

“Why Can’t I Understand My Docket Report?”

It’s Monday morning, and your assistant places your weekly docket report on your desk. Do you eagerly review it, knowing that it will help you prioritize your workload for the week? Or, does it remain flat on your desk, serving as an unattractive coaster for your morning or afternoon beverage?

Intellectual property professionals know how important it is to have an air-tight docketing system. It’s one of the most important functions within any law firm or corporate IP legal department, but unfortunately, inaccurate or inexperienced docketing is a source of error that creates risky opportunities to miss critical due dates.

An unreliable docketing system carries significant risk. Several situations can contribute to a faulty docket:

1. The personnel responsible for its maintenance are inexperienced, lack substantive IP knowledge, or lack sufficient software training;
2. Standard docketing guidelines are absent, or followed inconsistently;
3. Mail distribution controls have not been sufficiently centralized to ensure that docketing personnel have constant access to the most up-to-date information.

If the docketing system is not properly maintained, a disconnect develops, resulting in a “garbage in, garbage out” effect. It is imperative that all stakeholders involved in the docketing process have confidence in the information the docket reflects.

Employees who enter information into the docket should be adequately trained in substantive IP issues, as well as all aspects of the docketing database, including knowledge of the various software features, and country-specific rules. Since docketing software is a significant monetary investment, it makes sense to maximize the return on that investment by fully utilizing the software’s capabilities. For instance, many new products allow a law firm to link its docket data to billing software, enabling seamless integration and consistency to prosecution expense-tracking. In addition, docketing software packages contain features that give lawyers and paralegals “push-of-a-button” access to their updated daily docket without having to wait for a report.

Time should be taken to establish standard docketing procedures. Frequently, docketing databases lack integrity and functionality due to inconsistent practices related to inexperienced IP knowledge or to employee turnover. Docketing personnel should collaborate with lawyers and paralegals to develop standard, published, guidelines.

Centralized mail procedures should be implemented to ensure that ALL external and internal communication affecting the docket, including email communication, is sent to the docketing desk immediately after receipt. Docketing personnel should have specific turnaround instructions, e.g., within 24 hours. This is particularly important if a central docketing office serves multiple sites.

Docketing is one of the most crucial functions within any law firm or IP legal department. This data is vital, not only for critical prosecution due dates, but also for annual prosecution expense budgeting. Companies and firms must be certain that docketing personnel have appropriate knowledge, consistent training, and standard procedures in place in order to avoid calendar uncertainty, or a docket disaster.

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