

The Docketing Excellence Webinar Series



IP Management System Data Integrity: How to Ruin the Reliability of IP Data

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INSTITUTE
Building Extraordinary IP Assets

IP Management System Data Integrity: How to Ruin the Reliability of your IP Data

- **Presenters and panelists:**
 - Ann McCrackin, President, Black Hills IP, LLC
 - Zhakalazky Carrion, Docketing Manager, Schwegman Lundberg & Woessner, P.A.
 - Mary O'Malley, Patent Program Manager, Technology and Patents, eBay
 - Tyler Nasiedlak, Principal at Schwegman Lundberg & Woessner, P.A., and former Chief Patent Counsel, Boston Scientific CRM and CV

Important Uses of IP Data in an IP Management System

- Manage filing and prosecution of IP assets
- Maintain an inventory and track status of IP assets
- Track critical deadlines for US and foreign filings
- Track critical deadlines for responding to PTO actions
- Pay patent maintenance fees and annuities
- Renew trademarks
- Identify infringed patents and trademarks
- Budgeting
- Reporting
- Taxes, if funds are allocated across jurisdictions, based on IP license fees
- Pay inventor rewards

IP Data Omissions and Errors

- IP assets missing from database
- Incomplete data for an individual IP Asset
 - Wrong serial numbers or patent/trademark numbers
 - Wrong assignee or licensee listed
 - Wrong inventors
 - Missing PTO actions
- Incorrect status of assets

How Errors are Introduced

- First time data entry in IP database
- When data is transferred from one database to another
- When assets are sold, and lists of assets are exchanged in the sale
- When status events are improperly recorded
- When instructions are miscommunicated regarding trademark renewals or patent annuities/fees

Consequences of Errors

- Important assets may be inadvertently abandoned or even lost altogether
- Assignments may be out of order, complicating asset transfers or assertions
- Inventors may not be properly paid pursuant to corporate incentive policies or country requirements
- Critical dates may be missed
- Reports are inaccurate

What Percentage of Data Corruption Renders IP Data Completely Unreliable?

- If confidence is lost in IP data as a whole, all of the data is unreliable, even if only a relatively small percentage is indeed incorrect
- What is the percentage of erroneous data that tips the data from reliable to unreliable?
 - Generally, a data set that is less than 95% accurate renders all data in the set suspect

Most Common Places that Data Errors are Introduced

- Clerical errors from unreliable data entry by corporate personnel in corporate IP system
- Errors introduced by law firms doing manual data updates in a corporate system

How to Avoid Introduction of Errors in Data

- Use checklists when entering data
- Verify critical data independently on a regular basis:
 - Serial numbers, titles, inventors, filing date
 - Status (pending, allowed, issued, annuities due)
 - Priority dates – should be regularly verified to avoid misses on docketing critical deadlines based on priority dates
 - Annuity payment instructions
 - Assure correct payment instructions have been transmitted
 - Asset list completeness
 - Assure all assets owned by a company are being tracked and accounted for

Techniques for Verifying Data

- Manual
- Automated
 - USPTO PAIR scrapes
 - INPADOC-based data scrapes
 - System cross-checks
 - Assignment Searches

Verification Process Case Studies

- Bibliography Data Verification
- US Asset List Verification
 - Using Customer Numbers
 - Using Assignment Data
- International Patent Family List Verification
- Annuity Data Verification

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Thank you for your participation.

Questions?

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Foreign Filing Deadlines, and How to Avoid Them

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