



THE 2025 NATIONAL  
**PATENT**  
**APPLICATION**  
DRAFTING COMPETITION

## **Rule Handbook**

# **2025 National Patent Application Drafting Competition**

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Welcome to the 2025 United States Patent and Trademark Office National Patent Application Drafting Competition (“The Competition”). Designed to introduce law students to issues arising in United States patent law, the Competition was created in 2014 and has evolved into a national event. The Competition provides participants an opportunity to develop patent prosecution skills by applying legal principles to a hypothetical Invention Statement provided by the Competition organizing committee, which serves as the basis for drafting the patent application. Each team will complete a search pertaining to the Invention Statement, draft a utility patent application, and defend their decisions before a panel of judges comprising United States Patent and Trademark Office (USPTO) executives/personnel, patent practitioners, academicians, and/or special guest judges from the IP community. Successful teams will demonstrate an ability to draft a patent specification and claims that are both patentable over the prior art and valuable, in terms of breadth of the claims and other considerations relating to post-issuance enforcement of the patent.

The Competition consists of a Regional Round virtually hosted by each USPTO Regional Outreach Office and a National Finals Round. The winner of each Regional Round Group will advance to compete in-person in the National Finals held at USPTO headquarters in Alexandria, Virginia.<sup>1</sup>

There is no entry fee for the Competition. All eligible teams are encouraged to enter.

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<sup>1</sup> Subject to change and at the expense of competing teams.

## The Competition

The National Patent Application Drafting Competition provides an opportunity for law school students to develop patent prosecution skills by applying legal principles to a hypothetical Invention Statement. Based on the Invention Statement, teams will conduct a prior art search and prepare a patent application. Additionally, teams will provide a discussion of search strategy, claim drafting strategy, and other materials as set forth in the rules below. These materials and a team presentation will be scored in Regional Round for a chance to participate in the National Finals, where a National Winner will be named.

The Competition is open to law school teams made up of 2 to 4 students and, a coach. Registration closes at 11:59 pm ET on **November 15, 2024**, and team submissions are due no later than 11:59 pm ET on **February 3, 2025**. The Invention Statement and associated drawings will be made available after registration closes. These and other key dates can be found on the [Competition webpage](https://va-uspto.zfairs.com/App?f=3390cdcb-e56e-4219-8ecc-04b79713baca) (<https://va-uspto.zfairs.com/App?f=3390cdcb-e56e-4219-8ecc-04b79713baca>).

Each team must draft a patent application based on the Invention Statement in accordance with all relevant legal requirements, including providing support for the claims and enabling the invention. More specifically, the Teams should be familiar with Chapter 1, Subchapter A of 37 CFR and 35 USC. The specification is limited to 8 pages of description, 8 pages of drawings and may also include no more than 10 claims (which are not counted toward the 8-page description). Additional requirements are set forth herein.

### Team Coaches

Each team of 2 to 4 students should, additionally, include a coach. Coaches may provide advice and guidance regarding preparation of all work products, including but not limited to prior art search, patent application, presentation slides, and oral presentations. Coaches must certify that they are registered US patent attorneys or agents in good standing and are not employees of the USPTO. If a team is unable to enlist a coach, the team should send an email to [NPADC@uspto.gov](mailto:NPADC@uspto.gov) and every effort

will be made to assist in locating one.

### **Scoring Considerations**

In addition to the draft patent application, each team will be evaluated based on their search strategy and claim drafting strategy, as well as an oral presentation.

### **Search Strategy**

In addition to the application, the team submission must include a summary of the search strategy to be used in scoring, which will be based, at least in part, on consideration of the following:

- What search queries did the team use?
- Did the team compile the necessary keywords in order to cover the main elements of the proposed invention?
- Did the team use combinations of keywords, classification symbols, Boolean operators, proximity operators, etc.?
- Did the team search international patent databases and, if so, what was the search strategy?
- Did the team search non-patent literature (NPL), and if so, what was the search strategy?
- What were the most relevant pieces of prior art located, and why are they relevant?

In order to assist with searching, the USPTO has organized an optional Patent Searching Webinar for registered teams. Information regarding the webinar will be posted to the [Competition webpage](#).

### **Claim Drafting Strategy**

Each team must also include a discussion of their claim drafting strategy with their submission. Claims must be drafted in light of the prior art found during the search and must comply with all statutory provisions, e.g., 35 USC §§ 101, 102, 103,

and 112, as to clarity, support in the specification, subject matter eligibility, and the like. Teams are permitted to draft their claims using any word processing software program they wish (e.g., Word, Google docs, WordPerfect), so long as generative artificial intelligence is not used and the claims are submitted in PDF format, as discussed further in the rules below. Scoring of the claims and the summary of the claim drafting strategy will be based, at least in part, on the following:

- How has the team identified the essential elements of the invention statement and drafted claims to cover any preferred or commercial embodiments?
- What elements has the team chosen to claim dependently?
- Has the team presented claims of varying scope which are neither unduly limiting nor overly broad?
- Does the team avoid including any unnecessary limitations in their claims, especially in the independent claim(s)?
- Have all of the elements been correctly identified and supported in the description?
- How has the team maximized value through consideration of injunctions, damages, detectability, and possible infringers?

### **Presentation**

In addition to the score for the written submission, teams will be awarded points on the quality and creativity of the team presentations by a panel of judges, during the Regional and Final Rounds. The team presentation is an opportunity for the team to explain its claim drafting rationale, in light of their search results, as well as overall strategic reasoning, taking into consideration such issues as prosecution concerns and gaining the best protection for their client.

A portion of the scoring will be based on the team's overall presentation skills, including how clearly and competently they explain their claim drafting strategy, search strategy, search results, and how the team handles questions and/or comments from the judges within the allotted time.

For the presentation, teams can use any presentation software of their

choosing, including PowerPoint®, Prezi®, etc., however a PDF copy of the presentation must be submitted. A portion of the scoring will be based on the team's presentation skills, including how clearly and competently the team explains their search strategy, search results, and relevance to the panel of judges.

## Rules

The Rules of the Competition follow, and will govern the Competition.

### Organizing Committee

1. The Competition is organized and headed by an organizing committee ("Organizing Committee").
2. The Organizing Committee may, at its sole discretion, amend or add to the rules of the Competition ("Rules") at any time. In the event of a rule change, adequate notice shall be given simultaneously to all registered teams, via email from the Competition website. Any question or interpretation of these Rules should be addressed to the Organizing Committee and submitted via email to [NPADC@uspto.gov](mailto:NPADC@uspto.gov).
3. Decisions of the Organizing Committee shall be final and are not subject to any form of appeal or review.
4. The Organizing Committee may, at its sole discretion, disqualify a team if it finds that there has been a serious violation of these Rules, or in the event of other behavior that is considered contrary to the spirit of the Competition.

### Teams and Eligibility

5. The Competition is open to teams consisting of two to four law school students and only one coach.
6. Students must be enrolled, on a full-time or part-time basis, at a law school or in a program under the auspices of a law school (see Rule 9), provided that:
  - a. the student has not been admitted or licensed to practice law in the United States;
  - b. the student, if a registered patent practitioner (i.e., a patent agent), was registered no more than three years before the year of the competition (for example, for 2025, the student was registered on or after **January 1, 2022**);
  - c. the student is enrolled at the institution during the **2024–2025** academic year;

and

d. the student is not currently an employee of the USPTO.

7. All team members must be from the same law school, unless a team receives a written waiver by the Organizing Committee.
8. The same team members must represent the team at each phase of the Competition, including search, preparation of the written application materials, and appearances at the Regional and National Final rounds of the Competition, unless a team receives a written waiver by the Organizing Committee.
9. In addition to JD and LLM programs, students are eligible for the Competition if enrolled in a program directed to Intellectual Property and operated under the auspices of an accredited law school, including Master's Programs.
10. At the time of registration, each student team member is required to declare that they are eligible to compete and satisfy the requirements discussed above in [Rule 6](#). Additionally, coaches must certify that they are registered US patent attorneys or agents in good standing (or have received a waiver of this requirement) and are not employees of the USPTO. Anyone found to have misrepresented their eligibility will be subject to disqualification from the Competition.
11. **PLEASE NOTE:** Students unable to identify a coach should reach out to the Organizing Committee who will assist the team to identify a suitable coach. Such requests should be made as soon as is practicable and must be made no later than the Registration Closing Date via email to [NPADC@uspto.gov](mailto:NPADC@uspto.gov).
12. All work products, including but not limited to prior art search queries, prior art search results, search strategy summary, patent application, presentation slides, and oral presentation documents must be created and written by the students, see Rule 22. Coaches may provide advice and guidance regarding preparation of these materials.
13. Coaches may attend the Regional Round of competition and National Finals, if the team advances. Coaches are prohibited from communicating with the teams or presenting during oral presentations.



## Registration

14. Each team must register through the [Competition webpage](#).
15. Registration opens **October 3, 2024**, and closes at 11:59 pm ET on **November 15, 2024**.
16. A law school is normally represented by one team, defined as the first team to submit a complete application for registration. Additional teams from the same school may apply for registration but will be notified by the Committee via email that they are waitlisted. Once registration closes, waitlisted teams will be notified whether their registration has been accepted.
17. The Competition is limited to a maximum of 75 teams nationwide. Should maximum registration be reached, teams may still register but will be notified by the Committee via email if they are waitlisted. Once registration closes, waitlisted teams will be notified whether their registration has been accepted.
18. Each registered team member will receive an email confirming their account registration once registration is complete. Each team will be assigned a unique Project ID number, which must be used in all future submissions.
19. Unless notified by the Committee, teams that successfully register will be accepted into the Competition. Competition materials, including the Invention Statement, will be available in the Teams Main tab for competitors that are signed into the Competition Webpage following the close of registration.
20. Should a team member withdraw from the Competition, the remaining two or three team members may choose to continue in the Competition or withdraw from the Competition. The team coach should immediately notify the Organizing Committee of the individual withdrawal and the team decision of whether to withdraw the entire team

from the Competition.

21. Based on a showing of good cause, a team may petition the Organizing Committee to replace a team member or a coach. Petitions for replacement should be made as soon as practicable via email to the Organizing Committee at [NPADC@uspto.gov](mailto:NPADC@uspto.gov).

### **Team submissions**

22. Each team will complete an **original** patent application pertaining to the Invention Statement and other documentation, as described below. The application may repeat language from the Invention Statement and reproduce any drawing(s). The use of generative artificial intelligence is expressly prohibited to generate the specification, claims, drawings, claim drafting strategy and presentation documents.
23. A complete team submission will consist of the following items:
- a. Patent Application;
  - b. Search Strategy Summary;
  - c. Claim Drafting Strategy Summary;
  - d. Information Disclosure Statement (IDS); and
  - e. Slides for oral presentation.
24. Rule 23 items (a)-(d) must be received no later than 11:59 ET on **February 3, 2025**, and item (e) must be received no later than 11:59 ET on **February 24, 2025**.
25. Rule 23 items (a)-(d) must be formatted in accordance with 37 CFR 1.52(a).
26. Documents in the team submissions must be submitted via the Competition webpage and must be titled as follows:

<b>Document</b>	<b>Filename to Upload</b>
Patent Application	Unique Project ID_Patent Application.pdf
Search Strategy Summary	Unique Project ID_Search Strategy.pdf
Claim Drafting Strategy Summary	Unique Project ID_Claim Drafting Strategy.pdf
Information Disclosure Statement	Unique Project ID_IDS.pdf
Presentation	Unique Project ID_Presentation.pdf

27. Each patent application submission must be formatted in accordance with 37 CFR 1.52(b) and must include the following sections:
- Background of the invention,
  - Brief summary of the invention,
  - Brief description of the drawing(s),
  - Detailed description of the invention,
  - Claims,
  - Abstract of the disclosure, and
  - Drawings.
28. The claims are limited to a maximum of 10 claims, with up to three independent claims. No multiple dependent claims are allowed.
29. The specification of the patent application (items a-d of Rule 27) may not exceed 8 pages single-sided.
30. The drawings may not contain more than 8 drawing sheets.
31. Teams may use selected sheets from the drawings in the Invention Statement or create their own drawings from any of the materials provided. The Competition does not provide a draftsman to create additional drawings.
32. The search strategy summary must be no longer than two pages in length and should discuss the rationale(s) supporting the patent searching strategy, including a discussion of databases searched, search terms/keywords used, classification, and other relevant information. Teams are encouraged to include at least one sample search string used in their search.
33. The claim drafting strategy summary must be no longer than two pages in length and should discuss the rationale(s) supporting the claim drafting strategy used by the team and may set out relevant authorities that have influenced the team's claim drafting strategy. In addition to rationale(s) relating to patentability and procurement of the patent, teams should additionally include a discussion of any matters relating to post issuance enforcement, post-grant challenges, or licensing of the invention that were considered by the team.

34. Each team must submit an Information Disclosure Statement (IDS) listing relevant prior art discovered in their prior art search. The IDS must be limited to no more than five references.
35. A team's submission will not be circulated to other teams or the public. Each submission will be treated as confidential to the team that wrote it, and (unless permission is obtained) access will be limited to the Organizing Committee, reviewers, and judges.
36. A registered team's failure to submit a complete original submission, as outlined above, will result in disqualification from the Competition.

### **Regional Round**

37. For the Regional Round, registered teams will be divided into five Regional Groups for team presentations. The five Regional Groups are:
  - a. Midwest Regional Round (Eastern Time Zone)
  - b. Northeastern Regional Round (Eastern Time Zone)
  - c. Southwest Regional Round (Central Time Zone)
  - d. Rocky Mountain Regional Round (Mountain Time Zone)
  - e. Western Regional Round (Pacific Time Zone)
38. The order and times of team presentations for each region will be posted on the Competition webpage under the "Team's Main" tab prior to the Regional Round. Each team's respective location and time zone will be taken into consideration when assigning teams to a Regional Group and scheduling the team presentations. Teams should pay careful attention to which Regional Group their Project ID is assigned.
39. The virtual Regional Round will consist of a Preliminary Round and a Final Round. The Preliminary Round will be held in the morning and the Final Round in the afternoon. The winners of the Final Round will advance to the National Finals.
40. Scoring for the virtual Regional Round will include a first score awarded by a panel of USPTO reviewers and a second score awarded by a panel of judges. The total team score will be calculated using normalized values with the USPTO review weighted at 60%

and the judges' scores weighted at 40%.

41. The USPTO review will be based solely on the written team submission (items (a)-(d) of [Rule 23](#)) and will include points based on the following:
- a. Search, including databases searched, effective use of search queries, classification systems employed, compliance of IDS with 37 CFR 1.98, relevance of references found, and other factors;
  - b. Specification, including compliance with formatting as discussed above, as well as other formal requirements (see MPEP § 608 et seq.);
  - c. Drawings, including compliance with applicable drawing standards (see, e.g., MPEP § § 608.01(f) and 608.01(g));
  - d. Claims, including consideration of definiteness and clarity under 35 USC 112(b); support under 35 USC 112(a); and compliance with 35 USC 101. Additionally, for purposes of 35 USC 102 and 103, the claims will be reviewed in light of a representative piece(s) of prior art based on a search of the invention statement performed by USPTO personnel. The piece(s) of prior art may be provided to teams following scoring and may be used in conjunction with the National Finals; and
  - e. informal or other matters relevant to patentability or claim scope.
42. The team presentation will be limited to twenty minutes and ten minutes for questions from the judges. The presentation should focus on claim drafting strategy, claim value, and patentability.
43. Each team is responsible to ensure that their equipment and internet connection is fully functional at the time of their team presentation. To reduce the likelihood of technical difficulties, an optional technical check will be scheduled prior to the competition. Information regarding the technical check will be available on the Competition webpage.
44. During the presentation, team members must not communicate with anyone, other than their fellow teammates, the panel of judges, and the timekeeper. Coaches are prohibited from communicating with the teams during the presentation. Notes may not be shared other than between teammates.

45. During the oral presentation, each team will be notified by a timekeeper when they have two minutes remaining and when the team's presentation time has expired. Teams must not continue speaking after the expiration of time without first gaining the permission of the timekeeper.
46. Each panel of judges will be made up of USPTO executives/personnel, patent practitioners, academicians, and/or other members from the IP community.
47. Judges may ask questions at any point during the presentation. The presentation time will not stop to answer questions.
48. While still active in the competition, teams may not observe other teams' presentations, nor send observers or scouts to observe another team's presentation.
49. The panels of judges will base their scores on the team submission, as well as the team presentation, including the team's ability to answer questions and comments from the judges.
50. The teams with the top three total team scores from the Preliminary Round will advance to the Regional Round Final.
51. The highest scoring team from each of the five Regional Round Final will be invited to participate in the National Finals at USPTO headquarters in Alexandria, VA. These teams will receive invitations to the National Finals.
52. In the event that a winning team does not accept the invitation to participate in the National Finals, the second-place team for that region will be invited to attend the National Finals. In the event that the second-place team does not accept the invitation, the third-place team for that region will be invited to attend. In the event that the third-place team does not accept the invitation, there will not be a team from that region in the National Finals.
53. All scores are deemed final and not subject to review or appeal.
54. By participating in the Regional Round, individuals are accepting that their written

materials, applications, presentations, and appearances may be used, published, video recorded, and/or livestreamed, and recordings posted on webpages.

### **National Finals**

55. The National Finals will be held at USPTO headquarters in Alexandria, Virginia.
56. Each team is responsible for paying their own meal, travel, and accommodation costs. A list of local hotels may be made available upon request.
57. Each team in the National Finals will consist of the same team members who participated in the virtual Regional Round.
58. With the National Finals invitation, the participating teams will receive the representative piece(s) of prior art used during the USPTO review in the Regional Round and may receive other supplemental documents (*supra*). These documents may or may not have been uncovered during the team's prior art search.
59. The teams may amend their claim(s) in light of the representative piece(s) of prior art and any other supplemental documents provided with the National Finals invitation. Teams must follow MPEP § 714 (37 CFR 1.121) rules for claim amendments. Furthermore, no new matter may be added.
60. Teams opting to make claim amendments must submit the claim amendments no later than March 17, 2025. If no claim amendment is received, the original claims will be used for scoring purposes. If claim amendments were presented, scoring will be based on the amended claims.
61. Scoring for the National Finals will include a first score awarded by a panel of USPTO reviewers, as discussed above for the Regional Round, and a second score awarded by a panel of judges during National Final Round presentations. If claim amendments were presented, scoring will be based on the amended claims. The total team score will be calculated using normalized values with the PTO review weighted at 60% and the Nationals Finals judges' score weighted at 40%.

62. The panel of judges will be made up of USPTO executives/personnel, patent practitioners, academicians and/or other members from the IP community.
63. The panel of judges will base their scores on the team submission, as well as the team presentation, including the team's ability to answer questions and comments from the judges.
64. The team presentation will be limited to twenty minutes for presentation and fifteen minutes for questions from the judges. The presentation should focus on claim drafting strategy, claim value, and patentability.
65. Judges may ask questions at any point during the presentation but it is preferred that questions be held for the fifteen-minute question period.
66. During the team presentation, each team will be notified by a timekeeper when they have two minutes remaining and when the team's presentation time has expired. Teams must not continue speaking after the expiration of time without first gaining the permission of the panel of judges.
67. During the presentation, team members must not communicate with anyone, other than their fellow teammates, the panel of judges, and the timekeeper. Coaches are prohibited from communicating with the teams during the presentation. Notes may not be shared, other than between teammates.
68. The team with the highest total team score will be the winner of the National Finals.
69. Judges' scores are deemed final and not subject to review or appeal.
70. The first, second, and third-place teams will receive awards. Teams that do not advance to National Finals may attend the presentations, but may not offer advice, comment, coaching, etc. to remaining teams.
71. Teams may neither directly nor indirectly observe other team's presentations unless they have already completed their presentation.



72. By participating in the National Finals, individuals are accepting that their written materials, applications, presentations, and appearances may be used, published, video recorded, and/or livestreamed, and recordings posted on webpages.