The Patent Searchers' Dilemma:

- Where is the value?
    - How to manage costs conducting patent searches for competitive intelligence

        - Ron Simmer, PATSCAN
        - Service of PATEX Research and Consulting ltd
        - www. patex.ca.

PATSCAN — The Fastest Cat In The Information Jungle

PATSCAN was established in 1986 to assist Tech Transfer Process by providing access to patents at the University of BC

Since UBC terminated their patent services in 2003, the PATSCAN Trademark was purchased by Patex Research and Consulting ltd. operated and owned by Ron Simmer

PATSCAN provides professional patent and trademark research services to the private sector in Canada and the USA

ron@patex.ca

IP Data is Special
3 Functions in a Corporation

1. Corporate asset protecting price &
   market share.

2. Insurance against legal action.

3. Poker chips in strategic alliance game.

Why do your own patent searching?

- **Amazing competitive intelligence opportunities in patent data.**

  Besides the information you know you don't know there is always the information you don't know you don't know.

- **Aside from free Internet databases there are modestly priced but powerful patent Databases subscription services: Delphion, Micropatent and Lexis Nexis.**

Competitive Intelligence For R&D Decisions

- Analyzing the technology component of:
  - Mergers & Acquisitions
  - Bids and Proposals
  - Lawsuits & Infringement proceedings
  - Marketing Plans
  - Entry Strategies

CI Examples using patent data

- Statistical analysis of industry sectors
- Patent portfolio analysis
- Human capital studies
- Analysis of patent quality

Statistical Analysis Using Patent Data

Manipulate any patent data fields to extract trends:

- Rank assignees or inventors to identify trends
- Compare trends in patent filings over time
- Map density/activity of filing for competitors
- Chart a patent portfolio by classification
- View industry technological trends internationally
- Examine history of technology by citation analysis

g03b/ic and digital:(3n)camera:

*SEARCHING..

```
    OCCURS   TERM
    76336   G03B/IC
   205841   DIGITAL:
    94835   CAMERA:
SS 2 RESULT (416)
```

SS 3?
get rank pa top 15

*PROCESSING....
THERE ARE 160 UNIQUE VALUES.

```
OCCURRENCES  PERCENT  TERM
        64   15.38%  CANON KK
        26    6.25%  MINOLTA CAMERA KK
        24    5.76%  RICOH KK
        21    5.04%  SANYO ELECTRIC CO LTD
        18    4.32%  FUJI PHOTO FILM CO LTD
        16    3.84%  ASAHI OPTICAL CO LTD
        15    3.60%  EASTMAN KODAK CO
        15    3.60%  KONICA CORP
        14    3.36%  ASAHI KOGAKU KOGYO KK
        12    2.88%  CASIO COMPUTER CO LTD
        11    2.64%  NIKON CORP
         8    1.92%  SONY CORP
         8    1.92%  VEB PENTACON DRESDEN KAMERA
         7    1.68%  KYOCERA CORP
         6    1.44%  HITACHI LTD
```
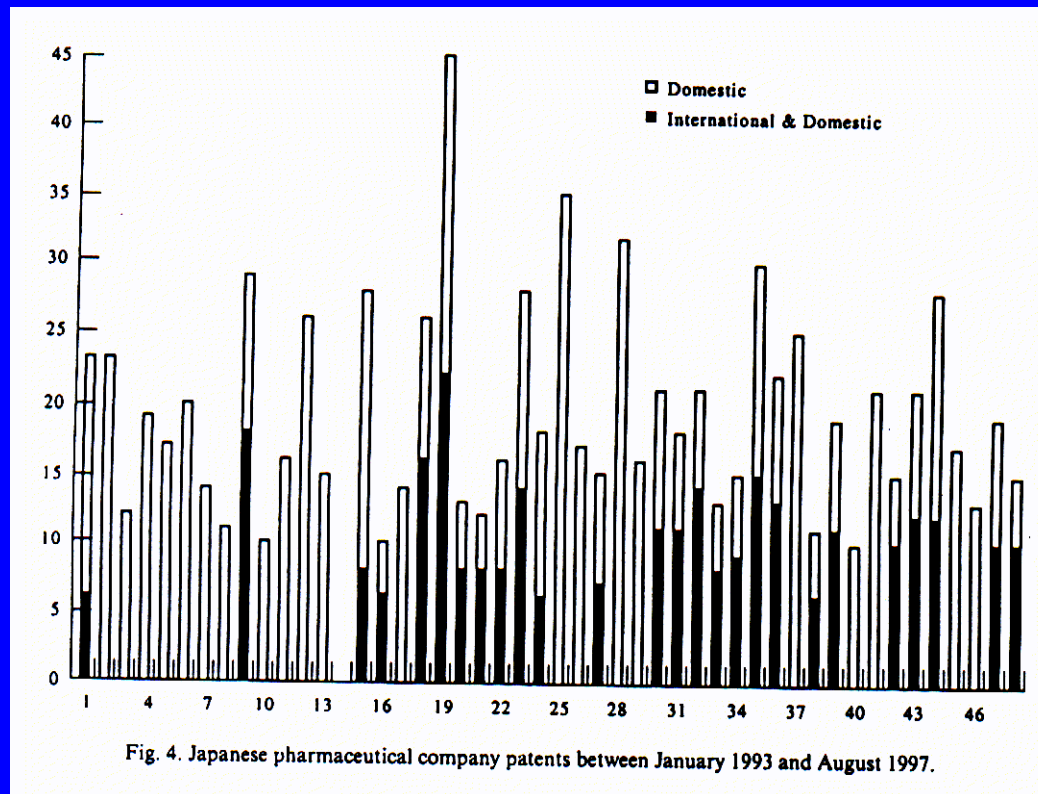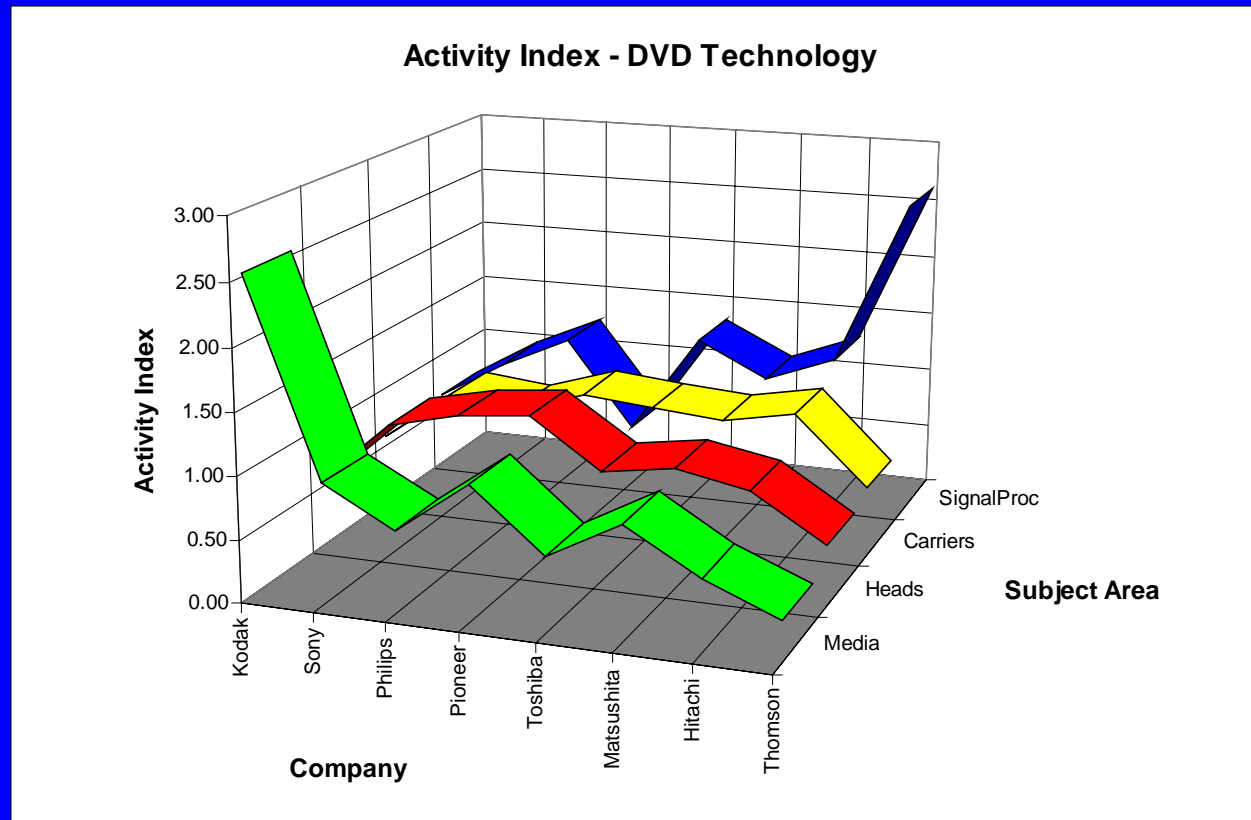
Japanese Pharmaceutical
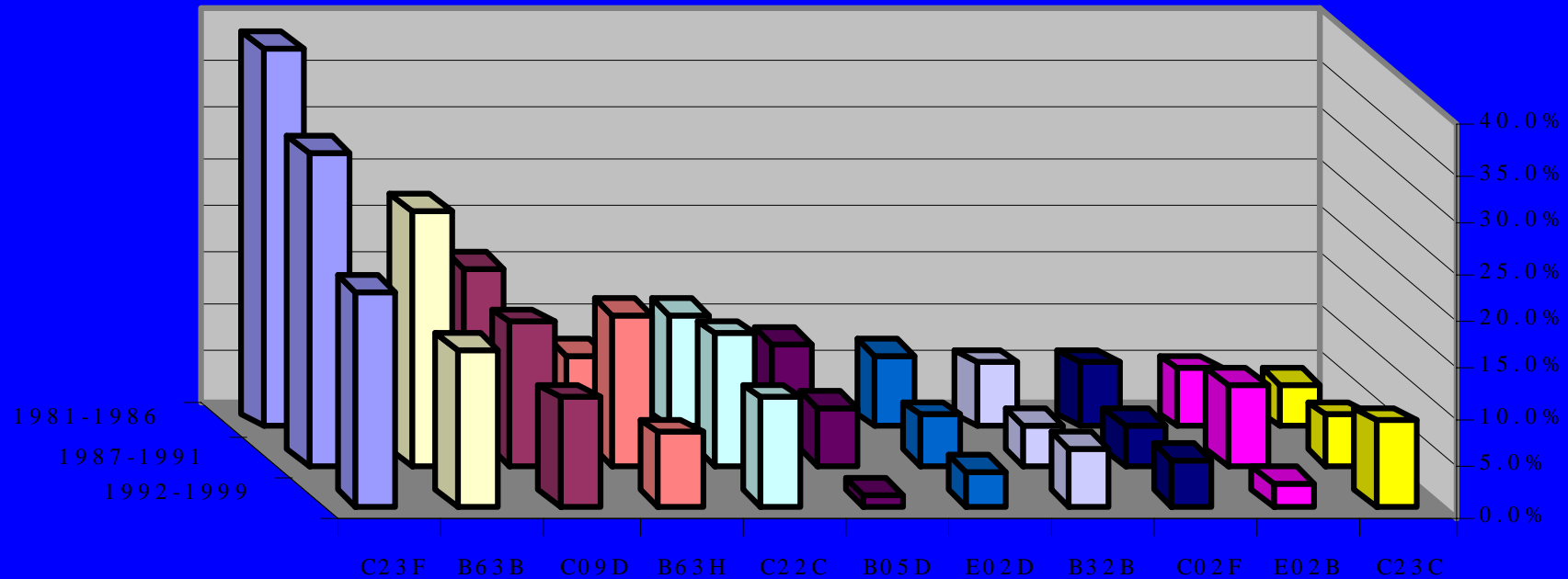# Patent Portfolio
International vs. Domestic Filings

Fig. 4. Japanese pharmaceutical company patents between January 1993 and August 1997.

Activity Index Plot
for 8 companies and 4 technologies
DVD Technology Study - PAY: 1985 Thru 1995

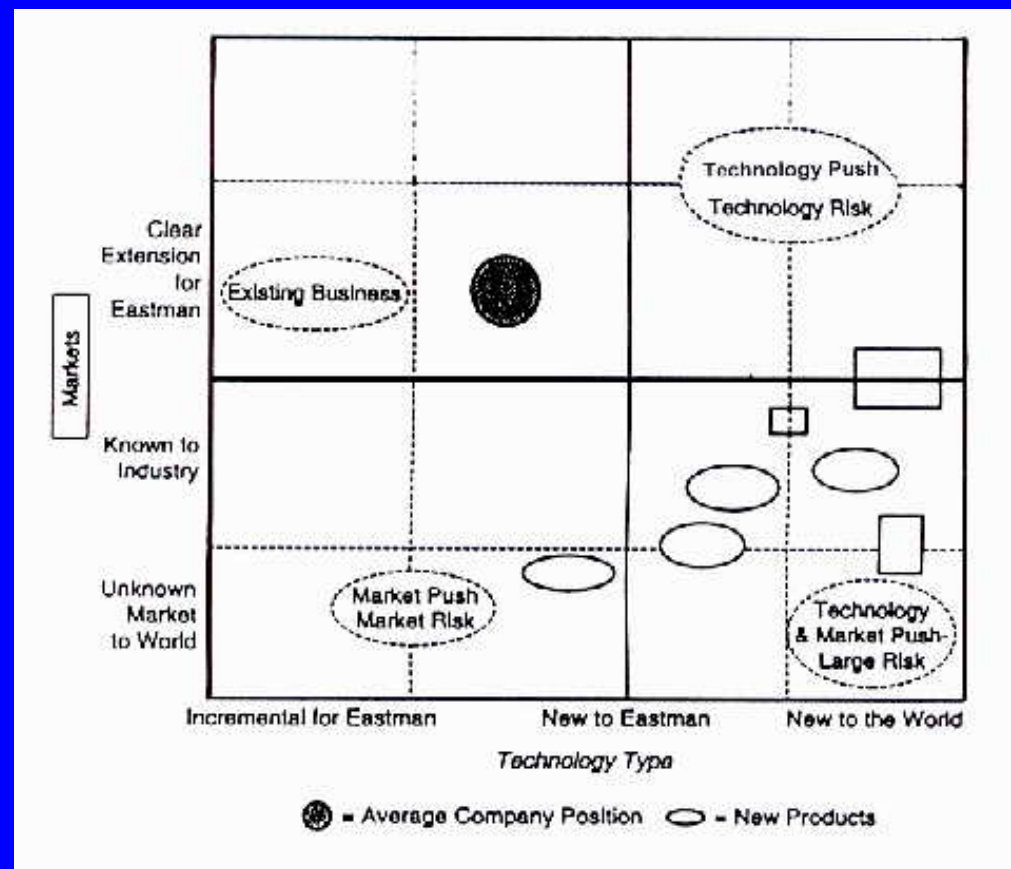Activity Index - DVD Technology

Saltwater Corrosion Active Areas (by IPC Codes)

Measuring the Portfolio Against the Competition

- New technologies being substituted?

- Citation searching reveal competitors "Patenting Around"?

- Is IP protection a major factor in the market?

Portfolio analyzed into 4 technology risk quadrants

Analyzing the Strength of an IP Portfolio

1. Geographic coverage indicates market strategies

2. Review size & assess trends - age, filing frequency, product life cycles

3. Kinds of Patents and degree of protection for core technologies

4. Technology licensed or assigned in/out

5. Aggressive filing - provisionals

Assessing the Human Capital Factor in Corporate IP

1. Stable R & D team with low turnover?

2. Inventors with high industry reputation?

3. University/Gov't research links?

4. Reputable literature published and cited?

Inventors on
Richardson Vicks Patents

SS 5?

get in

THERE ARE 125 UNIQUE VALUES.

OCCURRENCES	PERCENT	TERM
19	15.32%	DECKNER GE/IN
14	11.29%	SHAH NB/IN
11	8.87%	DHABHAR DJ/IN
10	8.06%	SCHMIDT NF/IN
7	5.64%	LASKA EM/IN
7	5.64%	SIEGEL CE/IN
7	5.64%	SUNSHINE A/IN
6	4.83%	KELLEHER WJ/IN
5	4.03%	DECKNER G/IN

Patent Assignees on
G. E. Deckner's Patents

SS 5?

Deckner GE/IN

SS 5 RESULT (40)

SS 6?

get pa

THERE ARE 7 UNIQUE VALUES.

OCCURRENCES	PERCENT	TERM
19	47.50%	RICHARDSON VICKS INC
13	32.50%	CHARLES OF THE RITZ
9	22.50%	PROCTER & GAMBLE CO
3	7.50%	DECKNER G E
1	2.50%	CIOTTI S L
1	2.50%	THAMAN L A
1	2.50%	WOODIN F W

Analyzing Patent Quality at a Glance

1. Reputable corporate or institutional source?

2. Several Inventors?

3. Prosecuted by solid law firm?

4. How much prior art cited?

   Any literature cited?

5. Patent Co-operation Treaty Filing?

Patent Quality
Deeper Analysis
Using Patent Databases

1. How many recent patents cite patents in question?

2. How many foreign equivalents/counterparts?

3. Speedy prosecution?

4. Claims valid, supported and broad?

5. Infringement suits, Re-examinations?

Free Internet Intellectual Property Databases:

-
- **What are they good for?**
- **Sampling data, answers to easy questions,**
- **state of the art searches.**
- **Verifying results from other databases.**
- **Free patent copies.**

- **What are their limits?**
- **Assignee and status info unreliable.**
- **Slow and ineffective search tools.**
- **Poor titles, abstracts, indexing.**

- **How reliable is the data?**
- **May be incomplete, dated and inaccurate.**

Best Free Internet Sites for Patent Searching

- Espacnet – 30 million docs, many in PDF
- Depatis.net International coverage in English
- USPTO Site - full text searchable
- SurfIP – Asian dbases from Singapore
- WIPO database of PCT applications
- CIPO site on Strategis

Patent Classification – The Classical Tools are Free!

International Patent Classification

- Application Oriented - Wide use

European Classification (ECLA) valuable extension of IPC

US Patent Office Classification

- Continuous updates with finer detail than IPC -

- Function Oriented

Commercial Sources of Patent Data

The Usual Big Vendors

- Dialog
- STN (Chem Abs.)
- Questel-Orbit
- Lexis Nexis
- Derwent

Second Tier Database Providers

- Delphion
- Micropatent
- ICO Patent Search
- Minesoft

Patent Data Issues - inconsistent language, spelling, classification

Quality

- How good is title and abstract information?
- Eg Derwent has enhanced titles and abstracts.

Reliability

- Error checking by Vendor?
- Missing data?
- Classification revisions?

Currency

- How Frequent and thorough are updates?

Subscription Patent Databases

What is the range of costs for patent searching?
   From US$95 a month (Delphion) to hundreds of dollars an hour (Derwent, Chem. Abs.)

How is the data better? The assignee, patent family and status data is more likely to be current.

When do they need to be used?
   – When critical questions need answering.

The Value Tradeoffs

- Time is Money $$$$$$$$$

  Subscription databases have

  tools to greatly speed up search process

  -Snapshots on Delphion

  -Keyword in Context on Lexis Nexis

  Several vendors offer flat monthly rates for unlimited use

  Find appropriate sources for your technology

The Value Triage Exercise

1. Use free databases for quick answers and to verify results from other sources.

2. Use mid-range fixed subscription databases. for general high volume searching.

3. For critical project verify and check results on best possible sources and bear the costs.

Patent Family Query Comparison

- INPADOC philosophy includes all patents related to a common priority filing date. ($)
- Derwent practice is more inclusive, pulling in more related patents.($$$$)
  - Assignee data by country.
- Both systems victims of national patent office data distribution.
- CIPO a problem. Significant missing CA docs

Patent status query comparison

INPADOC database provides reliable status data for only 42 of 69 jurisdictions
– Little Canadian status included.

Derwent patent status not reliable

IFI and Lexis Nexis provide excellent USPTO legal status data.

CIPO status service poor.

A Competitive Intelligence Example using IP

Perform a 10 minute CI search on a product known as "The Club" to find:

1. Who owns it?

2. How many US patents cover it?

3. Are there Canadian counterpart patents

4. How aggressive are they in defending their IP?

"The Club" May be a Registered Trademark

- Search it on the best available trademark database on the Internet
- Access to Canadian marks offered by CIPO on Strategis
- In theory the Company owning the Trademark will own the patent

Canadian Trade-marks Database

O Home
tents Database
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ade-marks Main
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lp
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Important Notices

The database was last updated on: **2004-06-08**

Enter words/numbers in the text box and select field from the drop
down menu. There are five searches you can enter criteria for.
Click here for Help on Search, Help on Fields, or Help on Operators

Search 1

Enter search text: club

Select search field: TM Lookup ▾

[Search] [Reset]

Search 2

Select an operator: and ▾

Enter search text: steering

Select search field: Wares ▾

Search 3

Select an operator: and ▾

Enter search text:

Select search field: TM Lookup ▾

Search 4

Select an operator: and ▾

Enter search text:

OTTAWA
ONTARIO K1P 1C3

TRADE-MARK:

THE CLUB

INDEX HEADINGS:

CLUB, THE

WARES:

(1) Anti-theft locks for use on automobile steering wheels.

CLAIMS:

Used in CANADA since at least as early as February 08, 1991.

ASSOCIATED MARKS:

TMA461,188 TMA547,506

ACTION	DATE	BF	COMMENTS
Filed	19 July 1993		
Created	19 July 1993		
Formalized	05 August 1993		
Search recorded	24 November 1993		
Correspondence created	07 February 1994		
Approved	07 February 1994		
Advertised	30 March 1994		Vol.41 Issue 2057
Allowed	24 June 1994		
Allowance notice sent	24 June 1994	24 December 1994	
Registered	02 September 1994		
Change in title	27 October		Assignment

Advertised	30 March 1994	Vol.41 Issue 2057	
Allowed	24 June 1994		
Allowance notice sent	24 June 1994	24 December 1994	
Registered	02 September 1994		
Change in title	27 October 1999		Assignment
Agent name changed	04 July 2000		
Rep for service name changed	04 July 2000		

FOOTNOTES:

CHANGE IN TITLE/CHANGEMENT EN TITRE:

TYPE OF CHANGE/GENRE DE CHANGEMENT :
Assignment/Cession

DATE REGISTERED/DATE DE L'ENREGISTREMENT :
27 oct/Oct 1999

DATE OF CHANGE/DATE DE CHANGEMENT : 31
août/Aug 1999

COMMENTS/COMMENTAIRES: FROM : JAMES E.
WINNER, JR.,

TO : Winner International Royalty LLC,
(a Delaware Corporation),
Voir Preuve au dossier/See evidence on File No. 645914

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- ☐ European (Applications)
- ☐ WIPO PCT Publications
- ☐ Abstracts of Japan
- ☐ German (Granted)†
- ☐ German (Applications)†
- ☐ INPADOC

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● Dates of coverage

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- ○ Full text including claims

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To: [year ▼] [month ▼] [day ▼]

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☑ Pub. Date ☐ Filed ☐ Priority Date ☐ IPC Code ☑ Score

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Inventor: [   ]
Smith John | Mary V Smith | Smith

Assignee: [winner international   ]   Corporate Tree
Sony | Spain | London

Title: [   ]
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winner international) <in> PA)   **Search**

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☐	US20040074268A1	Car steering wheel mounted lock - consists of telescopic bar in longitudinal sleeve, with hooks which engage steering wheel rim [Derwent Record] Steering wheel lock	2004-04-22	80%
☐	US6694784	Car steering wheel mounted lock - consists of telescopic bar in longitudinal sleeve, with hooks which engage steering wheel rim [Derwent Record]	2004-02-24	80%

one   Internet

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| rrent Results | PDF Express | Data Extract | Snapshot | Clustering | PatentLab |

esult Set for Query: ((james and winner) <in> PA)   Save Search/Create Alert   help

ames and winner) <in> PA)   [Search]

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- European (Applications)
- German (Granted)

Select Pub. Date: All dates ▼

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matches found of 3,986,064 patents searched   Displaying results 1 - 8 of 8

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☐	Publication	Title (To sort a column, click label at top)	Pub. Date	Score ▼
☐	US5287006	Self-contained anti-theft device for motor vehicles	1994-02-15	80%
☐	US5184023	Self-contained anti-theft device for motor vehicles	1993-02-02	80%
☐	US5132551	Self-contained anti-theft device for motor vehicles	1992-07-21	80%
☐	US4935047	Steering wheel lock	1990-06-19	80%
☐	USD306252	Automobile steering wheel lock arm	1990-02-27	80%
☐	US4856308	Automobile steering lock	1989-08-15	80%
☐	US4738127	Automobile steering lock	1988-04-19	80%
☐	USD289491	Automobile steering lock	1987-04-28	80%

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- Are all the documents in an INPADOC family equivalents?
- Why is the same document published several times in the same country

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Family list
17 family members for:
US4738127
Derived from 15 applications.

Back to US4738127

| 1 | **LENKRADSCHLOSS FUER KRAFTFAHRZEUGE.** | in my patents list ☐ |
| | Publication info: **AT58879T T** - 1990-12-15 | |

| 2 | **STEERING WHEEL LOCK** | in my patents list ☐ |
| | Publication info: **AU561885 B1** - 1987-05-21 | |

| 3 | **AUTOMOBILE STEERING LOCK** | in my patents list ☐ |
| | Publication info: **AU587164 B3** - 1989-06-26 | |

| 4 | **STEERING WHEEL LOCK BAR** | in my patents list ☐ |
| | Publication info: **AU613552 B2** - 1991-08-01 | |

| 5 | **STEERING WHEEL LOCK BAR** | in my patents list ☐ |
| | Publication info: **AU5061690 A** - 1990-06-28 | |

| 6 | **AUTOMOBILE STEERING LOCK** | in my patents list ☐ |
| | Publication info: **AU7724587 A** - 1990-10-04 | |

| 7 | **AUTOMOBILE STEERING LOCK** | in my patents list ☐ |
| | Publication info: **CA1283301 C** - 1991-04-23 | |

| 8 | **Automobile steering lock.** | in my patents list ☐ |
| | Publication info: **DE3676057D D1** - 1991-01-17 | |

| 9 | Automobile steering lock. | in my patents list ☐ |

Internet

United States Patent [19]

Johnson

[11] **Patent Number:** **4,738,127**

[45] **Date of Patent:** **Apr. 19, 1988**

[54] **AUTOMOBILE STEERING LOCK**

[75] Inventor: **Charles R. Johnson**, Hudson, Ohio

[73] Assignee: **James E. Winner**, Sharon, Pa.

[21] Appl. No.: **15,596**

[22] Filed: **Feb. 17, 1987**

Related U.S. Application Data

[63] Continuation of Ser. No. 801,821, Nov. 26, 1985, abandoned.

[51] Int. Cl.⁴ B60R 25/02
[52] U.S. Cl. 70/209
[58] Field of Search 70/14, 18, 19, 26, 33,
70/39, 181, 209, 211, 212, 218, 226, 238, 252,
253, 295, 386; 292/147

[56] **References Cited**

U.S. PATENT DOCUMENTS

1,364,539	1/1921	Baker	70/199
1,448,658	3/1923	Furber .	
3,245,239	4/1966	Zaidener	70/202

Royce Union "Anti–Theft Steering Wheel & Brake Pedal Lok", #A23105.
Royce Union Security Products #A23105 and A23204, no date shown.
J. C. Whitney & Co. catalog ©1982, catalog 430B, p. 83, "Heavy–Duty Steering Wheel & Brake Lock" 81–0336P, 1983.
Allison catalog p. 70, Anti–Theft Devices: "Crook Hook", 1983, #8370.

Primary Examiner—Richard E. Moore
Attorney, Agent, or Firm—Body, Vickers & Daniels

[57] **ABSTRACT**

An antitheft device for attachment to a steering wheel of an automobile comprising an elongated body member having a passage extending along an axis therethrough, first hook means secured to the body member for engagement with a portion of the steering wheel wherein the first hook means engage the wheel from the inside thereof with the body member extending outward beyond the periphery of the steering wheel, an elongated rod member adapted to move in telescopic fashion in the passageway of the body member along the axis, second hook means secured to the rod member for engaging the inside portion of the steering wheel

[56]   References Cited

U.S. PATENT DOCUMENTS

1,364,539	1/1921	Baker	70/199
1,448,658	3/1923	Furber	
3,245,239	4/1966	Zaidener	70/202
3,664,164	5/1972	Zaidener	70/202

FOREIGN PATENT DOCUMENTS

106072	12/1966	Denmark	
1127524	9/1968	United Kingdom	

OTHER PUBLICATIONS
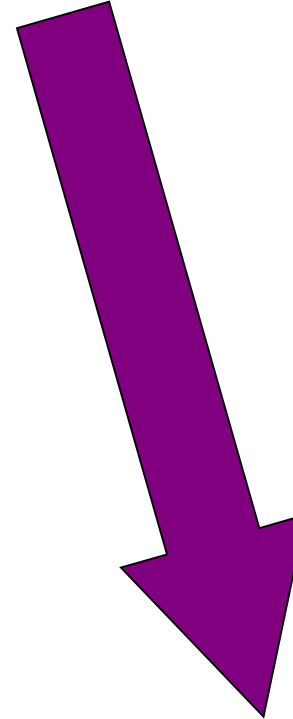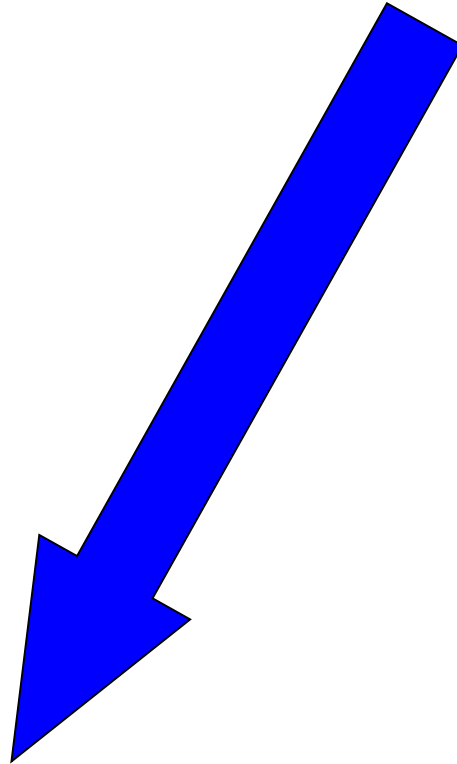
Advertisement from Daily News Classified 6/28/1984,

inside thereof with the body member extending outward beyond the periphery of the steering wheel, an elongated rod member adapted to move in telescopic fashion in the passageway of the body member along the axis, second hook means secured to the rod member for engaging the inside portion of the steering wheel diametrically opposed to the first hook means, and means associated with the body member engaging the rod within the passage for locking the rod member stationary with respect to the body member at any of a plurality of positions.

3 Claims, 2 Drawing Sheets

4,738,127   4,856,308
WINNER INTERNATIONAL ROYALTY CORPORATION

4,935,047

5,222,381

5,277,042

5,365,215

5,412,963

5,600,979

5,635,899

5,673,575

.5,709,113

5,735,149

5,755,123

5,022246
All Ship Enterprise Co. Ltd

5,040,388

5,042,278

5,107,692

5,138,853

5,284,037

5,005,389
Cheen Iu Industry Co Ltd

5,031,429

5,163,310

5,179,849

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5/00)

nner International Royalty Corporation Wins Appeal In United States Court of Appeals,
leral Circuit (2/7/00)

NNER INTERNATIONAL LLC FILES ACTION AGAINST O-MEGA AND ITS OWNERS AND REQUESTS PRELIMINARY INJUNCTION

aron, PA) - Winner International LLC ("Winner") filed a legal action in U.S. District Court, Southern District of California on April 27, 2000, against O-Mega Innovations,
Renato Ononiano, and Lilia Ononiano arising from the unlawful manufacturing, using and selling defendants' vehicle anti-theft device known as the "Clawbar," which

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