Using technology to provide value and better serve clients

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Legal technology is no longer a new idea, and many firms have embraced "legaltech," such as document management systems (DMS) and financial systems, for day-to-day operations, and to automate routine aspects of legal work, such as contract management and eDiscovery tools. When law firms use practice-specific tools—purchased from a vendor or created in-house—to allow their attorneys to handle the critical work of providing strategy, counseling, and advocacy, that's where things get interesting. The technology helps the firm and the firm provides better value to their clients.

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To avoid spending too much time on routine tasks while focusing on high-quality and effective patent application drafting and prosecution, my firm, Kilpatrick Townsend has deployed tools that automate, or provide partial automation, for many aspects of the practice.

On the procedural side, the firm has automated many of the critical, yet time-consuming, aspects of practicing before the U.S. Patent and Trademark Office (USPTO). For example, in addition to standard deadline management, the firm's docketing department uses purpose-specific software to help manage information sharing across a client's patent applications. Relevant data and documents "flow" from case to case to ease the burden on the firm and its clients in meeting the duty to disclose such information to the USPTO or other global IP agencies.

Substantively, the firm uses highly sophisticated tools for drafting patent applications and generating documents to be submitted on behalf of its clients. For example, with just a few clicks, practitioners and staff can identify and correct inconsistencies between a patent specification and figures, find and explain undefined technical acronyms, and even quickly spot formatting that won't pass muster at the USPTO.

The newest tool in our arsenal is a state-of-the-art extranet, a secure web portal that offers clients unparalleled access to their patent portfolios, including an executive level view of a client's entire portfolio, a visual representation of patent families, and the ability to drill down to individual docket due dates of individual matters.

Accuracy and security of the information in each client's extranet are critical to the success of the tool. All extranet data is generated automatically from the same database that is meticulously updated as part of our firm's normal patent prosecution practice. The firm was also extremely sensitive to the need to secure client information and confidence, which it baked in to the system from the start.

Before developing this resource, the firm assumed that a third-party solution would fit the bill. When it found that wasn't the case, the firm poured its internal engineering resources into a client-centered solution that we tested and polished for our own use. The result is a time and money saver not only for our busy clients but for our attorneys who serve them.

For companies that have even a modest patent portfolio, relationships between patents can be complicated and hard to explain. Patent prosecutors have long used diagrams, called patent family trees, to provide visual representations of these relationships. Like with the extranet, the firm was unable to find an off-the-shelf product that readily produced accurate patent family trees, let alone represent the information in an intuitive way.

It turned out there was good reason why this type of product did not already exist. Not only would the vendors need to possess the specialized, downright eccentric domain knowledge of patent law, they would also need use that domain knowledge to recognize the fundamental computer science problems that must be solved and inform their engineering tradeoffs and solution. The products on the market only included patent applications that had been published based on publicly-available data, such as USPTO systems, leaving many family members off the generated trees.

So attorneys, working closely with the firm's IT and development resources, developed a proprietary system, KT Trees, that did fit the bill and can draw patent family trees that properly show even complicated relationships between applications and patents in a particular family in a way that is both visually appealing and easy to understand, even by non-patent attorneys. These are generated directly from data in the firm's internal systems, which allows for all family members, even those patent applications that have not yet been made public, to be represented on the trees.

Once the firm started generating trees for a single patent family, it was easy to create browse-friendly forests of patent family trees to show a company's entire portfolio at a glance. Firm practitioners now use KT Trees on a daily basis—they are integrated directly into each matter's electronic file—to help them manage their work and ensure harmony within, and across, patent families.

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