

PATENT BAR REVIEW COURSE

TWO DAYS - CLAIMS ONLY

Hyatt Regency Bethesda, March 5 & 6, 1996 (Tuesday and Wednesday)

Doubletree Hotel, Los Angeles, March 25 & 26, 1996 (Monday and Tuesday)

Projected State Bar C.L.E. Credit: 15 Hours (No Legal Ethics)

COURSE FACULTY

Irving Kayton • Professor of Law Emeritus

Dale S. Lazar • Cushman, Darby & Cushman,
Washington, D.C.

A New Review Course Directed Solely To Achieving Claim Drafting Competence For the PTO Exam

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The three-hour **afternoon** half of the PTO Exam requires writing a multiplicity of patentable claims for two or more inventions. The three-hour morning half consists of multiple choice type questions on the entire spectrum of patent law involved in PTO practice (including claims related fact patterns). This is the way it has been for the several most recent past exams, and it promises to continue in that format.

Many more people who take the exam for the first time fail the claim drafting afternoon section than the morning section. Writing claims is a skill most who are new to patent law find difficult to acquire, yet the writing of claims is half the exam (and a vital part of the practice of patent law). It is observable that most Patent Bar Review Course attendees are virtually insatiable in their self-perceived (sometimes misperceived) need to have more instruction and practice in writing claims than they receive, no matter how much instruction is provided. The anxiety experienced by Review Course attendees on this score is often virtually palpable in the lecture hall.

But it is also true that these same people frequently have little difficulty mastering the subject matter of, and passing, the morning multiple choice questions half of the Exam. Many hundreds of exam candidates have passed the morning section solely through self-study of the six volumes of text of *PATENT PRACTICE* in conjunction with the past PTO questions and answers of volume 7 which are keyed to the chapters of the six volumes.

This new, two-day, claims only, Review Course has been designed, therefore, for those

who want nothing more than claim drafting instruction and practice for the PTO Exam. The course provides two days and an evening of claim drafting lectures and individual claim writing experience coupled with personalized, constructive critiques of those claims; PRG's regular, complete, six-day Review Course provides the same regimen in claim drafting instruction.

Patent Resources' Claim Drafting Instructional Materials Are In A Class By Themselves (and are included in the course tuition fee).

(1) **Chapters 2, 3 and 10 of *PATENT PRACTICE* - New 6th Edition.** Those three chapters are devoted to claims, claim drafting and closely allied subjects. They are jointly definitive of the entire subject of claims. Chapter 3 ends with a workshop section which if rigorously followed guarantees the writing of claims in an exam-acceptable format.

(2) **Claims Questions and Answers.** A complete set of the Official USPTO Questions and Answers of the past 15 years which are related in every way to claims and claim drafting is included in a separate booklet. In addition, the three most recent PTO examinations in their entirety will also be provided within days of registration for the course. These materials provide claim drafting exercises sufficient to keep a registrant busy writing claims for months.

Items (1) and (2) will be conveniently bound in a flat-folding three-ring binder.

(3) **How To Write Claims For the PTO Exam.** A new monograph by Professor Kayton which captures his unique analyses of the claim drafting portion of the PTO exams and the

chronic grading idiosyncrasies which the exams regularly include. Professor Kayton has carefully studied the PTO exams for over 25 years to ferret out potential trouble spots for applicants. This monograph will be distributed at the course.

(4) Invention Disclosures for Claim Drafting Exercises. Six separate invention disclosures will be provided which will be used throughout the two-day course. Three disclosures will be the basis for writing sets of claims which will be examined and commented upon individually by each attendee's instructor.

Everyone who registers before December 1, 1995, which is the projected publication date of the new 6th Edition of *PATENT PRACTICE*, will receive by return UPS delivery Chapters 2, 3 and 10, either in 6th Edition form, or the 5th Edition version with 6th Edition Addenda. This will permit prompt commencement of study before the actual publication of the 6th Edition of the complete 7-volume treatise.

CLAIMS ONLY REVIEW COURSE SCHEDULE AND CONTENT

**FIRST DAY: 8:30 a.m. - 12:00; 1:00 - 5:30 p.m.;
and 7:00 - 8:30 p.m.**

8:30 - 11:00 a.m.

Professor Kayton explains and analyzes the form and format of the afternoon claim drafting half of the exam. He discusses at length "How to Write Claims For the PTO Exam," which is the title of his monograph that each attendee will receive at the course. Optimum claim drafting for the exam often does not correspond with optimum claim drafting when actually practicing patent law because of a variety of examination based constraints.

11:00 a.m. - 12:00 p.m., and 1:00 - 5:30 p.m.

Mr. Lazar lectures on basic claim drafting and practice (*PATENT PRACTICE*, Chaps. 2 & 3), and details of how to draft claims for machines, articles of manufacture and compositions of matter (Chap. 10).

7:00 - 8:30 p.m.

Practice claim drafting for generic and species inventions involving an irradiation process for encapsulating an object in plastic. The entire class participates in this group drafting exercise with the help of a patent law stenographer and under the instruction of Professor Kayton.

After 8:30 p.m.

Each attendee has homework to be handed in at 8:30 a.m. the next day in the form of writing

broad, intermediate and narrow claims for a "centrifugal chuck" invention disclosure.

SECOND DAY: 8:30 a.m. - 12:00; 1:30 - 5:00 p.m.

8:30 a.m. - 12:00 p.m.

Claim drafting workshop. Entire class is divided into groups of 3 or 4 attendees each, to receive individual instruction from an experienced patent practitioner assigned to each group. Each attendee will have his or her homework claims individually reviewed and critiqued by the instructor. During the morning, each attendee will write two additional sets of claims to protect two additional invention disclosures and will similarly receive individualized instruction on them from the instructor. At the end of the morning, model claims for all three disclosures will be distributed.

The distinguished claim drafting instructors, who will provide individualized claim critiques and instruction at these courses during the morning of the second day, are listed on pages 6 and 7.

1:30 - 2:30 p.m.

Professor Kayton discusses the morning's claims and disclosures and answers all claims questions that attendees have to that point.

2:30 - 3:45 p.m.

Lecture by Professor Kayton on how to analyze an inorganic chemical process disclosure in order to prepare to draft, and to draft, claims to protect it.

3:45 - 5:00 p.m.

Lecture by Professor Kayton on how to analyze an electromechanical machine disclosure in order to prepare to draft, and to draft, claims to protect it.

You Mean You Want To Take The Complete 6-Day Review Course After Having Taken The Claims Only Review Course?

The stakes are sufficiently high for some Exam candidates to compel them to do even more than may be truly necessary in preparation for the Exam. So, if after *completing* the Claims Only Review Course any candidate is determined to take the Complete 6-Day Review Course, he or she may do so (*subject to space availability*) with the following accommodations:

(a) A \$200 discount from the tuition for the Complete Review Course (but PRG will not accept the registration until after the candidate *completes* the Claims Only Course); and

(b) During the Complete Review Course, three new and different invention disclosures and model claims will be provided for those attendees who earlier completed the Claims Only Course. This will assure their writing three sets of claims which are different from those they wrote previously.