

Chief Judge Rader Swears In New Administrative Patent Judges | IPWatchdog.com | Patents & Patent Law



Judge James Donald Smith

Administrative Patent Judge, then took the podium to deliver his remarks and to introduce all of the new APJs; an impressive bunch that averages 3 advanced degrees in either science or law, some of who come from the largest patent law firms in the country, including **Arnold & Porter, Foley & Lardner, Jones Day, Hunton & Williams** and **Finnegan Henderson**. Others of the new Judges come from within the USPTO or the Department of Justice. Several of the new APJs were formerly on the Board and are now returning after a period of time in private practice.

Judge Smith also introduced Chief Judge Rader, explaining the reason why he was invited to swear in the new APJs: "Our thinking was that if he joins us this morning, and swears in our Judges, he could be thought to in part be blamed for who is at the Board, blamed therefore for its decisions and perhaps inclined to speak a little more gently when pointing them out."

As you can imagine the room roared in laughter, with Chief Judge Rader loudest among those laughing and enjoying the moment. In truth, Chief Judge Rader was not only a logical choice given that he is the top Judge on the Court that will review appeals from the BPAI, but also because two of the new Judges were former law clerks of his – Judge George Best and Judge Jacqueline Wright Bonilla.

Prior to administering the oath Chief Judge Rader gave a few remarks. As the Chief Judge frequently does, he told a story. The story today was about his meeting with the Chief Justice of the Korean Supreme Court. Rader recounted this encounter by saying:

I can't convey all of his remarks, but I can convey in a couple sentences the substance of them. He said: 'the future of my country depends upon our economy's ability to innovate, and the future of our ability to innovate depends upon our devotion to intellectual property laws. Please bring your Court to Korea.' Director Kappos and I will work on that, but I've thought so often how I could convey that message to the United States. That the future our country too depends upon our ability to innovate and that ability depends upon administration of the laws which you are undertaking now with this oath, to the best of your ability. You are now key players in the future of your Nation. So you carry not just the responsibilities of administering the law appropriately for the cases in front of you, but you have a devotion now to your Nation, which is appropriately a part of this oath.

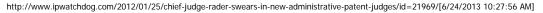
Judge Rader then administered the Oath of Office.



Chief Judge Rader administers the Oath of Office to the new Administrative Patent Judges at the USPTO

Congratulations to all of the new APJs!

For those reading who might want to become an Administrative Patent Judge, according to Director Kappos, the USPTO has a budget to hire 100 new Judges this fiscal year. When I interviewed the Director recently he told me:"So 20 down, 80 to go, tell your readers... if you're an experienced patent attorney and you want to have a great career move, we give you a robe and a wig and a gavel and you get to be a judge. It's fun." I'm pretty sure that he was kidding





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about the wig, but if that would be the icing needed to attract the right, high quality candidates I bet something could be worked out.

Seriously, while there are 80 more openings for Board Judges that can be filled during fiscal 2012, I have also heard rumors that the fiscal year 2013 budget will have funds to hire another 100 Judges further, but we all know how future budgetary plans frequently work at the USPTO. Regardless, the size of the Board could go from 100 in 2011 to 300 Judges by 2012. This is an exciting time for the Board, and with the increased responsibilities thrust upon the Board by the America Invents Act there are some very highly qualified patent attorneys interested.

For more information on **USAJobs.com**. There are currently several BPAI postings there open through Friday, January 27, 2012, but I suspect more will be posted in the coming weeks and months.



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About the Author



Gene Quinn is a US Patent Attorney, law professor and the founder of IPWatchdog.com. He is also a principal lecturer in the **top patent bar** review course in the nation, which helps aspiring patent attorneys and patent agents prepare themselves to pass the patent bar exam. Gene started the widely popular intellectual property website IPWatchdog.com in 1999, and since that time the site has had many millions of unique visitors. Gene has been quoted in the Wall Street Journal, the New York Times, the

LA Times, USA Today, CNN Money, NPR and various other newspapers and magazines worldwide. He represents individuals, small businesses and start-up corporations. As an electrical engineer with a computer engineering focus his specialty is electronic and computer devices, Internet applications, software and business methods.



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