

From: SILVERMAN, ALEX (Legal)
Sent: Wednesday, March 25, 2015 6:31 PM
To: WorldClassPatentQuality
Cc: Lee, Michelle K.; Dennis Crouch
Subject: The ideal examiner.

Thank you for a great first day at the Patent Quality Summit. I'm very much looking forward to the second day tomorrow.

I had a conversation with Prof. Dennis Crouch after the session. We observed that the Summit agenda, which is otherwise excellent, does not include a topic on what knowledge and skill sets a Patent Examiner needs to provide the highest quality examination. Ideally these should include:

1. Technology--Knowing what the POSITA knows
2. Statutory law and how to apply it
3. Claim construction and how it can go wrong -- this would include studying real-life examples of what courts do with claims at Markman
4. Search techniques and how best to use the available tools
5. Oral and written English language proficiency
6. Oral advocacy
7. Persuasive writing
8. Interview skills - in person, on Web, by phone
9. Negotiation skills (including how to say no)
10. Decision making
11. Customer service

Not every Examiner can be equally strong in all these areas--but training can help. Other things equal, the better grasp each Examiner has on these skills, the higher quality will be the resulting patents.

Thanks -

Alex Silverman
AT&T
Mobile (+1) 206-724-7041