Introduction to patent searching

Last updated January 2014
Librarians can help you get started, brainstorm search strategies, and find *some* patents - not necessarily all relevant patents. There are professionals you can hire who focus solely on patent searching, and it's ultimately your responsibility to determine whether your idea is patentable.
What is patentable?

US utility patents are granted for inventions that are:

• **New** (which is why you need to search existing patent/journal literature for prior art)

• **Non-obvious**

• **Useful** (must actually work, and not be just an idea)

(In addition to utility patents, the USPTO also issues design patents and plant patents.)
"If the invention has been described in a printed publication anywhere in the world, or if it was known or used by others in this country before the date that the applicant made his/her invention, a patent cannot be obtained. If the invention has been described in a printed publication anywhere, or has been in public use or on sale in this country more than one year before the date on which an application for patent is filed in this country, a patent cannot be obtained. In this connection it is immaterial when the invention was made, or whether the printed publication or public use was by the inventor himself/herself or by someone else. If the inventor describes the invention in a printed publication or uses the invention publicly, or places it on sale, he/she must apply for a patent before one year has gone by, otherwise any right to a patent will be lost. The inventor must file on the date of public use or disclosure, however, in order to preserve patent rights in many foreign countries."
Prior art: think beyond patents


You may want to do a Google Image search of your drawing to see if anything similar comes up.
There are over 6000 patent examiners at the USPTO.

Each year the USPTO receives ~500,000 patent applications.

At the USPTO, examiners spend an average of 18 hours reviewing a patent (source: http://ow.ly/gRZ9T)

Around half of all patent applications end up being granted by the USPTO (details: www.uspto.gov/web/offices/ac/ido/oeip/taf/us_stat.htm)

Key parts of patents:

• **Bibliographic data**: document number, inventor, assignee, dates of issue and application

• **Classification codes**: CPC (Euro/US), IPC (International) and US are major ones. These put inventions into categories, helping you to find related patents easily.

• **Description**: describes the invention, including discussion of prior art.

• **Claims**: the scope of the patent; what’s actually protected. There will be at least one, maybe many.
Other concepts

Provisional application - filed to establish a priority date. Will not become a patent on its own - need to file another application. Gives a 12-month grace period.

WO patents - issued by the WIPO, under the Patent Cooperation Treaty. Protects invention in several countries.
http://worldwide.espacenet.com

From the European Patent Office. Searches 60+ million patents and applications from more than 80 national and regional patent offices.

Search by keyword; inventor name; institution; patent number; or classification.
The CPC is replacing ECLA in Espacenet.

For people familiar with using the ECLA search capability in Espacenet, the CPC browser will be easy to use. In the old browser, there were two input boxes, one to enter classification symbols in order to view the corresponding part of the ECLA scheme, and one to enter free text in order to retrieve potentially relevant classification symbols through statistical analysis. In the new CPC browser, these two input boxes have been merged into a single one.

Some 250 000 CPC symbols will replace and augment the 160 000 former ECLA symbols.

The CPC browser interface will also offer many more options, and it will show much more information about the individual classification symbols and the scheme as a whole.

You can

* customise the browser too, and choose whether the symbols are displayed on the left and titles on the right, or vice versa.
* toggle between an indented dot hierarchy (favoured by patent offices and experts) or a tree structure (favoured by the less experienced).
* see where IPC texts start and finish and where CPC texts take over
* choose whether notes and warnings are visible or not.
* select whether the revision dates are shown.
* display the CPC 2000 Index even if you want. This index is a long list stored from the ECLA's former ISO order and controlled keyw...
What "publication info" tells you:
First two letters: country code (or WO for WIPO patents)
At end: A1, A2, A3 etc = applications of various types
B1, B2, B3 etc = granted, has a previously published application
S1, etc = design patent
Clicking on a title shows you bibliographic data – patent number (or application number in this case), inventor, etc.

Use the links in the gray bar at left to see the full text (original document). Cited docs, citing docs, and patent family can take you to related patents.
Helpful tool: Use the Settings menu to enable search history and mouse-over classification popups.
Suggested search strategy: start with a keyword search. Identify some good patents. Note which classification codes they use, and use them to find related patents.

You can also search the classification by keyword.
Advanced search can help you build more complex, multi-field searches.

Want to limit to Canadian patents? In publication number field, put CA. Same process for US patents, or other countries (country codes available in help).
Managing your results

Useful tools: RSS feeds, my patents list, export
Other patent search sources

- uspto.gov
- Google Patents
- Free Patents Online

These are not as comprehensive as espacenet.

Old US patent classification: Want to know what a particular classification means? Go here: www.uspto.gov/web/patents/classification
Patent searching: more info

Some tutorials on patent searching:

- [www.uspto.gov/web/offices/ac/ido/ptdl/CBT](http://www.uspto.gov/web/offices/ac/ido/ptdl/CBT)
- [library.queensu.ca/research/guide/patents](http://library.queensu.ca/research/guide/patents)
- [www.lib.utexas.edu/engin/patent-tutorial/index.html](http://www.lib.utexas.edu/engin/patent-tutorial/index.html)

eBook: Fundamentals of patenting and licensing for scientists and engineers: [http://resolve.library.ubc.ca/cgi-bin/catsearch?bid=7155586](http://resolve.library.ubc.ca/cgi-bin/catsearch?bid=7155586)

For professional help: [guides.library.ubc.ca/patents#tabs-4](http://guides.library.ubc.ca/patents#tabs-4)
Other library resources

In addition to patents, you may want to search the journal/conference proceedings literature on your topic. The relevant research guide at: search.library.ubc.ca/#guides

...will have suggestions for article databases. Compendex is a good starting point for engineering topics; PubMed for biomedical topics.

Summon searches the Library's books, ebooks, and selected articles (as well as US patents). It's not as comprehensive as databases like Compendex.
Standards

Standards address product safety and compatibility issues. It may be important to consult them in your product development process. See guides.library.ubc.ca/standards

UBC Library provides online access to:

- ASTM standards
- CSA standards
- IEEE standards

Note: UBC's subscriptions to standards databases are restricted to educational, noncommercial use only.