

Use of Patent Information (Prior Art) for Technology Management

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Outlines

- What is Prior Art?
- Characteristics of Prior Art information
- Purposes and Significance of Prior Art Searches
- Searches and Analysis
- Source of Prior Art information
- PCT Pamphlet
- Patent Classification
- Search Methods

What is prior art?

- Prior art refers to scientific and technical information that exists prior to the effective date of a patent application
 - The effective date varies from country to country and from first-to-file and first-to-invent systems
 - · The effective date is typically the filing date
- includes any public documents, such as:
 - Patents, technical publications, conference papers, marketing brochures, products, devices, equipment, processes and materials

What is prior art?

- A prior art search refers to an organized review of prior art materials available from public sources
- Used to assess patentability of invention
- Searches may also be a part of due diligence for an acquisition or investment



Characteristics of Prior Art Information

- Information include all published scientific and technical information
- Rich in information of cutting-edge technologies
- Concrete description and specific technological information
- Presentation and data elements based on WIPO standards (uniformed structure)
- Can be freely used to support research
- Problem solving approach

Characteristics of Prior Art Information

- Potential economic value
- Renders exclusive rights
- Industry oriented information
- Identifies competition in early stage
- Information on legal status of patent applications
- Essential tool for successful IP protection, licensing and commercialization
- Over 60 million documents made available on Internet

Main Purposes of Prior Art Search

- To generate ideas for R&D
- To avoid duplicate of research
- To reduce significantly R&D investment
- To develop new technical solutions to problems
- To evaluate specific technology
- To plan new products
- To identify state-of-art of technology
- To find legal status of patent applications
- To assess novelty and patentability
- To market for commercialization
- To update new technological trends
- To monitor competitor's research activities
- To prevent infringement actions (validity, ownership etc.)

Different Purposes of Prior Art Search

Technological

- · Focus of Research area to avoid redundant research
- Novelty
- State-of-the-art searches
- Decision of Patent Application (patentability searches)
- Patent examination searches

Legal

- validity searches
- Legal status of patent application
- e.g., Detection of possible infringement,

Economic

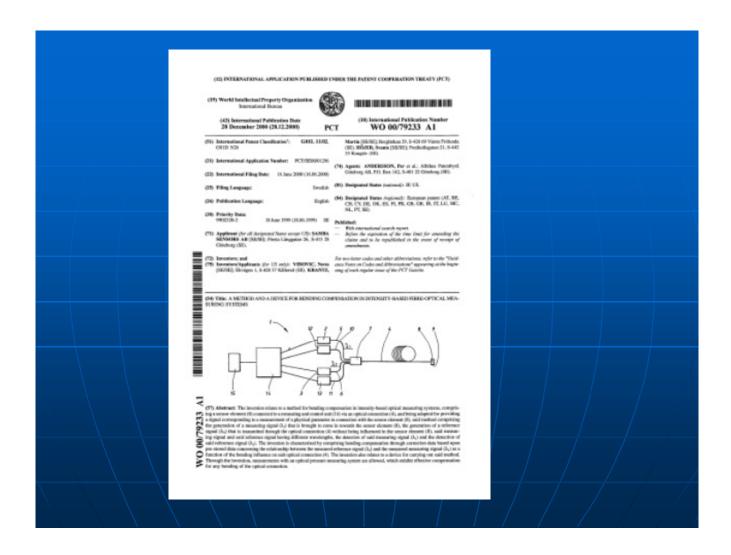
- R&D investment strategy (e.g., Preventing overlap of investment)
- IP as economic asset
- Marketing
- Commercialization
- Competitors activities

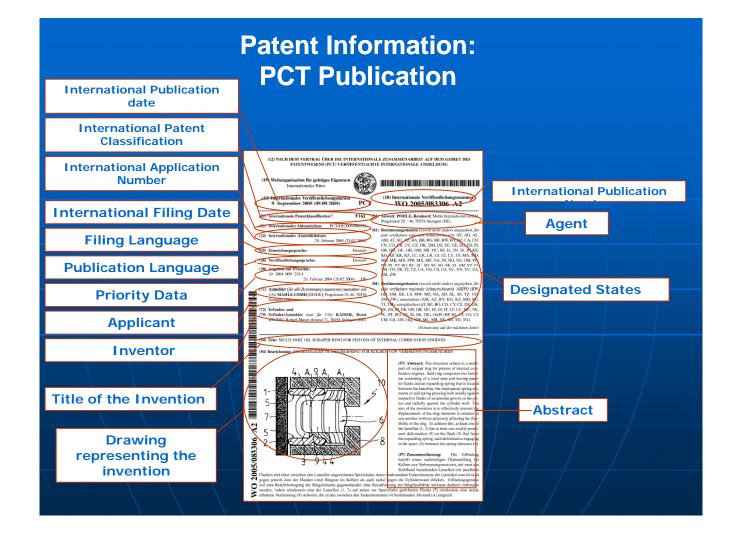
Users of Prior Art

- IPOs
- Scientific researchers
- University/ R&D Institution managers
- Potential inventors and applicants
- TMO
- Companies
- IP practitioners (IP lawyers, patent agents)

Significance of Prior Art searches in the Process of Patent Prosecution

- •May speed patent prosecution by allowing claims to be tailored to avoid the prior art before the examiner's own search
 - Know early on without investing much time, effort and money if an application is patentable
 - May sometimes assist in determining how to allocate R&D funds if want to investigate a relatively unexplored area
- May help avoid being patent infringer
 - But a different kind of analysis is required

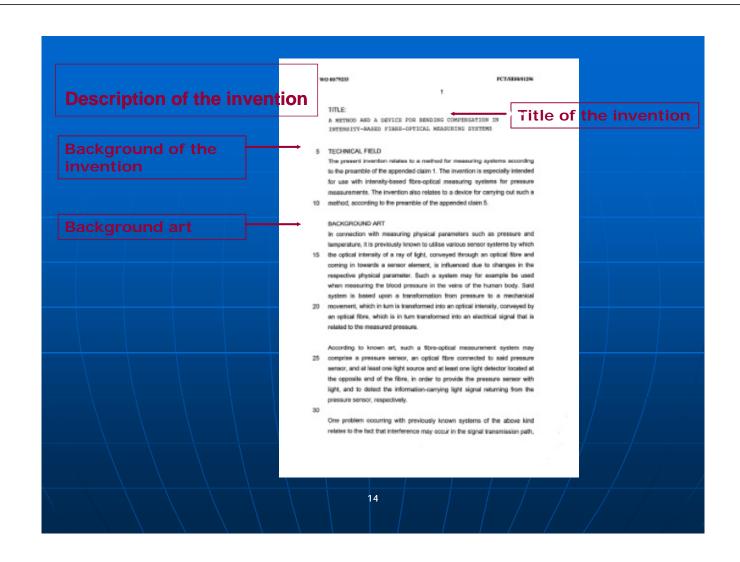




Bibliographic Data

- Application Number
- Application date
- Publication Number
- Publication date
- Patent Classification
- Priority Number
- Priority date
- Priority Country
- Applicant, Inventor
- Designated States
- Title of Invention
- Abstract
- Drawings

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Claims

Start with the independent claims

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A method for bending compensation in intensity-based optical measuring systems, comprising a sensor element (8) connected to a measuring and control unit (16) via an optical connection (4) and being adapted for providing a signal corresponding to a measurement of a physical parameter in connection with the sensor element (8), said method comprising

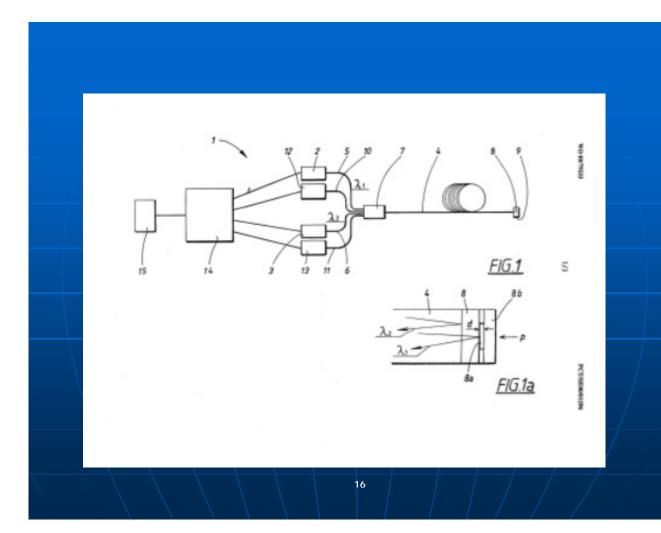
generation of a measuring signal (λ_1) that is brought to come in towards the sensor element (8),

generation of a reference signal (λ_2) that is transmitted through the optical connection (4) without being influenced in the sensor element (8), said measuring signal and said reference signal having different wavelengths,

detection of said measuring signal (λ_1) and detection of said reference signal (λ_2) ,

characterised by comprising bending compensation through correction data based upon pre-stored data concerning the relationship between the measured reference signal (λ_2) and the measured measuring signal (λ_1) as a function of the bending influence upon said optical connection (4).

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Information Included in the Patent Documents

- Bibliographic data
 General information of patent application
- Search reportPrior art document citations
- Description of the invention
 Background and details of invention
- ClaimsNew technical solution
- AbstractSummary of invention
- DrawingsImage data of invention

Different Types of Search

- Thematic search:Classification codes and keywords
- Validity search:Legal status and deadlines
- Patent family search :Patents based on the same priority application

Method of Search

- Text Searching
 - Databases of abstracts
 - Full-text databases
 - Other Patent Classifications
- Classification based searching
 - IPC

Fields of Search

/ / / /	Search Fields
Number	Priority, Application, Publication, Patent grant Nos.
Date	Dates of Priority, Application, Publication, Grant, etc.
Name	Applicant, Inventor, Agent, Examiner
Country	Priority Application country, Application Country, Designated States, etc.
Patent Classification	IPC, ECLA, FI, F-Term, UPC
Keywords	Title, Abstract, Claims, Description
Reference	Cited documents, Patent Family

Major Source of Prior Art Information

- EPO Publication
 - e.g.,Esp@cenet (60 million documents from 60 countries
- JPO Publication
 - e.g., JPO IPDL, F-Term
- USPTO Publication
 - · e.g., USPTO IPDL, Cassis
- WIPO PCT Publication
 - e.g., PatentScope, IPC

Dissemination of Prior Art Information

- Industrial Property Offices
- IGOs and NGOs
- Patent Information Centres (over 300 in Europe)
- Commercial vendors

Medium:

- Paper
- Optical discs
- Online

Non-Patent Literature

Web of Science

Research journal bibliographic and full-text data

Science Direct

World's science, technology and medicine bibliographic and full-text data

PCT Non-patent literature

Other Important Prior Art Databases

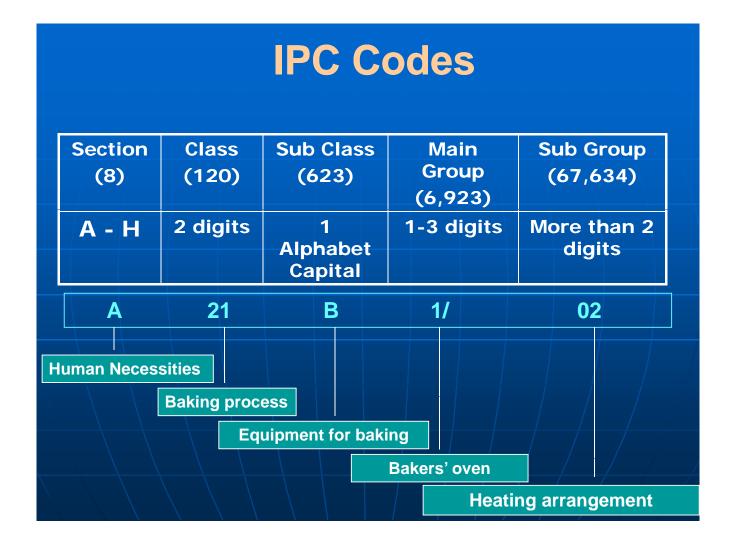
- Free-of-Charge Patent Information
 - IPDL of IP Offices
- Commercial Patent Information
 - Thomson-Derwent,
 - IBM
 - PatentCafe,
 - MicroPatent,
 - · Questel-Orbit,
 - Patlis.
 - WIPS etc.
 - Google IP
- Scientific, Chemical
 - Chemical Abstract (journal and patent literature relevant to Chemistry each chemical compound and chemical structure searchable)
 - STN International

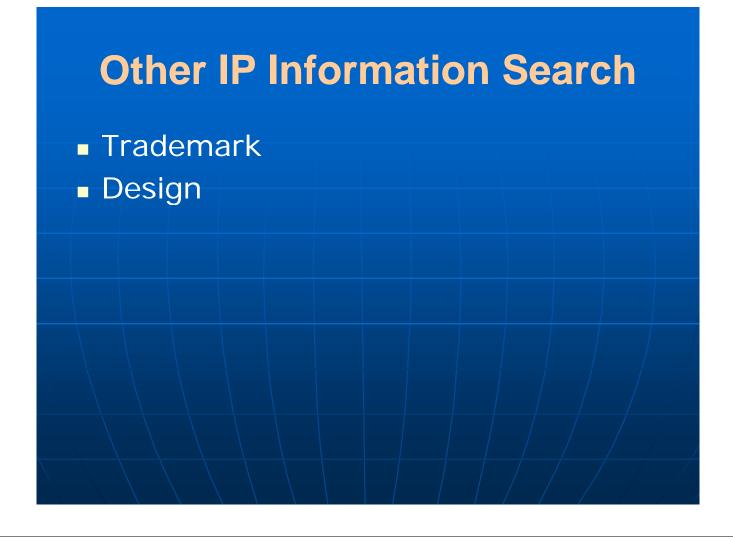
Patent Classification

- IPC 70,000 groups
- ECLA Code (EPO Classification) 130,000 groups
- FI / F-Term Code (JPO Classification) 190,000 groups
- UPC Code (US Patent Classification) 150,000 groups
- UK Patent Classification 40,000 groups
- DECLA (German Classification 100,000 groups

IPC Technical Sections

Section	Contents
Α	Human Necessities
В	Performing Operations; Transporting
С	Chemistry; Metallurgy
D	Textiles; Paper
E	Fixed Constructions
F	Mechanical Engineering; Lighting, Heating; Weapons; Blasting
G	Physics
H	Electricity





Useful links

http://www.wipo.int/patentscope/en/

http://ep.espacenet.com/

http://www.piug.org/vendors.php

http://www.wipo.int/classifications/ipc



Thank you for your attention