How Small IP Teams Actually Operate

100–300
Patents this operating model fits

1–2
People running IP at this portfolio size

3
Structural failure modes at this size

23%
Rise in IP billing rates since the last budget cycle

Most of what is written about patent operations assumes a department, when at a few hundred patents or fewer that department is usually one or two people wearing several hats.

The playbooks and conference panels picture a function with docketing staff and attorneys who do nothing else, whereas at 100 to 300 patents it is more often a generalist counsel holding the patents along with everything else, or a solo attorney with maybe a paralegal. In our conversations with teams this size, the first question is usually whether their own arrangement is normal because nobody has written down how a function this small actually runs.

What goes out and what stays in

Prosecution and annuities go out the door to outside counsel and often a payment service, while the judgment stays in house with the same person who decides which disclosures are worth filing and chases the inventor declarations. When a maintenance fee comes due, that person also decides whether the patent still earns its keep.

Teams differ in how that line got drawn, some having chosen it and others having inherited it from a predecessor or a panel firm. The difference shows up at budget time, when a team that chose its split can explain it while a team that inherited one ends up defending decisions nobody in the room made.

Benchmarking spend takes numbers a single team rarely buys

The market numbers exist, though they sit behind surveys and fee guides that a single team has little reason to buy. AIPLA put the average IP billing rate at $447 per hour in its 2023 survey and $550 in its 2025 survey, the same figures the USPTO cites in the Federal Register when it sets its own fees. A rate assumption carried over from the last cycle is therefore roughly a quarter light.

Office action responses and application drafting sit in knowable ranges, while annuity pricing has no published range at all. The published figures and their sources are gathered in the companion benchmark rather than repeated here.

The published ranges, with their sources, are in the companion benchmark: What Patent Work Actually Costs.

What breaks when the function is one or two people

One person holds the docket logins and the counsel relationships, which means two weeks of vacation or a resignation removes the only person who knows how it all connects.

Outside work is priced when it is billed, which makes the invoice the first exact number the team sees for any matter and turns last year's bills into the basis for next year's budget.

The company does not control the calendar either because maintenance fees come due on each patent's own anniversary and foreign annuities follow their own national schedules. Renewal decisions therefore arrive a few at a time all year rather than in one reviewable batch.

Where the scarce hours go

A one or two person function spends most of its week on a handful of recurring tasks. Teams check correspondence from outside counsel against the docket so a deadline shows up as an entry with a date and a named owner. They weigh a renewal coming due against which products the claims still cover and where the patent is still in force. Those facts sit in systems that take time to pull. Teams get to the renewals they can and pay the rest on the analysis they ran last cycle.

The teams that run this well share a few habits

They keep a list of what they own that is separate from the docket so an asset cannot drop off both records at once. Every so often they sample recent correspondence to confirm it is turning into dated entries rather than sitting in an inbox. They name a person who can run the docket cold if the lead is away for a month. When renewals come due, the review starts with the oldest patents. Those carry the largest fees, $8,280 at 11.5 years against $2,150 at 3.5, and have had the most time to drift from what the company now sells. The work these teams will not take on is written down as well, from drafting to chasing an inventor past the third reminder.

Sources

Average IP billing rate, 2023 edition: [Federal Register, Nov. 19, 2025 (AIPLA 2023 Report, pg. F-41)]

Average IP billing rate, 2025 edition: [Federal Register, Jul. 17, 2026 (AIPLA 2025 Report, pg. F-35)]

US maintenance fee amounts: [USPTO fee schedule, effective January 19, 2025, last revised August 14, 2026]

Maintenance fee timing: [USPTO, Maintain your patent]

Annuity currency markups: [PatentRenewal.com, Patent renewal costs explained]

Compiled by ArcPrime. Figures verified August 2026.