



Episode 02:

Using Patent Landscapes to Develop IP Rich Products and Valuable Patent Positions

Patent Analytics Webinar Series

8–Episode Webinar Series



Episode 01 - Techniques and Analytics for Identifying Valuable Patents and Patents to Abandon
Thursday, April 16, 2020 at 12:00 PM CT

Episode 02 - Using Patent Landscapes to Develop IP Rich Products and Valuable Patent Positions
Thursday, April 30, 2020 at 12:00 PM CT

Episode 03 - Using Prosecution Analytics to Improve Prosecution Efficiency and Identify Wasteful, Unproductive Prosecution Spending
Thursday, May 14, 2020 at 12:00 PM CT

Episode 04 - Using Examiner Analytics to Improve Prosecution Efficiency and Develop Well-informed, Data-Driven Prosecution Decisions and Strategy
Thursday, May 28, 2020 at 12:00 PM CT

Episode 05 - Best Practices for Developing Reliable Freedom-to- Operate Landscapes and Advanced Techniques for Interactive, Reusable FTO Mapping
Thursday, June 11, 2020 at 12:00 PM CT

Episode 06 - Using White Space Maps to Identify Open Spaces in the Patent Landscape
Thursday, June 25, 2020 at 12:00 PM CT

Episode 07 - Using a Patent Analytics Dashboard for IP Strategy, Competitor Surveillance, and Portfolio Management
Thursday, July 9, 2020 at 12:00 PM CT

Episode 08 - Using Patent Prosecution History Reports to Increase Prosecution Efficiency and Avoid Unintended Estoppel
Thursday, July 23, 2020 at 12:00 PM CT

Today's Presenters...



Steve Lundberg

Principal, Chief Innovation Officer
Schwegman Lundberg &
Woessner



Janal Kalis

Principal
FTO and Patent Analytics Expert
Schwegman Lundberg &
Woessner



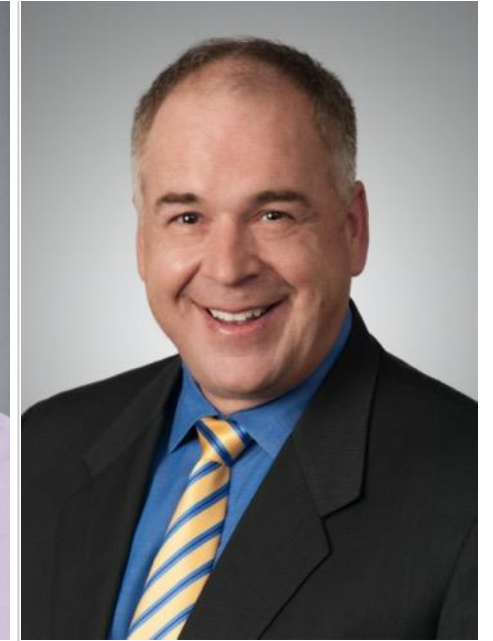
Andre Marais

Principal
Schwegman Lundberg &
Woessner
IAM 1000 listing of the world's
leading patent attorneys
IAM Strategy 300 listing of the
world's 300 leading IP strategists



Micky Minhas

Senior Vice President
Marconi
Former Head of Patent
Licensing and Strategy at
Microsoft



Mark Stignani

Analytics Chair & Firm
Compliance Officer
Former Chief Patent Counsel
Thomson
Schwegman Lundberg &
Woessner



**What exactly is a
Patent
Landscape?**

A patent landscape is an analysis of patent data that illustrates composition and comparisons of patent portfolios and positions, as well as reveal business, scientific and technological strengths, weaknesses and trends.

What you will learn today

- Who uses landscapes
- When they are used
- Strategic insight provided
- Different types of landscapes
- How landscapes are generated
- Overview of tools

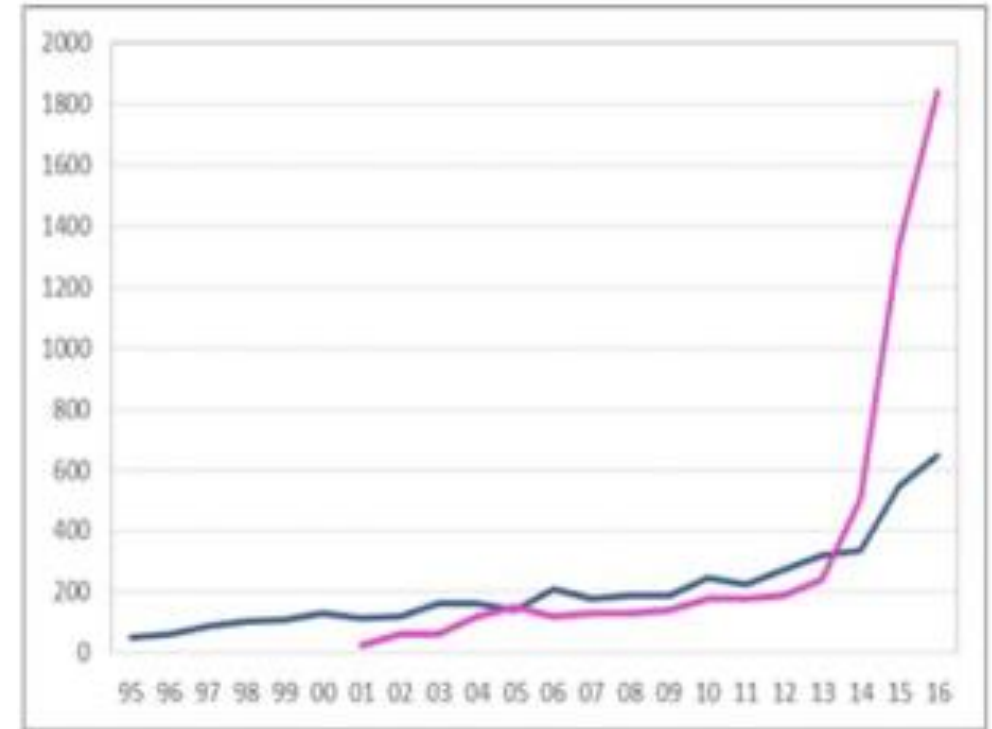
Landscape Fundamentals by Micky Minhas



- What do you use patent landscapes for?
- Know your audience – tailor your results
- Scope the work to what the purpose is – easy to spend lots of time
- Push back – how would the results of the patent landscape change your behavior?
- Imagine a worse case result – your competitor has a strong patent position – what would you do about it?
- Education
- Identify companies
- Identify acquisition opportunities
- Identify licensing strategy
- Inform filing strategy
- Business Data and Patent Data

Landscape Insights by Micky Minhas

- The most useful patents tend to be 8-15 years old
- Difficult to make an accurate determination of value in young patents
- Most patent landscapes look like a hockey stick – early filings are very few, bandwagon filings come with time
- AI, Quantum, 5G, Blockchain
- Resist the temptation to rapidly increase filings in now popular areas – Watch out for “Portfolio Building Mode”
- You can’t “catch-up” in areas where you are late by filing more



Best Practices by Andre Marais

Business Landscaping

Business and IP Environment = 2 inputs for Patent Strategy

Self (Know Thy Self)

Markets and Sources
(Manufacturing or
Services)

Supply Chain,
Geographic, Product

Products and
Technologies

Revenue Contribution
(Current and Future)

Competitors (Keep your Enemies Close), Frenemies/ Partners

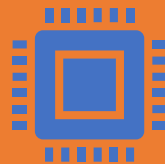
Markets and Sources

Products and Technologies

Revenue Contribution
(Current and Future)

Best Practices by Andre Marais

Patent Landscaping



Technology Landscape

Who is patenting in defined technology areas?



Competitor Company Landscape

Patent activity (volume, tech areas and geography) of reference companies



Reference Company Landscape (Benchmarking)

Patent activity of reference companies
Hypothetic benchmarking against earlier companies

Landscapes for Cheapskates

Forward/Backward Citation Landscapes by Janal Kalis

- Most useful for startups or small clients on a small budget
- Goal is to wring as much information as possible out of forward and backward citations
- Assumption: Art cited by Entity A to a patent office is information flowing from the owner of the art, Entity B, to Entity A

ENTITY B  ENTITY A

- Over time, Entity B may cite information from Entity A. This information flows from Entity A to Entity B

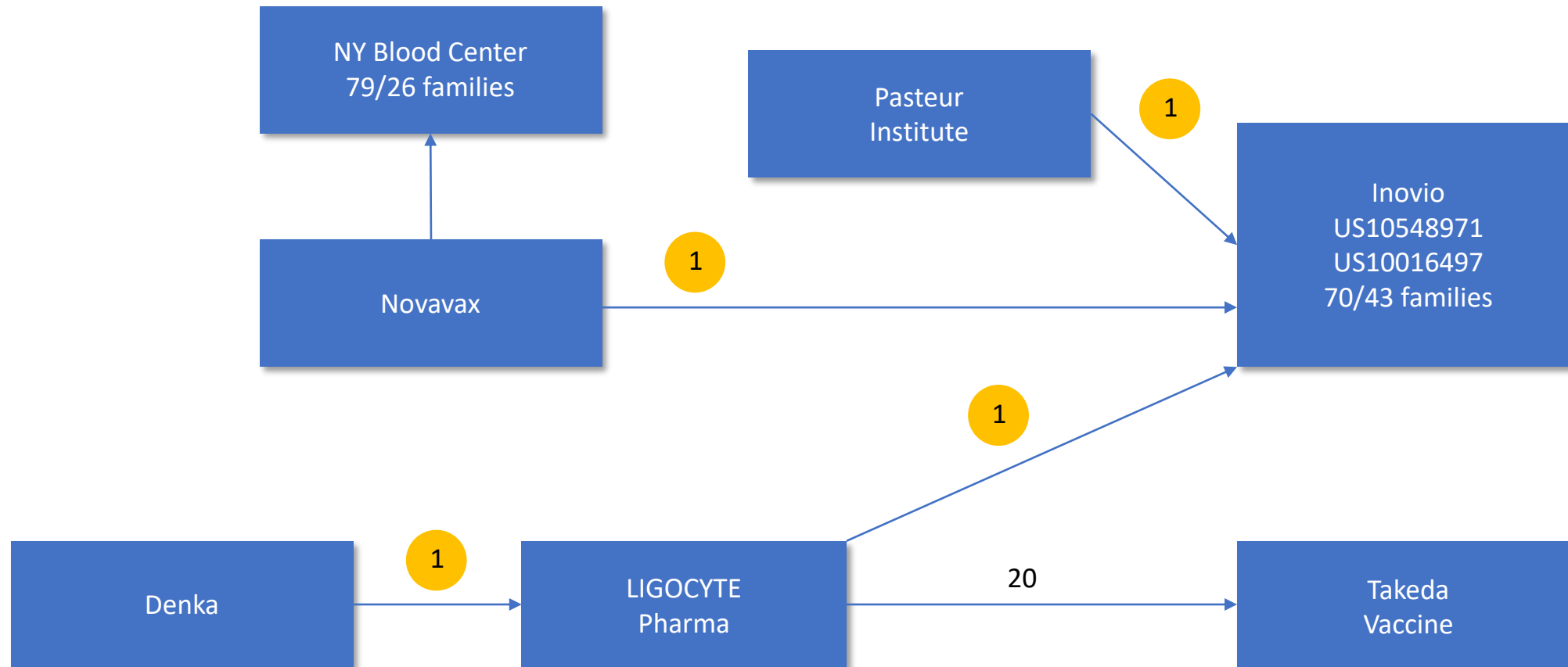
ENTITY B  ENTITY A

- Entity C may cite information from Entity A. This information flows from Entity A to Entity C

• ENTITY B  ENTITY A  ENTITY C

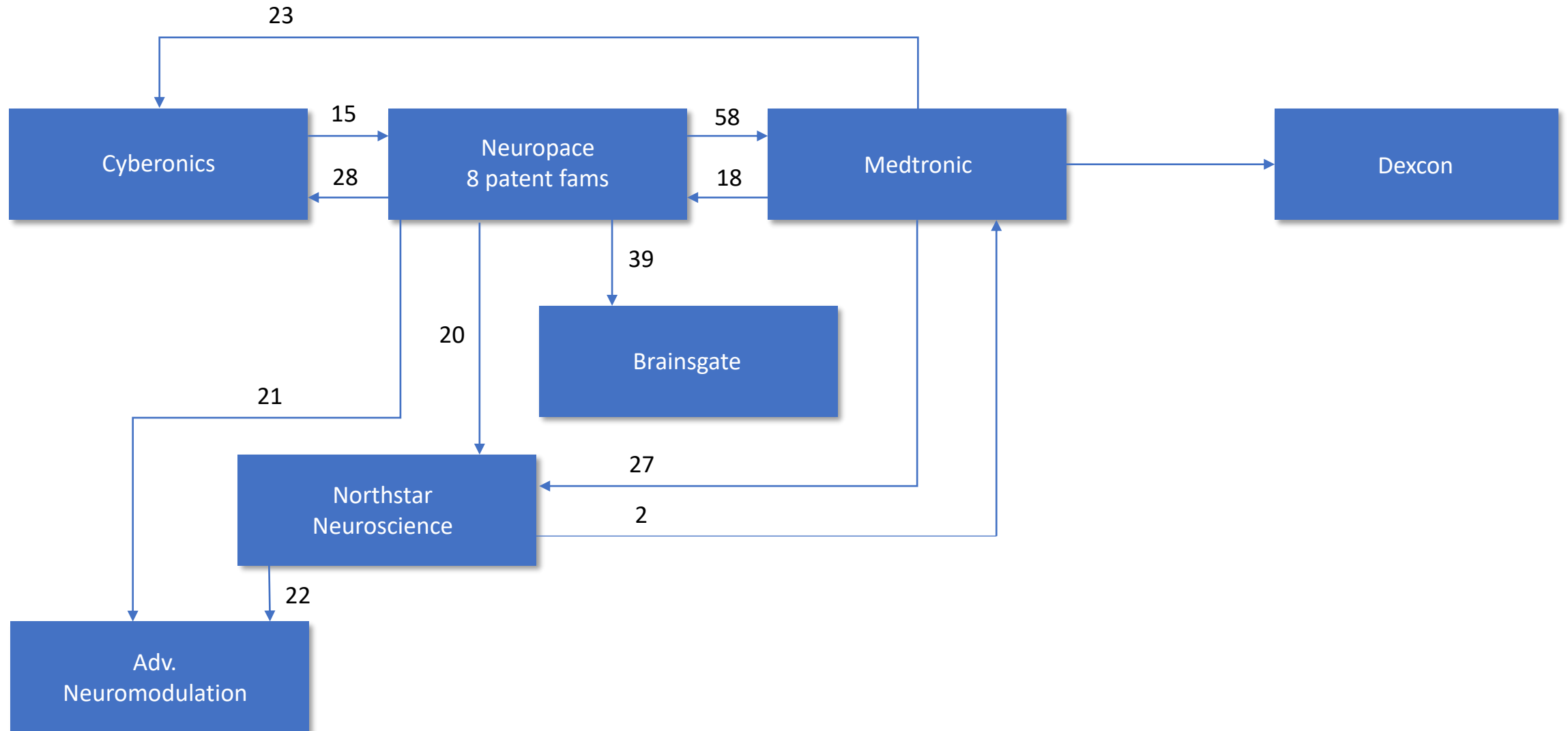
Best Practices by Janal Kalis

MERS-CoV Vaccine



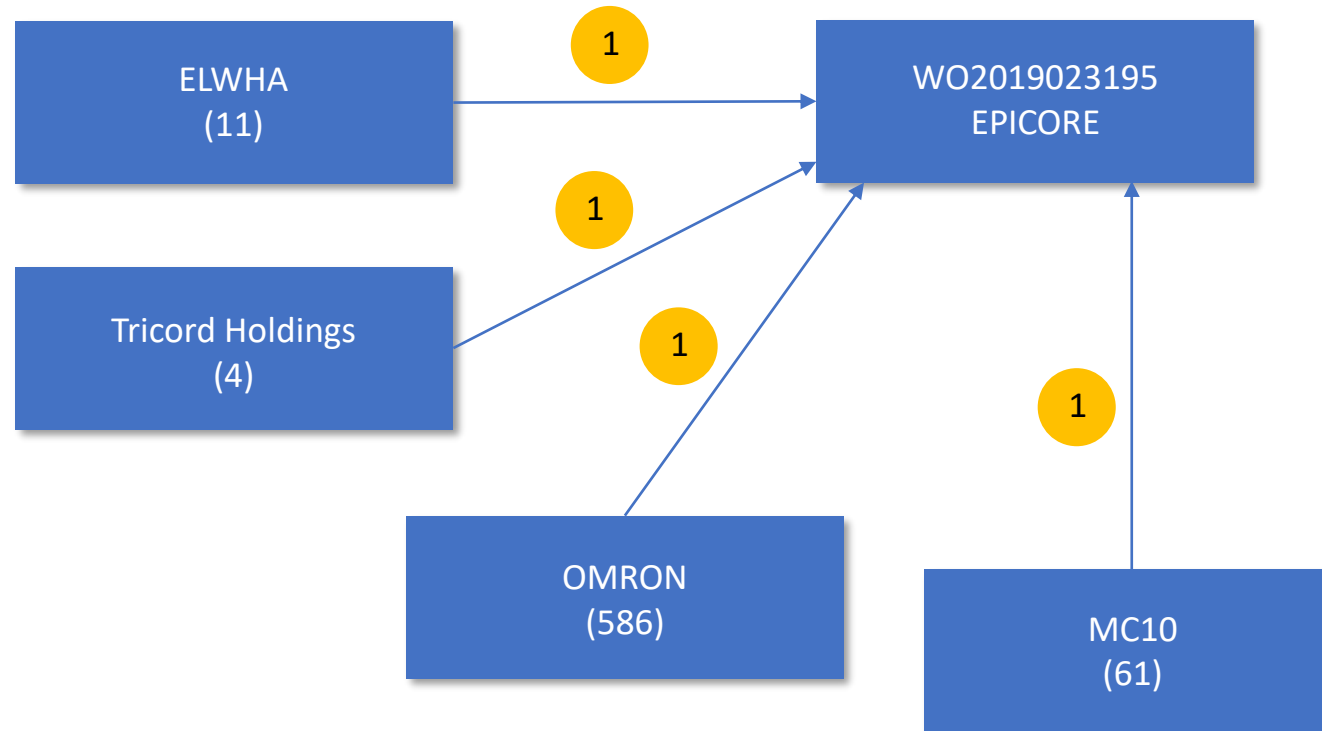
Best Practices by Janal Kalis

Deep Brain Stimulation



Best Practices by Janal Kalis

Wearable Device for Measuring Sweat Composition



How to Build a Better Landscape by Mark Stignani

- Ask a simple question to answer
 - Avoid Market Level Landscapes
 - Unless that is the question
 - Create a Taxonomy
 - Iterate automation
 - Pivot Data
 - real entities/facts/time/products
 - Time slice your data
- Good Simple Questions
 - Which company & what tech
 - How is a problem solved?
 - What product concepts overlap
 - Patent to product relationships
 - NPL v Patent Overlap

Hybrid Solution Using Tools

- Manual Landscapes

- Large amounts of Effort
 - Technical
 - Legal
 - Business
- Seldom repeated

- Automated Landscapes

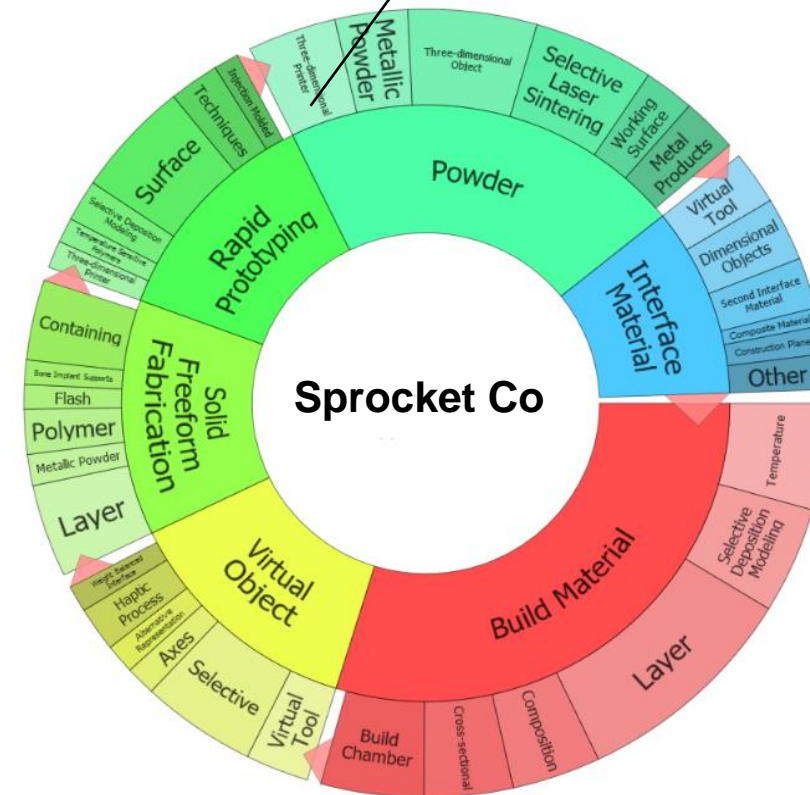
- Fast but Obscures Important Data
 - GIGO
 - Proxies to replace manual labor
- Seldom repeated if
 - No Value Perceived



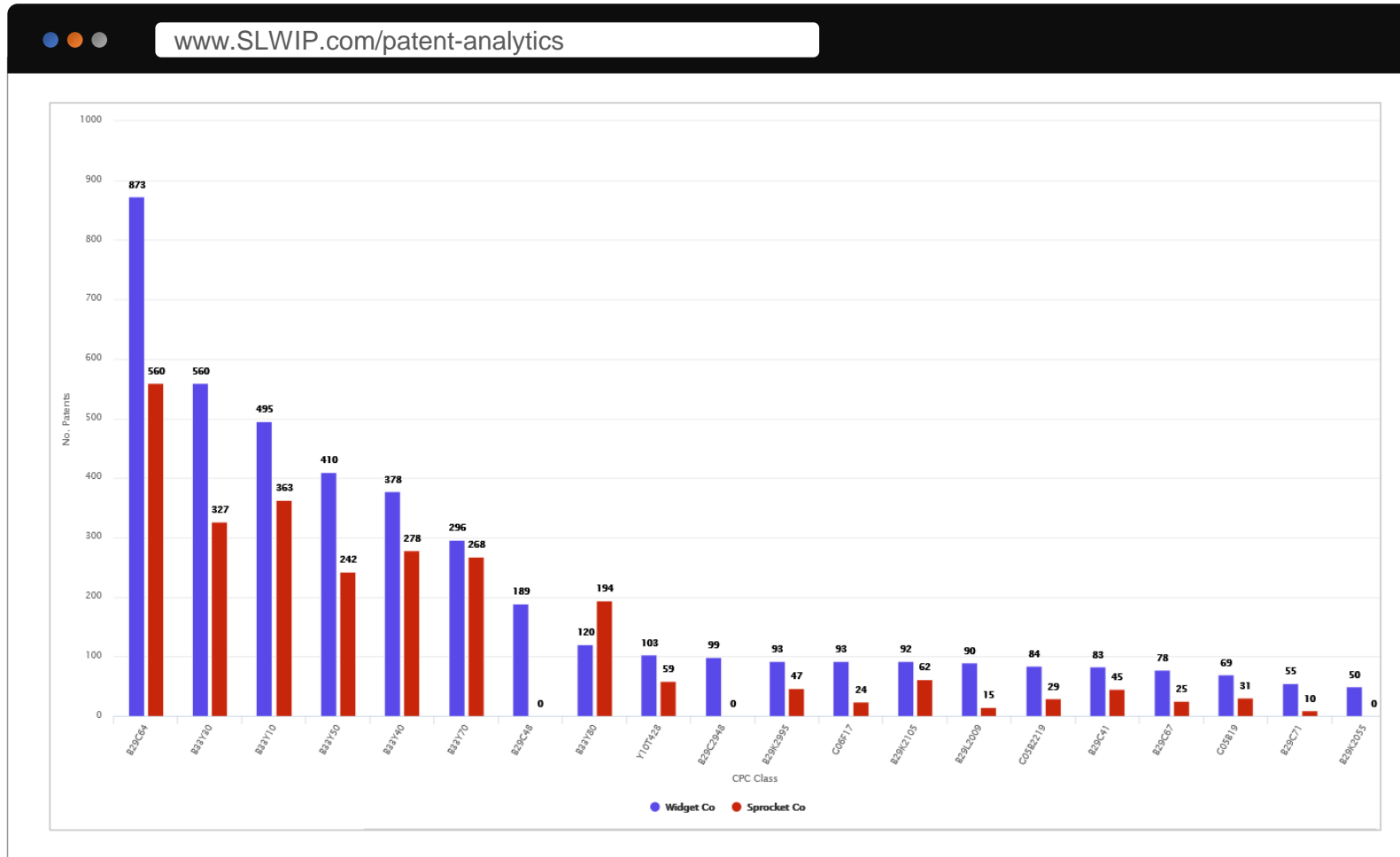
Conceptual Comparisons or Heat Maps

Inner Ring Broad Concepts

Outer Ring Sub-Concepts



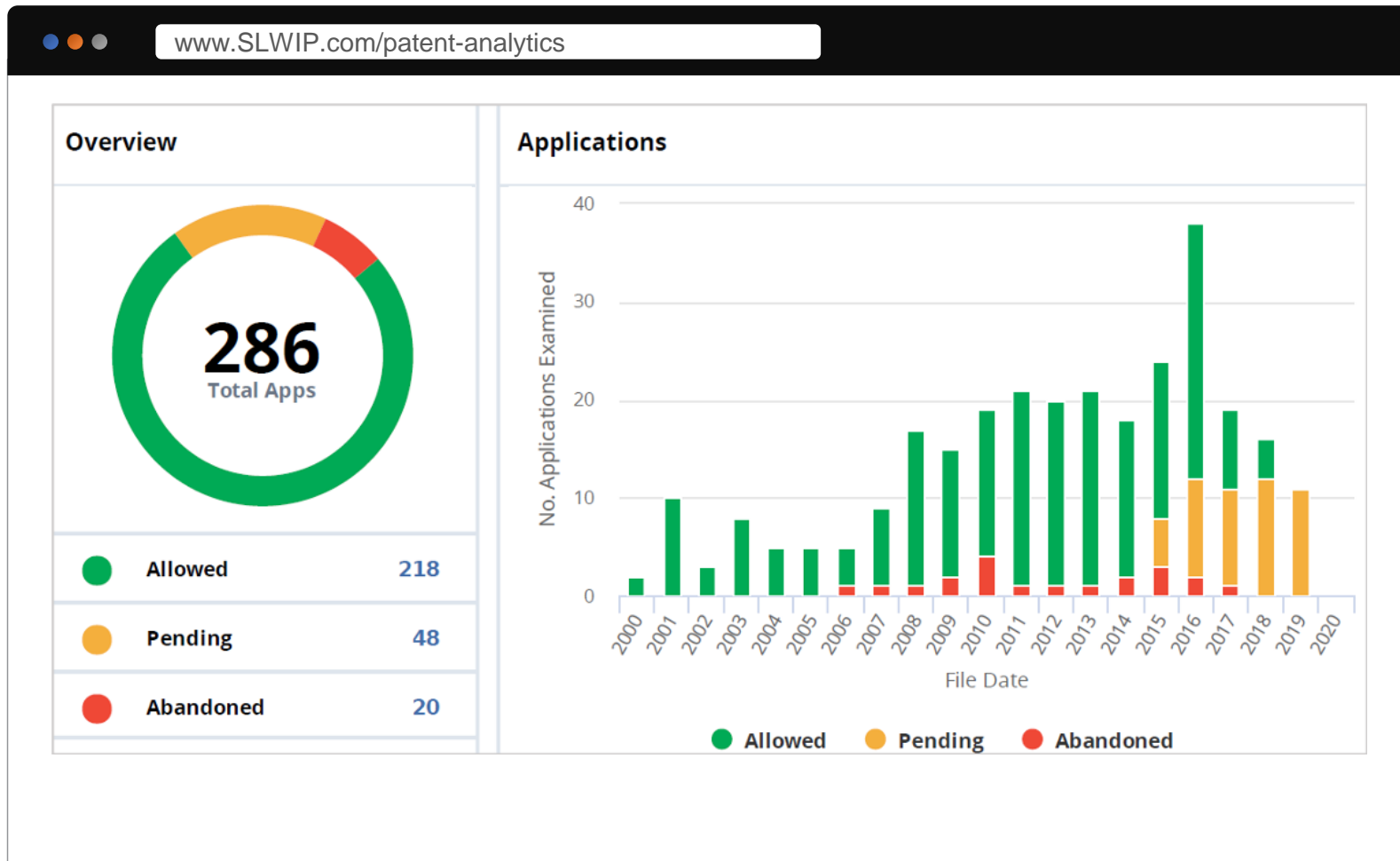
Comparison by Class Codes



CPC – Cooperative Patent Classification

- Objective Comparator
- Proxy for Reading
- Can achieve some good granularity

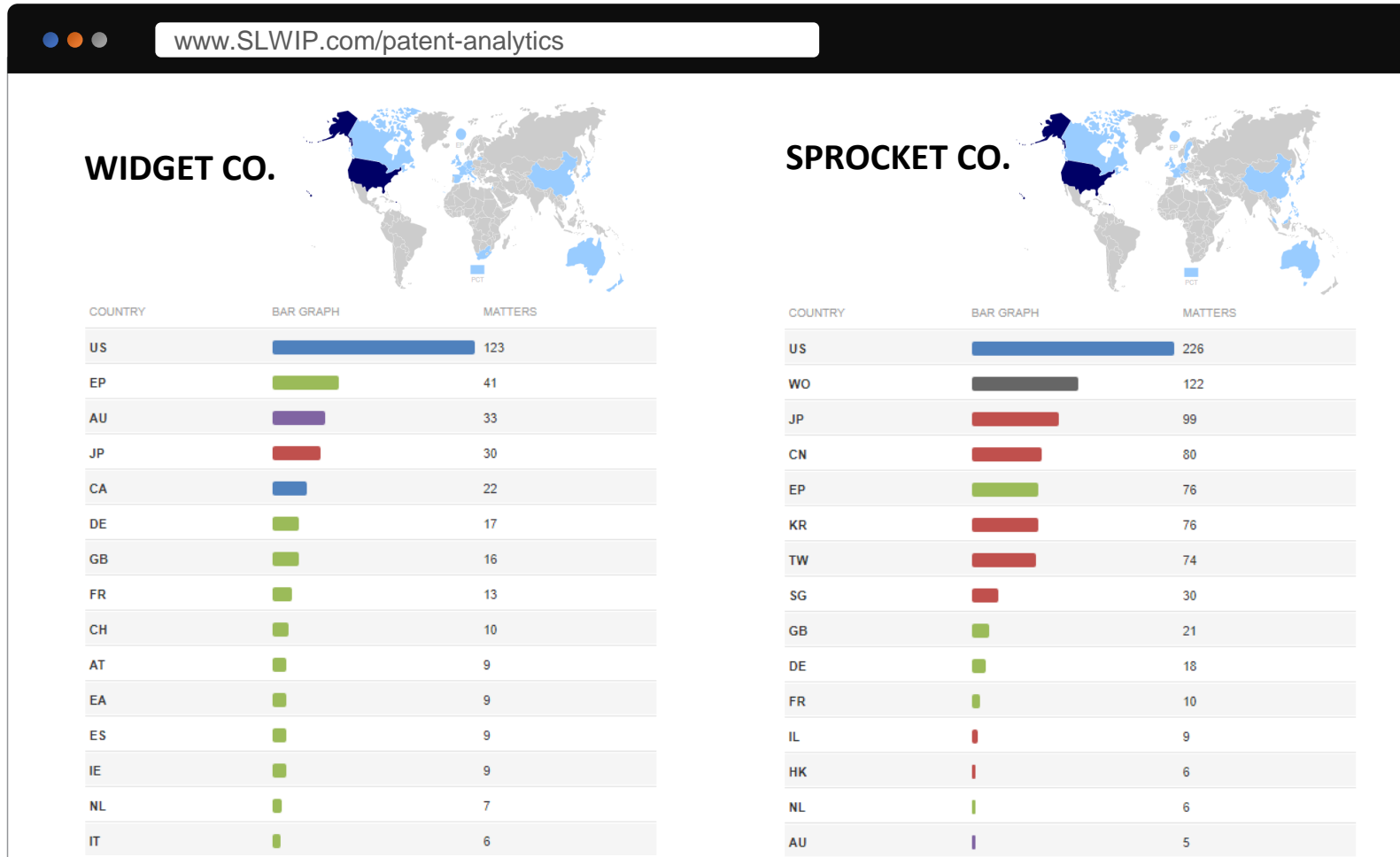
Prosecution Performance/Success



Landscape Factors:

- Coverage
- Ease of Prosecution
- Pendency of Portfolio

Country Comparison/Geo-Slicing



Level of Investment
Proxy

Key Take-Aways

- Formulate your question first –landscape to that answer
- Analyze in layers and iterate to more precise answers
- Practice Occam's Razor in review (inferences with fewest assumptions)
- Prosecution trends can tell a story not apparent in pure count data

The Schwegman Analytics Advantage



SLW has been helping its clients find and improve high value patents for over 20 years and has invested heavily in its Analytics processes and tools for the last decade and is now expert at helping.

- More efficient work
- Shorter timelines
- Higher quality and key strategies
- IP Operations
- Fixed Fees/AFAs
- Tracking metrics
- Non-traditional providers

**Thank You For Your Interest
Questions?**

These materials are for general informational purposes only. They are not intended to be legal advice, and should not be taken as legal advice. They do not establish an attorney-client relationship.