

## Client Reference:

# Fixed Fee Pricing & Terms

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### Summary:

Know what you are getting and what you will pay before you commit to writing a check. Fixed Fee Projects provide clients with a fixed price, defined objectives, tangible deliverables, and a project plan. If you don't see a project that meets your needs, please contact me for a custom Fixed Fee Project quote. Pricing and terms valid through 12/31/10.

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## General Business Counseling

### Business Issue Counseling Session—\$500 (single situation)

- Provide overview of legal considerations and next steps for investigation, legal analysis, and pursuit of business objectives
- Deliver written summary of facts and legal issues, resource list for client education, recommended next steps
- Includes client meeting; payment due on delivery of summary

### Quarterly Business Check-Up—\$1,600/year (4 sessions)

- Provide regular checkpoints for issue spotting and managing ongoing legal concerns, priorities, and budgets
- Deliver written summary of issues, status, and next steps
- Includes quarterly client meetings; 1/4 payment due on delivery of each meeting summary; monthly or bi-monthly plans available

**Contact me about Virtual In-House Counsel services or other general business counseling needs and I will provide a quote.**

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## Intellectual Property

### U.S. Patent Application—\$8,000

- Provide preparation and filing of a U.S. Utility Patent Application
- Deliver patent application including up to 3 embodiments, 5 drawings, 20 pages of specification, and 20 claims with 3 independent claim strategies; includes information disclosure statement (IDS), declaration, assignment, and associated filing documents
- Includes inventor/manager interviews; 1/4 due at start, 1/4 due on draft, balance due on filing; includes government filing fees

**Intellectual Property projects continued on next page. Contract and Business Formation projects follow.**

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## General Terms

The following terms apply to all Fixed Fee Projects:

- 1) An executed client engagement letter is required.
- 2) Preliminary evaluation and a written project plan are required, including a definition of the business objective, deliverable, tasks, milestones, and delivery dates for the project.
- 3) Prices are subject to change based on the scope of the request, which will be included in the quote for the individual project plan.
- 4) Prices that include meetings are for teleconferences or local sites. Additional travel costs will be added to the quote for the project plan for on-site meeting for more distant clients.
- 5) Payment is due upon achievement of project plan milestones.

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## Intellectual Property (continued)

### Preliminary Analysis of Invention/Product— \$1000 (single concept)

- Provide overview of closest technologies, markets, and identified entities active in the technology or market (businesses, universities, etc.)
- Deliver written summary of U.S. Patent Database and general internet search results and recommendations for claim scope and patent strategies
- Includes client meeting; payment due on delivery of summary; request custom quote for complete product landscape study, starting at \$5,000

### Provisional Patent Application—\$1,000

- Provide preparation and filing of U.S. Provisional Patent Application with value for future priority claims
- Deliver provisional patent application of up to 10 pages based on client materials
- Includes inventor/manager interview; balance due on filing; includes government filing fee

### Response to U.S. Patent Office Action—\$2,500

- Provide analysis, preparation, and filing of response to Office Action from U.S. Patent Office
- Deliver Office Action response based on feedback from client on desired scope and strategy
- Includes inventor/manager interview; payment due on filing

### Virtual Patent Management—\$10,000/year

- Provide management of the patent portfolio for a single product or technology area, including invention evaluation, tracking, and budgeting for up to 20 new inventions per year
- Deliver and maintain technology model and spreadsheets for tracking client inventions and related third party technical publications
- Includes quarterly client meetings; 1/4 due at start and quarterly thereafter; management of outside patent prosecution for additional \$500 per pending patent application per year

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### Preliminary Analysis and Response to Cease & Desist Letter—\$2,500

- Provide preliminary analysis of facts and law and initial response to a cease & desist letter
- Deliver written summary of facts and legal issues, letter response, and roadmap for dispute resolution based on client business objectives
- Includes client meeting; payment due on delivery of summary

### Non-infringement, Invalidity, or Design Opinion—\$5,000 per patent

- Provide comprehensive analysis of a single patent against a product or product plans, based on references provided by the client
- Deliver analytical claim charts and a summary with recommendations and next steps
- Includes interviews with product and subject matter experts, client meeting; 1/2 payment due at start and balance upon delivery of summary

### Simple Software, Patent, Copyright, or Trademark License—\$1,000

- Provide a structured process for preparing and negotiating a license agreement for a single product/service that meets client business objectives
- Deliver summary of business objectives and key terms and draft license agreement or markup of other party's agreement, up to 5 pages
- Includes client meeting; payment due on delivery of draft license/markup; direct negotiation is an additional \$500 per meeting

### IP Policy Audit and Development—\$5,000

- Provide a structured process for identifying strategic IP challenges and opportunities, analyzing current operations, and recommending changes
- Deliver summary of IP objectives, analysis of current IP operations, and recommendations for policy and process changes
- Includes 2 client meetings and on-site assessment; 1/2 payment on start, balance upon delivery of summary

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## Intellectual Property (continued)

### Preliminary Analysis of Product/Service Name, Slogan, or Logo—\$500

- Provide overview of closest terms, general use, and associated entities
- Deliver written summary of U.S. Trademark Database, domain name registrar, and general internet search results and recommendations for strength and risks of brand element
- Includes client meeting; payment due on delivery of summary

### U.S. Trademark Application—\$1,000

- Provide Preliminary Analysis described above and preparation and filing of U.S. Trademark Application and specimens
- Deliver written summary of Preliminary Analysis described above and U.S. Trademark Application and specimens
- Includes client meeting; balance due on filing; includes government filing fee

### Response to U.S. Trademark Office Action—\$2,500

- Provide analysis, preparation, and filing of response to U.S. Trademark Office
- Deliver Office Action response based on feedback from client on evidence and strategy
- Includes client interview; payment due on filing

### Virtual Trademark Management—\$5,000/year

- Provide management of the trademark portfolio, including identifying brand elements, tracking trademark filings and use, and policing activities for up to 10 trademarks (or brand elements)
- Deliver and maintain spreadsheets for tracking client brand elements, filings, use, and policing; includes internal guidelines for brand use
- Includes quarterly client meetings; 1/4 due on start and quarterly thereafter; use of brand monitoring services is optional and will be billed directly by the third party service provider

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## Commercial Contracts

### Contract Review and Negotiation Support—\$500

- Identify key terms and contract language for negotiation of simple agreements (5 pages or less)
- Deliver written summary of key terms, proposed negotiation points, and contract markup
- Includes client interview; payment due on delivery of summary and markup; direct negotiation available for additional \$500

### Form Contract for Recurring Transactions—\$1,000

- Evaluate recurring transactions and key terms and provide form agreement
- Deliver form contract customized for client and written guidelines for administration
- Includes quarterly client meetings; 1/4 payment due on delivery of each meeting summary; monthly or bi-monthly plans available

### Virtual Contract Management—\$5,000/year

- Provide management of commercial contracts, including contract repository, effective dates, ongoing obligations, and renewals for up to 50 new agreements per year
- Deliver and maintain spreadsheets for tracking contract obligations; establish contract archive and form library
- Includes quarterly client meetings; 1/4 due on start and quarterly thereafter; additional agreements \$50 each; initial audit of agreements and population of spreadsheet, archive, and form library can be done as a separate fixed fee project (to not count against annual agreement count for first year)

**Contact me about custom contracts, review, and negotiation support for more complex agreements and I will provide a quote.**

**Fixed Fee Project quotes also available for investment, M&A, or transaction due diligence.**

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## Business Formation and Startup

### Preliminary Analysis of Business Name—\$500

- Provide overview of closest business names and associated entities
- Deliver written summary of county d/b/a , state entity database, U.S. Trademark Database, domain name registrar, and general internet search results associated risks
- Includes client meeting; payment due on delivery of summary

### Setup Limited Liability Company—\$1000

- Provide documentation and comply with state requirements for establishing, capitalizing, and maintaining LLC
- File Articles of Organization and publish notices; Deliver custom Operating Agreement and Asset Transfer Agreements
- Includes client meeting; payment due on delivery of agreements; government filing fees included

### Setup Corporation—\$1000

- Provide documentation and comply with state requirements for establishing and capitalizing a closely held corporation
- File Articles of Incorporation; Deliver custom Corporate Bylaws, Asset Transfer Agreements, and recommendations for maintaining form
- Includes client meeting; payment due on delivery of agreements and recommendations; government filing fees included

### Virtual Corporate Secretary—\$2,000/year

- Provide closely held business with administration of corporate records and meeting
- Deliver agenda and minutes of annual Shareholder and Board of Director Meetings; establish archive of corporate records and actions
- Includes two corporate meetings; 1/2 payment due after delivery of minutes for each meeting

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## Founders' Agreements—\$1,000

- Provide definitive agreements on founder contributions, ownership, operational roles, and termination or transfer of interests
- Deliver Founder, Member, and/or Shareholder Agreements for up to three distinct founder roles and written guidelines on changing interests
- Includes founder interviews; payment due on delivery of agreements

## Employment Contracts—\$1,000

- Provide agreements for all employees that reflect client employment and intellectual property policies
- Deliver custom Employment Agreements for up to three employee categories (executive, salaried, hourly) and written guidelines for administering agreements
- Includes client meeting; 1/4 payment due on delivery of each meeting summary; monthly or bi-monthly plans available

## Legal Compliance Training for Employees—\$500/session

- Provide legal compliance training to employee group on up to three topics (per session) that support corporate policies and priorities
- Deliver one-hour presentation, summary take-away, and support plan for employee inquiries following the session
- Includes planning meeting and training session; payment due on delivery of each presentation

**If you don't see what you need, contact me about additional Fixed Fee Projects to support the legal needs of your startup or growth company.**

**Fixed Fee quotes for litigation management and out-of-court dispute resolution available upon request.**

