

Science and the Law

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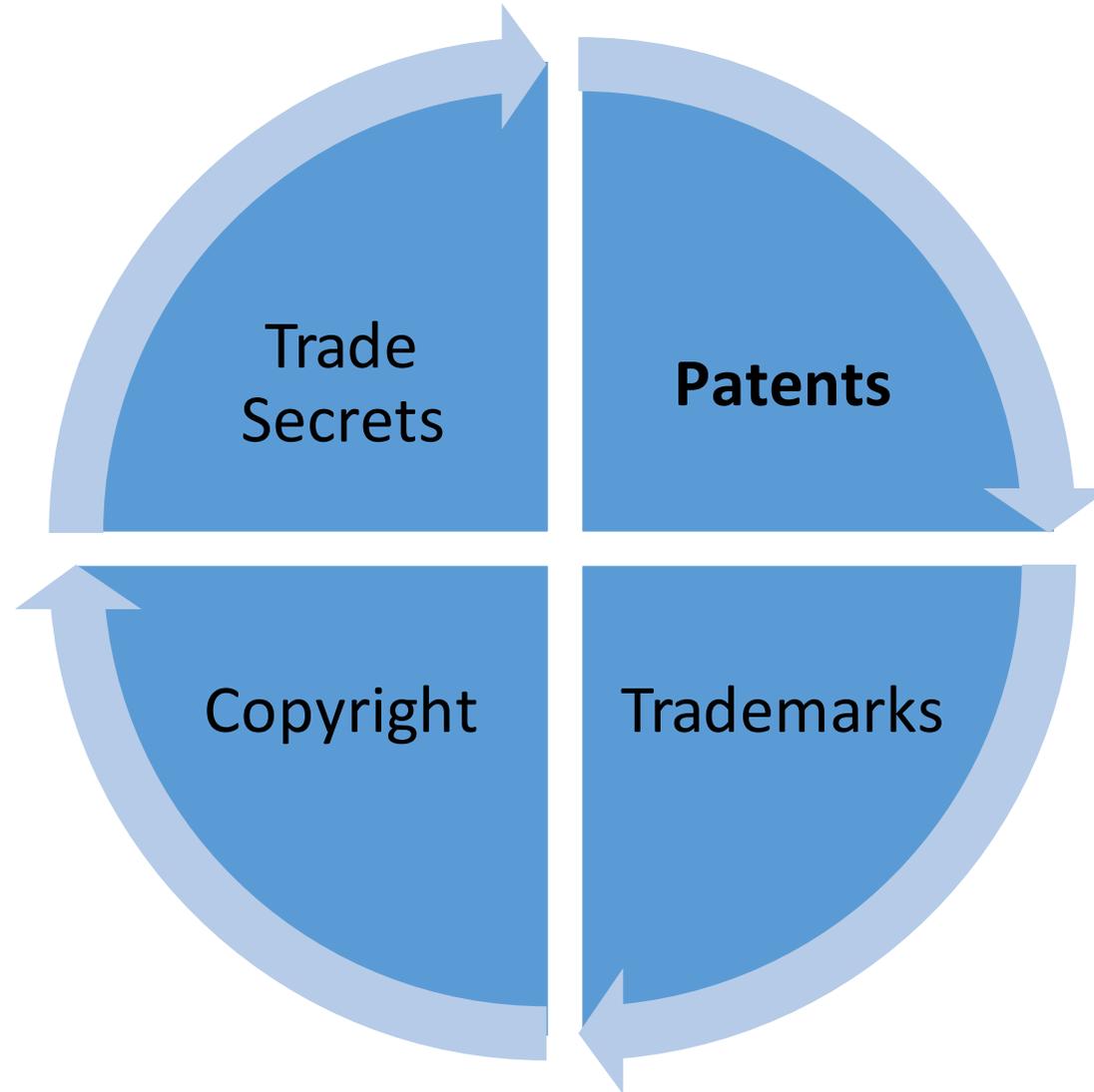
Associate General Counsel, Promega Corporation

My Story

I didn't want to do research any longer but still wanted a job that would allow me to use my scientific background.

- How I became a Patent Attorney:
 - Ph.D. in Ecology, Evolution, and Conservation Biology
 - Year 3: The conundrum – I loved what I was doing but didn't want to go into academics!
 - Year 4: Took a 1-year fellowship to work in science policy at NOAA in Washington DC.
 - Year 5: Returned to Ph.D., finished lab work, wrote my dissertation, applied to law school.
 - Law Degree
 - Internship at U.S. Forest Service in Intellectual Property Law (2.5 years, part time)
 - Internship at Law Firm in Patent Litigation (summer)
 - Internship at US Department of Justice in Environmental Law (summer)
- Where I've worked:
 - Large law firm as a Patent Litigator
 - Private biotech company as Associate General Counsel

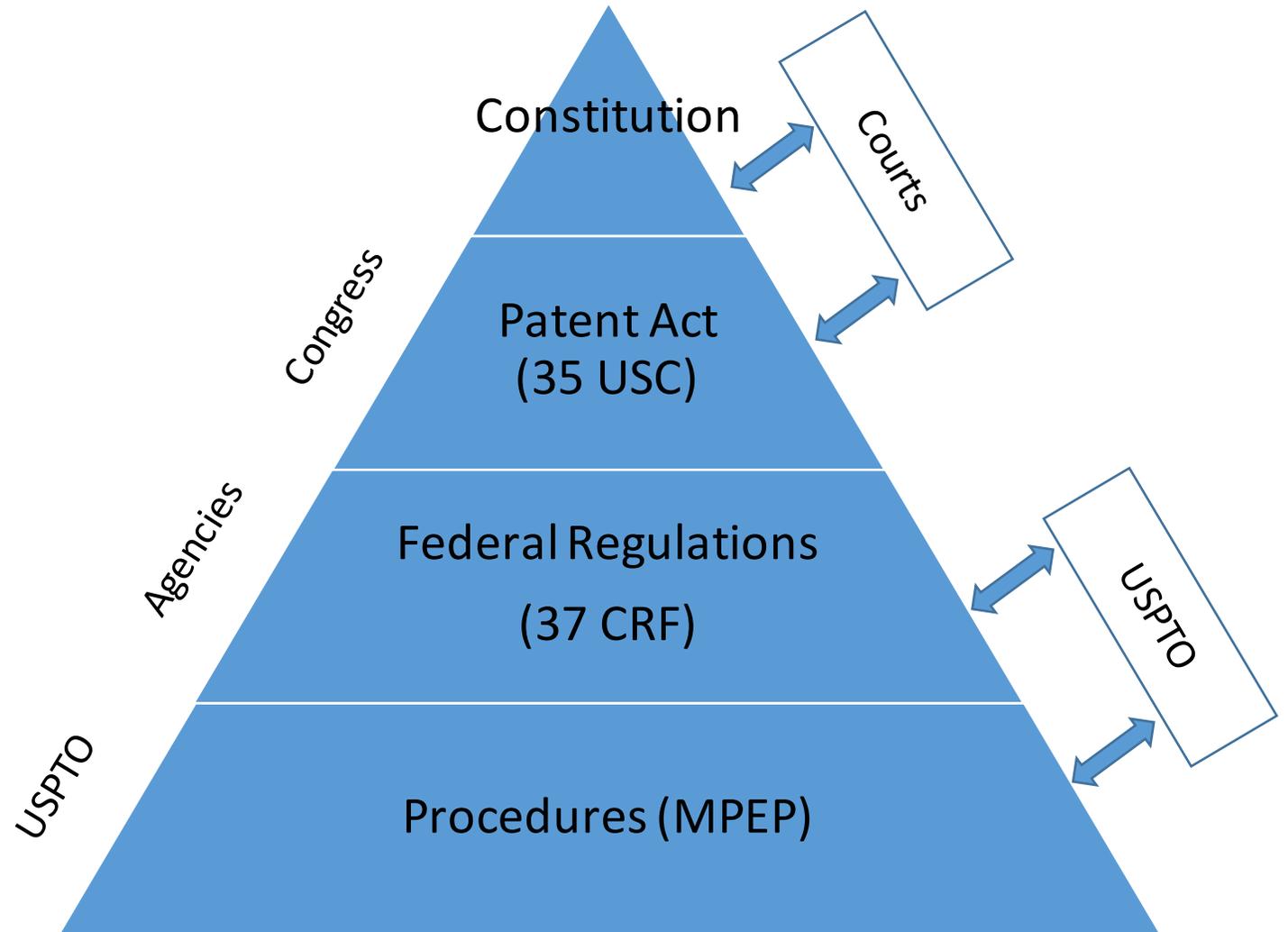
Intellectual Property Overview



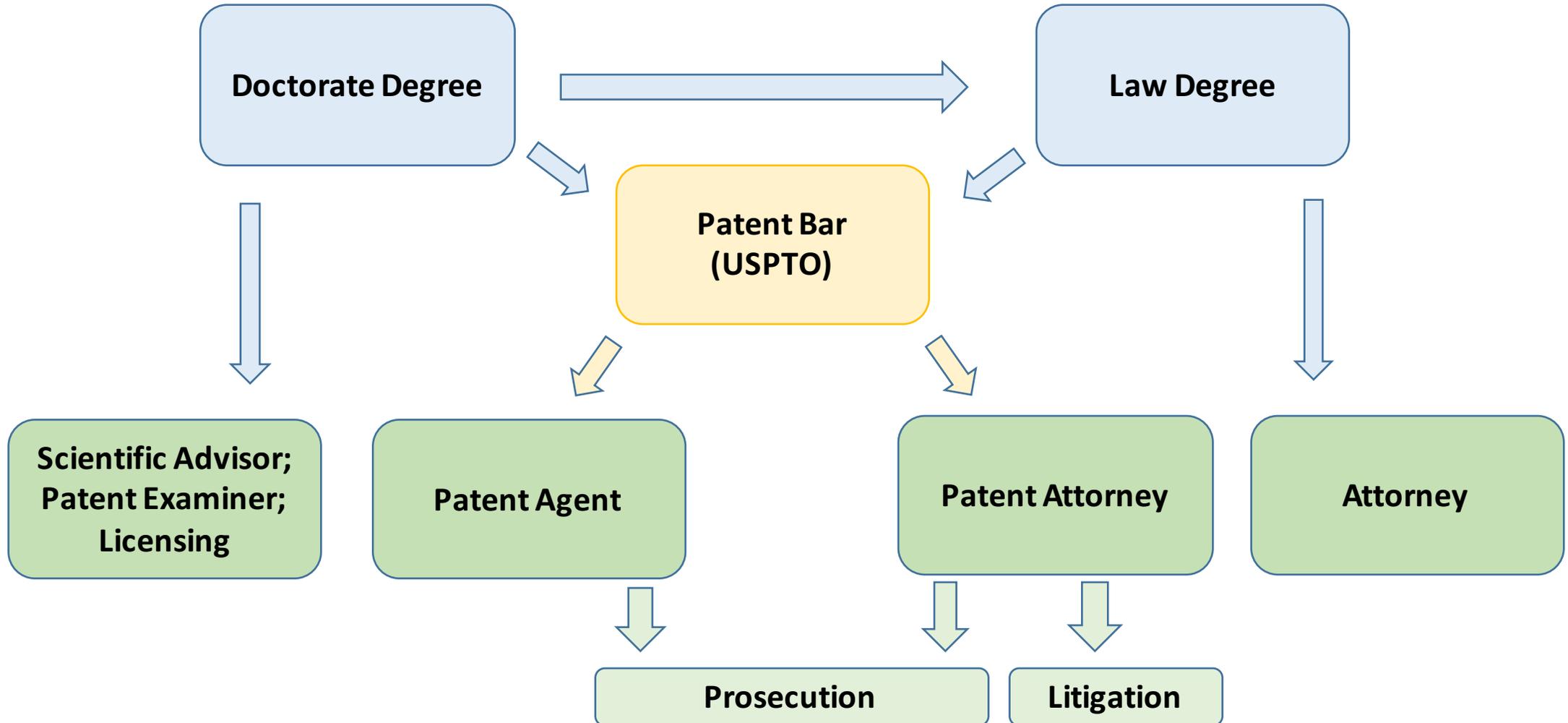
Patent Law Overview

[Article 1 Section 8 of the Constitution](#) says:

“The Congress shall have Power ... To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;”



Careers in Patent Law



What's the Patent Bar?

What is it: In order to be registered as a patent agent or patent attorney in the US, you must pass the Patent Bar. The exam is a 100-question, six-hour, multiple choice test. It is intended to measure one's familiarity with the USPTO procedures, ethics rules, federal statutes, and regulations.

Eligibility: Based on

- Undergraduate degree in recognized subject; or
- Coursework requirements in specific scientific courses.

For more information: www.uspto.gov/

Essential Skills for a Patent Agent/Attorney

Excellent communication skills (oral and written): You need to be able to use clear and concise language to draft patent applications and communicate with inventors/corporate representatives.

The ability to work alone: Patent prosecutors typically work alone rather than as part of a team and even patent litigators spend significant time working alone.

Creativity: You need to be able to find ways to address or get around legal problems that arise

Good time management skills: Time is money (you're usually paid by the hour) and clients want work excellent work that is done quickly and within deadlines.

Good stress management: The job can be very stressful; you need to be able to cope well under pressure

Strong (and diverse) background in science: You need to learn and/or understand new technologies quickly

Understanding of your client's business and the relevant market: An understanding of your client's business objectives and the market is important for determining how to draft the patent.

Why consider a law degree?

More opportunities for advancement and flexibility:

- More job variation (prosecute patents but also may do contract law, courtroom trials, etc.)
- Legal departments are run by an attorney
- Law degree can provide greater access to high-level positions
- You can practice any type of law; not tethered to your area of scientific expertise

Higher salaries on average: (<http://www.patenteducationseries.com/patent-bar/salary-ranges.html>)

- Patent attorney: \$125,802
- Patent agent: \$90,060
- Attorney: \$79,095
- Research Scientist: \$73,140
- Biochemist: \$51,556

You like working in teams on high-stakes situations: More opportunities to be involved in litigation.

WARNING: 3 more years of school, law school debt of \$100,000+, and jobs are competitive

Questions?