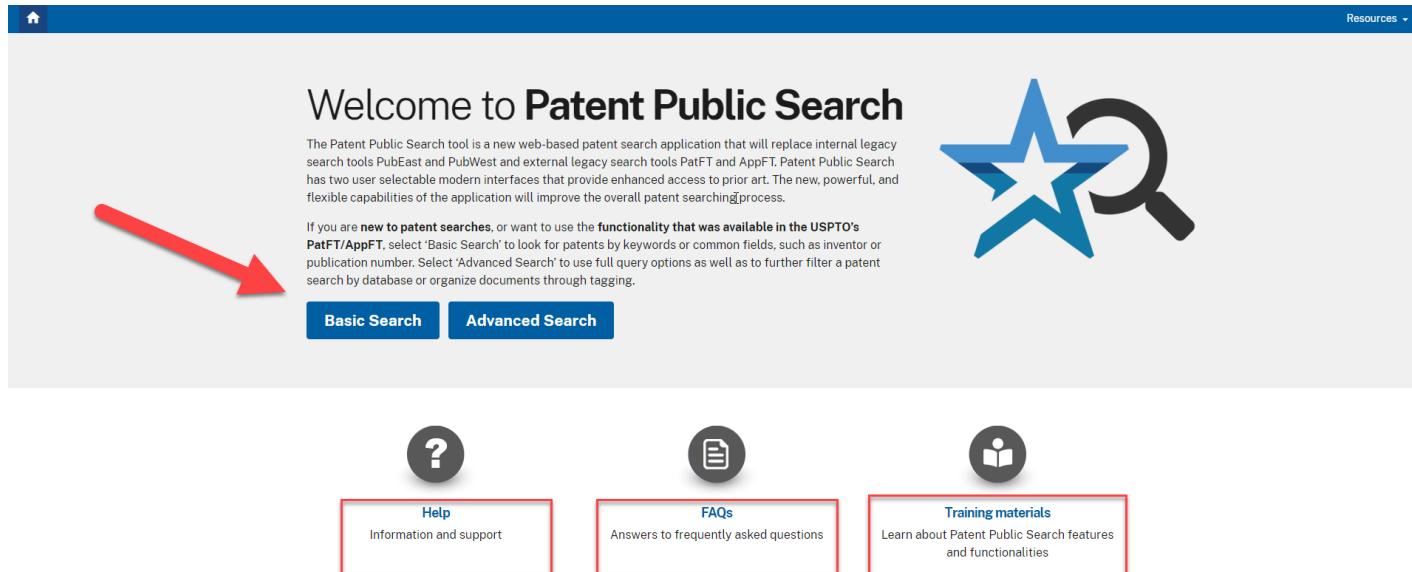
Nationwide network of public, state, and academic libraries that are designated by the USPTO to disseminate patent and trademark information and to support IP needs of the public

www.uspto.gov/ptrc



Are there public search tools?

Patent Public Search is a patent search tool available for free from the USPTO's website ([Patent Public Search](#)).



Patent terms

- **Utility** – a credible use for a particular purpose of the claimed invention
- **Metes and bounds** – the claim scope that determines the legal limits of patent property rights
- **Person having ordinary skill in the art (PHOSITA)** – a hypothetical person who is presumed to have the capability of understanding the scientific and engineering principles applicable to the pertinent art
- **Patentable** – subject matter that is able to be patented
- **Allowable** – subject matter that meets all statutory requirements

Glossary

Abandoned Application (trademarks)	An application that is no longer active or pending, so the trademark being applied for can't mature into a registration unless the application is revived or reinstated.
Abandonment (patent)	Abandonment may be either of the invention or of a patent application. An abandoned patent application, in accordance with 37 CFR 1.135 and 1.138, is one that is removed from the office docket of pending applications. A patent application becomes abandoned for failure to file a complete and proper reply as the condition of the application may require within the time period provided under 37 CFR 1.134 and 1.136 unless an office action indicates otherwise.
Abstract idea	The enumerated groupings of abstract ideas are defined as: (1) mathematical concepts, (2) organizing human activity, or (3) mental processes. Details in Manual of Patent Examining Procedure 2106.04a2.
Design patent	May be granted to anyone who invents a new, original, and ornamental design for an article of manufacture.
Entity	See "legal entity."
Law of Nature	Laws of nature and natural phenomena, as identified by the courts, include naturally occurring principles/relations and nature-based products that are naturally occurring or that do not have markedly different characteristics compared to what occurs in nature.
Legal entity	An individual or organization with legal rights and obligations that is capable of participating in legal processes, such as owning property, entering into a contract, suing, or being sued.
License	Permission to take certain actions that would otherwise be unlawful or infringing. For instance, a trademark owner may grant a license allowing someone else to use their trademark.

www.uspto.gov/learning-and-resources/glossary



Glossary (contd.)

Maintenance fees	Fees for maintaining in force a patent based on a utility patent application filed on or after December 12, 1980.
Non-provisional application	Non-provisional applications satisfying the applicable requirements will be examined in due course. A non-provisional utility patent application includes a specification, including a claim or claims; drawings, when necessary; an oath or declaration; and the prescribed filing fee.
Office action	Official letter from the USPTO about a trademark application or registration that raises issues that could prevent a trademark applicant from receiving a registration or could prevent a trademark registrant from maintaining their registration.
Physical phenomena	See "laws of nature."
Plant patent	May be granted to anyone who invents or discovers and asexually reproduces any distinct and new variety of plant.
Provisional application	A provisional application provides the means to establish an early effective filing date in a later filed nonprovisional patent application filed under 35 U.S.C. § 111(a). It also allows the term "patent pending" to be applied in connection with the description of the invention. A provisional application for a patent has a pendency lasting 12 months from the date the provisional application is filed. Provisional applications are not examined on their merits.
TEAS	Trademark Electronic Application System.
Utility patent	May be granted to anyone who invents or discovers any new, useful, and nonobvious process, machine, article of manufacture, or composition of matter, or any new and useful improvement thereof.



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