



**INSTITUTE**  
*Building Extraordinary IP Assets*

## 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**

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**Episode 02** - Using Patent Landscapes to Develop IP Rich Products and Valuable Patent Positions

**Thursday, April 30, 2020 at 12:00 PM CT**

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**Episode 03** - Using Prosecution Analytics to Improve Prosecution Efficiency and Identify Wasteful, Unproductive Prosecution Spending

**Thursday, May 14, 2020 at 12:00 PM CT**

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**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**

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**Episode 06** - Using White Space Maps to Identify Open Spaces in the Patent Landscape

**Thursday, June 25, 2020 at 12:00 PM CT**

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**Episode 07** - Using a Patent Analytics Dashboard for IP Strategy, Competitor Surveillance, and Portfolio Management

**Thursday, July 9, 2020 at 12:00 PM CT**

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**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

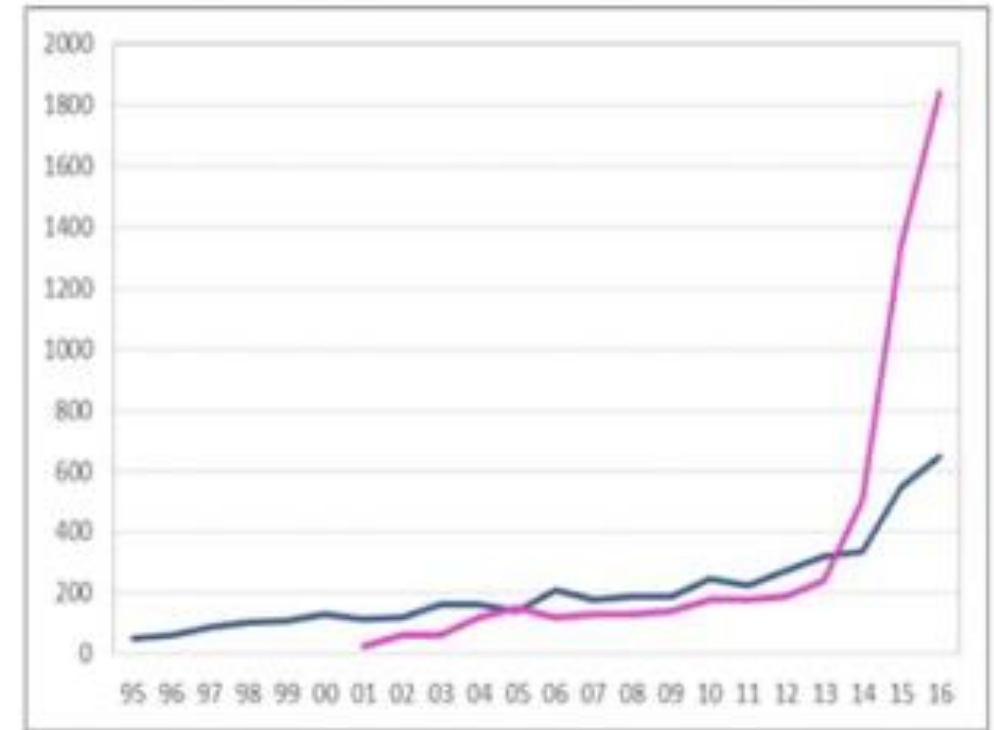
# Landscape Fundamentals by Micky Minhas



- 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

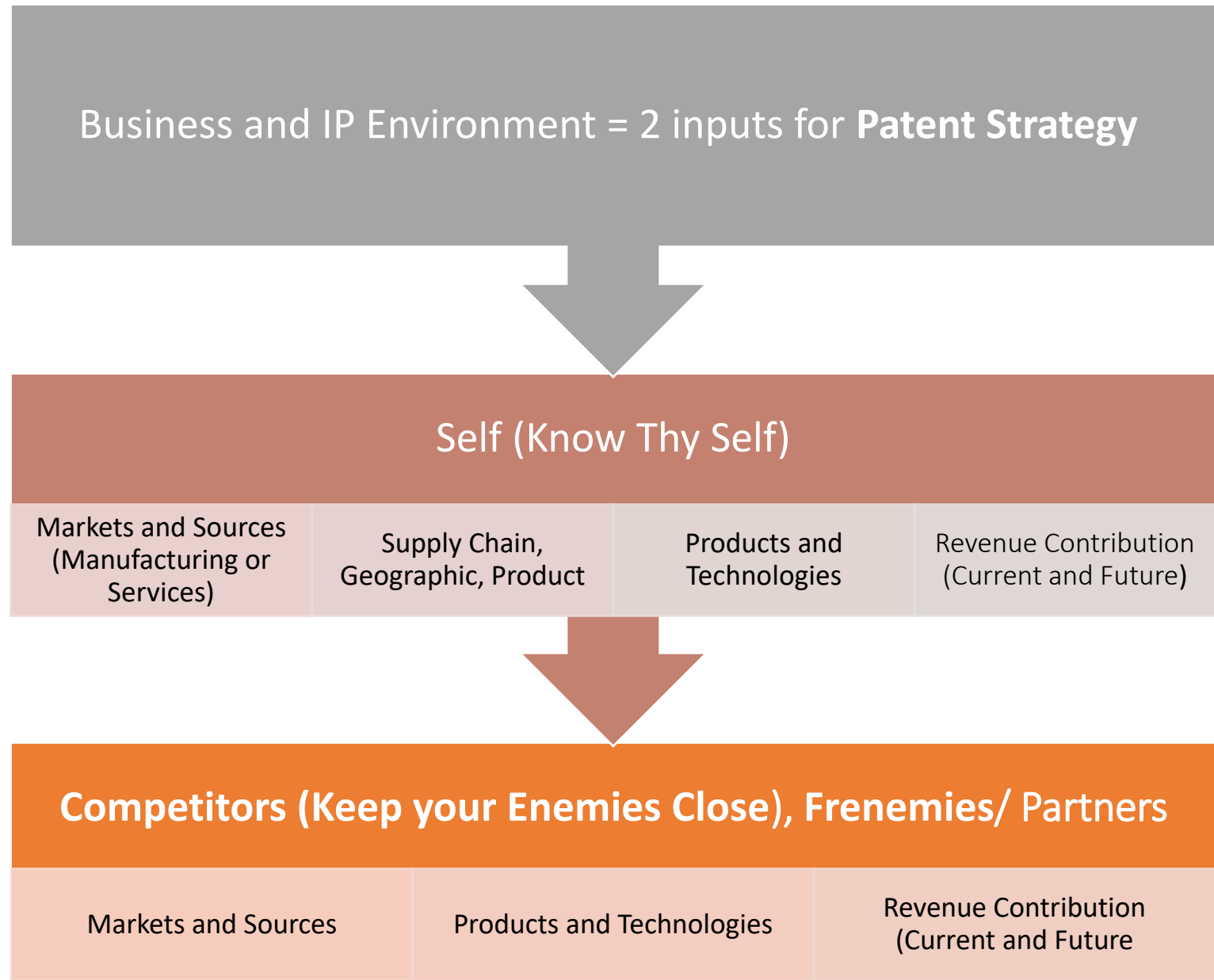
# Landscape Insights by Micky Minhas

- 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



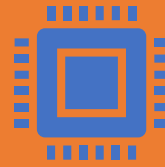
# Best Practices by Andre Marais

## Business Landscaping



# 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

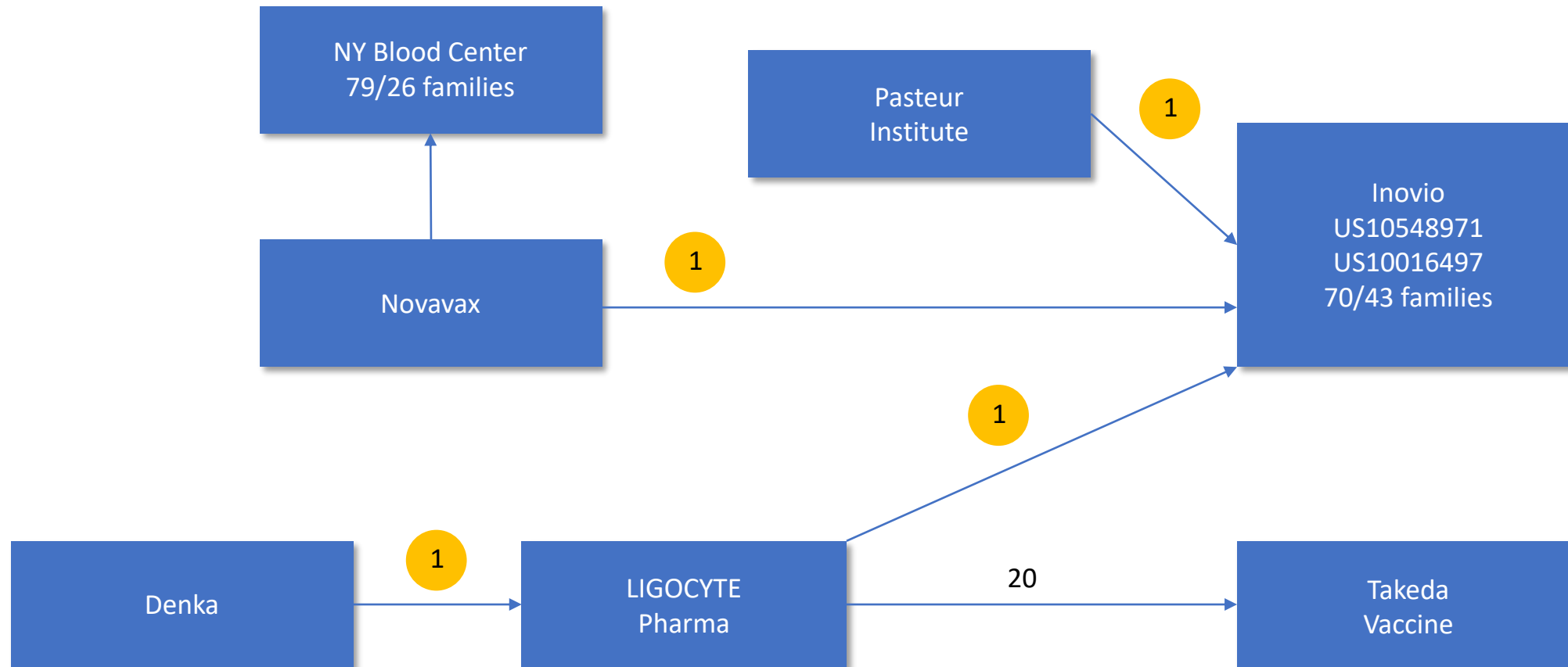
ENTITY B  ENTITY A

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

• ENTITY B  ENTITY A  ENTITY C

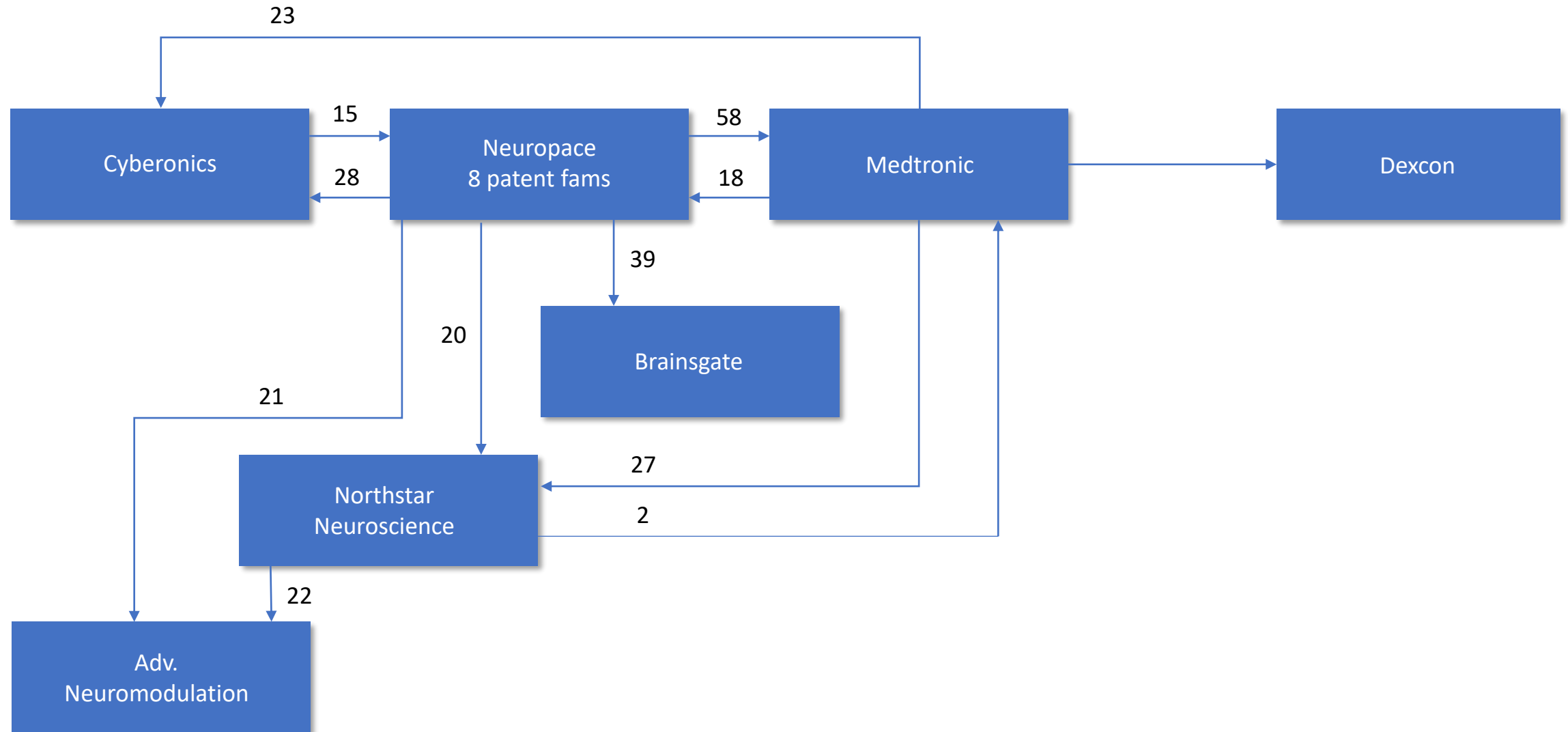
# Best Practices by Janal Kalis

## MERS-CoV Vaccine



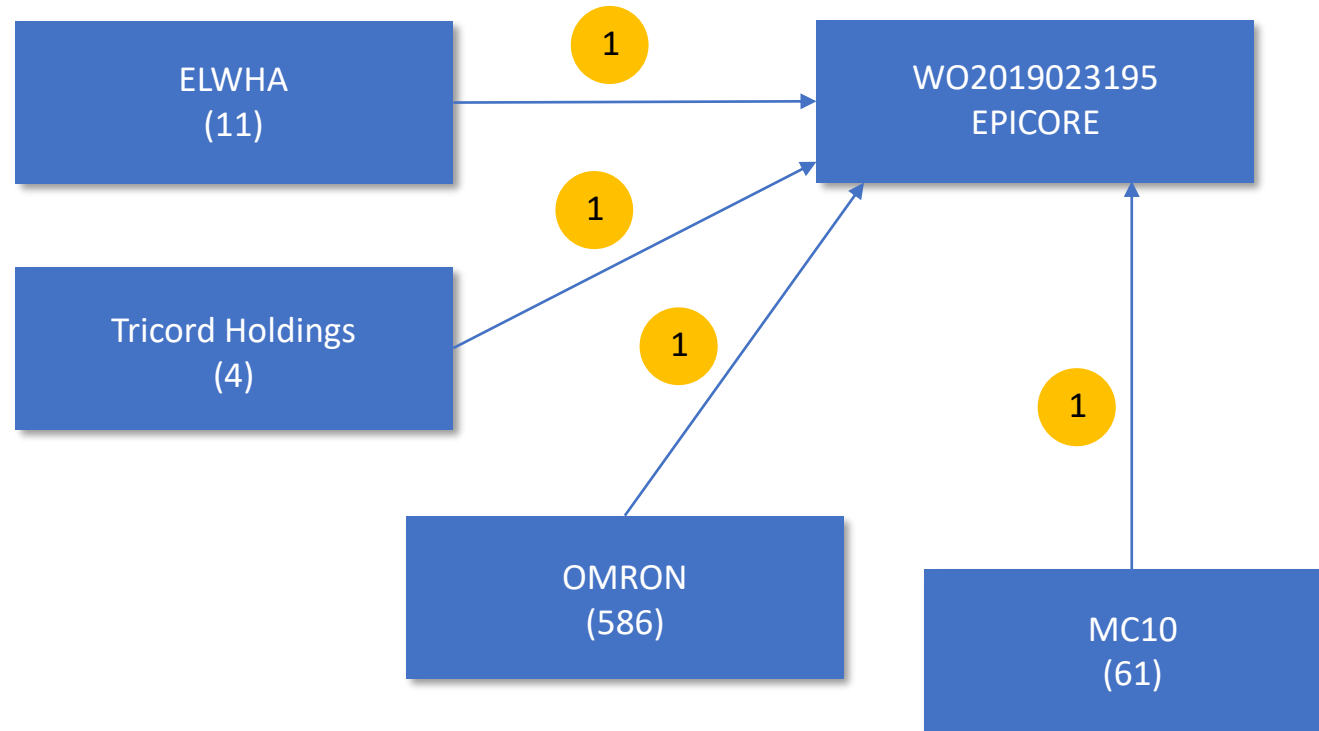
# Best Practices by Janal Kalis

## 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

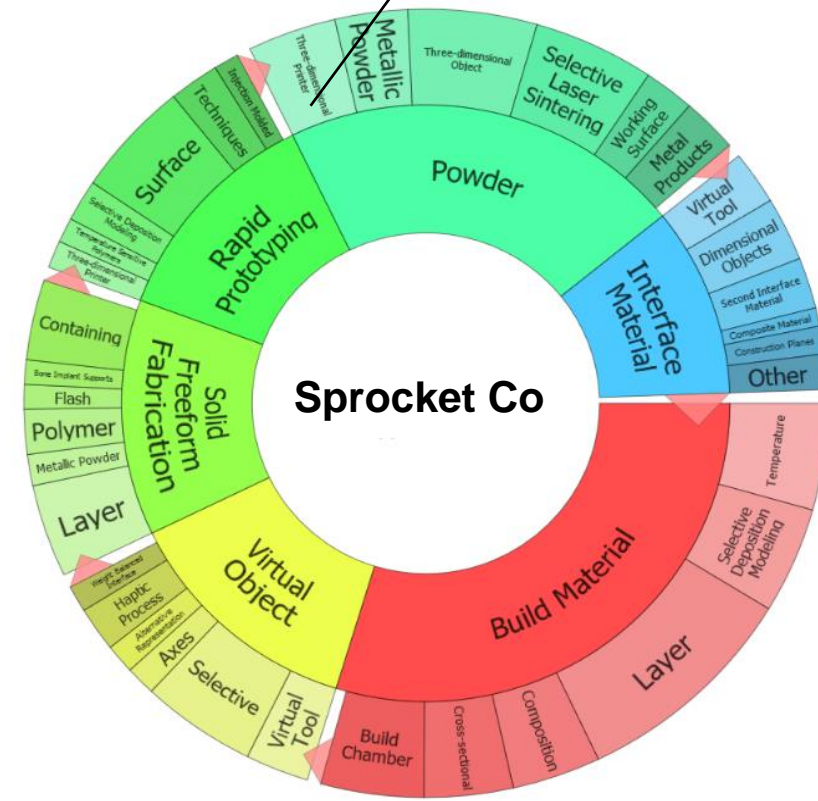
- Automated Landscapes
  - Fast but Obscures Important Data
    - GIGO
    - Proxies to replace manual labor
  - Seldom repeated if
    - No Value Perceived



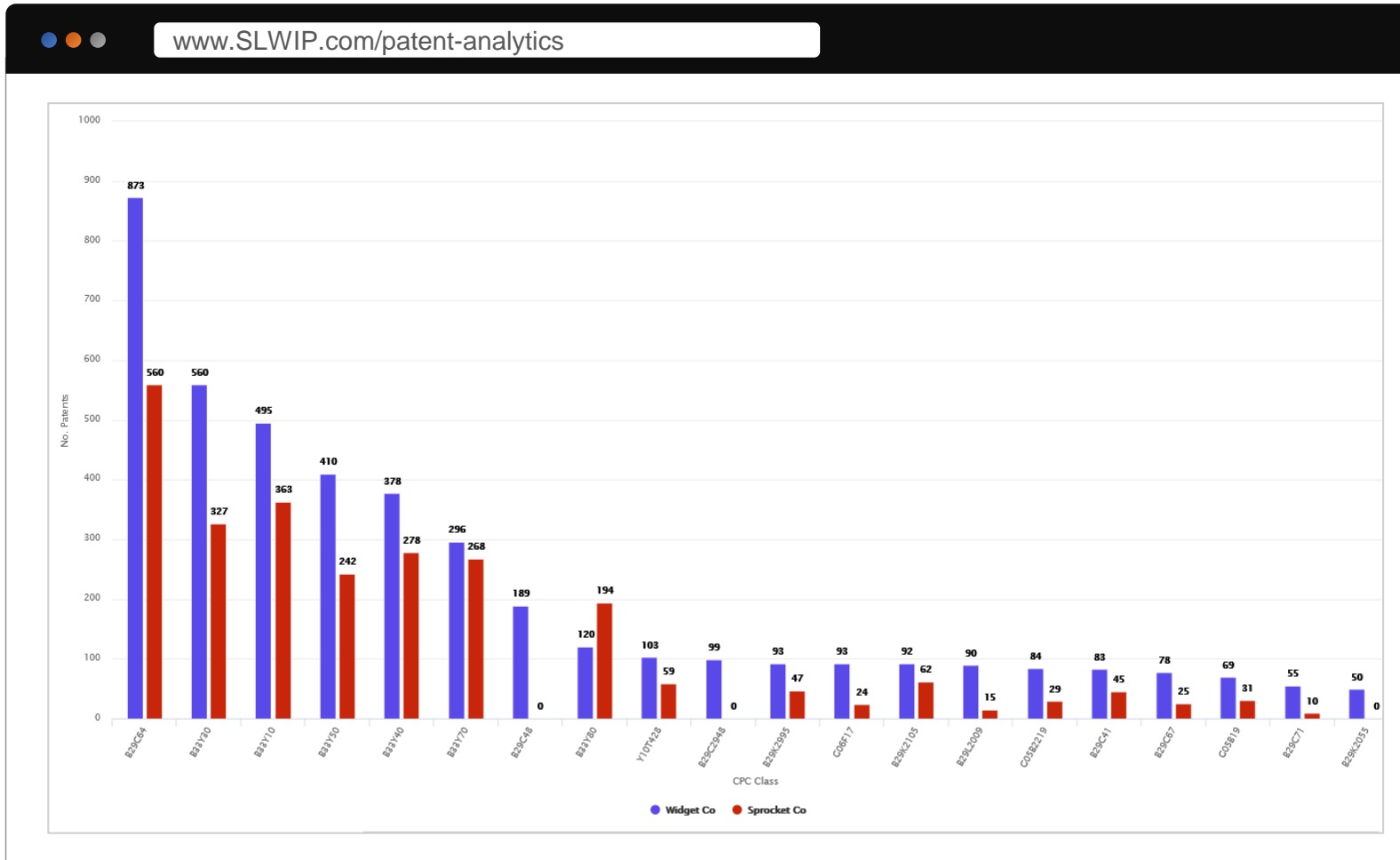
# Conceptual Comparisons or Heat Maps

## Inner Ring Broad Concepts

## Outer Ring Sub-Concepts



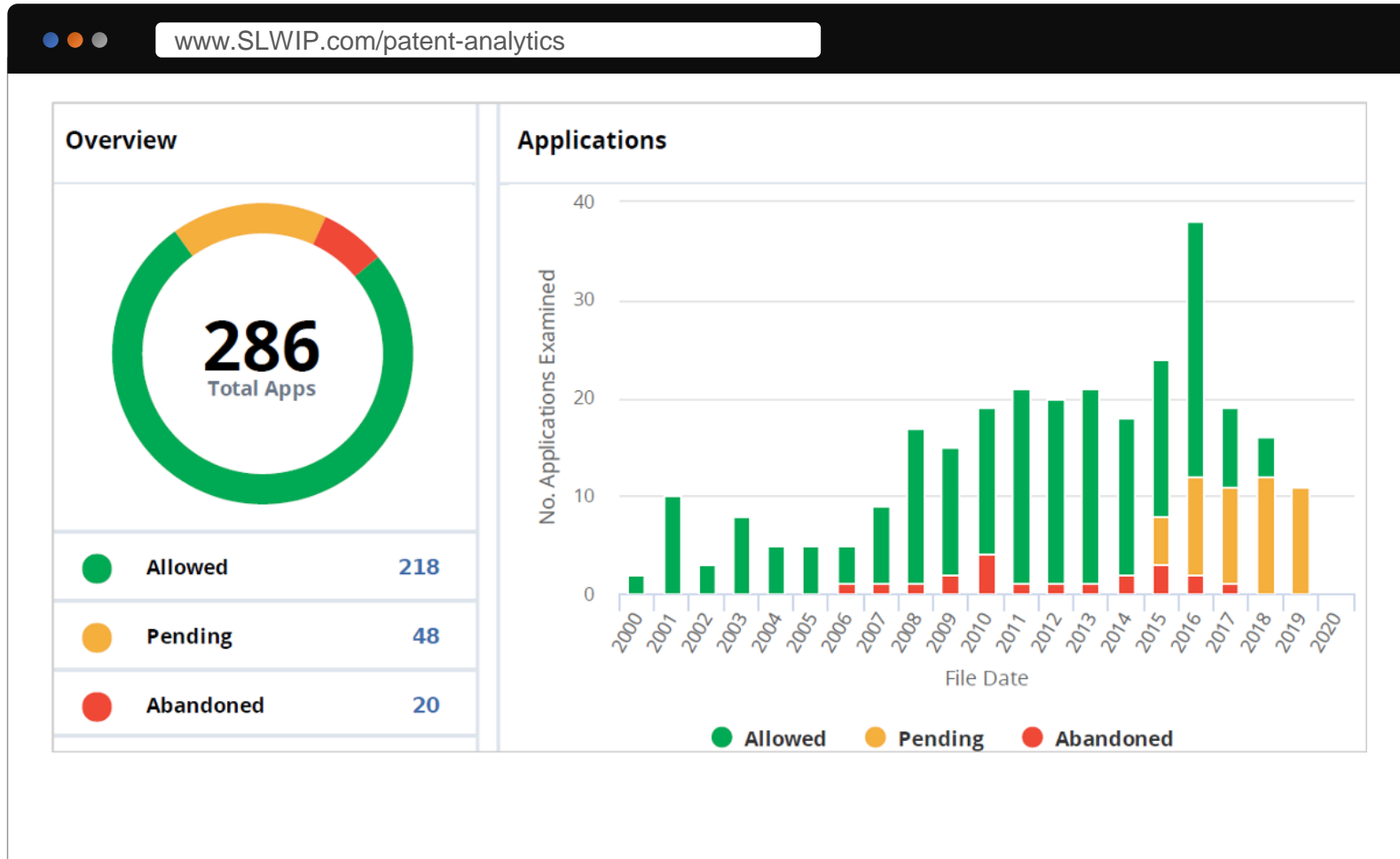
# Comparison by Class Codes



## CPC – Cooperative Patent Classification

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

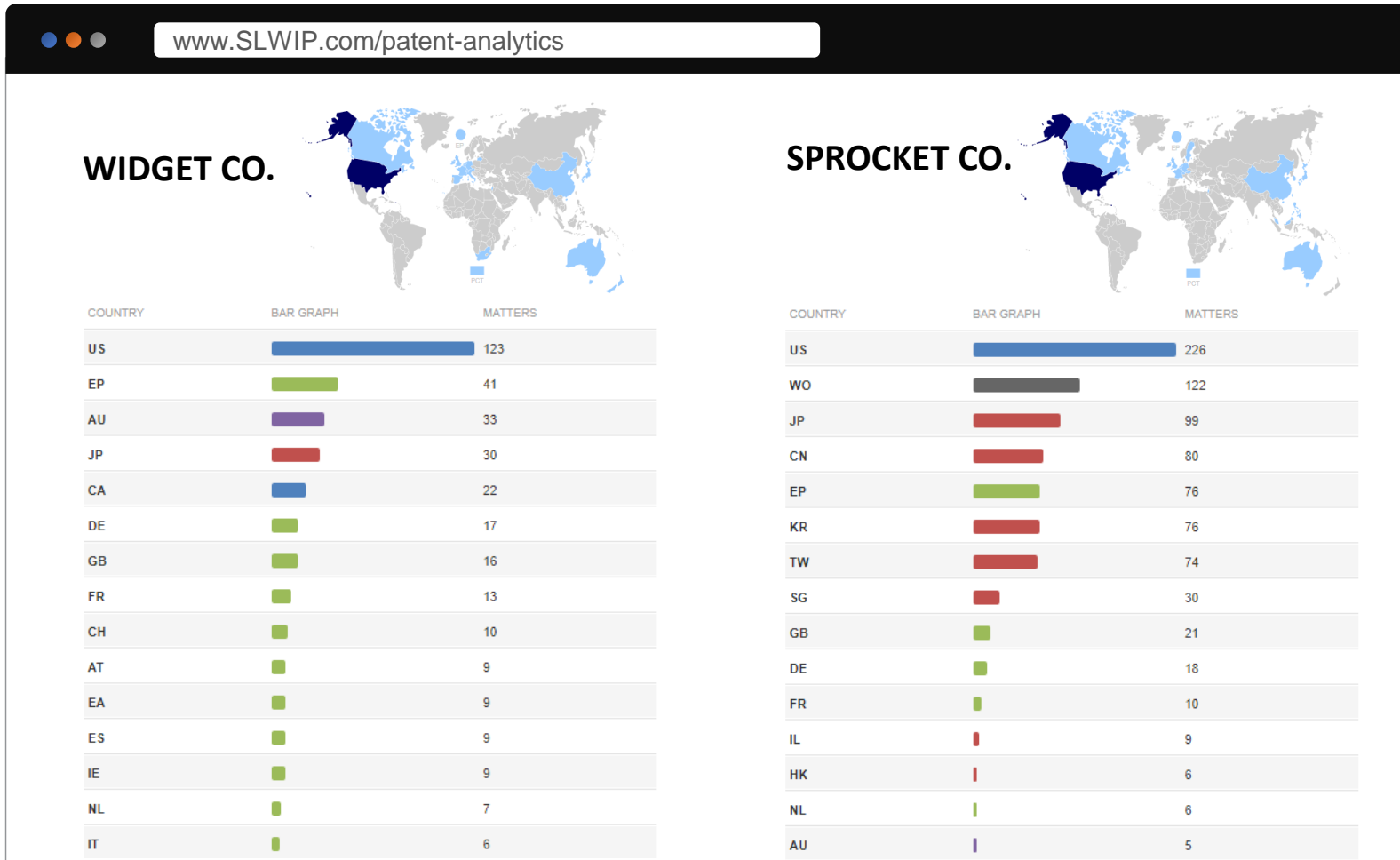
# Prosecution Performance/Success



## 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.