Quickly Research Prior Art for an Invention

How can you market your Invention? What niche does it fill? Is it patentable?

You need to search for prior art to find out if your invention is novel and patentable. You have a description of the invention, but you may be unfamiliar with the technical language.

Derwent Innovation gives you the tools you need to easily research prior art and review the patents most closely related to your invention.

Prior Art Research Overview

1 | Track your work for later review and reports
- Automatically record your research with **Search History**
- Clear your **Marked List** to easily track records of interest

2 | Locate patents similar to your invention
- **Smart Search** analyzes invention descriptions to find similar patents
- **Text field** search finds patents with similar key terms
- **Classification code** searches focus on specific technology areas

3 | Focus results on the most likely prior art
- Review **patent families** to focus on inventions, not individual patents
- Refine your results with the **Results Dashboard** to focus on likely prior art

4 | Review records for relevance; refine search as needed
- Quickly review records and flag potentially close documents
- Refine search strategy based on similarities in flagged documents
- Save final list of highly relevant patents for deeper review

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Step 1—Track Work for Review and Reports

Derwent Innovation can automatically record each step of your prior art research to prove you performed due diligence in your research. Additionally, a clear marked list can help ensure comprehensive research.
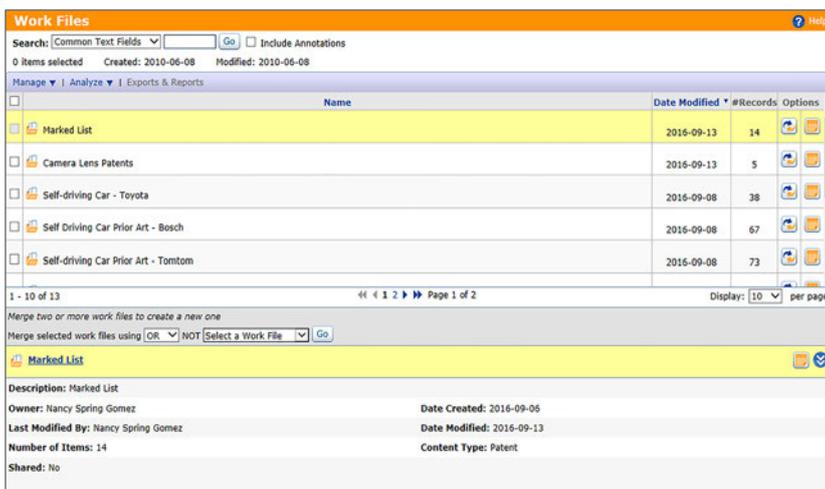
Automatically Keep a Record of your Research
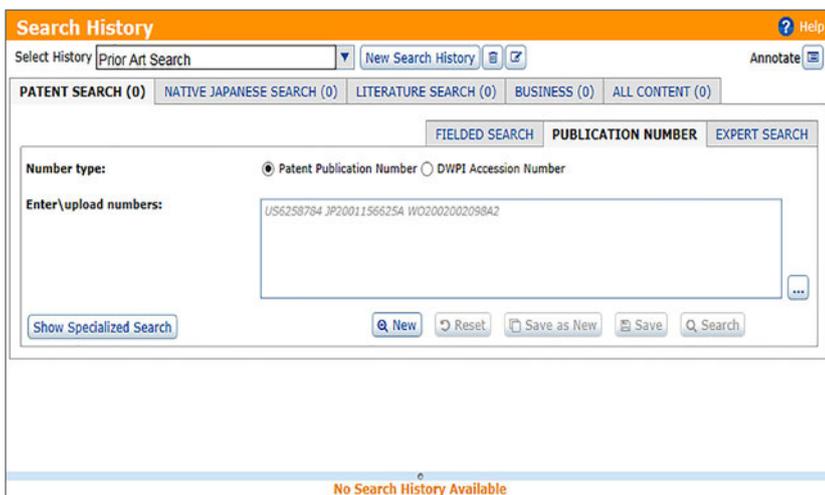
Search History automatically records the queries, collections, and times of each search you run. Create a new search history specific to your project.

1. From the Dashboard, click **Search History**

2. Click **New Search History**

3. Give your new Search History a **Name** and click **Save**

Clear your Marked List

The **Marked List** makes it easy to flag records in your result set as you review them. Before starting prior art research, clear your marked list so that you can track records that need deeper review and easily see previously reviewed records when you refine your searches.

1. From the Dashboard, click **Saved Work**, **Work Files**

2. Click the **Run** icon 🔁 next to your Marked List

3. Click **Clear All**

Note: You can set your marked list to clear itself automatically every time you log in in your General preferences.

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Step 2—Find Potential Prior Art for Your Invention

Derwent Innovation's powerful search tools provide several methods to find patents similar to your invention. You may need to use several of these methods to ensure a comprehensive prior art search.

For example, you may start with a broad initial search (e.g., Smart Search), evaluate the results of that search, and use information from that evaluation to inform your subsequent searches.

Find Relevant Results and Key Terms with Smart Search
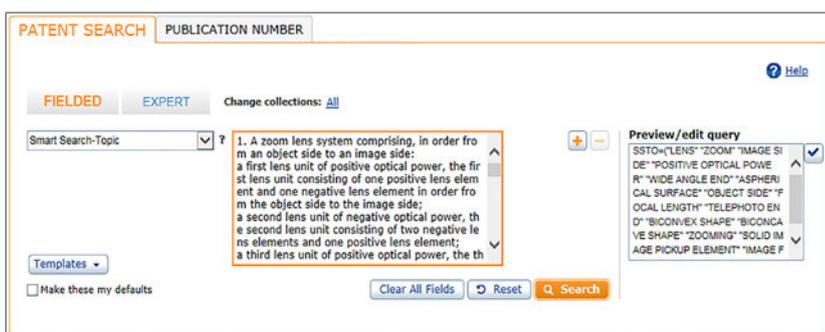
Smart Search makes it easy to find patents similar to an invention description, even if you are not familiar with the field's technical language.

1. Enter text from a document that describes the invention (e.g., an invention disclosure)
2. Click **Search**
3. Smart Search extracts key terms from your text, finds patents related to those terms, and displays results ranked by relevancy

Note: Smart Search extracts key terms from your text and uses those terms to find similar patents. You can review those key terms to make sure Smart Search correctly identifies the key points of your invention and use those key terms in subsequent searches (e.g., on claims or abstracts).

*Search history only saves these key terms, not the original text for your protection.*

Search for Key Terms in Text Fields
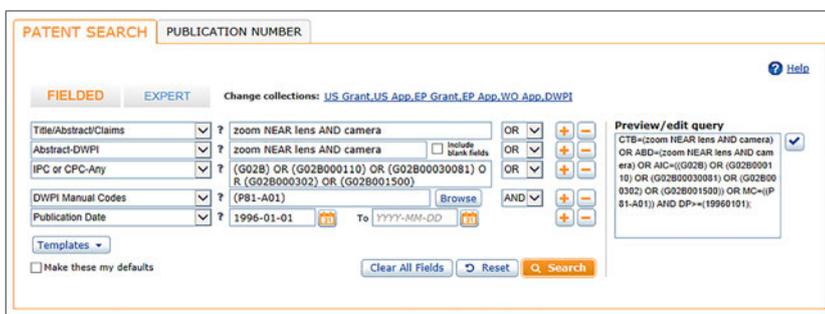
Text search fields in Derwent Innovation make it easy to focus your search on specific technology uses.

- **Title/Abstract/Claims** helps you quickly search for specific keywords in essential parts of the document
- DWPI fields use standardized terms that help ensure that you find all relevant patents when you search for key terms
- Optionally define the scope of your text search with classification codes

## Focus or Expand your Search with Classification Codes
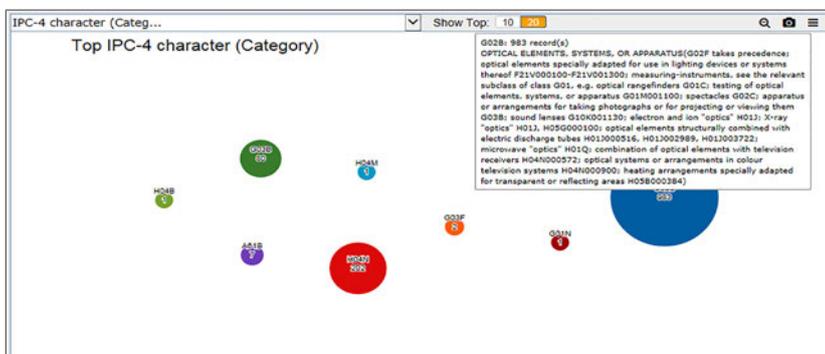
Classification codes identify the technologies covered by a patent.

- Narrow Smart Search results by classification codes to focus on specific aspects of a technology
- Combine classification searches with Smart Search or text field searches to help define the technology scope of your search
- Subject specialists apply DWPI codes to ensure accuracy, which helps with precise, comprehensive searches

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Step 3—Focus on the Most Relevent Records

Smart Search provides broad results by design, starting with the 1,000 most relevant records. This helps ensure comprehensive results, but means you may need to focus those results. Derwent Innovation provides several strategies to help you easily focus on the most relevant prior art.

Review Inventions, Not Patents
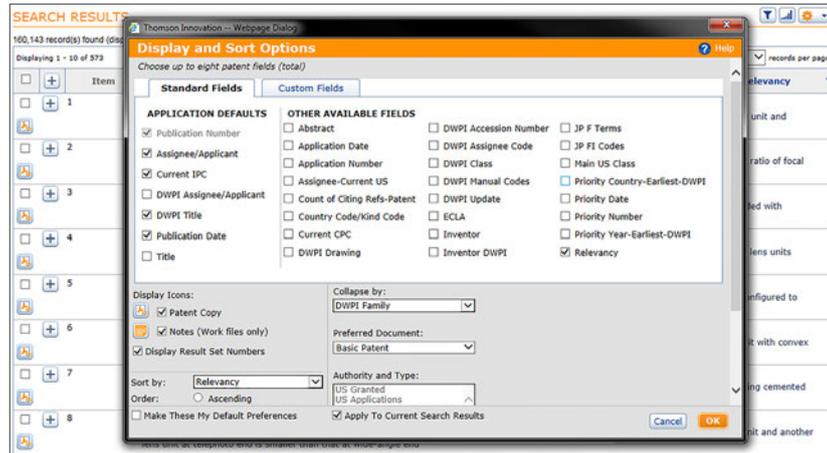
An invention may be patented under many different authorities. Collapse your results by DWPI or INPADOC family so you can focus on one record for each invention:

1. Open **Display and Sort Options**,
2. Click **Collapse by** and select either DWPI or INPADOC family
3. Set your **Preferred Document** to:
   - Basic Patent for DWPI families
   - Earliest Record for INPADOC families

Focus on Highly Relevant and Critical Documents

The **Results Dashboard** and subsearch make it easy to quickly focus on critical records that may reflect prior art for your invention. Use these strategies to focus on highly relevant or critical documents in your results:

- Filter your results by **Relevancy** to focus on the best matches
- Use **Search within your results** to focus on documents with relevant classification codes or specific key terms in claims and DWPI abstracts
- Use the **Count of Citing Refs** filter to focus on highly influential inventions
- If needed, use the **Assignee** filter to focus your results on specific competitors and exclude your own patents from the results

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Step 4—Identify Similar Inventions

Once you have a short list of highly relevant patents, quickly review each patent to determine potential prior art. Flag particularly relevant patents for deeper review and easy identification in subsequent search strategy refinements.

Identify, Save, and Share Potential Prior Art
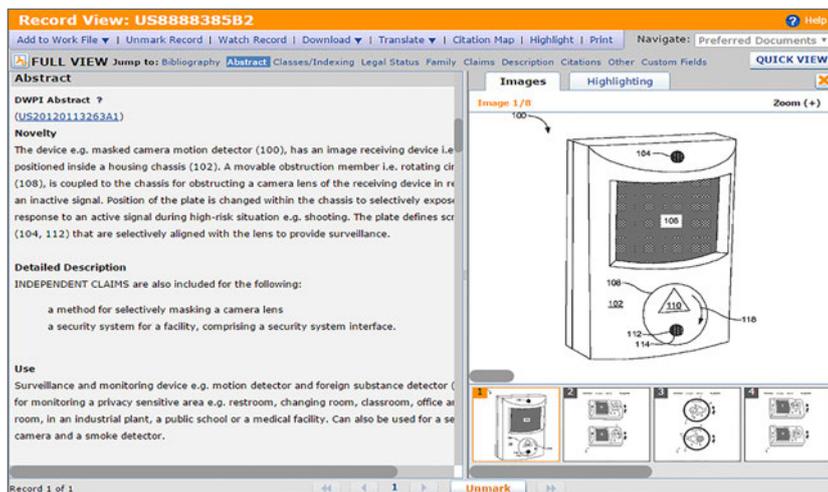
Click the hyperlinked publication number to open the record view, which provides full details about a patent.

- Review the editorially enhanced DWPI Title and Abstract to easily understand the patented technology
- Use the Jump to links to quickly review the title, abstract, and claims
- Use the Highlighting panel to quickly jump to key terms from your search
- Use the left and right arrow keys to quickly flip between records
- For mechanical arts reviews, use Quick View to quickly flip between records to review patent drawings
- Press space bar to easily mark a record for deeper review

Marked List Assists Your Review and Search Strategy

Use the Marked List to flag patents for further review and helps identify potential refinements to your search.

- On the record view, press space bar to quickly mark a record and go to the next one
- From your results, click ☰ to access your Marked List
- Look for similarities (common class codes or terms in the DWPI Title) to help refine your strategy
- When you finish your research, access the Marked List and click Add To, New Work File to save your work for deeper review

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Refine Your Search Strategy and Repeat

A single search may not be sufficient for comprehensive prior art research. Records you saved to your marked list help refine your search strategy, as you already determined they may represent closer art.

- Look for similar terms in the DWPI title to use in a text field search
- Look for similar classification codes to use in a class code search
- In your subsequent searches, marked records show in yellow on the results list so that you know you already reviewed them
- When subsequent searches return mostly marked records, you have a good indication that your search strategy was comprehensive.

Learn More with These Tips & Tricks

- Smart Search Tips & Tricks

- Add Relevant Results to Your Traditional Search with Smart Search

- How to Make Smart Search Even Smarter

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