



## Find Your Niche as a Patent Agent

**Interested in the ins and outs of intellectual property law? Then you might just find your best career choice in a patent agent job**

Patents are important for determining the ownership of intellectual property. This can refer to actual physical inventions or the ideas that are involved in a creation. Intellectual property law is very important, as the ownership of ideas can affect the status of licenses, derivative concepts, and the legal responsibilities for those ideas. As one of the many types of professionals dealing with intellectual properties, patent agents are responsible for researching patents rights, filing patent papers, and defending patents that may have been infringed upon by others.

### Patents and Intellectual Property Law

Because of the explosion of entrepreneurship in the last decade, intellectual property law has become a hot topic. Intellectual property law covers art, writing, inventions, concepts, and even company ideas. But just what is intellectual property law, and how does it apply to you and me?

Imagine that you have invented a great new toy — let's say a special kind of talking doll. You may want to produce this new invention, but first, you'll need to find out whether someone else has come up with your idea first. This is because in most countries, patents protect ideas and inventions. Patents are essentially rights to produce a specific invention or idea. Patent law is a very involved type of law, because it's not enough to just say that you are the first person to invent a particular concept. You must be able to prove that your idea is unique and that the qualities that make it stand out are not things that could be derived from someone else's previous ideas. If your idea has previously been thought of — and patented — by someone else, then their patent will mean that you will not be able to produce your invention, because doing so would infringe on their rights.

The cost of not doing a careful patent search and filing can be very painful. For example, two toy companies recently fought a long and expensive patent infringement case that

eventually cost the loser over \$100,000,000 in damages! That's no laughing matter!

### The Role of the Patent Agent

Because patent law can be so complex, inventors and others interested in protecting their rights often hire a patent agent (also known as a patent attorney) to handle the process of researching, filing, and defending a patent against wrongful or illegal use. Patent agents not only must be well versed in patent law, but often need to know about the types of patents they will be dealing with. For example, there are patent agents who specialize in biochemical patents, toy patents, electrical invention patents, and even game and software patents. Each of these types requires its own level of expertise and specialized training. Patent agents often have technical degrees in physics, chemistry, or engineering so that they are able to understand and give expert advice on a particular process, invention, or concept.

In the United States, patent attorney and patent agent are considered separate, but similar roles. [Patent agent jobs](#) involve the research, preparation, and filing of patent applications, but only patent attorneys can actually litigate patent disputes in a court or represent clients before the US Trademark Office. Patent attorneys are also allowed to provide other legal services such as licensing negotiation and contracts, infringement searches, and appeal advice in the state in which they are licensed.

### Qualifications

If you're looking for [entry-level patent agent jobs](#), you'll need a strong background in patent law and at least a BA in one of several specific areas: engineering, chemistry, or physics. You must also take and successfully pass a test called the USPTO (aka the Examination for Registration to Practice in Patent Cases before the United States Patent and Trademark Office). Also referred to as the "Patent Bar," this exam is required before you can practice as either a patent agent or attorney. The exam is tough; only half of



## Intellectual Property Career Feature

the first-time applicants actually pass, but those who do will graduate with a full understanding of the intricacies of the patent code.

### Earnings

In the United States, patent attorney salaries average around \$180,000 per year, with the top earners (based on American Intellectual Property Law Association surveys) earning up to \$300,000 a year. Starting salaries are around \$100,000 per year, with associates making an average of \$125,000. These salaries vary, of course, by geographic location and type of position. Patent agents make less — the average salary is around \$75,000 — due

to the lower level of requirements and training. Obviously, [patent agent jobs](#) in New York City pull in more money than those in less populous areas, but patent agent jobs in San Francisco and other high-tech meccas are in equally high demand and can command equivalent salaries.

### Conclusion

If you're training in a technical field, or are studying law with an eye towards applying it to technology, a career as a patent agent or attorney may be an excellent option to consider. Always in demand and with high professional salaries, these jobs are one way to put a technical or law degree to work in an exciting and unusual field.

EmploymentCrossing is the largest collection of active jobs in the world.

We continuously monitor the hiring needs of more than 250,000 employers, including virtually every corporation and organization in the United States. We do not charge employers to post their jobs and we aggressively contact and investigate thousands of employers each day to learn of new positions. No one works harder than EmploymentCrossing.

Let EmploymentCrossing go to work for you.