

# Patent searches

**In today's world, possessing knowledge and the ability to use it gives companies a competitive advantage over their rivals. One of the most important tools used in research and development and in business are patent searches.**

## Patent searches

Patent searches and analysis are carried out by qualified patent attorneys and experts in patent examination issues. An essential element of the research is to conduct patent searches in both non-patent and patent literature. Patent searches bring many benefits, including the possibility of gaining crucial information about what kind of solutions are available and the territory in which one should apply for patent protection, and what technologies are protected and by whom. As a result, patent searches represent an objective and valuable tool for companies seeking to manage their intellectual property, and can assist in evaluating the potential commercial success of a business venture.

## Patent searches benefits

Patent searches are a comprehensive and state-of-the-art tool which can be used to:

- ▶ set directions for R&D,
- ▶ look for market niches,
- ▶ assess the patentability of an invention,
- ▶ determine the patent clearance of an invention,
- ▶ minimize the risk of the Patent Office refusing to grant a patent,
- ▶ evaluate an invention's commercial potential,
- ▶ create business strategies,
- ▶ monitor competitors' activities.

## To whom do we offer patent searches?

Patent searches are useful both in research and development institutes and research centers, as well as companies. For researchers and scientists, patent searches may provide useful information during the planning stage and can help set directions for research and development. Patent searches allow a preliminary assessment of the patentability of an innovative solution, and can also help identify niches which have been undeveloped. Moreover, such information can be used to adjust projects and bring solutions on to the market, thereby increasing the chances of commercializing the solution.

Additionally, patent searches provide an objective and independent assessment of the research project, which increases the chances of attracting support from the business community and validates the project from the perspective of potential investors. Patent searches are a valuable tool that support the process of building business strategies. The information obtained in the course of the searches can help assess market trends, monitor the activity and fields of interest of competitors, and enable companies to evaluate the patentability and commercial potential of solutions developed by internal or external R&D teams. Patent searches therefore support the process of managing a company's intellectual property portfolio – for example, they help companies make decisions as to whether a solution should be protected or it is better to use already protected solutions through purchasing a licence. Knowing the legal status of someone else's patent, we can plan when and where a company will be able to enter the market with a product produced using the intellectual property behind such a patent once its legal protection expires. Ultimately, patent searches help companies make business decisions, minimizing the risk of a project failing, for example, due to various legal barriers.

## Patent searches – are they objective and trustworthy?

It is important to select search methods that are best suited to the purpose of a particular patent search. Using commercial databases allows us to create complex and sophisticated search strategies. Intelligent selection of input parameters when searching databases determines the outcome of the search and related conclusions. Patent searches at JWP Patent & Trademark Attorneys are carried out by highly skilled and experienced professionals. Patent searches are often examined by a team which includes patent information analysts, specialists with technical qualifications, and patent and trademark attorneys with a strong legal background.



## Prior art search

This search uses special tools such as public and commercial databases in order to find patent documents (e.g. patent and utility model application descriptions or patent specifications) relating to processes, product supply, technology, applications, etc. The results obtained in the course of this study are often subject to further analysis and more advanced patent searches.

## Patentability search

Patentability searches enable us to determine whether the invention has a chance of obtaining patent protection. This information will be useful not only for inventors who are wondering whether patent protection is worth investing in, but also to those who would like evaluate the chances of competitors obtaining patents following applications they have filed with the Polish Patent Office.

## Legal status search

This search determines the current legal status of a patent, including whether the patent is in force, the identity of the holder, when the maximum period of a granted patent monopoly expires, or when a patent protection expired and for what reason.

## Scope of protection search

This search determines the characteristics of the invention covered by patent protection, and involves interpreting the claims of the patent while taking into account current law and jurisprudence in the relevant field.

## Patent "clearance" search

The purpose of this search is to determine whether bringing a certain product or industrial application of the technology on to the market will cause a breach of the exclusive rights of other parties, as well as the risk of being the subject of legal action for infringement.

## Other searches

Depending on a company's needs, it is often recommended to combine some of the above mentioned searches or even modify search and analysis methods so as to achieve the desired results. Companies can use searches to create a family of patents to be monitored (including whether a patent or patent application has its counterparts in other countries), and it is easy to keep statistics concerning, for example, the number of patents owned by a company or inventions developed by a particular inventor. It is also possible to monitor the number of times that a patent has been cited in other patent applications.

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