

Patent Analytics How-to Webinar Series: Episode 03

# How to Make and Use Freedom To Operate Maps & Analysis, Product Coverage Analysis and Maps

### 5-Episode Analytics How To Webinar Series

**Episode 01** – How to Make and Use Portfolio Analytics, Patent Landscapes, and Patent Watching/Surveillance Reports

Thursday, February 25th, 2021, at 12:00 PM CT

**Episode 02** – How to Make and Use Portfolio Curation, Competitive Patent Landscape and SWOT Analysis Reports

Thursday, March 25th, 2021, at 12:00 PM CT

**Episode 03** – How to Make and Use Freedom to Operate Maps and Analysis, Product Coverage Analysis and Maps **Thursday, April 22**<sup>nd</sup>, **2021, at 12:00 PM CT** 

**Episode 04** – How to Make and Use Prosecution Attorney Analytics and Examiner Analytics

Thursday, May 27th 2021, at 12:00 PM CT

**Episode 05** – How to Make and Use Blue Ocean White Space Maps

Thursday, June 24th, 2021, at 12:00 PM CT

### Before We Get Started...



### Recording

A link to the recording and slides will be emailed to all registrants.



#### **Questions**

Type in the question box and we will answer in real time or during the Q&A.



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# **Today's Presenters...**



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# Freedom-to-Operate Searching, Mapping and Analysis

Develop FTO Patent Maps for Broad Technology Development Initiatives or Specific Product Design Initiatives, Including Interactive, Reusable FTO Mapping

### **Value Proposition**

- Design around competitor patents using rapid "what-if" product feature configuration using interactive FTO map
- Avoid unnecessary infringement suits and allegations
- Align development with "open" IP space
- Enhance ability to develop patentable technology
- Identify opportunities

# Outline of FTO Process



# Preliminary Considerations

- Client end goals and audience
- Is it FTO or Landscape?
- Timing of FTO before or after design is completed
- Understand client's budget
- Leverage domain expertise of client to use budget wisely (e.g., SLW identifies patents, client reviews)

## **Goals and Scope**

Project

• Freedom to operate
• Landscape analysis
• Part of transaction or investment due diligence

• Product or technology to be cleared
• Geographical coverage
• Identified competitors
• Exclusions
• 3rd party relationships to technology
• Exclusions

### Search

Start simple
Designing the search can be the most challenging part
Review and select potentially relevant results
Review together with client

Select relevant results from initial search and iterate
Consider client's own patents
Classification, keyword, assignee searches
Forward & backward citation searches
Litigation activity

Understand the end goal
Understand what you are clearing (there may be multiple components)
Understand budget
Current assignees, legal status, expiration status of final result set

- Who will perform the search?
- Design the search strategy
- Consider nontraditional or nonpatent search sources and datasets outside typical IP search

### Review

Start simple
 Designing the search can be the most challenging part
 Review and select potentially relevant results
 Review together with client

- Select relevant results from initial search and iterate
 Consider client's own patents
 Classification, keyword, assignee searches
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 Ditigation activity

- Understand the end goal
 Understand what you are clearing (there may be multiple components)
 Understand budget
 Current assignees, legal status, expiration status of final result set

- SLW reviews search results (first pass)
- Pick out potentially relevant results
- Work with client to narrow those down to a manageable list
- Come up with key list of patents for further review
- What is the relevant output?

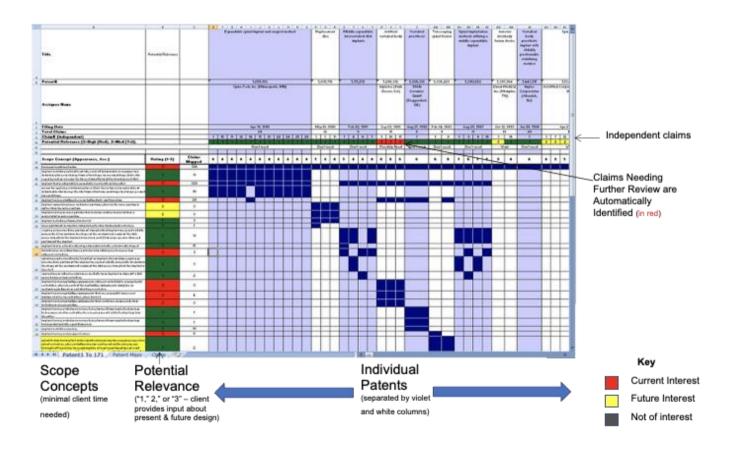
# Client Review of Culled Results

- Meet with client and discuss
- Discuss neccessary follow up analysis or searching
- Determine whether deeper analysis is required
- Confirm scope successfully implemented

# Deliverable Types

- FTO Memo
- ClaimBot
- Pitch Deck Slide Summary
- List of Constraints
- List of Questions for Target

### **Deliverable Interactive Claim Map**



Thank you for your interest.

# **Questions?**



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