

## Dual Private PAIR Access

Private PAIR access is determined by a single customer number that is used for designating correspondence address. In many cases, a client will bring in outside counsel to prosecute the application. The problem is the client is unable to access the application via Private PAIR because the customer number / correspondence address associated with the application belong to the outside counsel.

### Example

- Law Firm A has a customer number that is associated to applications 1,2,3,4,5,6,7.
- Client Z would like to be able to view his/her applications (3,4,5) in Private PAIR.
- Law Firm A does not want Client Z to be able to see applications 1,2,5,6,7 in Private PAIR

### Solutions

#### **Scenario 1 – New customer number**

##### Assumptions:

- Law Firm A and Client Z both have PKI certificates
- Client Z has in-house attorneys

Law Firm A can request a new customer number specifically for Client Z and associate only Client Z's applications to that customer number. Law Firm A can also request that the attorneys from Client Z be associated with this new customer number. Client Z can request that the new customer number be associated to their PKI certificate.

##### Drawbacks / Risks:

- Client Z may not have an in-house registered attorney. (e.g. independent inventors) Therefore, they can not be associated to the new customer number.
- Law Firm A may not want to establish separate customer numbers for all of their clients
- Law Firm A may not want Client Z to have full Private PAIR access due to the ability to change customer number details (address, emails, associated attorneys), attorney docket numbers, etc.
- If Law Firm A is an eOA participant and Client Z views the outgoing correspondence first, PAIR will indicate the documents were viewed by the practicing attorneys. (Postcard for response will not be sent)

#### **Scenario 2 – e-Office Action**

##### Assumptions:

- Law Firm A requests a new customer number specifically for Client Z

Law Firm A can 'opt-in' to e-Office Action and add Client Z's email address to the new customer number. This way, Client Z will at least be notified via email when there is new correspondence and can follow up with Law Firm A.

##### Drawbacks / Risks:

- Client Z may not be satisfied with just an email. PAIR access is still restricted and Client Z would need to have an agreement with the law firm to get the requested data.
- Law Firm A may not want to establish separate customer numbers for all of their clients

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### Scenario 3 – Administrative Certificate

#### Assumptions:

- The Administrative Certificate is released into production
- Law Firm A sponsors Client Z

Law Firm A can request an Administrative PKI certificate for Client Z.

#### Drawbacks / Risks:

- This is against the Subscriber Agreement (Client Z is non-employee/contractor)
- Client Z would have access to all customer numbers associated to Law Firm A's certificate
- Although Client Z would have limited Private PAIR access, they would still have the ability to make changes to the Attorney Docket number.
- If Law Firm A is an eOA participant and Client Z views the outgoing correspondence first, PAIR will indicate the documents were viewed by the practicing attorneys. (Postcard for response will not be sent)

### Scenario 4 – Secondary Customer Number

#### Assumptions:

- Secondary Customer number concept has been released into production
- Client Z has his/her own unique customer number

Law Firm A would request Client Z's customer number be added as a secondary customer. This secondary customer number would only have read-only access in Private PAIR.

#### Drawbacks / Risks:

- This option has not been implemented at the USPTO at this point

### Scenario 5 – Custom-developed web portal

#### Assumptions:

- Client or attorney develops a secure web portal solution that is populated with data from Private PAIR

#### Drawbacks / Risks:

- Requires technical expertise for development and maintenance
- May require significant cooperation between law firm and client.