

FAQ

- 1.) [What type of special capabilities does your firm have for handling our client's intellectual property?](#)
- 2.) [Does your firm have the technical expertise necessary to handle our client's intellectual property work?](#)
- 3.) [Does your firm work with new foreign associates?](#)
- 4.) [Can a U.S. Patent Application be filed in name of the assignee?](#)
- 5.) [Does U.S. Patent Law require absolute novelty?](#)
- 6.) [Does the U.S. follow a first-to-file system?](#)
- 7.) [Can your firm help me in staying up to date on U.S. law?](#)
- 8.) [Does your firm litigate intellectual property cases?](#)
- 9.) [How can I obtain tariff of charges?](#)
- 10.) [Does your firm consider alternate fee structures?](#)

1. WHAT TYPE OF SPECIAL CAPABILITIES DOES YOUR FIRM HAVE FOR HANDLING OUR CLIENT'S INTELLECTUAL PROPERTY?

We have a number of specialized departments adapted for enabling us to offer the highest level of service as a U.S. associate. Our formalities department receives and processes all incoming and outgoing communications both nationally and internationally to ensure that all of the proper procedures are followed. We participate in electronic filing of all papers where possible to achieve the maximum benefit and cost savings to our clients.

Our docketing department utilizes the latest software tailored to our IP practice to ensure that every necessary action is properly docketed and fulfilled.

All of our legal assistants are specifically trained in IP law and understand specialized our practice area. We have a robust system of checklists which are designed to ensure the completeness and accuracy of each filing we undertake.

We have an internal drafting department to ensure that we can quickly, accurately, and efficiently generate drawings which meet the standards of various patent authorities around the world.

Online at <http://www.uspatent.com/resources/international-attorneys/intl-faq/>

These documents and any information contained herein are intended for informational purposes only and should not be construed as legal advice. Seek competent counsel for advice on any legal matter. Woodard, Emhardt, Moriarty, McNett & Henry LLP cannot guarantee that this content is complete or up to date. © 2010 Woodard, Emhardt, Moriarty, McNett & Henry, LLP. Patent, Trademark & Copyright Attorneys, Indianapolis, Indiana

We have a technical librarian who maintains our subscriptions and access to a large and growing number of technical and industry databases.

[back to top](#)

2. DOES YOUR FIRM HAVE THE TECHNICAL EXPERTISE NECESSARY TO HANDLE OUR CLIENT'S INTELLECTUAL PROPERTY WORK?

All of our attorneys are handpicked for their degrees in engineering, chemistry, biology, physics, metallurgy, ceramics and other technical specialties in addition to their law degrees. Collectively we provide a breadth and depth of experience to serve clients in diverse industries with specialized needs. Our niche experience and broad experience base enables us to provide quick and efficient service without the need for costly time spent getting to know your industry.

Below is a list of the technical degrees held by the Firm's attorneys:

- Aeronautical Engineering
- Automotive Engineering
- Biochemistry
- Biology
- Ceramic Engineering
- Chemical Engineering
- Chemistry
- Civil Engineering
- Computer Science
- Electrical Engineering
- Mathematics
- Mechanical Engineering
- Metallurgical Engineering
- Organic Chemistry
- Physics

For a more complete list of technical specialties and expertise, please check our [attorney profiles](#).

Online at <http://www.uspatent.com/resources/international-attorneys/intl-faq/>

These documents and any information contained herein are intended for informational purposes only and should not be construed as legal advice. Seek competent counsel for advice on any legal matter. Woodard, Emhardt, Moriarty, McNett & Henry LLP cannot guarantee that this content is complete or up to date. © 2010 Woodard, Emhardt, Moriarty, McNett & Henry, LLP. Patent, Trademark & Copyright Attorneys, Indianapolis, Indiana

[back to top](#)

3. DOES YOUR FIRM WORK WITH NEW FOREIGN ASSOCIATES?

Yes. We are always open to establishing new relationships with foreign based law firms. We have a large number of clients who pursue intellectual property protection around the world. As such, we are continuously working to establish and maintain mutually beneficial relationships with high-quality firms who have an expertise in the field of intellectual property and can provide a high level of service and value to our clients.

[back to top](#)

4. CAN A U.S. PATENT APPLICATION BE FILED IN NAME OF THE ASSIGNEE?

No. A U.S. patent must be applied for only in the name(s) of the actual inventor(s). The inventor(s) may then assign the patent application and resulting patent to someone else, such as an individual, a corporation, or a university.

[back to top](#)

5. DOES U.S. PATENT LAW REQUIRE ABSOLUTE NOVELTY?

No. However, there are statutory bars that can prove fatal to patenting an invention if you wait too long. In the United States, there is an absolute bar to filing a patent application more than one year after the invention has been described in a printed publication anywhere in the world or sold or used in the U.S.

[back to top](#)

6. DOES THE U.S. FOLLOW A FIRST-TO-FILE SYSTEM?

No. In the U.S. patents are awarded to the first inventor. As such, interference proceedings can be declared to determine the true first inventor when conflicts claims cover the same subject matter. Evidence of the invention process can be crucial in these situations to establish a date of invention before the actual U.S. filing date.

[back to top](#)

7. CAN YOUR FIRM HELP ME IN STAYING UP TO DATE ON U.S. LAW?

Online at <http://www.uspatent.com/resources/international-attorneys/intl-faq/>

These documents and any information contained herein are intended for informational purposes only and should not be construed as legal advice. Seek competent counsel for advice on any legal matter. Woodard, Emhardt, Moriarty, McNett & Henry LLP cannot guarantee that this content is complete or up to date. © 2010 Woodard, Emhardt, Moriarty, McNett & Henry, LLP. Patent, Trademark & Copyright Attorneys, Indianapolis, Indiana

Yes. We offer a quarterly newsletter which will provide highlights of recent developments in intellectual property law. Click [here](#) to sign-up. In addition, our blog ([here](#)) provides information on the latest developments as well as our own best practices. Additionally, we have three practice group meetings on a monthly basis which serve to keep our attorneys up to date on the law. You are more than welcome to join us for any of those meetings should you chose.

[back to top](#)

8. DOES YOUR FIRM LITIGATE INTELLECTUAL PROPERTY CASES?

Yes. We have an extensive litigation practice in all areas of intellectual property. You can be assured that all of our attorneys handling the litigation will be registered to practice before the U.S. Patent & Trademark Office (USPTO). While many "full service" law firms claim to have intellectual property litigation departments, they are often staffed with general trial attorneys and one or two "consulting" patent attorneys. We offer a full range of litigation services, including representation at administrative proceedings before the USPTO, the International Trade Commission and other governmental agencies, litigation in state and federal trial courts and appellate courts, and the U.S. Supreme Court.

[back to top](#)

9. HOW CAN I OBTAIN TARIFF OF CHARGES?

Please [contact us](#) or any of [our attorneys](#) to obtain our most recent cost estimates.

[back to top](#)

10. DOES YOUR FIRM CONSIDER ALTERNATE FEE STRUCTURES?

In the majority of situations we provide our services on an hourly basis. However, we will consider alternate fee structures depending upon the circumstances of the situation.

[back to top](#)

Online at <http://www.uspatent.com/resources/international-attorneys/intl-faq/>

These documents and any information contained herein are intended for informational purposes only and should not be construed as legal advice. Seek competent counsel for advice on any legal matter. Woodard, Emhardt, Moriarty, McNett & Henry LLP cannot guarantee that this content is complete or up to date. © 2010 Woodard, Emhardt, Moriarty, McNett & Henry, LLP. Patent, Trademark & Copyright Attorneys, Indianapolis, Indiana