

**PEI  
Fee schedule  
8/24/2009**

Activity	Patent Agent	Outside Sources	U.S. Patent and Trademark Office
Initial consultation	Free	NA	NA
Patentability search	Coordinate \$400-800	Patent Search Firm \$550-650 plus copies	NA
Mechanical invention	\$600-1,100	\$1,000-1,200 plus copies	
Software invention	\$900-1,300	\$700-1,000 plus copies	
Chemical invention	\$900-1,300	\$1,000-1,200 plus copies	
Patentability Report	\$1,400-1,950	\$550-650 plus copies	
Provisional U.S. patent application	Typical; priority established	Patent Draftsman \$50-100 per drawing	USPTO schedule
Mechanical invention	\$1,800-2,900		
Software invention	\$1,950-3,100		
Chemical invention	\$1,800-2,900		
Biotechnology invention	\$2,300-3,800		
Regular U.S. utility patent application	Typical; where an adequate provisional U.S. patent application filed	Patent Draftsman \$50-100 per drawing	USPTO schedule
Mechanical invention	\$2,500-5,800		
Software invention	\$3,500-11,000		
Chemical invention	\$3,500-11,000		
Biotechnology invention	\$4,600-13,000		
International (PCT) patent application	\$2,200 provided an adequate regular U.S. patent application has been filed	NA	USPTO schedule

Each response to USPTO action	\$1,000-6,000	NA	None required if no additional claims added
Appeal final rejection by Examiner	\$4,000-6,000	NA	USPTO schedule
Petition to the Commissioner	\$400-1,500	NA	USPTO schedule
U.S. design patent application	\$1,500-2,500	Patent Draftsman \$50-\$100 per drawing	USPTO schedule
U.S. plant patent application	\$1,500-2,500	Patent Draftsman or Photographer \$50-\$100 per drawing or photo	USPTO schedule
Information Disclosure Statement	\$478-1,750	Generated from search (above)	USPTO schedule
Prepare patent for issue	\$800	Modification of specification and/or drawings may be required	USPTO schedule
Pay patent maintenance fees	Refer to reminder service and pay fee, if desired		
3.5 year fee	\$400	NA	USPTO schedule
7.5 year fee	\$400		
11.5 year fee	\$400		

### Hourly Rates

Registered patent agent: \$150 with a normal lead time (see below)

Litigation consulting/expert witness: \$375 with a normal lead time (see below)

### Payment

A handling surcharge of 10 percent is added to all out-of-pocket expenses.

US dollars only.

Checks on U.S. banks accepted.

Retainer--At the time the registered patent agent is retained to perform an assignment, a retainer equal to 100 percent of the estimated fee is to be paid. Some patent searchers ask that their full fee be paid before services are provided. If time is critical, I ask that you submit a check covering a 100 percent retainer for an invention of average complexity (see above) along with your invention disclosure. I will then prepare a free estimate of total costs. In this way, after I receive your OK, I can start working immediately and not have to wait for your check to arrive.

Balance of fee is due upon task completion.

### **Emergency Priorities**

While emergencies do occur, my fee schedule is designed to encourage my clients to avoid them with reasonable time lines. The term "lead time" means the calendar time period between the day when the client provides me the information and retainer I have requested to enable me to begin a task and the deadline for the task.

Expedited task surcharge for assignments with less than a 4-week lead time--25 percent of normal fee.

Expedited task surcharge for assignments with less than a 2-week lead time--50 percent of normal fee.

Expedited task surcharge for assignments with less than a 1-week lead time--100 percent of normal fee.

There are no assurances that rush work can be accommodated.

### **Cautions**

Patent search services and patentability opinions are not infallible. That is, a pre-examination (novelty) search of reasonable duration may not (and probably will not) find all of the prior art in existence everywhere in the world. The validity of an issued patent can be threatened if a prior art reference was not brought to the attention of the Examiner during prosecution of the patent application.

The quality of an issued patent can be affected by factors controlled by the inventor(s). One of such factors is the thoroughness of the patentability search. Another is the ability of the inventor(s) to "teach" the invention and the differences between the invention and the prior art to a competent and experienced, registered patent agent who has the ability to understand inventions of that type. A well searched art with a well written Information Disclosure Statement will improve patentability and accuracy of almost any patent.