



Digital Transformation of the Legal Industry Webinar Series

SLW Digital Transformation Case Study: Prosecution II

Claim Tracking, Reference Analysis Tools and Reports, Prosecution Landscape Tools and Reports, IDS Management

8-Episode Webinar Series

Episode 01 – What is Digital Transformation for Law Practices?
Thursday, February 11th, 2021, at 12:00 PM CT

Episode 02 – SLW Digital Transformation Case Study: Overview of SLW systems, tools, data lake, processes, teams and personnel.
Thursday, March 11th, 2021, at 12:00 PM CT

Episode 03 – SLW Digital Transformation Case Study: Application Preparation – Disclosure intake and docketing, application drafting tools, production management
Thursday, April 13th, 2021, at 12:00 PM CT

Episode 04 – SLW Digital Transformation Case Study: Prosecution I – Receiving & Reporting PTO Correspondence – docketing, data/document storage, work packets, drafting and filing papers and responses; reporting to clients
Thursday, May 13th, 2021, at 12:00 PM CT

Episode 05 – SLW Digital Transformation Case Study: Prosecution II – Claim tracking, reference analysis tools and reports, prosecution landscape tools and reports, IDS management
Thursday, June 10th, 2021, at 12:00 PM CT

Episode 06 – SLW Digital Transformation Case Study: Due Diligence, Freedom to Operate Studies, Landscape Studies, Portfolio Curation, Portfolio Analytics, Landscape Analytics, Examiner and Attorney Analytics
Thursday, July 8th, 2021, at 12:00 PM CT

Episode 07 -- SLW Digital Transformation Case Study: Billing, Invoicing, Client Budgeting and Cost Projection
Thursday, August 12th, 2021, at 12:00 PM CT

Episode 08 -- SLW Digital Transformation Case Study: Recruiting, on-Boarding, Training, Firm Communications
Thursday, September 9th, 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.



Social

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Today's Presenters...



Steve Lundberg

Principal & Chief
Innovation Officer
Schwegman Lundberg
& Woessner



Piers Blewett

Principal
Schwegman Lundberg
& Woessner



Ann McCrackin

President,
Black Hills IP
Patent Attorney
Professor of Law



Peter Rebuffoni

Legal Process Manager,
Schwegman, Lundberg
& Woessner



Jill Young

Software Manager
Schwegman Lundberg
& Woessner



Episode Overview

- Introduction
- Claim History Reports
- Automated IDS
- Automated Reference Management



Claim History Reports

- Details
- Claim Chart
- Claim History
- Remarks
- Argued References
- Reference Detail

Claim Tracker

5	MATTER DETAILS:		
6	FIDUCIAL MARKERS FOR FLUORESCENT 3D IMAGING		
7	Patent/Publication No.	10925493	
8	Patent/Publication Date	23-Feb-2021	
9	File No.	LANT-0103-U01	
10	Client No.		
11	Country	United States of America	
12	Filing Date	14-Mar-2014	
13	Application No.	14/214,414	
14	Status	Issued	
15	Priority Date	15-Mar-2013	
16	Inventors	Alison M. Forsyth, Daniel Vlasic, Ben Frantzdale, Alban de Brouhoven de Bergeyck, Xiaowei Chen, Manas Menon, Federico Frigerio	
18	Published Assignee		
19	Current Assignee		
20	Assignment Chain	<u>Assignment 1</u>	
21		Reel/Frame :	054640-0771
22		Date Recorded :	08-Dec-2020
23		Conveyance :	CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).
24		Assignor :	
25		Assignee :	
26		Execution Date :	05-Nov-2020
27			
28		<u>Assignment 2</u>	
29		Reel/Frame :	054459-0781
30		Date Recorded :	24-Nov-2020
31		Conveyance :	ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).
32		Assignor :	
33		Assignee :	
<div> <div>Details</div> <div>Claim Chart</div> <div>Claim History</div> <div>Remarks</div> <div>Argued References</div> <div>Reference Detail</div> </div>			

Claim Chart

CLAIM CHART: 10925493 (14/214,414)

Claim #	Application - 14-Mar-2014	Non-Final Office Action - 29-Jan-2016	Non-Final Office Action Response - 28-Apr-2016
1	Original	Original Rejected (102(a))	Currently Amended <Amended 1 time(s)>
2	Original	Original Rejected (102(a))	Original
3	Original	Original Rejected (102(a))	Original
4	Original	Original Rejected (102(a))	Original
5	Original	Original Rejected (102(a))	Original
6	Original	Original Rejected (102(a))	Currently Amended <Amended 1 time(s)>
7	Original	Original Rejected (102(a))	Original
8	Original	Original Rejected (103)	Currently Amended <Amended 1 time(s)>
9	Original	Original Rejected (103)	Original
10	Original	Original Rejected (103)	Original
11	Original	Original Rejected (103)	Original
12	Original	Original Rejected (103)	Original
13	Original	Original Rejected (103)	Original
14	Original	Original Rejected (103)	Original
15	Original	Original Rejected (103)	Original
16	Original	Original Rejected (103)	Currently Amended <Amended 1 time(s)>
17	Not Filed	N/A	New
18	Not Filed	N/A	Not Filed
19	Not Filed	N/A	Not Filed
20	Not Filed	N/A	Not Filed
21	Not Filed	N/A	Not Filed
22	Not Filed	N/A	Not Filed
23	Not Filed	N/A	Not Filed

Detail

Claim Chart

Claim History

Remarks

Argued References

Reference Detail

+

Claim History

CLAIM HISTORY: 10925493 (14/214,414)				
Claim #	Application Filed 14-Mar-2014	Non-Final Office Action 29-Jan-2016	Non-Final Office Action Response 28-Apr-2016	Final Office Action
1	1. An apparatus comprising: a balloon membrane including an opening, an exterior surface, and an interior surface, the interior surface including one or more fiducial markers forming a pattern detectable by a scanner imaging the interior surface of the inflatable membrane.	1. An apparatus comprising: a balloon membrane including an opening, an exterior surface, and an interior surface, the interior surface including one or more fiducial markers forming a pattern detectable by a scanner imaging the interior surface of the inflatable membrane.	1. (Currently Amended) An apparatus comprising: a balloon membrane including an opening, an exterior surface, and an interior surface, <u>wherein</u> the interior surface <u>including includes</u> one or more fiducial markers forming a pattern detectable by a scanner imaging the interior surface of the <u>inflatable balloon</u> membrane, <u>and wherein a first data representative of a first scanned portion of the interior surface of the balloon membrane and a second data representative of a second scanned portion of the interior surface of the balloon membrane are combined based at least in part on the one or more fiducial markers forming the pattern.</u>	1. (Currently Amended) An apparatus comprising: a balloon membrane including an opening, an exterior surface, and an interior surface, <u>wherein</u> the interior surface <u>including includes</u> one or more fiducial markers forming a pattern detectable by a scanner imaging the interior surface of the <u>inflatable balloon</u> membrane, <u>and wherein a first data representative of a first scanned portion of the interior surface of the balloon membrane and a second data representative of a second scanned portion of the interior surface of the balloon membrane are combined based at least in part on the one or more fiducial markers forming the pattern.</u>
2	2. The apparatus of claim 1 further comprising: a scanner coupled to the opening of the balloon membrane.	2. The apparatus of claim 1 further comprising: a scanner coupled to the opening of the balloon membrane.	2. (Original) The apparatus of claim 1 further comprising: a scanner coupled to the opening of the balloon membrane.	2. (Original) The apparatus of claim 1 further comprising: a scanner coupled to the opening of the balloon membrane.
3	3. The apparatus of claim 2, wherein the scanner images a plurality of portions of the interior surface including the one or more fiducial markers forming the pattern, when the balloon membrane is inflated with a wavelength-selective medium.	3. The apparatus of claim 2, wherein the scanner images a plurality of portions of the interior surface including the one or more fiducial markers forming the pattern, when the balloon membrane is inflated with a wavelength-selective medium.	3. The apparatus of claim 2, wherein the scanner images a plurality of portions of the interior surface including the one or more fiducial markers forming the pattern, when the balloon membrane is inflated with a wavelength-selective medium.	3. The apparatus of claim 2, wherein the scanner images a plurality of portions of the interior surface including the one or more fiducial markers forming the pattern, when the balloon membrane is inflated with a wavelength-selective medium.
4	4. The apparatus of claim 1, wherein the one or more fiducial markers forming the pattern encode location information indicating relative locations within the pattern.	4. The apparatus of claim 1, wherein the one or more fiducial markers forming the pattern encode location information indicating relative locations within the pattern.	4. The apparatus of claim 1, wherein the one or more fiducial markers forming the pattern encode location information indicating relative locations within the pattern.	4. The apparatus of claim 1, wherein the one or more fiducial markers forming the pattern encode location information indicating relative locations within the pattern.
5	5. The apparatus of claim 1, wherein the location information indicates a relative location within the pattern.	5. The apparatus of claim 1, wherein the location information indicates a relative location within the pattern.	5. The apparatus of claim 1, wherein the location information indicates a relative location within the pattern.	5. The apparatus of claim 1, wherein the location information indicates a relative location within the pattern.

Quickly search by
rejection type

Remarks

Quickly search by
cited art

PROSECUTION REMARKS: 10925493 (14/214,414)			
Remark #	Non-Final Office Action 29-Jan-2016	Non-Final Office Action Response 28-Apr-2016	Final Office Action 28-Sep-2016
1	<p>Claims 1-7 are rejected under pre-AIA 35 U.S.C. § 102(a) as being anticipated by Hart '416 (patent publication WO 2013003416). Regarding claim 1, Hart discloses an apparatus that includes a balloon membrane (see "inflatable membrane 302" in FIG. 3; ¶ 0049) including an opening (see "opening 306" in FIG. 3; ¶ 0050), an exterior surface (see 352 in FIG. 3), and an interior surface (see "surface 309 of the interior 307" in FIG. 3; ¶ 0051), the interior surface including one or more fiducial markers (see claim 21) forming a pattern (see claim 29) detectable by a scanner imaging the interior surface of the inflatable membrane (see claim 21). Regarding claim 2, Hart '416 discloses a scanner coupled to the opening of the balloon membrane (see "scanner element 308" in FIG. 3; ¶ 0062). Regarding claim 3, Hart '416 discloses that the scanner images a plurality of portions of the interior surface including the one or more fiducial markers (see claim 21) forming the pattern (see claim 29), when the balloon membrane is inflated with a wavelength-selective medium (see claim 26). Regarding claim 4, Hart '416 discloses that the one or more fiducial markers forming the pattern encode location information indicating relative locations within the pattern (see ¶ 0058). Regarding claim 5, Hart '416 discloses that the location information is encoded based on at least one of the one or more fiducial markers. Regarding claim 6, Hart '416 discloses that the location information indicates a relative location on the pattern of the one or more fiducial markers (see ¶ 0058). Regarding claim 7, Hart '416 discloses that the fiducial markers are applied to the interior surface of the inflatable membrane by at least one of pad-printing or photo-bleaching (see ¶ 0068).</p>	<p>Claims 1-7 stand rejected under 35 U.S.C. § 102(a) as anticipated by <u>Hart</u>. The rejections are respectfully traversed. To present a valid anticipation rejection under 35 U.S.C. § 102, the Office must identify a single prior art reference in which "each and every element as set forth in the claim is found, either expressly or inherently described." MPEP §2131 quoting <i>Verdegaal Bros. v. Union Oil Co. of California</i>, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The Examiner's rejections over <u>Hart</u> fail to satisfy this burden with regard to the currently pending claims. As amended, claim 1 recites the following: [A] balloon membrane including an opening, an exterior surface, and an interior surface, wherein the interior surface includes one or more fiducial markers forming a pattern detectable by a scanner imaging the interior surface of the balloon membrane, and wherein a first data representative of a first scanned portion of the interior surface of the balloon membrane and a second data representative of a second scanned portion of the interior surface of the balloon membrane are combined based at least in part on the one or more fiducial markers forming the pattern.</p>	<p>Claims 1-7 stand rejected under 35 U.S.C. § 102(a) as anticipated by <u>Hart</u>. The rejections are respectfully traversed. To present a valid anticipation rejection under 35 U.S.C. § 102, the Office must identify a single prior art reference in which "each and every element as set forth in the claim is found, either expressly or inherently described." MPEP §2131 quoting <i>Verdegaal Bros. v. Union Oil Co. of California</i>, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The Examiner's rejections over <u>Hart</u> fail to satisfy this burden with regard to the currently pending claims. As amended, claim 1 recites the following: [A] balloon membrane including an opening, an exterior surface, and an interior surface, wherein the interior surface includes one or more fiducial markers forming a pattern detectable by a scanner imaging the interior surface of the balloon membrane, and wherein a first data representative of a first scanned portion of the interior surface of the balloon membrane and a second data representative of a second scanned portion of the interior surface of the balloon membrane are combined based at least in part on the one or more fiducial markers forming the pattern.</p>

Quickly search by
distinguishing
claim element

Argued References

5					
6	ARGUED REFERENCES: 10925493 (14/214,414)				
7	# of Citations in portfolio	Matters with Cited References in Common	References cited with Action	Non-Final Office Action 29-Jan-2016	
8	1		WO 2013003416	103 : Claims 8-16 102(a) : Claims 1-7	Cl.
9	1		20140330133	Examiner Statements : Claims 1-16	
10	1		20140275974	Examiner Statements : Claims 1-16	
11	1		20130261655	Examiner Statements : Claims 1-16	
12	1		20150036146	Examiner Statements : Claims 1-16	
13	1		20080027358	Examiner Statements : Claims 1-16	
			WO 2013115963	103 : Claims 8-16	Cl.
<div><div>< ></div><div>Details</div><div>Claim Chart</div><div>Claim History</div><div>Remarks</div><div>Argued References</div><div>Reference Detail</div><div>+</div></div>					

Reference Detail

REFERENCE DETAILS: 10925493 (14/214,414)					
Patent/Pub#	Grant/Pub Date	Filing Date	Inventor(s)	Title	Status
9592100	14-Mar-2017	31-Dec-2007	OLSON ERIC S	Method and apparatus for encoding catheters with markers for identifying with imaging systems	Received From PTO
WO	30-Aug-2012	17-Feb-2012	KRIVESHKO ILYA A	HYBRID STITCHING	Received From PTO
WO	03-Jan-2013	27-Jun-2012	HART DOUGLAS P	INFLATABLE MEMBRANE FOR USE IN THREE-DIMENSIONAL IMAGING	Received From PTO
2013003416					
20080027358	31-Jan-2008	30-Jun-2005	GREGENSEN HANS	Morphometry of a Bodily Hollow System	Received From PTO
20090171196	14-Mar-2017	31-Dec-2007	OLSON ERIC S	Method and apparatus for encoding catheters with markers for identifying with imaging systems	Received From PTO
20100039534	13-Nov-2012	24-Jul-2009	HART DOUGLAS P	Three-dimensional imaging using a single camera	Received From PTO
20100168562	27-Dec-2016	23-Apr-2009	ZHAO TAO	Fiducial marker design and detection for locating surgical instrument in images	Received From PTO
20110144480	01-Sep-2015	06-Dec-2010	LU XIAOQUANG	Stent marker detection using a learning based classifier in medical imaging	Received From PTO
20130078555	24-Nov-2015	28-Sep-2012	ORIHARA TOSHIHIKO	Mask blank glass substrate, multilayer reflective film coated substrate, mask blank, mask, and methods of manufacturing the same	Received From PTO
20130261655	07-Apr-2015	13-Feb-2013	DRASLER WILLIAM J	Ellipticity measuring device	Received From PTO
20140275974	18-Sep-2014	12-Mar-2014	SAMUELS MARK ALAN	Surgical Navigation Systems and Methods	Received From PTO
20140330133	05-Mar-2019	28-Apr-2014	STERN ROGER A	Systems and methods for measuring and characterizing interior surfaces of luminal structures	Received From PTO
20150036146	28-Mar-2017	06-Jun-2014	STALOFF DANIEL MAX	OCT probes and OCT optical probe component for use therein	Received From PTO

Details

Claim Chart

Claim History

Remarks

Argued References

Reference Detail

Automated IDS Generation



To

Cc

Subject FW: Urgent - Pre-Allowance Auto-Generated IDS for matter: 3867.641US1 (IDS Specialist: Jamie Johnson)



3867_641US1_ids__20210601110016.pdf
598 KB

The Tracking ID for this Generated IDS is: 17082

Application #: [REDACTED]

Confirmation #: 1058

IDS Count Previously Sent: 1

URGENT: Private PAIR indicates that a Notice of Allowance or a Final Office Action will be mailed on matter 3867.641US1 within the next few days.

Signing and returning the attached IDS during the current business day—before the Notice of Allowance or Final Office Action are mailed—will likely result in consideration of the IDS. If the IDS is submitted after the mailing date of the Notice of Allowance or the Final Office Action, consideration of the IDS may be limited or unavailable.

A machine-generated IDS was automatically prepared for matter 3867.641US1 based on the unmarked references currently listed for this matter in FIP. The IDS specialist assigned to this matter is Jamie Johnson. Please click “Reply” to this email and attach a signed copy if you wish to file this document.

If this IDS requires changes, or if no submission is desired for this application, please contact the IDS Specialist, the IDS Specialist group or the Paralegal assigned to this matter.

Please note: This IDS lists at least one foreign patent document or non-patent literature document. An Original copy of the document(s) can be accessed at:

<\\msp.slwk.com\slw\casestatus\idsdocs\20210601\3867.641US1\Original>

The Flattened document(s) can be accessed at:

<\\msp.slwk.com\slw\casestatus\idsdocs\20210601\3867.641US1\Flattened>



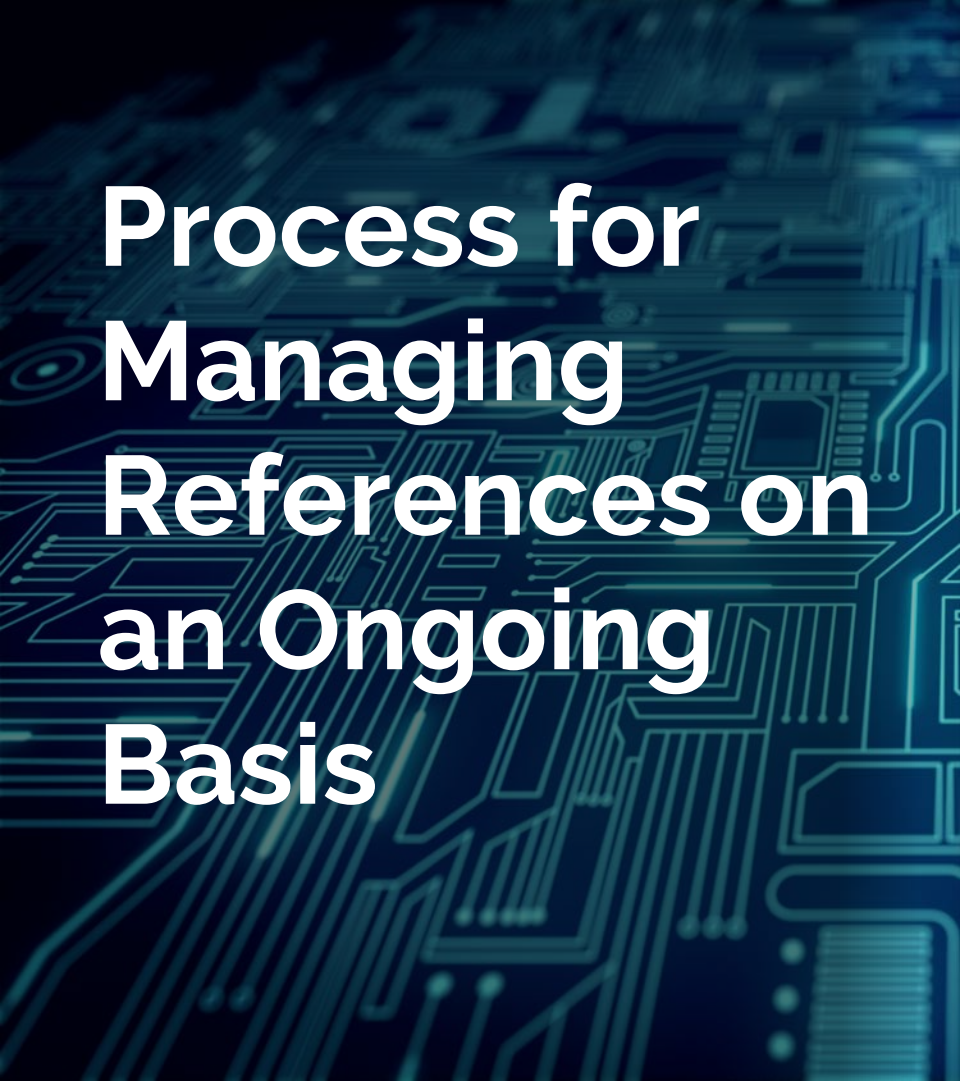
Automated IDS Generation

PTO Scrape Status

- Done daily
- IDS automatically created
- Email is sent to signing attorney and IDS Specialist in the matter

Pending US Original Matters

- US Original Matters Filed more than 2 months ago but not more than 5 years ago
- An IDS has not yet been filed
- No office actions have been received
- There are unmarked foreign references or non patent literature references in the matter



Process for Managing References on an Ongoing Basis

- Using your system's tools
- Don't make backfilling harder than it needs to be
- Combine reference tracking with a docketing workflow

Prosecution Landscape

- Is a chart view showing the concepts that are key to the invention mapped across the prior art space
- Traditional prior art analysis focuses on a small number of references
- This analysis can miss the “big picture” and hidden opportunities to find patentable subject matter



Prosecution Landscape Types & Advantages

Landscape Types

- Keyword level – automatic
- Scope concept level – higher level concepts than keywords – requires some human labor

Advantages of Landscapes

- See the forest, and the trees
- Find patentable subject matter on a systematic basis
- Understand what combinations may be most vulnerable to 103 combination rejection

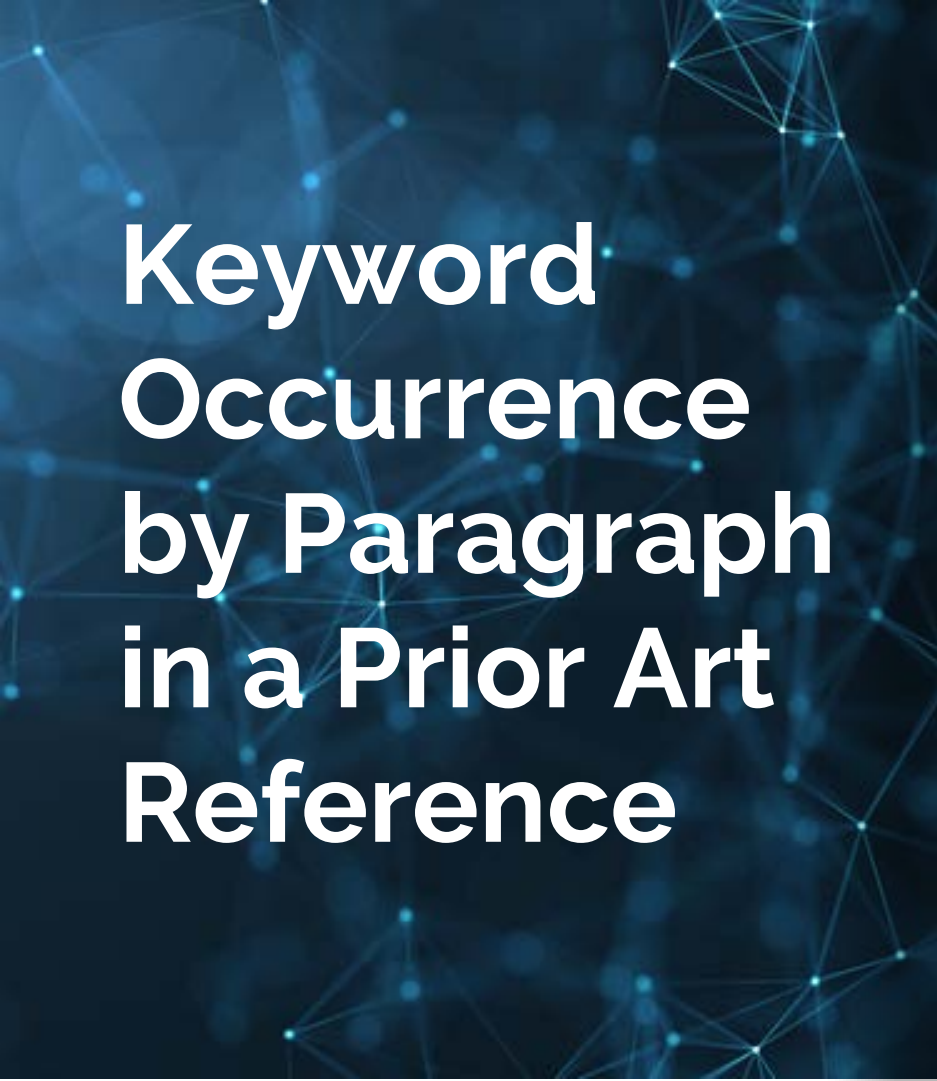
Reference Drill Down

Title	Widget Apparatus
Patent #	7,800,999
Assignee Name	Acme Co
Filing Date	1-Apr-05
Scope Concept (Appearance, Asc.)	5 Concepts Found
Concept 1	Yes
Concept 2	Yes
Concept 3	Yes
Concept 4	Yes



Concept Density Assessment

Specification Text and Novelty Ratings	Number of time mentioned in ALL Prior Art
Specification Concept 1	25
Specification Concept 2	0
Specification Concept 3	45
Specification Concept 4	0
Specification Concept 5	3
Specification Concept 6	75



Keyword Occurrence by Paragraph in a Prior Art Reference

- Allows you to locate the most relevant paragraphs of a reference
- Finds relevant portions of a document that have not yet been called to your attention by the examiner
- Helps to speed analysis of the reference



Thank you for your interest.

Questions?



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