

I'm a Patent Agent, When Should I Start Searching for a Job?

Question:

I am a patent agent who has not yet taken the patent bar exam, but I plan to take it within the next several months. Although I would be a stronger candidate after I (hopefully) pass the patent bar and become a Registered Patent Agent, I want to get started on my job search now. However, I am afraid that if I get rejected by the major law firms that I apply to now, then I may "burn my chances for the future" if I want to again apply to these same firms after I pass the bar exam in a few months. Should I wait on my job search, or is it OK to start it now?

Answer:

As you note, [if you start your search now, you will be at a disadvantage because you have not yet passed the patent bar](#). However, if you wait and pass the exam, you can then go on your [job search as a stronger candidate](#). That is a good reason to wait. On the other hand, if you wait you will miss out on the good opportunities that exist now, and that likely will be closed later. Another good reason to start your search now is the one you gave - your desire to get a job as soon as possible. If you prefer to start right away, the question then becomes whether you will penalize yourself by applying to firms now that you might apply to again after you pass the exam. The short answer is "no." As an initial matter, [it is unlikely that there will be many firms that have opportunities that fit your credentials](#) now will then have new ones that also fit your credentials several months later. Once these firms fill their current job opportunities, they will most likely have filled their needs in that particular area for at least the next few months. However, even where firms may have a new similar opportunity in the future, the rejection of your first application should not "burn your chances" on your second application as long as it is for a new and different opportunity. (Firms will not, of course, react well to multiple applications for the same opportunity). In other words, if you get turned down the first time, it will most likely be because you are lacking in a certain requirement (like passing the [patent bar](#) exam) or even more likely because your credentials and/or experience are not a sufficiently good "fit" for what the firm is looking for. On the second round, however, the firm may decide to interview you either because you "fixed" the missing requirement (like passing the exam) or because your credentials are a better "fit" for the new opportunity. Only if the first decision was based on something unusual and necessarily fatal anyway - such as severely deficient credentials or a criminal record - should you expect a firm to refuse to ever consider a candidate again. Firms generally want to encourage good candidates to apply, not discourage them. Nevertheless, you still need to avoid creating any conflicts in your applications, which are caused by using different parties or recruiters for the same firm during the same 12 month period. This means that you need to make sure that if your resume gets sent to the same firm multiple times in the same 12 month period, it is done by the same party or recruiter each time.

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