



Becoming a Patent Specialist

Just as in any other career, becoming an intellectual patent specialist, or agent, requires many specific steps. It is not just about passing a test and then filing with the United States Patent and Trademark Office, although these are requirements.

In addition to these two steps, prospective [patent specialists](#) are required to uphold strong moral values, have a full understanding of the laws, regulations, and procedures of the United States Patent and Trademark Office. Specialists must have a working knowledge of the invention or [intellectual property](#) (IP) being patented or the ability to learn about it. The United States Patent and Trademark Office also require that applicants be United States citizens. Aliens and foreigners are also considered if they are in good standing with the federal government. If one has been convicted of a felony and still wishes to pursue this career, proof of rehabilitation must be submitted along with the application.

Before taking the test, it helps to know what category the prospective specialist will fall under. The United States Patent and Trademark Office accepts applicants from A, B, or C categories. Naturally the A category is at the top in the ranking. These applicants are typically processed at a faster rate than those under the B or C category.

The A-category applicant will have a bachelor's degree in one of the following: computer science, physics, electronics technology, biology, chemistry, pharmacology, or in one of various other educational areas that focus on a science or technological field. If the degree of study focuses on a different area of learning than those listed above, the individual would fall under the B or C category. Take special note that the United States Patent and Trademark Office will also honor credit of equivalent work experience. United States Patent and Trademark Office requirements for all applicants are: a bachelor's degree; B and C applicants will need to submit a detailed description of relevant work and courses taken; and all foreign documents must be accompanied by a certified English translation.

As an [intellectual patent](#) specialist, you will be preparing documents on intellectual property. Upon completion, it will be up to you to file and/or prosecute the patent. This should not be confused with the similar duties of a [patent attorney](#).

A patent attorney may do the actions, and may additionally assist in patent validity, infringement cases, and all litigation. As a patent specialist, you may not in any way act as a [patent attorney](#). However, if the ultimate desired career is to become a patent attorney, becoming a patent agent first will prove to be very helpful. Typically, law firms will only consider hiring a patent attorney that has real hands-on experience in the industry.

The exam itself has been rated as a difficult test. From June of 2005 to October 2005 4,165 candidates were approved to take the test. Of this number, 58.2 percent passed the exam. In order to pass one must receive a grade of 70 percent or higher.

The best way to pass, obviously, is to be properly prepared for the exam. Once a candidate has been approved, he or she is granted ninety days to take the test. This gives the individual some extra time to be completely sure that all of the rules and regulations are completely understood. There are practice exams available to take prior to the real patent bar. There are also study tools available.

Once an individual decides he or she is fully prepared, the candidate must call to schedule a time to take the exam. When doing so, understand that it will be a full-day event. There are one hundred questions on the exam. The first half of the exam will be given in the morning; there are three hours allotted to complete this portion. The second half will be given in the afternoon with the same amount of time provided.

The scoring of the exam is unique. There are questions spread sporadically throughout the exam that are not graded at all. Since the questions are not marked in this way, the tester is better off to answer each question to the best of his or ability. With ten questions not being graded, the test is really based on ninety gradable questions. Therefore one must answer only sixty-three questions correctly in order to pass.

The test was designed in a way to help the United States Patent



Intellectual Property Career Feature

and Trademark Office filter through applicants. It gives them an assurance that the applicant does in fact understand the rules and policies of patents in the United States.

The process of becoming an [intellectual patent](#) specialist may seem a little steep. It is set up this way to ensure that not just anybody takes on the role. An individual that can properly submit the necessary documents, and then prepare and pass the test clearly has the ability to understand the intellectual property being represented and later to be patented. This is

what the United States Patent and Trademark Office is really in search of—proof of competency.

An [intellectual patent](#) specialist has a duty to uphold all of the set laws. The moral values of the specialist are imperative to the position as well as to the client and intellectual property being represented. These requirements should be kept in mind before proceeding with the decision of pursuing this career.

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