



Patent Resources Group

Art and Science of Patent Searching Course Syllabus

- I. Intro to Patent Searching**
 - A. Factors Affecting Patent Search Results
 - B. Differentiating Search Types

- II. The Patentability Search and General Search Practice**
 - A. The “Why” and “When” of Patentability Searching
 - B. Introduce Sample Invention
 - C. Scoping the Search
 1. Dissecting Invention Features
 - a. Problem-Solution Approach
 2. Finding Searchable Classification Areas
 - a. Major Classification Systems
 - i. Characteristics
 - ii. Precautions
 - b. Choosing Classification Areas to Be Thorough Yet Efficient
 3. Developing Initial Text Queries
 - a. Text Search Operators
 - b. Sample Text Queries
 - D. Evaluating Patent Documents During the Search
 1. Thought Process of a Good Searcher
 - a. Feature Map
 - b. Feature Matrix
 2. Practical Mechanics of Evaluating Documents
 - E. Searching
 1. Approaches to Searching Classification Areas
 2. Approaches for Effective Text Query Progression
 3. Differences in Text Searching Non-English Language Documents
 - a. Full-Text vs. Abstracts
 - b. Isolating Native-Language Key Terms
 - c. Using Machine Translations
 4. Citation Searching
 - a. Understanding Patent Citations
 - b. Practical Mechanics of Citation Searching
 5. Other Search Mechanisms



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- a. Assignee
- b. Inventor
- c. Patent Family
- d. Investigate by Following Clues
- F. Sampling the Search Results
 - 1. Mapping Results Back to Individual Queries
 - 2. How to *Not* Miss the Good Stuff
- G. Covering Alternate Embodiments

III. Demonstration of Search Tools

- A. Considering Data Coverage
- B. Comparing Functionality and Features of Major Patent Search Engines
 - 1. Coverage
 - 2. Text Searching
 - 3. Classification Searching
 - 4. Citation Searching
 - 5. Evaluating Documents
 - 6. Exporting Data
 - 7. Importing Data
 - 8. Exporting Documents
 - 9. Search Management
- C. Free Patent Search Sites

IV. The Validity/Invalidity Search

- A. The “Why” and “When” of Validity/Invalidity Searching
- B. Scoping the Search
 - 1. Invention Features
 - a. Dissecting the Independent Claims: What the Search *Does* Include and What It *Does Not* Include
 - b. Revisiting the Problem-Solution Approach to Find Alternate Embodiments
 - 2. Reviewing the Subject Patent
 - a. Establishing a Critical Date and Criteria
 - b. Finding Key Claim Limitations to Focus the Search
 - i. Reasons for Allowance



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- a) Explicit vs. Inferred
 - ii. Opposition Proceedings
 - c. Mining the Subject Patent for More Information
 - 3. Classification Areas
 - a. How to Treat the Subject Patent Front Page
 - 4. Developing Initial Text Queries According to the Claims
 - a. Alternate Embodiments
 - C. Evaluating Patent References
 - 1. Stretching Alternate Embodiments
 - 2. What Is Disclosed vs. Inherent (Not Explicitly Disclosed)
 - 3. Treating Features in Drawings Without Descriptions With Respect to the Claims
 - 4. Have We Found All Claimed Features?
 - a. Combinations
 - D. Reporting Techniques Unique to Validity Searching
- V. Infringement, Clearance and Freedom-to-Operate**
 - A. The “Why” and “When” of Infringement/Clearance Searching
 - B. What to Search
 - 1. Sources to Search
 - C. Introduce Sample Product
 - D. Scoping the Search
 - 1. Invention Features
 - a. Revisiting the Problem-Solution Approach
 - b. Conceptualizing the Broadest Possible Claims
 - c. Considering All Equivalents to Find Broad Claim Language
 - 2. Classification Areas
 - a. Finding Non-Intuitive Classification Areas
 - 3. Initial Text Queries
 - a. A First Shot at Capturing All Equivalents in Text Queries
 - E. Searching
 - 1. Claim Searching
 - 2. Full Text Combined With Claims Searching
 - F. Evaluating Patent References During the Search



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1. Claim Interpretation and “Blocking” Claims
 2. Determining the Threat Level
 3. Maintenance Fee Checking
 4. Analogous Technologies
- G. Reporting Techniques Unique to Infringement/Clearance Searching

VI. Non-Patent Literature

- A. Organization of Electronic Sources
- B. Searching Industry Standards
- C. Libraries
- D. Products on the Market

VII. Getting More Information From Patent Search Results

- A. Statistical View
 1. Bibliographic Data
 2. Technical Categories
 3. Importance
 4. Secondary Attributes
- B. Precautions and Pitfalls of Statistical Analysis

VIII. Estimating Time Requirements for a Search

IX. USPTO Search Templates

X. USPTO Accelerated Examination Search