Patentability Searching

1. Internet enabled device
   1. Desktop: Log in with your ACE account
   2. Your own device: wifi or your data plan
   3. Library iPad: use guest or secure wifi

2. Please navigate to this webpage:
   http://guides.library.unlv.edu/ME497

Contact Sue for a meeting to hear this lesson or to discuss your info need.

ME 497 Library Workshop
Fall 2017
Sue Wainscott – Engineering Librarian
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What is a patent???

Class Discussion Answers:

Sole right to use a specific design

Tangible document

Legal ownership
What is a patent???

• legal right to temporarily control the use / manufacture of a product, design, process.

• three types
  – utility (process, machine, article of manufacture, composition of matter)
  – design (ornamental design for an article of manufacture)
  – plant (distinct and new variety of plant)
Why would I want to patent something?

• Pros
  People can pay for the design
  People can pay you for the thing

• Cons
  Cost to get a patent
  Time cost to get a patent
  Better things to write
Why would I want to patent something?

• Control ("the right to exclude others from making, using, offering for sale, or selling" the invention in the country or "importing" the invention into the country)
  – manufacture/sale of your invention
  – temporary (+/- 20 yrs from application for utility patents)
  – transferable

• No guarantee that you can make or sell it – your invention might be patent-able even if illegal to make or sell.

• You can skip patenting and jump straight to manufacture / publication / marketing.

https://www.uspto.gov/patents-getting-started/general-information-concerning-patents#heading-2
Patent applications and grants

• How to read a patent document more efficiently
  – Parts of a patent grant or application document
    • Title
    • Inventor, Assignee, Filing Date, etc.
    • Abstract
    • Classifications
    • Description
    • Claims “What is claimed is...” “I claim...”
    • Images
    • Prior Art and similar patent citations
Can my invention be patented?

- novel? (unique)
- useful?
- non-obvious to an expert?

- Must be fully described

Ideas without detailed description are not patentable
Is my invention novel?

- Search for “prior arts”
  - described in patent documents
  - described in other documents
  - used publically or sold

- differences from prior arts must be non-obvious.
Searching for prior arts

• Seven (7) steps
  1. Brainstorm keywords
  2. Use patent classification database to find relevant classifications
  3. Verify the definition of the classifications
  4. Search for and retrieve patent documents
  5. Review patent documents
  6. Search for and retrieve patent applications
  7. Search for additional prior art articles, products, etc.

1. Keywords

• how many ways can you describe your invention?
  – purpose
  – use
  – composition

• have a trusted team member review and add more

• continue looking for new keywords during search
2. Patent Classification Scheme

- a hierarchical taxonomy to organize all inventions (applications and patents)
  - E01B 2/003

<table>
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<tr>
<th>Section</th>
<th>Class</th>
<th>Subclass</th>
<th>Group</th>
<th>Subgroup</th>
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<td>E01B</td>
<td>E01B 2/000</td>
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<td>{Arrangement of tracks on bridges or in tunnels}</td>
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2. & 3. Patent Classification

- European Union (EU) and US use the Cooperative Patent Classification scheme
- EU’s search tool – Espacenet - allows for best keyword searching, browsing, searches many countries, links to US documents, translator tools

4. Searching Patent Databases

keyword searches combined with classification numbers

AND

OR

5. & 6. Read the Patent Documents
7. Looking for products/other documentation

- Additional, global patent documents
- Published scholarly articles – library databases
- Products and other documents – Internet search engines, supplier catalogs

- Refer to your keywords from patent search – add less-technical words as well.
Steps 4-7 are iterative

4. Search for Issued Patents and Applications
5. See if results are relevant
6. Seek additional classification terms and cited documents in results set

• Repeat as necessary – you are trying to prove a negative – that your invention is not documented
• If your invention is very novel, you will find nothing.
• Documenting a search is key to knowing a lack of results is due to novelty rather than a poor search.
Keeping up to date

• search alerts - the time dimension
  – explore each search tool/database for alert tools
  – create for each useful search strategy

modified from Wicenec 2008
Sources Used

- **USPTO**
  - [http://www.uspto.gov/patents/process/search/index.jsp](http://www.uspto.gov/patents/process/search/index.jsp)
  - [https://www.uspto.gov/patents-getting-started/general-information-concerning-patents#heading-2](https://www.uspto.gov/patents-getting-started/general-information-concerning-patents#heading-2)

- **EUPO**
  - [http://www.cooperativepatentclassification.org/cpcSchem eAndDefinitions.html](http://www.cooperativepatentclassification.org/cpcSchem eAndDefinitions.html)

Protect your Intellectual Property

• Classroom desktop computers will clear the data when you restart them. We can’t recover that data. *(I know. I once tried, and lost a file.)*

• iPads – use these instructions to clear the browser history/cache:
  
  https://support.apple.com/en-us/HT201265

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