
From: Ron Harris <ron@harrispatents.com>
Sent: Tuesday, November 06, 2012 6:58 AM
To: Ethics Rules Comments
Subject: Proposed Rule 11.703(d)

Dear Mr. Covey:

I wish only to address the above-indicated proposed rule, which will harm the public because it could be read to provide advantage to non-practitioner invention promotion companies such as Legal Zoom over concerned and informed professionals – all at the great expense of sophisticated and unsophisticated clients alike. Section (d) of proposed Rule 11.703 allows non-practitioners who run entities that offer “prepaid or group legal service plans[,]” to solicit in real time anyone who might need such services without limitation as long as the business remains willfully blind to the prospective client’s very specific legal cases at a particular time. On the other hand, seasoned patent practitioners who run their own law firms would be greatly constrained by Rule 11.703(a), which allows those registered practitioners no such real-time solicitation rights.

For the sake of the public, the rules should reflect a diametrically opposite approach, which protects the public from unskilled and underpaid service by untrained and inexperienced (albeit newly-registered) employees. Whereas smaller firm practitioners like myself may not contact potential unmet clients to solicit work in real time, non-practitioner aggregators such as Legal Zoom, who employ less qualified and less informed service providers, it seems could advertise with impunity. As a result, ignorant and uninformed potential clients would be duped by slick business ads, produced by less than qualified business owners who employ young, less-than-qualified, inadequately-managed, newly-minted practitioners who are paid lower salaries/fees to achieve what will inevitably continue to be very poor results.

I do not deny also that professionals like myself, who treat each client with the care they deserve, would be put at an unfair disadvantage, which will make it increasingly difficult for the market to offer a middle ground of excellent service at a reasonable fee. To make the playing field level, therefore, and to protect the public - no special treatment should be given non-lawyers and/or non-registered owned business people in their advertisement of patent services. You ought to promote free competition in the substance of services offered, which rightly comes through word-of-mouth referrals, not slick corporate advertising. This is especially true regarding patents, which are subject in nearly every issue to multiple, confusing and conflicting lines of cases.

Instead of promoting sweatshop, poor service by underpaid inexperienced professionals, why don’t you give at least equal, if not preferential, footing to qualified lawyer-owned businesses and their associates?

Respectfully submitted,
Ron Harris

Ron C. Harris, Jr. | The Harris Firm | 202 470-0126 | Fax 202 478-2725 | 922 N Street, NW, Suite 101, Washington, DC 20001 | www.harrispatents.com
This message, and its attachments if any, may be privileged and confidential.