

# What Makes a Strong Patent Agent Candidate?

As a legal recruiter who specializes in patent agents, the most important initial issue that I have to address when I first see a resume or speak to a candidate is whether the candidate is viable in the law firm market. This market is highly competitive. Moreover, the patent agent candidates that get hired by the top firms are not necessarily the best and brightest engineers and scientists. The reality is that I have to turn away many eager and highly talented scientists and engineers because they simply don't meet all of the key requirements for a patent agent in the law firm market. The purpose of this article is to help inform current and aspiring patent agents regarding the actual key requirements used by the major law firms in their hiring decisions. There is one last general point to keep in mind. This market is also complex. It is wise to retain the services of a top notch recruiter who is both knowledgeable and experienced with the law firm market. Although beyond the scope of this article, good recruiters bring high value in a professional job search in terms of information, efficiency and effectiveness.

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## 1. The Degree

The first initial requirement is whether the candidate has the exact technical degree that the firm is looking for. Often, this determination is not difficult. For example, the most "in demand" degree is electrical engineering. You either have that stated degree or you do not. But what if you do not have the exact same degree but you have something that is truly equivalent? If that is the case, then you will have to explain this to the law firm. In addition, you not only need the right kind of degree, but you also need the right level of degree, meaning certain graduate degrees when the firm asks for them. Going to a prestigious school is also a definite plus, but not usually critical. Your grades are also a significant factor in this determination.

## 2. The Patent Bar Exam

Your degree is not your only technical requirement. Being a patent agent is only partly about science and technology. Rather, patent prosecution entails mastery of the law of Intellectual Property also. Just as you have to show your technical expertise, you must show your legal expertise as well. You do this by taking and passing the bar exam administered by the United States Patent and Trademark Office. Virtually every law firm seeking a patent agent will make admittance to Patent Bar an express requirement. Yet, many aspiring patent agents do not take the test, believing that they will be able to get by solely on their outstanding technical achievements and then the law firm trains them to be patent agents. It does not usually work this way. Firms do not want to spend the time and money to train new patent agents. They want experienced patent agents who have passed the Patent Bar and have already been trained by someone else. This leads to the third requirement.

## 3. Patent Prosecution Experience

Law firms seeking patent agents typically require at least 1-2 years of prior patent prosecution experience, and often as many as 3-4 years or more. It is possible to get patent prosecution experience without having

passed the Patent Bar, although it can be more difficult. But regardless of whether you [pass the patent bar](#) first and then get sufficient experience or the other way around, the most important aspect is that you get both done. If you are lacking in either or both of these requirements, you will be at a serious disadvantage compared to all of your competitors in the legal market who have both of them covered.

#### 4. Technical Experience

What you have done in your prior career in science or technology is also important, of course. But it is only really valuable if it relates to the particular type of technology that you will be dealing with in prosecuting their patents. In other words, like the degree, there needs to be a match between your background and the firm's particular needs. The better you are able to make this match, the stronger candidate you will be.

#### 5. Personality and Presentation

The four requirements discussed above are the ones that will be most instrumental in getting you an interview. At that point, the focus will now be on the last two requirements on the question of whether the firm will give you an offer. The first of these last two requirements, personality and presentation, largely encompasses how well you fare during your interviews. The firms do not just want technical brilliance. They want someone they can work with and depend on. But while wowing the firm with your charismatic personality will certainly help you in interviews, you will need something more to get the offer. Law firms place a high value on motivation and enthusiasm. Working in major law firms means serious commitments to client needs and long hours. Moreover, like human beings, law firms want to be wanted. They thus want to hire candidates who are excited and enthusiastic. While obviously beyond the scope of this article, learning how to interview and present well to law firms is a complicated art that can be mastered with knowledge and practice. This is another area where a good recruiter can be invaluable.

#### 6. Character

The last requirement that is usually evaluated in a law firm hiring is the "character" issue. Typically, the patent agent candidate fills out a detailed questionnaire that explores the candidate's personal and professional past. Questions typically include whether the candidate has been a party to a lawsuit, have they ever been convicted of a crime, how many places have they lived in the past five years, what is their credit history, and what are their explanations as to why they left past jobs. This is also the time the candidate typically authorizes a background investigation and contacts references. For most candidates, nothing of interest comes up. But some candidates have "issues" that could jeopardize the offer unless they are satisfactorily disclosed and explained. Again, a good recruiter is invaluable in these situations.

In conclusion, by learning and focusing on the seven key requirements of the legal market, a patent agent candidate can formulate the best strategy and presentation in their job search, thus substantially increasing their chances of success. [Working with top recruiters](#) can increase these chances even more.

## Frequently Asked Questions

### How Much Do Patent Agents Make?

A patent agent protects one's intellectual property or invention from being stolen or acquired by other individuals or businesses. An agent usually reviews patents and determines how long it will take to obtain the right to use them. The majority of patent agents earn their law degrees and are licensed to practice in their state, making them patent lawyers. Once you have received your law degree, the terms patent agent and a patent lawyer can be interchanged.

Additionally, the Patent Agent will file patents with the U.S. Patent and Trademark Office so that the client can manufacture and market their own products without the interference of other businesses. To protect their rights and profits or to resolve any escalated or complicated disputes, some clients may request that their patent lawyer appears in court.

Patent Agents typically earn between \$84,760 and \$118,786 a year as of May 27, 2021, with an average salary of \$98,375. There can be wide variations in salary depending on many factors, such as education, certifications, additional skills, and the number of years you have spent working in your field.

About \$96,081 is the average salary of a patent attorney. The hourly rate is \$46.19. Entry-level positions, for example, earn only \$51,000 a year, which is in the lower 10%. Meanwhile, the top 10% of earners earn on average \$177,000 per year. Professionals and technology companies seem to be the most appealing to patent attorneys. [Patent attorneys are usually employed by pharmaceutical, professional, and manufacturing companies unless they are more concerned with money.](#) This is where the money is, even according to the workers in these sectors. People make career decisions based solely on location, even though money is important.

## Is Becoming A Patent Agent Worth It?

### Job Prospects, Employment Outlook, and Career Development

Patent agents have good job prospects. With a growing population and advancement in science and technology, as well as the rise in inventions, employment opportunities for patent agents will eventually increase. Patent agents will be in greater demand as awareness of the intellectual property law and complexity increases.

It is possible to [become a patent attorney](#) from a patent agent. In addition to starting their own IP law firms, they can also become attorneys. It is very rewarding and prestigious to pursue a career in patent law. Several opportunities for interaction with creative inventors arise from its intense intellectual challenges.

### Are Patent Agents In Demand?

According to the United States Bureau of Labor Statistics, patent agents' job outlook is 4% over the next 10 years. As more [law school graduates](#) graduate each year, competition for this role will be fierce. Candidates in this field will have more competition for vacant positions than there are available roles, which may make it more challenging for them to obtain a job.

### How Hard Is It To Become A Patent Agent?

Patent agents and patent attorneys perform the same roles. Neither patent agents nor [patent attorneys](#) are lawyers, but they are both engineers or scientists who have studied the patent law system and how the patent office works. Aspiring patent agents and attorneys must complete a series of rigorous courses.

As a patent agent, you are licensed to practice in most states in the United States. However, as a patent attorney, you have additionally graduated from law school and passed the law bar.

A patent agent or attorney must take an extremely difficult examination with a very low pass rate to become eligible for admission. The patent bar is officially called the Examination for Registration to Practice in Patent Cases Before the United States Patent and Trademark Office.

There will be 100 questions on the test, which will take six hours to complete. There is a three-hour window in the morning for the applicant to complete 50 questions and another three hours in the afternoon. There are ten beta questions in the exam, and they do not count towards the final score, so it is impossible to determine which 100 questions are among these 10 ungraded questions. Scores of 70 percent or 63 correct answers out of 90 graded questions are required for passing.

In addition to preparing and filing patent applications, someone who has been admitted to [the patent bar](#) can also prosecute the patent applications via examination at the patent office until the issue is awarded.

