

## TriForC Patent Searching/Patseer Database Training Online Workshop

An online (WebEx/Skype) workshop was conducted on Tuesday January 13<sup>th</sup>, 2015 for the purposes of training and enabling key staff members within the TriForC Consortium partner organisations in the area of patent searching – with a particular emphasis on use of the Patseer Patent Searching Database program that we are using for patent searching and watching activities within the scope of the TriForC Exploitation Board’s responsibilities. The workshop was delivered by Govind Kedia, Basck India, who was the former head of IP and Patents for Unilever and now heads up the IP firm Basck in India.

Attendees present at the meeting were as follows:

Andrew Spicer (ALGENUITY) – Exploitation and Intellectual Property Rights Manager

Franck Michoux (ALKION)

Maria Luz-Bellido (VIVACELL)

Rene de Vaumas (EXTRASYNTHESE)

Alberto Minassi (U of PIEDMONT)

Members not present: Ido Korman (STOCKTON) – was planning to attend but was unable due to unforeseen additional business commitments.

The contents of the training material that was used by Govind Kedia are included as an addition to this document in pdf form.

### Workshop Training Activities – Summary

In addition to covering the elements within the pdf (Patent Search Training) the following specific items were focused upon:

#### *Types of Searches:*

Most commonly used are:

- Novelty = patentability
- Infringement (freedom to operate or freedom of action)
- State-of-the art
- Alerting
- Validity and opposition

It was stressed that novelty searches are looking for ‘direct hits’ where a single document contains the central or core elements of the invention – in other words would represent complete prior art with regard to anything invented or considered potentially patentable by TriForc.

Indirect hits can also be identified where the key inventive step that is under question has been previously disclosed either in a patent or in published (non-patent literature).

Both of these types of validated hits as identified from novelty searches would lead to a conclusion that would limit the patentability of any invention that is under consideration.

Infringement searches (also referred to as freedom to operate or freedom to practice) are, by nature, limited to a particular jurisdiction or territory – for instance, searching for ability to develop or commercialise a product in specific parts of the world only. It was stressed that a patent that has lapsed or been revoked for any reason cannot be infringed.

Validity and Opposition searches can be performed in an effort to identify prior art that opposes the validity of a specific granted patent or patent that is under examination. In this instance, the searcher is looking for prior art that precedes the filing date of the patent in question. This type of search could be used to attempt to oppose key IP that is seen to limit freedom to operate in desired territories.

#### *Searching Tips*

Keywords are critically important. It was stressed that a good patent searcher will create a search string that includes synonyms, even chemical synonyms, or ways to say the same thing, including buzz words. A resource called VISUWORDS was highlighted that allows the user to search for words related to a specific relevant word.

Using specific Boolean operators such as AND, OR and wd0, wd1, wd2 etc were all described within a TACD type typical search strategy, where TACD = Title, Abstract, Claims, Description. This type of search will identify all relevant hits for search words/search string as identified within the Title, Abstract, Claims and/or Description portions of patents, both applied (pending), granted, and lapsed or abandoned. The entire patent database can be searched as default, or limited territories or time spans can be specified. Searches can be limited to Patent Families or Extended Patent Families, where directed related patents that originate from the same initial filing, will appear as a single hit that can be further explored.

The use of the Chemical Lookup Tool was highlighted – where synonyms can be obtained for a particular described chemical. The example that was explored was Celastrol. Similarly, specific described triterpenoids can also be identified and all chemical names determined for addition into search strings. The Chemicalize website (<http://www.chemicalize.org/>) was discussed as freely available online resource for chemical structures. Chemical structure searches were highlighted within specific patents, where all described chemical structures listed within a patent are listed and then can be used as the basis of additional searches.

#### *Following Patents/Searching Strategies*

The ability of a team to work on particular search projects was discussed within the Patseer tool. Upper level, broad string searches can be performed by a high level coordinator, such as the IP Manager, to provide a dataset that can then be drilled down into or expanded by individual Exploitation Board members or other key, designated staff within the TriForC Consortium. By dividing up the patent searching and watching responsibilities among key consortium staff, the overall workload is reduced and specific expertises used most effectively for overall benefit of the Consortium.

Specific search strings, when set, can be established such that a search is performed monthly with a monthly alert on new patent activity in that particular area sent via email to the designated end-user. The end-user can also add comments on any analysed patents that have been viewed or additionally searched or followed, with these comments being accessible to other designated end users within the TriForC Exploitation Board strategy. This facilitates report writing and facilitates more efficient monitoring of the current patent landscape – all of which are of critical importance when determining the patentability/novelty and/or freedom to operate of a technology or invention that is under consideration.

One specific bug was uncovered when Franck Michoux and Andrew Spicer attempted to share the search strings and to use higher functions within the Patseer database – such as, but not limited to the chemical lookup options, were available only to Andrew Spicer (higher level, administrative

access) but not equally accessible to Franck – designated access to the TriForC project folder within Patseer.

**ACTIONS:**

1. Andrew Spicer to produce a summary document for circulation and to liaise with Govind Kedia on Patseer bug.
2. Govind Kedia agreed to communicate with the Patseer Program Developers in order to resolve the access rights issue that was uncovered within the training workshop. This was queried and has been addressed by Govind Kedia. Exploitation Board Members will have full functionality in their abilities to analyse and use the Patseer TriForC Project Patent Search Outputs as originally agreed through the license of the Patseer Database Tool.
3. Once 1 is resolved, it was agreed that a draft document would be produced to outline suggestions for a division of labour with regard to patent searching responsibilities with a follow-up Skype call to be scheduled where these responsibilities would be agreed upon and the reporting strategy discussed.
  - a. Shortly thereafter, IP Manager to circulate the responsibilities and agreed upon reporting timescales for all relevant TriForC staff such that Patent Searching/Watching activities can be regularly documented and monitored throughout the remainder of the TriForC Project.
  - b. Designated IP searching staff would then produce a summary document for review prior to TriForC quarterly meetings or more frequently as determined by the nature of the data in question.
  - c. Designated IP searching staff to also be assigned to specific areas with regard to supporting the outputs of the TriForC Consortium as a whole – for instance through patentability searches related to specific inventions/IP resulting from R&D activities within the project. Suggested areas to include: pharma/pharmaceuticals; biopesticides/agri-chem; cosmetics/cosmeceutical; saponins/sapogenins etc etc.