

**UNITED STATES  
PATENT AND TRADEMARK OFFICE**



# **An Overview of the Patent Pro Bono Program**

Office of Enrollment and Discipline  
Patent Pro Bono Team

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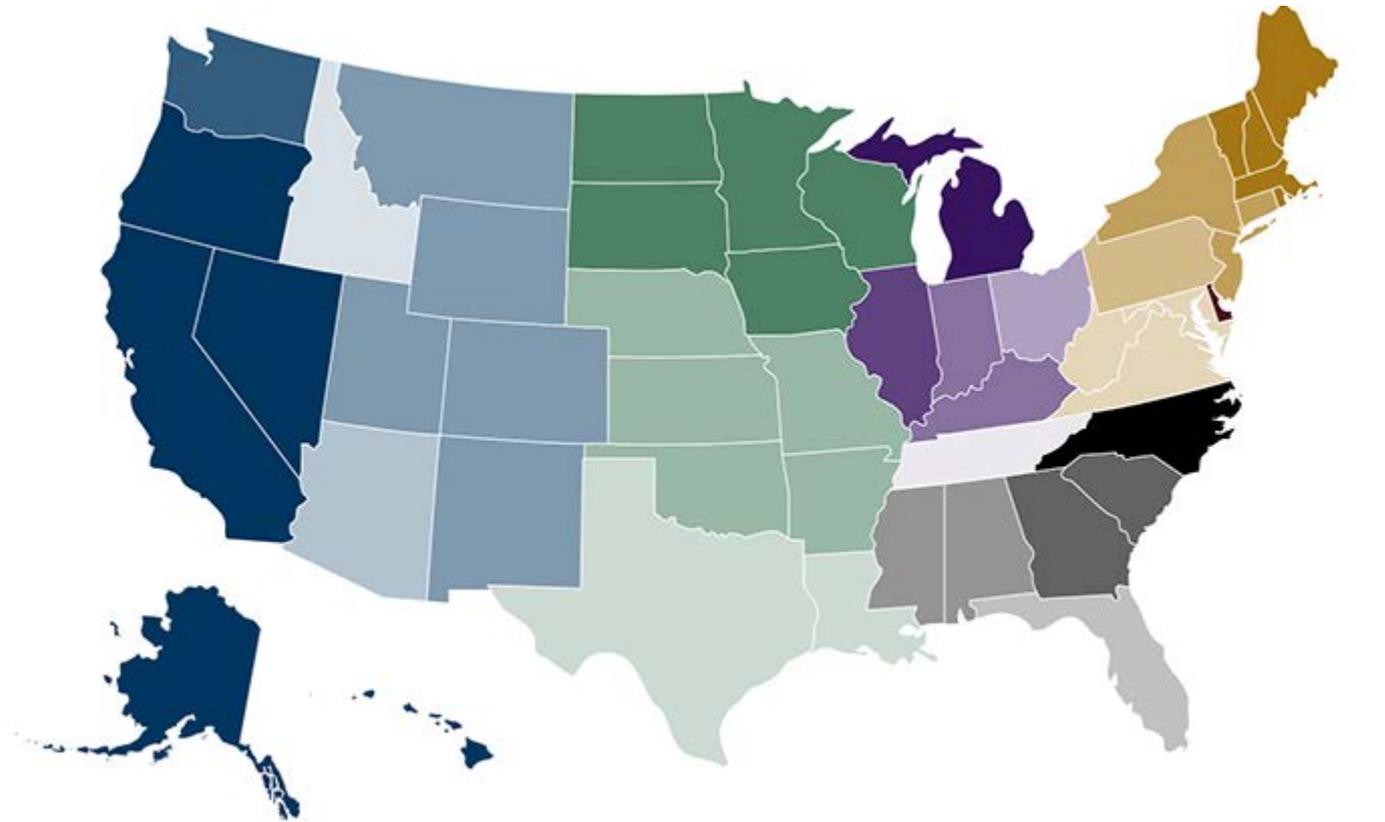
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# Patent Pro Bono Program

- **Assists financially under-resourced independent inventors and small businesses.**
  - The America Invents Act calls on the USPTO to work with and support IP law associations to establish patent pro bono programs.
  - “pro bono” means that patent practitioners volunteer their legal services.
    - Pro bono applicants are still responsible for *all USPTO fees* and other potential non-USPTO fees, such as drawings drafted by a third party.
    - Entity status discounts regarding USPTO fees may be available
- **The Program is available in every state**
- **Each regional program endeavors to match inventors and small businesses who apply with patent practitioners who volunteer to file and prosecute patent applications.**

# Current Coverage



- |                                      |                                      |                              |
|--------------------------------------|--------------------------------------|------------------------------|
| ■ Washington Pro Bono Patent Network | ■ Gateway Venture Mentoring Service  | ■ New England Program        |
| ■ Idaho Patent Pro Bono              | ■ TALA                               | ■ New York Tri State Program |
| ■ CIAP                               | ■ Chicago-Kent Patent Hub            | ■ Delaware Program           |
| ■ ProBoPat                           | ■ PatentConnect for Hoosiers (IN KY) | ■ FCBA (Mid-Atlantic)        |
| ■ Arizona Public Patent Program      | ■ IP Venture Clinic (OH)             | ■ PA Patent                  |
| ■ LegalCorps (MN)                    | ■ LAVPA (TN)                         | ■ NC Leap                    |
| ■ Pro Bono Patent Project (MI)       | ■ BBVLP Patent Program (MS AL)       | ■ Georgia Patents            |
|                                      |                                      | ■ Patent Pro Bono FL         |



# Pro Bono Program Statistics

- Over 7,000 persons have made inquiries;
- Over 1,400 persons have been placed with a practitioner;
- Over 1,800 practitioners are available to volunteer; and
- Over 500 non-provisional patent applications have been filed.

# Patent Pro Bono Program Mission

- Increase accessibility to the patent system.
- Promote small business growth and development.
- Help ensure that no deserving invention lacks patent protection because of a lack of money to hire a practitioner.
- Enhance patent quality by have experienced patent professionals prepare, file, and prosecute applications.
- Provide opportunity for patent practitioners to serve in their area of expertise.

# General Criteria for Pro Bono Applicants

- **Gross household income – regional program dependent, but usually limited to 300% of the federal poverty guidelines.**
  - A single person could have an income of up to \$36,420 (<https://aspe.hhs.gov/poverty-guidelines>).
  - The limit increases with additional person(s).
- **Knowledge of the patent system.**
  - Have at least a provisional application on file with the USPTO *and/or* successfully complete the certificate training course at <http://www.uspto.gov/video/cbt/certpck/index.htm>.
- **Have an invention, not merely an idea.**
  - One should be able to describe the invention so that someone could make and use the invention.
- ***Pay all USPTO fees* (entity status discounts may be available).**

# Criteria for Pro Bono Applicants cont.

- **Even if a pro bono applicant qualifies financially, the regional programs may not be able to guarantee a match with a practitioner for a variety of reasons, among them:**
  - Change in financial status;
  - Invention not fully formed or developed; or
  - Lack of available practitioners.
- **Some regional programs have additional requirements.**
  - Pro bono applicants with an upcoming deadline may not be able to be served.
    - Many regional programs require the expiration date of the provisional patent application to be at least 3-6 months in the future in order to find a practitioner to work on the non-provisional patent application.
    - Sufficient time is required to match the applicant with a practitioner; and
    - The practitioner needs sufficient time to file a non-provisional application for the applicant.

# Applying to the Patent Pro Bono Program

Two ways to apply:

1. Apply directly with your regional program

- To find the regional program that serves you, see [www.uspto.gov/probonopatents](http://www.uspto.gov/probonopatents) for a map of the United States and select your state.

2. Apply through an online portal, the National Clearinghouse, operated by the Federal Circuit Bar Association.

- <http://fedcirbar.org/Pro-Bono-Scholarships/PTO-Pro-Bono/National-Clearinghouse-Application-Submission>

E-mail [probono@uspto.gov](mailto:probono@uspto.gov) if you have any questions!



# Apply Directly to Program



- Intellectual property legal assistance programs
  - Patent pro bono program**
  - Inventors
  - Practitioners
  - News and Media
  - Events
  - Pro Se Assistance Program
  - Scam Prevention
  - Law school clinic program

**Upcoming Events**  
**GA Tech PTRC Info Session**  
May 30, 2018 06:00 PM ET  
Atlanta, GA  
[See the full events calendar](#)

## Patent Pro Bono program for independent inventors and small businesses

Inventors and small businesses that meet certain financial thresholds and other criteria may be eligible for free legal assistance in preparing and filing a patent application. The Patent Pro Bono Program is a nationwide network of independently operated regional programs that match volunteer patent professionals with financially under-resourced inventors and small businesses for the purpose of securing patent protection. Each regional program provides services for residents of one or more states.

### Requirements

Each of the regional programs may have different requirements for admission. In general, the requirements for admission are:

- Income**  
Your gross household income should be less than three times the [federal poverty level guidelines](#) though some regional programs may have different criteria.
- Knowledge**  
You must demonstrate knowledge of the patent system in one of two ways:
  - Having a provisional application already on file with the USPTO, or
  - Successful completion of the [certificate training course](#).
- Invention**  
You must be able to describe the particular features of the invention and how it works.

Because the specific requirements of income, knowledge, and invention vary by program, you should contact your regional program for specific information. Learn more by selecting your regional program on the [Patent Pro Bono Coverage Map](#) below.

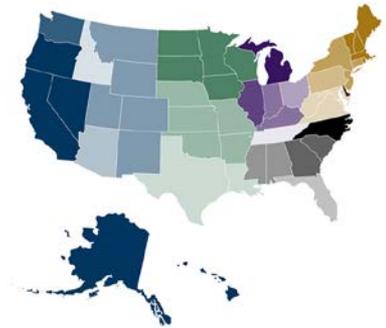
### How to Apply for Patent Pro Bono Assistance

Use the [map](#) below to locate your regional program. Most regional programs provide online application forms. Keep in mind that your state may be covered by a regional program that is located in another state. Alternatively, you may complete a National Clearinghouse Applications Submission form provided by the [Federal Circuit's National Clearinghouse](#).

### How to Volunteer

Registered patent practitioners are critical to the success of the Patent Pro Bono Program. If you are a patent practitioner interested in volunteering your legal services, click on your state in the [Patent Pro Bono Coverage Map](#) and fill out an online volunteer application form found on the program's website.

### Coverage of Patent Pro Bono Program



# Additional Information

- Comprehensive Information and Training Material for First Inventor to File:  
[http://www.uspto.gov/aia\\_implementation/patents.jsp#heading-10](http://www.uspto.gov/aia_implementation/patents.jsp#heading-10)
- Inventor Resources: <http://www.uspto.gov/inventors/index.jsp>
- IP Awareness Assessment Tool:  
<http://www.uspto.gov/inventors/assessment/index.html>
- Scam Prevention:  
[http://www.uspto.gov/inventors/scam\\_prevention/index.jsp](http://www.uspto.gov/inventors/scam_prevention/index.jsp)
- Law School Clinic Certification Program:  
<https://www.uspto.gov/learning-and-resources/ip-policy/public-information-about-practitioners/law-school-clinic-1>
- Utility Patent Application Guide:  
<http://www.uspto.gov/patents/resources/types/utility.jsp>

