

**PATTERSON'S GUIDE TO INTELLECTUAL PROPERTY CAREER
INTERVIEWING AND JOB SELECTION
or
NOVEL, USEFUL AND NON-OBVIOUS WAYS TO FIND AND
ACCEPT THE PERFECT JOB IN THE IP FIELD**

by Katharine C. Patterson

The following guidelines on preparing your resume, finding out about potential jobs, interviewing, and job offers are designed for patent and IP specialists. The advice, however, applies to almost any law student seeking a job whether novice or about to graduate. Hope it helps!

I. RESUMES In today's competitive job market your resume is critical. It is the first substantive contact between you and a potential employer.

Basic Resume Rules:

Readable, Legible, Decipherable. A resume should invite the eye to read it. No microscopic print; avoid a riot of typefaces; be consistent in layout (i.e. all dates should be listed either most to least recent or vice versa).

Crisp, Brisk, To the Point! Trim your language down to the substantive bare bones (or in resumese: cut to minimum). Choose what are relevant facts and figures.

'Tis a gift to be simple. Make the resume look attractive, neat and nicely spaced. Typesetting and fancy paper are not needed. A stable electronic format is essential; in my work I always submit resumes in .pdf format. And please restrain your use of bullets—a partner in a firm wants to know you can write a paragraph not just make a list punctuated with so many bullets your resume looks like it went through the shoot out at the OK Corral. There is no such thing as the "perfect resume". Your resume is a combination of facts, figures and sales pitch. It is important to tailor your resume to appeal to the people who will read it. With IP jobs this may mean writing several versions of your resume.

Talk Techie to Me! Remember, you are not going to be hired at this point in your career because of your legal skills. Let an employer know about any previous experience that may be relevant. What a patent-oriented employer will likely concentrate on is your scientific/engineering background or technology expertise. A more business-oriented employer may want to know about your experience in contract management, a litigation-oriented firm that you were involved as an expert witness in a dispute at your old company. Make your resume highlight and detail these experiences. Equally, if you have patent prosecution experience in a firm or at the U.S.P.T.O., be sure to give specific details about how many applications you have handled, what technologies you have worked on, or the groups and art units you may have worked in.

Cast Your Web Beyond What's in Your Resume! One of the hot button items in recruiting nowadays is awareness of how employers and colleagues are using the Web to find out more about candidates. You will all be Googled, Facebooked etc., so make an effort to use these resources to your advantage. Think about how your web persona reflects and integrates your interest in IP or patents.

Become the Perfect E-Candidate! With the growth of computer-based employment systems firms have become very sophisticated consumers of electronically-submitted resumes and employment materials. You need to make sure your materials are adapted to multiple methodologies. Importantly, don't assume that what is prepared for a system used for on-campus recruiting like Symplicity translates automatically to the big outside world of corporate America.

Part of being the perfect e-candidate is recognizing how important the human factor is in hiring. If you only exist on paper or in an electronic form, you lose the chance to communicate as a person. Don't hide your personality, charm, enthusiasm, professional demeanor and energy by reducing your candidacy to a purely electronic exchange. Call people. Talk. Visit in person. Write a letter. Don't reduce your abilities and talents to dry resumes and transcripts—there is always someone with better grades or schools than you on paper.

Make sure your resume has a file name that tells the employer exactly what the document is. A resume file should be "Last Name First Name Resume.doc" (mine would be "Patterson Katharine Resume.pdf") NOT "4xbj53sfu.pdf" or (and this is a real one I received) "Bad Resume.doc". Attached resumes are forwarded to interviewers, partners and various internal record keepers and should identify YOU. I also recommend scanning your transcripts into an Adobe .pdf file, .jpeg or other common image file which can easily attach to an email and is stable in format on various platforms. Be sure the file is not too big in size so it won't blow out an email server.

A scanned transcript is a quick way to acquaint a prospective employer about your school and coursework history. This is a particularly useful for students who have technology backgrounds and want to show employers the range of technology courses they have studied, so be sure to send your undergraduate/graduate transcripts too.

Do You Make the Grade? General practice firms are largely concerned with patterns of academic and personal achievement as shown by grades, LSAT scores, law review and journal work, and judicial or other clerkships. They may be equally interested in your technical, patent or trademark expertise, but be sure to answer their more traditional needs thoroughly.

So ask yourself: Who exactly is my potential employer? Is it a patent firm, a corporation, or a GP firm doing either patent prosecution work, or litigation, or licensing and corporate transactions involving intellectual property? Each combination has its own special concerns and problems. To illustrate this, attached are three sample resumes, one geared for the patent community, one for the general practice community, and one for people who do not have a science background but are broadly interested in intellectual property.

Also, in IP there are several exceptions to the regular **resume rules**. Here are some important points:

A. The **name of your employer is more important** than your title so it should be listed first and boldfaced for each entry.

B. **Your resume can be two pages.** Don't be shy! Your placement office probably will tell you to write a one-page resume. They are not wrong. Again, this is an issue of who's reading it. GP firms review thousands of resumes and often require one page. Patent firms only sift through hundreds and are interested in details of technical experience, science degrees or corporate training. This may mean using two pages. Do not shortchange yourself by leaving off pertinent work! Patent groups often hire a specific individual because they need a particular technology (i.e. medical devices, semiconductor fabrication, C++ programming, or organic chemistry) or industry expertise.

A one-page resume may be required for on-campus interview submission. You may want to bring a two-page resume with greater detail to an interview where you know the interviewer has a real interest in the full range of your previous experience. Why not take short and long versions of your resume on your interview? The successful Job Warrior has many different weapons to deploy on the employment battlefield!

C. Do not pad your resume. Always include relevant jobs, awards, honors or interesting activities. Do not include irrelevant material such as a summer job bagging groceries. Remember, this is a sales document not the story of your life.

The Cover Letter A resume should always be accompanied by specific instructions for its use! This means writing an effective cover letter to mail or email. It should include personal facts or issues, background, ambitions, needs or concerns that are not suitable in the factual format of a resume. It should:

A. Introduce yourself and say why you are writing. If you have a personal introduction through contacts or networking, be sure to remind the reader (i.e. "Governor Schwarzenegger recommended that I speak with you about an internship with your firm.").

B. Give information about yourself that may not be appropriate to put in a resume. Shared professional acquaintances or contacts, special expertise, or particular personal interests that are significant to the reader (i.e. "I spent most of my early years living in the Twin Cities before settling in Waukegan." or "I note that your firm represents Hostess Cakes, where I worked as a Cupcake Icing Engineer every summer during my high school years.").

C. Set up lines of **communication** and expectation. What do you plan to do and what do you expect them to do? Open the door to further communication. (i.e. "I will contact your firm at the end of the month to get an update on your search for summer associates. Please do not hesitate to call me with any questions or if you need further information. I can be reached at (address/email) or by phone at 555-123-4567.

II. FACTS OF LIFE IN THE IP WORLD

There are several distinct markets in IP—the general practice law firms, the specialized IP and patent firms, and patent prosecution boutiques. Each of these markets hire differently. GP firms emphasize schools and grades much more emphatically than do prosecution boutiques. GP firms usually hire on the traditional school recruiting schedules. Small boutiques often hire anytime they feel they need to, and that could be in October or April.

Getting hired by an IP or patent firm has become very competitive so you have to be sure to market to their peculiar needs in order to stand apart from the bulk of candidates. Make sure you fully document and describe the details of your technical background. Express a sincere long-term commitment to patent prosecution as a profession so the firm can be confident you are worth their investment of time and training.

Advanced degrees, once a rarity in the IP market, now are often listed by employers as prerequisites for specific IP job opportunities. Don't be intimidated by these "requirements" in job listings. Yes, employers hiring patent prosecutors in the biotechnology field often require candidates to have a Ph.D. or equivalent work experience, but plenty of folks who have a simple MS or years working in industry get these jobs too. While **an advanced degree** may give you a marketing advantage, it **is not a requirement** to practice in this field.

III. FIRST CONTACT: IGNORING THE PRIME DIRECTIVE

Your job search is not being conducted by Captain Kirk and a landing party from the Enterprise! Your prime directive will be not only to contact potential employers but to **GET NOTICED**. Mass mailing does little more than add to our landfill problem. Be as innovative and personal as possible in your approach. Employers, especially in the wildly diverse land of intellectual property, will not come to you. They expect you to find them! But where do you look?

A. On-Campus Interviews and Placement Office. Your Career Services office arranges for a number of firms to come on campus. **There are far MORE JOBS IN IP than are represented in the on-campus process.** Firms all over the country have demands for IP associates but simply do not want to spend the money and time going on campus. You have to contact them directly and arrange for an interview. Plus, the fact is that many big general practice firms that

may use OCI often do not include their IP hiring needs in the interview schedule on campus but rely on special job fairs and direct contact from students.

You MUST contact the IP groups yourself independently of the OCI process in many cases. Your Career Services office will help you target firms that have hired from your school before or which list current openings. The Placement Office is a valuable resource for information and advice, but limited by budget, manpower and an obligation to service all students, not just IP attorneys.

Several locations around the country hold Regional or local IPLA interviewing sessions at a pre-scheduled time. Instead of the firms coming to your campus, you go to a city like San Francisco or Chicago and meet with a number of prospective employers. Your placement office should have details.

It is about time that law students abandon this macho idea that somehow you are “better” if you get a job through OCI. All that really happened is that someone else—your Career Services Office—did the work for you. OCI can be useful but it is a very narrow and skewed world and frankly not representative of the real IP market. As times have become increasingly tough for firms, many are aggressively cutting their recruiting budgets. This makes it even more imperative that you find them—they won’t spend the money to find you even if they have jobs open!

B. Job Fairs. There are two significant job fairs in the IP field. The **Loyola Patent Law Interview Program** is held every year and is currently scheduled for **July 31st-August 1, 2008** in Chicago, Illinois. This fair is a major employment venue for students all over the country. The American Intellectual Property Law Association (www.aipla.org) also has an annual job fair each year on the last day of their **Annual Meeting in October in Washington D.C.** You must be a member of AIPLA to participate, and resumes are usually due by the first few days in **September**. These fairs are similar to on-campus interviewing; employers review resumes and select whom they want to see. Interviews are for permanent jobs and summer positions. You need to pay attention to the due dates for registration and resume submission for all these job fairs as submission dates and registration deadlines often fall during the second semester of the first year in law school (1L’s take note!!).

My advice is to join these organizations **NOW** so you will be sure to learn about the details in time. Student membership in the AIPLA is a nominal cost. Even if you do not want to participate in the job fair, I urge you to join AIPLA anyway; you get their Bulletin magazine and can list membership on your resume. First year students **JOIN NOW** and keep your address current! They will mail you details of the Job Fair during the summer giving you a leg up on your competition!

There are other significant regional job fairs including the **San Francisco SFIPLA Job Fair** (scheduled in August as well: <http://www.sfipla.org>) and the **Southeast Intellectual Property Job Fair** (<http://law.gsu.edu/careers/sipjf/>). Each of these also has particular date and requirements for entry. Check with your career services office and online!

C. Published and On-Line Resources for Job Openings. There are several publications and books that list current job opportunities:

Journal of the Patent and Trademark Office Society (<http://www.jptos.org>), published several times per year. Back section includes paid ads for law firms and corporations.

Bulletin of the American Intellectual Property Law Association (AIPLA Bulletin). Substantial back section with numerous ads. See also the AIPLA web pages, www.aipla.org.

Intellectual Property Today (www.iptoday.com) is a commercial magazine with articles about IP issues and classified ads.

IP Law 360 (www.iplaw360.com) is a subscription email news service with job listings.

Local specialty law papers Each major metro has its own legal paper. These frequently feature ads for local firms or companies. Many can be found on web sites.

Surf the Web! Law firm web pages are a bonanza of info for the prospective IP employee. Firms take pains to detail who in the firm does what type of IP work. Attorney bios usually have email contact info so you can just drop a quick inquiry about a firm's IP practice. Most major companies also have job listings on line. At the very least you will link up to interesting and educational information.

You probably won't find a job through Monster or Careerbuilder.com but you might get some interesting ideas. Check out www.vault.com, but realize most career job sites are not geared to talk to IP specialists at a sophisticated level. Although most of the ads you see will be for experienced attorneys and not law students, you still will see who is hiring. Frequently employers change the job specifications they advertise and will consider a new or soon-to-be graduate, especially if you have some substantive patent prosecution experience or have passed the PTO exam.

D. Contacts, Contacts, Contacts. The best way to find a job is to network. **Talk, Talk, Talk** to everyone you can. Learn more about the industry and field. Try not to start a conversation "I am looking for a job" since this may oblige the partner to reply "I am not hiring now". Instead try "I am thinking about a career in IP law. Would you have some time to tell me more about your group's practice?" The conversational approach gives you the chance to gather information and get acquainted. The attorney may know someone who is thinking of hiring....and they told two friends, and they told two friends, etc. Next thing you know, you have a job.

E. Exploit Any Particular Experience or Expertise. Let us suppose you did an Honors Thesis on Gene Sequences in the Tobacco Mosaic Virus. Get your **Reference Librarian** to help you target companies in the agricultural biotech field. Get on Lexis or the U.S. Patent Office website search function at www.uspto.gov and look up a company's patents. Look to find out the name(s) of the prosecuting attorney. Get on Martindale-Hubbell on the web and look them up. You just created a list of firms that have a special interest in your expertise!

F. A firm or company that has no job opening on September 1 may be looking by December 1! Many firms are worried about business and may end up being too conservative during the fall recruiting season. Always keep lines of communication open with prospective employers since things may change. And never, ever burn a bridge! Prospective employers have a real problem with interviewees who (however justifiably) expect the firm to do all the work. **Make the job of hiring you as easy as you can for them.**

G. Where do I find out about all those GP firms that are now involved in IP work? This is a difficult task. The Martindale-Hubbell is unreliable and incomplete, but of late has a web site that invites you to search by fields and expertise. Try to surf for "intellectual property", "patent" or even "trademark" in a particular city that you are interested in. This way you will at least find out some detail about the firm's interests in IP. Do some library work reading the local legal papers to see what's hot. And best of all, read the firms' web sites.

IP is still hot, hot, hot. Most firms now tease out IP as a group in their firm web pages. Study them closely to understand what type of IP work the firm does, and get the names of potential contacts. Many firms have acquired patent or IP practice groups very recently. Please note that most GP firms do not "tease out" IP recruiting from their regular on-campus interview schedule. You can end up competing with all those GP attorneys from Harvard and Stanford. I suggest you track down the IP or Patent partner and **write him/her directly**. They know better than the recruitment coordinator if the firm is hiring in your area. Firm web sites are an excellent source of information about IP groups in GP firms, offering detailed descriptions of partners, associates, and practice activities.

There has been an extraordinary amount of partnership mobility this year as a result of our down economy. NALP forms and even OCI materials are often woefully out of date. It is up to you to keep track of what is happening. Be sure to do your research in the legal papers on who is moving where—look for those headlines "IP Lawyers Shocked by Move of Partner to X". Be sure then to contact the IP people directly and don't assume the recruitment system has kept up with these sudden changes.

H. Recruiters. Recruiters routinely contact people who have passed the PTO exam. You should be **very careful**, however, about using a recruiter. Some can be helpful and freely share information. Most are sharks. Employers are charged fees of up to 30% of your first year's salary. **Firms almost universally refuse to interview student candidates who submit resumes through a recruiter.** Why should an employer pay a recruiter \$25,000 for sending a resume through the mail when you could have done the same yourself? The firm will simply hire the person with no hefty price tag attached.

IV. NOW YOU HAVE AN INTERVIEW. HOW DO YOU FIND OUT INFORMATION ABOUT THE PROSPECTIVE EMPLOYER?

When you are on an interview it is very, very important to be as informed as possible about the products or practice of the organization. The interviewer will be impressed by your interest in his or her group, responsible professionalism, diligence, and intelligence.

Remember, the more you know going into the interview, the more you will be able to find out about the prospective employer. All interviews are a two-way street. The employer wants to find out about you, and you want to find out about the employer!

LET'S GO SURFING NOW! USE THE WORLDWIDE WEB OR OTHER INTERNET RESOURCES!

Catch the wave of law firm, corporate and personal home pages! They are totally tubular! Martindale now lists web sites for firms, and every search engine can turn up all sorts of interesting articles and information.

The net can get you the story behind the scenes fast and cheap. For example, the SEC lists all documents filed in the past two years for publicly held corporations (<http://www.sec.gov/edgarhp.htm>). It is a quick and easy way to get detailed information on publicly held companies. The USPTO (<http://www.uspto.gov>) has a good web page. Martindale Hubbell can be viewed at www.martindale.com. Visit legal papers web sites (we in CA often use <http://www.callaw.com/> for example) for articles and current events.

Reverse engineer using the Web. Go to the PTO website, www.iplaw360.com or www.delphion.com, a site where you can research patent information (by subscription). Type a company or technology keyword and look at who wrote the patent. This can be a goldmine of information for networking. You can also download articles from the Web or any number of free and paid info services which will give you current info on various topics and organizations. Be careful, some of these services may cost extra, or require you use campus library subscriptions to access data.

FOR FIRMS:

A. Firms usually provide your career services office with a profile or promotional material called a firm resume or brochure. The **National Association of Law Placement** www.nalp.org asks firms to fill out detailed summaries of their staffing and law practices. Many firms put out pieces specifically geared for law students which summarize their practice, philosophy, and career opportunities. Feel free also to call the firm's **Recruitment Coordinator** and request information if your placement office does not have much on file. Be aware, however, in the fast moving world of IP law NALP forms are often inaccurate and very out of date, even if they are only a year old.

B. Be sure to read the firm's **Martindale-Hubbell** listing either by book, website or on Lexis. For the technology-inclined, you can dig up some interesting correlations of data! Use <http://careers.findlaw.com> or www.vault.com to learn even more. For the less techno-driven, read through the listing and note the partners and associates who graduated from your undergrad or law school. Network with other law school grads who are working at the firm; it is usually easier to talk to a young associate who recently graduated than to a partner.

When you study a firm's Web pages or listings look for more than who graduated from your law school. See if there are any patterns such as common schools (do most partners go to local or national law schools for example?), geographic origins, committees served on, or articles published. If you are looking at a general practice firm, see if individuals are labeled as members of a special practice group. Some may state this, or clues may be more subtle (such as Member, American Intellectual Property Law Association).

Learn to familiarize yourself with and how to spell **names in the firm** so you can recognize individuals when you meet them for the first time. It is embarrassing if the person you were just introduced to was not Mr. Schwarzenegger, but Mr. Schwartz, a litigator. And please ALWAYS conduct any communication with **the highest standards of professional correspondence in grammar and style—even in email**. There is no such thing as “casual” communication style when it comes to job hunting. You must always be on your best behavior in person, in writing and in work product. Many a job has been lost to careless writing and bad proofreading.

C. Consult reference works online or in your library such as the **American Lawyer Guide to Leading Law Firms** and **National Law Journal Directory of the Legal Profession**. Unfortunately patent firms have almost universally been ignored in these public reference works.

D. Look up lawsuits or patents the firm has handled online or in **Lexis** or **Westlaw**.

FOR COMPANIES:

A. Read the most recent **Annual Report and 10-K statement** if it is a publicly held company. Many libraries keep these on file or access through the Internet.

B. Look up their **issued patents** on a database. Look at the dates, the technology distribution, any patterns that give you clues about the direction of the company's patent effort. Check into any court decisions on patent cases they may have litigated.

C. The **Directory of Corporate Counsel**, produced by Aspen Publishing. A CDROM version is also published with a search engine. It is an annual listing of attorneys in corporate law departments. It lists not only names, but also where people worked before joining a company and where they went to school. An excellent resource, but not always complete.

D. Learn about a company from quick reference works such as **Standard & Poors** (www.standardandpoors.com), **Valueline** (www.valueline.com), or **Moody's Industrial Manual** (www.moody.com). The Web offers vast numbers of summary profiles, articles, press releases, stock analyses, etc. of companies through many search engines. These are mostly geared for stock investors. Go online and search for recent articles or news. A quick download can give you great information.

V. PRACTICAL HINTS FOR INTERVIEWS:

Wouldn't life be simple if all you had to do was meet with your future boss and she made you a job offer right away? For the law student, however, interviewing is a maze of on-campus, regional, firm and company interviews which bewilder even the most seasoned job hunter. There are some basic ground rules which must be followed:

A. **Dress conservatively and neatly.** Look like a lawyer, not a student. Even if a firm boasts “business casual” wear, dress up, not down for the first round interviews. You can follow their lead once you know each other better.

B. Most firms will pay for your **interview trip** or split costs should you be seeing more than one firm in a city. Be sure they have agreed to pay in advance of your trip! Keep all receipts when you travel. When requesting a refund for

expenses incurred, always send copies of your receipts. If you want to be sure to get back your money as quickly as possible, ask the recruitment coordinator or hiring partner exactly to whom your expenses should be sent.

C. Always take spare **copies of your resume, transcripts** (a photocopy is fine), and **writing samples** with you to an interview. Even better, load your resume, transcript and writing samples onto a flash drive and keep it in your pocket ready to bring up on a interviewer's system if needed. If the best of what you have written is client-privileged information or proprietary, try to take along something, even if it is not "real". Even better, take that fabulous paper you prepared in one of your IP classes!

D. **Be assertive, clearheaded and professional.** The interviewer does not want the story of your life. Tell her what she needs to know about you to let her know you can do the job.

E. **Thank you notes** are important! Be sure to write a follow-up letter after the interview which thanks the firm for their time and leaves the door open for a next step ("I look forward to hearing from you about a further interview by the end of the month..."). Your politeness, professionalism and attention to detail will impress everyone. A good follow-up letter reminds the firm about you and helps you stand out in the crowd. Email is increasingly accepted as the medium for thank you letters, but I suggest asking a Recruitment Director how this might be seen by Partners at a firm if you are not sure.

VI. WHAT GOES INTO THE HIRING DECISION (or why did/didn't they hire me?):

The most difficult parts of looking for a job are the delays, lack of substantive feedback or response from firms, and simply **not knowing**. You must remember that although getting a job is #1 in your mind, you are only one of many responsibilities that attorneys and hiring committees have to deal with (they have to work, for example). Plus, hiring decisions are not made by just one person. Group meetings take time and are hard to schedule. It is very helpful to understand the mechanics and hierarchy of hiring.

In a law firm there are the following: **THE HIRING COMMITTEE**, a group of partners who are responsible for the hiring process, usually headed by **THE HIRING PARTNER**. A **RECRUITMENT COORDINATOR** is usually an administrative official, not always a lawyer, who coordinates and administers the hiring process. This individual can be very helpful in getting scheduling or traveling plans coordinated. Depending on the size of the firm, there may be several Recruitment Coordinators who handle specific jobs such as student recruitment, lateral recruitment and associate training. Respect them. They are just as important as any partner or associate, and increasingly have tremendous power and influence over hiring decisions.

In a corporation there are the following: **THE CORPORATE (IP/PATENT) COUNSEL**, with various levels of authority under him or her. These attorneys can have different titles from Division Patent Counsel to Associate, Assistant, Senior or other Patent Counsel. There is usually no hiring committee. **HUMAN RESOURCES** representatives are a separate corporate department and will introduce you to a company and its culture. Remember, they are not attorneys and tend to ask you insightful questions about "what are your strengths and weaknesses...". They cannot evaluate your legal skills but often have shrewd insights into you as a person. HR also knows much more about a company than the people in the legal department. HR will help you understand the company policies on benefits, relocation, vacation and other corporate-wide functions. Interviews can be in many parts. Be flexible in scheduling. You are dealing with lawyers and their lives are very unpredictable.

VII. WHAT DO I SAY? GOOD AND BAD QUESTIONS TO ASK OR ISSUES TO BRING UP IN AN INTERVIEW.

It is important to think out questions and rehearse them before you get to an interview. Remember, **how** you answer a question is just as important as **what** you say. You will be closely observed for content and style of questions and answers. Solid, insightful questions project your intelligence, interest and enthusiasm. A note of caution: you must exercise good judgment about what you ask. As students have become self-centered, I am increasingly hearing

partners observe that "these kids are asking us nosy questions about everything from partnership track to our cash flow." **An interview is like a first date**--don't get too personal.

GOOD QUESTIONS:

- A. What are the regular responsibilities of an attorney/associate at your company/firm?
- B. How is your firm/company organized? Do attorneys specialize?
- C. What sort of clients do you represent? (Are they foreign or domestic? What technical areas?)
- D. What is the typical career path for your firm/company? What type of training or opportunities for growth or advancement do you offer?
- E. What type of legal work is done by your firm/department? Are attorneys specialized in specific areas such as prosecution or litigation, corporate, licensing or business counseling? What do these distinctions signify?
- F. Tell me about an interesting case/problem you or the firm/department has worked on.
- G. What is the overall philosophy which guides your firm/corporation? Each organization has individuals who have shaped it by their leadership or example. Tell me about a significant member of your firm/company.
- H. (For a General Practice Firm) Why is intellectual property significant to your firm? How did your firm come to develop its IP practice?
- I. How have you structured your IP operations? Is IP work done by separate groups or by individuals throughout your organization?

BAD QUESTIONS TO ASK IN AN INTERVIEW

- A. Has anyone been laid off, fired or quit the firm recently? Why did they leave?
- B. Do you pay for my Bar Review Course and admissions fees?
- C. How much money can I expect to make here as a Partner?
- D. How much vacation do I get?
- E. How is the firm/company doing economically? Do you think that this law firm is keeping up financially?
- F. If you hire me this summer can I automatically expect to get an offer of permanent employment?
- G. Have many people had problems working with certain partners or individuals?
- H. Do I get my own computer/Blackberry? I really like having a Mac. Do I have to work on a PC?
- I. If I get a sign-on bonus from another firm, will you automatically match it?
- J. I don't really want to be a partner in a firm. What will I learn here that will help me get a job in a company?
- K. How many hours do I have to bill every month?

Ask questions which open doors to interesting topics. Find out how a firm manages itself and operates, what skills or work it emphasizes, and how people grow and prosper long term. Do not ask intrusive questions, especially about benefits or money, on the first interview. These matters will be addressed when (and if) the group wants to make you an offer.

VIII. JOB OFFERS

Now you have been so impressive professionally you have several job offers. How do you evaluate them and choose what will be best for you?

- A. If this is a law clerk summer position, remember this usually leads to a **job as an associate**. Will you still want to be in this firm/company in 2010?
- B. Statistics show most associates leave firms within three years of joining them. Patent attorneys move an average of 3-5 times in their first 15 years of employment. Assume that this will not be your last job. What type of training will you get in this job that will help you get your next, and what doors will it open (or close) to you?

- C. Is **money** a major factor to you? \$165,000 in New York may seem like big bucks, but have you looked at the cost of renting an apartment lately? Ask yourself if the salary offered seems justified by the type of work they are asking you to do. Be suspicious if someone is offering you \$165,000 and telling you that you will only be billing 1700 hours. The mathematics simply do not work. The magic law firm profit/salary formula is $(\text{Hours Billed} \times \text{Billable Rate}) \times 0.33 = \text{Your Fair Wage}$. Thus $(1700 \times 225) \times 0.33 = \$126,225$ —a far cry from \$165,000. Ask yourself **tough personal questions**. Will this job fit my lifestyle, my personal or family goals? What type of professional risks can I take? Where do I want to live? How hard do I want to work? Be honest about your own needs and shortcomings.
- D. Always get **offers in writing** and make sure you respond with a letter. The offer letter should include a statement of your title, salary, and any special arrangements such as relocation allowances. You can accept a job before receiving a formal written offer.
- E. Try to avoid being pressured by firms to **accept an offer** in a specific time frame. If they want an answer in two weeks and you know you still have to hear from other firms, be honest with all parties and work it out.

They rejected me!! The first question I am asked by people when they are turned down for a job is "What did I do wrong?"—most likely you did nothing. Hiring decisions are made because of what the firm/company needs, not because of who you are. You may not have the credentials, experience, right personality profile, but more likely the firm simply found an individual who better fit their needs and expectations. In other words, you did nothing wrong, someone else simply was different and more suited than you were. Do not personalize rejection!! It will only depress and dispirit you. And the bottom line in job hunting is that you must project confidence, professionalism, humility, eagerness to learn, and flexibility.

Who will want me!! Let's be honest. There is a lot of doom and gloom around as firms continue to worry about the down economy. Job hunting is VERY competitive now. But, firms still need to keep the pipeline filled for the future and everyone that I have talked with is confident they will hire. Things are, however, very competitive and firms feel they can be picky about whom they will hire. This means you have to work extra-hard to get noticed and make an excellent impression. Be self-critical about what sort of impression you make and careful to put your best foot forward. Really work to get everything right including letters, emails, follow-up materials, etc. Remember, you are going to have to work hard to get a job.

WOW, they all want me! Students do frequently find themselves with multiple job offers. Do not let this go to your head! There is nothing more unappealing than a young person (either in years or experience) acting like a prima donna. If you are extremely fortunate enough to have multiple offers, be careful to show concern for each prospective employer's schedules and deadlines. When the moment comes that you say "Yes" to one and "No" to others, be sure to express your thanks and appreciation for everyone's time and interest. Law is an extremely small community and you will meet these people again—make the best impression you can!

Most of all **keep in touch** and call me if you have any questions. I can be reached at **415-398-2622** in San Francisco, or at 415-398-2622, kate@pattersondavis.com.

BEST OF LUCK AND ALL GOOD FORTUNE SMILE UPON YOU!

Copyright, 2008

Katharine C. Patterson
Patterson Davis Consulting
235 Montgomery Street, Suite 1110
San Francisco, California 94104-2902
(415) 398-2622 (office); (415) 391-2826 (fax); (800) 248-6556 (toll-free)
www.pattersondavis.com; kate@pattersondavis.com

PATTERSON'S SAMPLE RESUMES FOR IP CANDIDATES

This resume is appropriate for the Patent Law Community:

HUGH M. JEANHOMME

44 Firm Court Highway, Apt. 24

Lorton, Virginia 22666

(202) 555-3456 (office)

(703) 555-9876 (cell)

hughmjeanhomme@gmw.law.edu (email)

EDUCATION:

GEORGE AND MARTHA WASHINGTON UNIVERSITY, Washington, D.C.

Candidate for J.D. expected May 2010

G.P.A. 3.3/4.0, class rank top 25%

Activities: Member, Student Intellectual Property Law Association. Participated in Giles Sutherland Rich Moot Court Competition. Course work emphasized Intellectual Property, Litigation, and Patent Law

UNIVERSITY OF BRYNSYLVANIA, Philadelphia, Pennsylvania

B.S. *cum laude*, Biochemistry, May 2004

Honors: Kodak Scholar, 2001-2003; Dean's List 2003-2004; Intermediate Academic Honors 2001; elected to Sigma Xi Scientific Honor Society, 2004

Coursework: Organic Chemistry, Protein Biology, Physical Chemistry, Molecular Biology, Genetics, Immunology, Cellular Biology, Recombinant DNA Laboratory Techniques

LEGAL EXPERIENCE:

BIRD & HAND, TWO & BUSH, Washington, D.C., September 2007-Present

Law Clerk

Member, IP and Patent Group handling patent preparation and prosecution.

- Draft and file patent applications for domestic and global clients before the U.S.P.T.O.
- Draft amendments, respond to Office actions and interview cases with Examiners
- Technologies include small molecule chemistry, medical devices, and molecular biology
- Perform legal research on patents, trademarks and trade secret issues in support of litigation

UNITED STATES PATENT AND TRADEMARK OFFICE, Crystal City, Virginia, August 2004-August 2007

Patent Examiner

Assigned to Class 800, subclasses 260.00 and 272.00 (nucleic sequence and immunoassay techniques).

- Reviewed applications and conducted patent searches
- Prepared Office Actions
- Conducted Examiner Interviews
- Received Superior Performance Awards

Hugh M. Jeanhomme – Resume
Page 2 of 2

SCIENTIFIC EXPERIENCE:

UNIVERSITY OF BRYNSYLVANIA, July 2003- July 2004
MONEYBURNS MEDICAL CENTER, Philadelphia, Pennsylvania
Research Assistant

Conducted research in support of an NSF-funded project to develop diagnostic tests for retroviruses.

- Researched and developed diagnostic kits based on solid-phase immunoassay technology (HIV, HTLV-1, HIV 2)
- Developed of automated processing of Western-blot based immunoassays
- Developed and tested electrophoresis and blotting equipment for proteins and nucleic acids, as well as bioluminescent tags for flow cytometry

CYRANO SINUSES, INC. (under contract from **University of Brynsylvania**), King of Prussia, Pennsylvania, June 2001-October 2003
Clinical Research Assistant

Assisted in the development of protocols for Phase I/II clinical tests of a recombinantly-produced treatment for otolaryngoteal suffusus (sore and swollen nose tissues).

- Analyzed data and prepared clinical and regulatory documentation for management
- Assisted clinical test supervisors in the field.

ADMISSIONS:

Taking U.S. Patent and Trademark Office Exam, April 2009

PROFESSIONAL ASSOCIATIONS:

American Intellectual Property Law Association
American Bar Association, Patent Section
American Society of Microbiologists
American Chemical Society
International Cell and Tissue Culture Club

References, transcripts and writing samples are available upon request.

And now, the same resume done for a general practice firm:

HUGH M. JEANHOMME

44 Firm Court Highway, Apt. 24, Lorton, Virginia 22666

(202) 555-3456 (office); (703) 555-9876 (cell)

hughmjeanhomme@gmw.law.edu (email)

EDUCATION:

GEORGE AND MARTHA WASHINGTON UNIVERSITY, Washington, D.C.

Candidate for J.D. expected May 2010

G.P.A. 3.3/4.0, class rank top 25%

Activities: Member, American Intellectual Property Law Association. Participated in Giles Sutherland Rich Moot Court Competition. Course work emphasized Intellectual Property Law Practice, Litigation, Licensing and Contracts.

UNIVERSITY OF BRYNSYLVANIA, Philadelphia, Pennsylvania

B.S. *cum laude*, Biochemistry, May 2004

Honors: Kodak Scholar, 2001-2003; Dean's List 2003-2004; Intermediate Academic Honors 2001; elected to Sigma Xi Scientific Honor Society, 2004

Activities: Member, Student/Faculty Committee to Evaluate Rainforest Biome Research. Treasurer, Student Scientists for Integrated Studies Association.

LEGAL EXPERIENCE:

BIRD & HAND, TWO & BUSH, Washington, D.C., September 2007-Present, Law Clerk

Member of Litigation Department handling intellectual property issues for domestic and foreign clients

- Perform legal research on patent, trademark and trade secret matters in support of litigation
- Prepare and prosecute applications before the U.S. Patent and Trademark Office
- Advise clients on issues of patentability, freedom to operate, validity and infringement.

U.S.PATENT AND TRADEMARK OFFICE, Crystal City, Virginia, August 2004-August 2007,

Patent Examiner

Examined applications for biotechnology patents in immunoassay and nucleic sequencing techniques. Received Superior Performance Awards.

SCIENTIFIC EXPERIENCE:

UNIVERSITY OF BRYNSYLVANIA MONEYBURNS MEDICAL CENTER, Philadelphia, Pennsylvania, July

2003-July 2004, Research Assistant

Conducted research in support of an NSF-funded project to develop diagnostic tests for HIV and Lyme disease. Worked under contract for **Cyrano Sinuses, Inc.** in the development of protocols for Phase I/II clinical tests of a recombinantly-produced treatment for otolaryngoteal suffusis (sore and swollen nose tissues).

ADMISSIONS/REFERENCES

Taking U.S. Patent and Trademark Office Exam, April 2009; References, transcripts and writing samples are available upon request.

But suppose you have a low or non-tech resume? See how this one beefs up a relatively low technology profile:

MAI I. FHONE

2000 Docking Station
Chevy Chase, Maryland 20851
301-555-4563 (cell), mifhone@gmwu.law.edu (email)

EDUCATION:

GEORGE AND MARTHA WASHINGTON UNIVERSITY, Washington, D.C.

Candidate for J.D. expected May 2010

G.P.A. 3.3/4.0, class rank top 25%

Activities: Member, Student Intellectual Property Law Association. Participated in Giles Sutherland Rich Moot Court Competition. Course work emphasized Intellectual Property Law Practice, Corporate Finance, and International Technology Agreements. Lead Webmaster, LAWSTUDNET,
<http://www.gmwu.edu/law/~lawresources/home.htm>

MARY PICKFORD PHILLIPS PREPARATORY UNIVERSITY (MP3U), Sampler, Pennsylvania

B.A. *cum laude*, Cognitive Psychology and Music, 2007

Activities: Webmaster, College Computer Radio, www.mp3u.edu/legaldownloads

Honors: RIAA Scholar, 2003-2006; Dean's List 2005-2007; Academic Honors 2006-2007

LEGAL EXPERIENCE:

WINSTEIN, MANDEL, CARY & SHERMAN, Washington, D.C., (6/07-8/08)

Law Clerk

Member of firm's Anti-Piracy Working Group.

- Assisted in discovery and pretrial matters centering on copyright, trademark, and related intellectual property litigation
- Performed legal research on software development agreements, shrinkwrap licensing, and international regulation for computer music industry and other clients
- Assisted in preparation of materials for seizure of pirated music at ports of entry by U.S. Customs.

COMPUTER EXPERIENCE:

AGILE MIND MEDIA, Austin, Texas, (5/04-8/04; 5/05-8/05)

Web Site Designer

Designed interactive computer teaching tools for Advanced Placement instructional materials.

PROFESSIONAL ASSOCIATIONS:

Independent Software Developers of Texas

Electronic Frontier Foundation

American Intellectual Property Law Association, Student Member

American Bar Association, Student Member, Antitrust and Intellectual Property Sections

References, transcripts and writing samples are available upon request.