Don’t Miss an IP Docketing Deadline—Follow These Tips

Written by Nehal Madhani

What’s the hardest part of being an intellectual property lawyer? A practice-related headache is, of course, legal docketing deadlines. IP deadlines are frequent and numerous, and the consequences of missing one can be severe. In the worst case scenario, missing a deadline means that clients lose rights to their patents or trademarks indefinitely.

Intellectual property filings are not a one-time transaction either—trademarks and patents have regular filing requirements that are necessary to secure and maintain intellectual property rights. Some of these deadlines may come over 10 years after the original application date. By that time, manual calendaring systems have often been changed, moved, or updated.

Multiplying deadlines

Maintaining these deadlines might seem doable using a manual system, if a bit risky. However, IP deadlines can pop up more often than you might think.

The statuses of filings can be updated at random intervals as government offices or third parties issue objections to filings. Other events during the prosecution and maintenance of IP filings can also trigger deadlines. Beyond that, there are various rules for different kinds of intellectual property, and global IP offices have varying regulations regarding due dates and deadline calculations.

Despite all that, clients expect their IP lawyers to help maintain their IP filings—and provide reports on demand.

Managing IP deadlines is substantially more difficult and risky than it appears. IP professionals may be responsible for managing tens, hundreds, or even thousands of IP filings, making calendaring IP deadlines an incredibly complex and challenging task.

Luckily, with a bit of effort, lawyers handling intellectual property cases can make sure that nothing slips. Here are a few tips for keeping up with your IP docketing deadlines:

1. Stay organized

The key to managing an array of changing deadlines and statuses is staying organized and informed. Set aside time regularly (at least once a month) to review the status of each filing in your docket. Also, double-check correspondence from IP offices to ensure that action items and key deadlines have been recorded and responded to appropriately.

2. Don’t wait to calculate

Once you have verified the current status of each of your filings, calculate key deadlines immediately using the applicable statutory and procedural provisions. Each of these deadlines should also be recorded right away to ensure no dates slip through the cracks.

Of course, lawyers will also want to stay ahead of any regulatory changes to ensure that they are correctly calculating any deadlines. For example, if you’re in the U.S., you’ll want to regularly check in on Recent and Upcoming Statutory and Regulatory Changes from the United States Patent and Trademark Office.

3. Keep clients informed

Managing your internal processes will help you stay ahead of deadlines, but it’s also important to communicate efficiently with your clients and keep them apprised of updates and due dates. This might include sending reporting letters to promptly advise clients of changes, or preparing reports on clients’ portfolios. Often, as an IP lawyer, you will need to quickly collect a lot of information and documentation from their clients to prepare responses to government or third-party objections.

4. Use technology

Effective technology can save you time and frustration in your daily IP practice, but it can also protect you against the risks of missed deadlines.

There are now a number of tools specifically designed for IP professionals. For example, Alt Legal’s IP software automates many of the administrative and repetitive tasks that come with managing IP deadlines. In addition, Alt Legal’s docketing software automatically identifies and updates filings and deadlines, instantly prepares customized and detailed reports, and seamlessly allows clients to stay informed about filing statuses and deadlines.

Mitigate your IP deadline risk

When you've got a lot on your plate, going over your calendar with a fine-toothed comb might seem like too much. But the risk of missing an IP deadline is higher than you think. Get organized, keep your clients informed, and streamline the whole process by using a tool like Alt Legal. Your clients—and your practice—will thank you in the long run.

About Nehal

Nehal Madhani is an attorney and the founder and CEO of Alt Legal. Alt Legal's cloud-based IP docketing software is trusted by Am Law 200 firms, boutique firms, and in-house legal departments to prepare and manage hundreds of thousands of IP filings and deadlines daily. Before starting Alt Legal, Nehal practiced as an attorney at Kirkland & Ellis, LLP. He is a Python/Django developer and serves on the board of Django-NYC, a nonprofit organization with nearly 2,500 software developers as members. He is also a CodeX fellow at Stanford Law School. Nehal speaks regularly about the intersection of legal practice and technology at bar associations and legal conferences, including ClioCon, New York County Lawyers Association, and the Florida Bar.

About Clio

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