

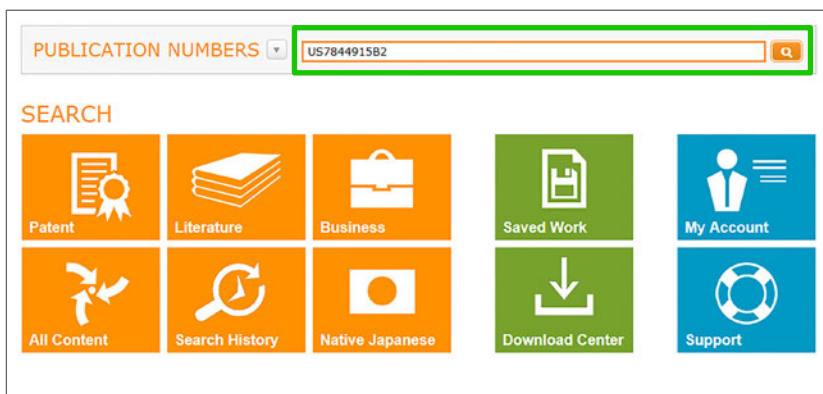
Support Patent Litigation with Derwent Innovation

How can I defend against a patent infringement suit? How can I pursue litigation against infringement on patents in my portfolio?

Derwent Innovation provides an excellent resource for the patent litigation process. When defending against infringement suits, you can easily research litigation history on asserted patents, estimate potential damages, and establish the novelty of your invention. When pursuing cases against infringements on your IP, you can quickly identify your most valuable patents, find potential infringements, and set notifications on potentially infringing developments.

Defend Against Infringement Suits

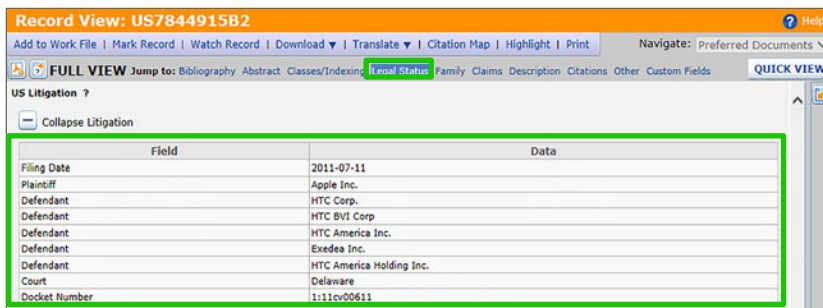
Locate the Asserted Patent in Derwent Innovation



1. Open Derwent Innovation and select **Publication Number** on the Dashboard
2. Enter the asserted publication number and click the search icon
3. Click the hyperlinked publication number to open the record view for the patent
4. If the Quick View record view displays, click the Full View button

The record view contains all available information about the patent record, such as citations, claims, and legal status. This information can help determine the asserted patent's threat level and aid your defense.

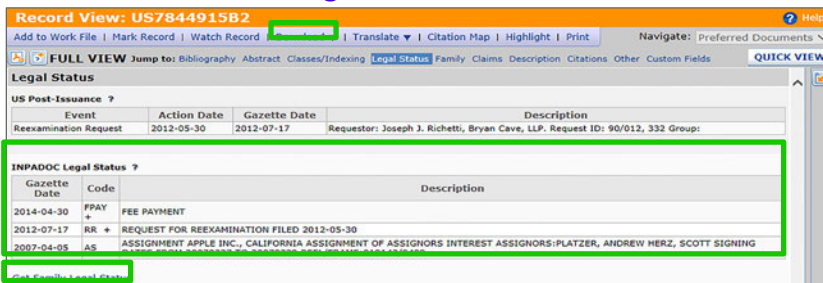
Determine Threat Level from Litigation History



1. Click the Legal Status link
2. Expand the **US Litigation** section
3. Note any prior litigation surrounding the patent, including plaintiffs and defendants
4. Use the docket number(s) in the litigation history to research the cases outside Derwent Innovation

Patents that prevailed in previous litigation represent serious threats

Review the Patent's Legal Status and Health



It is important to know if a patent is still in force.

- Review the legal status information for the patent to find indications that the patent has lapsed
- Click **Get Family Legal Status** to see if the patent did not grant or was successfully opposed elsewhere
- Click **Download, File History** to order a full history of the asserted patent

Conduct an Invalidity Study on the Asserted Patent

Publication Number	Accession Number	Application Date	DWPI Family Member(s)	Relevance	Source
AU2010271650B2	2011-A61825	2010-07-13	US20080168384A1	-	0 (Examiner)
CN102194245A	2011-M08036	2011-03-17	CN101578578A	A	0 (Examiner)
CN102236521A	2011-Q08256	2011-04-13	CN101578578A	A	0 (Examiner)
CN102486713A	2012-H73747	2010-12-02	CN101578578A	X	0 (Examiner)

Invalidating a patent is a potential defense against an infringement suit. Derwent Innovation can help provide evidence to invalidate a patent.

- Review DPCI Cited Patents to see if any citations were classified with a relevance category of X or Y, which indicate examiner closer art citations that could potentially attack the asserted patent’s novelty
- Conduct a prior art search for the asserted patent—as described in the **Stress Test Your Top Patents for Invalidity** section—to further attack the asserted patent’s novelty

Tip: You can also export citef patent information to examine citation data for large sets of patents.

Perform Preliminary Patent Value Analysis

Publication	DWPI Update	Publication Date	IPC Code	Language
US20080168384A1 *	200862	2008-07-10	G06F0003048	English
US7844915B2 =	201079	2010-11-30	G06F0003000	English
CN103345351B =	201642	2016-06-08	G06F00030484	Chinese
WQ2008085871A1 =	200862	2008-07-17	G06F0003048	English

Patents are difficult to value, but the record may contain value indicators.

- Review citation information, as highly cited patents often carry higher value
- Track citations vs. remaining patent term to assess potential for growth
- Examine granted family members, which indicate perceived global potential and commercialization

Review Overlap between Asserted Claims and Alleged Product Infringement

Export & Report Options

Export: Selected records (0) All records (1)

Format:

Fields Available Fields

- Abstract - DWPI Drawing Description
- Claims
- Claims Count
- Claims (English)
- Claims (French)
- Claims (German)
- Claims (Spanish)
- First Claim
- First Claim - DWPI
- Independent Claims
- Description (30,000 record limit)
- Assignee/Applicant First

Export Field List

- Publication Number
- Title
- Priority Number
- Priority Date
- Application Number
- Application Date
- Publication Date
- IPC - Current
- IPC - Current - DWPI
- Assignee/Applicant
- Assignee - Current US
- JP F Terms
- JP FI Codes
- Independent Claims

File name: File extension will be added automatically.

Compress file as .ZIP One file per record

Make these my defaults

Review the claims in the asserted patent to evaluate the overlap with the alleged infringement by your product or patent.

You can export this information in Excel format to easily create a chart between the asserted claims and your product’s features that may help to establish uniqueness.

- Click **Export** on the result set
 - Select **Excel 2007** for the export format
 - Select the relevant claims fields you want to examine and click the right arrow to include them in the export
 - Click **Create**, then click **Available Now**
- Tip:** Your export can contain separate rows for each independent claim, which may help you create your chart more easily

Research the Patent’s Current Owner

Assignee/Applicant ?	
Standardized: APPLE INC	
Original: Apple Inc., Cupertino, CA, US	
US Reassignments ?	
Field	Data
Assignee	APPLE INC.]1 INFINITE LOOP CUPERTINO CALIFORNIA 95014
Assignor	PLATZER, ANDREW
Date Signed	2007-03-29
Assignor	HERZ, SCOTT
Date Signed	2007-03-27
Reel/Frame	019143/0409
Date Recorded	2007-04-05
Conveyance	ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).
Correspondent	JAMES C. SCHELLER, JR. BLAKELY SOKOLOFF TAYLOR, ET AL. 12400 WILSHIRE BOULEVARD 7TH FLOOR LOS ANGELES, CA 90025

Derwent Innovation can help you research the ownership history of the asserted patent, which may inform your response to a suit.

Review the Original Assignee, DWPI Assignee and Latest Assignee- US fields, and the US Reassignment table to try and determine the patent’s current owner.

- Does the entity asserting the patent matches the current assignee?
- Is the entity asserting the patent the inventing entity?
- Has the patent ownership changed?
- Is the current owner an acquirer or a non-practicing entity?

Protect your Intellectual Property from Infringement

Focus on the Most Valuable Patents in your Portfolio

Derwent Innovation can help you evaluate your patent portfolio to find which patents hold the most value. Refer to the Identify License Opportunities blueprint for details on how to use patent citations to analyze your portfolio.

Alternately, the Clarivate Analytics IP Services team can perform a comprehensive review of your portfolio. This review uses a statistical scoring system to apply strength metrics to each patent in your portfolio, which you can then use to focus your protection efforts.

Stress Test your Top Patents for Invalidity

SMART SEARCH

SEARCH

Patent

Literature

Business

Saved Work

My Account

All Content

Search History

Native Japanese

Download Center

Support

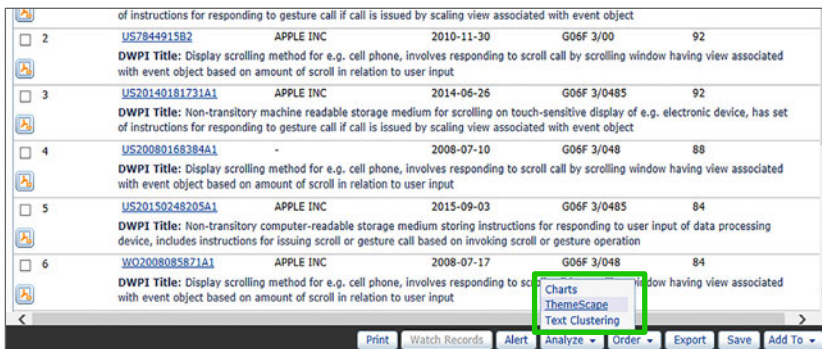
As noted previously, invalidating a patent can be a strong defense against an infringement claim. Research prior art for your top patents to ensure that they cannot be thrown out during litigation.

- Use Smart Search with the claims from one of your top patents to find patents for similar inventions
- Limit the time period for your search based on the priority date

If prior art is easy to find, move to the next patent.

If there is little prior art, return the Smart Search in combination with the priority date of the patent you want to assert.

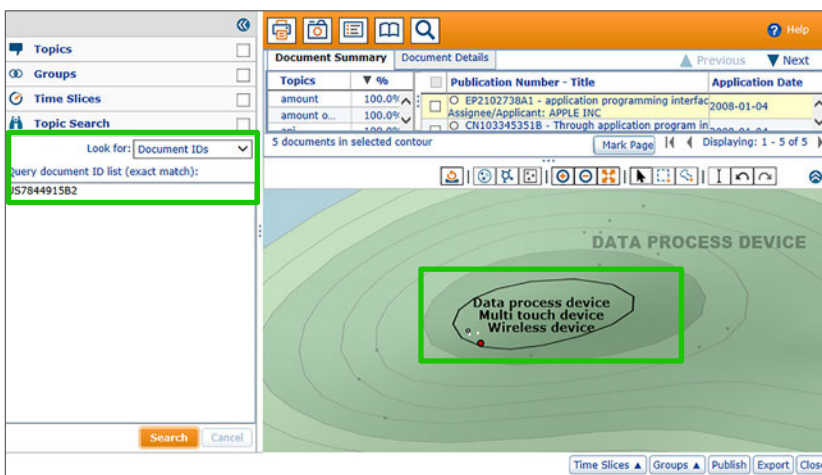
Create a ThemeScape Map to Explore Closely Related Patents



ThemeScape groups patents by conceptual terms (topics) so you can quickly identify patents with similar content, which may indicate infringement.

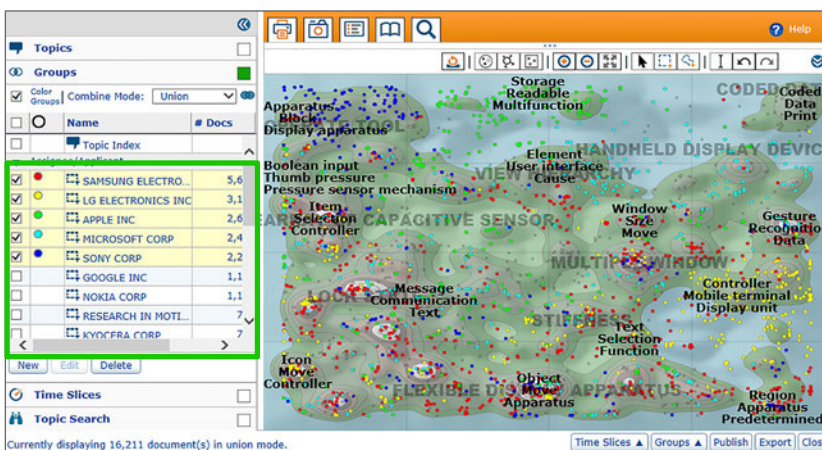
1. From the results of your stress test Smart Search, click **Analyze, ThemeScape**
2. Give the ThemeScape map a **Name** and click **Save** to create the ThemeScape map
3. After the map processes, click the run icon to open the map

Locate Similar Patents on the Map



1. Open the **Topic Search** panel, click **Look for**, and select **Document ID**
2. Enter the publication number (Derwent Innovation standard format) for the patent to assert and click **Search**
3. Give the automatically created group a **Name** and click **Save**
4. Zoom in on your document and review other records in the area
 - Click the peak's contour line to see that peak's related documents
 - Use the selection tools to see similar patents in a free-form area
 - Selected documents display in the document viewer

Explore Competitor Overlap



ThemeScape automatically creates groups for the top assignees in the map. You can use these automatic groups to compare where your areas of interest overlap competitors.

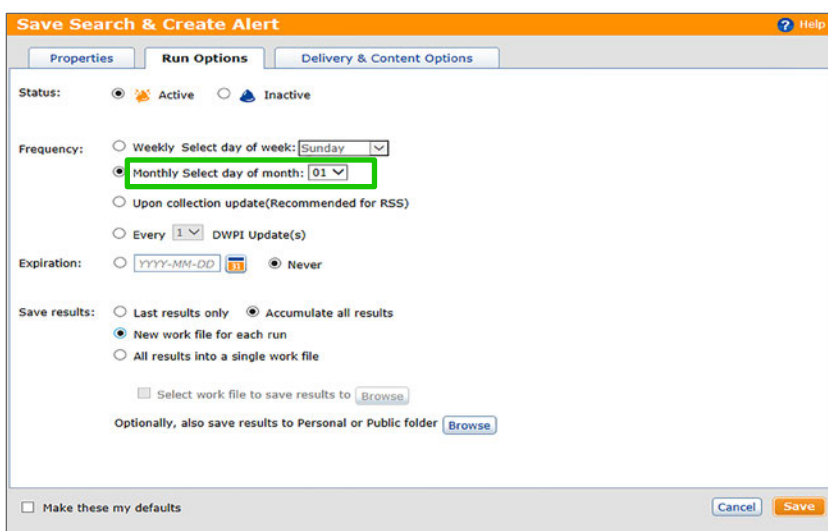
- Review the list to see top players in this technology space
- Select your company and other assignees to map their patents
- Review the map to see technology areas where there is mutual interest
- Use the top assignee list and the key terms from any overlap areas to create alerts that monitor further developments in those areas

Stay Up to Date with the Patent Landscape

The patent landscape changes constantly. New patents could trigger infringement suits against your products, and competitor’s developments could infringe on your established patents.

Derwent Innovation makes it easy to keep up to date with the latest developments so that you can receive advance warning of potential litigation and stay alert for possible infringement.

Alerts Report on New Patent Filings



Alerts let you know when new patents are filed that match specific search criteria. To create an alert:

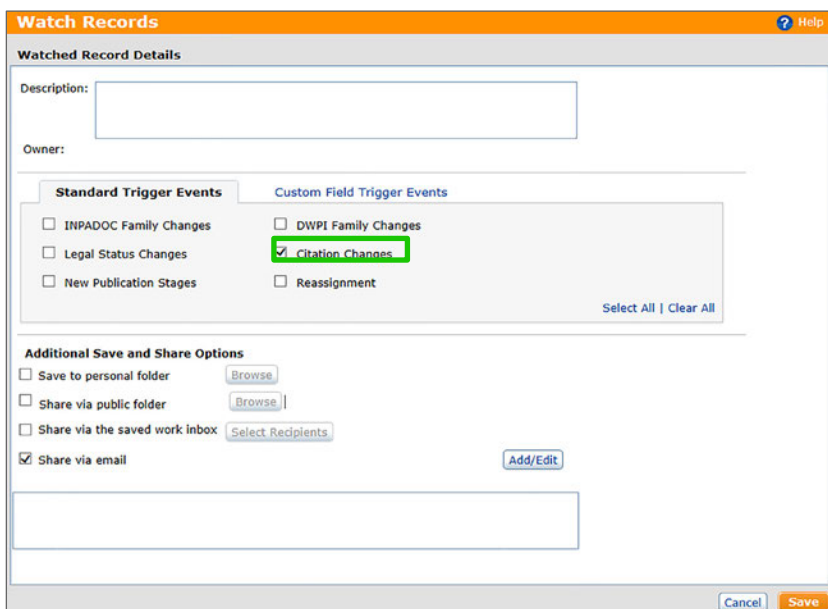
1. Create and run a search that locates records similar to your products or patents
2. Click the **Alert** button and enter a Name
3. Click the **Run Options** tab, select how you want to receive your alert, and click Save

You will receive new patents that match your search are added.

Tips for **Effective Alert Queries**

- Use combined Title/Abstract/Claims fields for complete coverage
- Use Smart Search or ThemeScope to find keywords for your search
- Review top assignees in ThemeScope or the Results Dashboard to focus alerts on specific competitors

Watched Records Report New Citations on your Patents



Watched records let you know when changes occur on your patents or suspect competitor patents.

1. Run a publication number search for patents you want to watch
2. Click the select all checkbox, then click Watch Records
3. Select the events you want to watch and click Save

Tip: Add email addresses for other people who should receive the notices

You will receive notifications with exactly what changed on the record whenever changes occur. You may want to watch:

- New citations on your patents
- Family changes on foreign competitor applications so you know if they are granted in your jurisdiction
- New publication stages on domestic competitor applications

Learn More with These Tips & Tricks

- Alerting Maximized: Get The Most Out Of Your Alerts
- Assignee Searching Quick Reference