

How to do a freedom to operate search

Where to go for more information

Duncan Clark:

Welcome back to our course on how to do a freedom to operate search. In this last video, we'll be joining Juliana to review the best places to go for specific information about certain topics.

Juliana Melo:

Thank you, Duncan. When we are running our FTO search, we are trying to find the best sources to check our information. So, the best way to check our information is through the national offices. So, one could be ESPACENET, the other one could be INPADOC and the next one could be PATENTSCOPE. You also have the option to check all the national offices, wherever your regional application is based. So, it could be, in the US, the USPTO, in the European Union, the EPO and other jurisdictions.

So, let's look at an example of how we can run an FTO search from the PatSnap platform. So, we can include in the platform or we can search by assignees, we can include our keyword search, including title, abstract and claims, you can also include the date of filing, or refine by jurisdictions. This is a very useful way to run our FTO search. Then, you have the option, if you need to check specific keywords and to find the option for abbreviation and synonyms, you can go straight to the keyword helper. They keyword helper will offer you more options to try to run your FTO search.

The other option that you can include in your search is looking for IPC codes, CPC codes, include the Locarno classification for designs and also include other codes from other jurisdictions. In this case, you can check the type of technology you want to look for and what type of uses you can include from these codes.

Then, you have the option of clearance search results. Which might involve refining your key words by companies, by IPC codes, application years and assignees. You can also have other options that you can include in your FTO search. Then when you click one of the specific patents, companies or inventions you will have a broad picture of your patent application. In this sense, it includes the abstract, the claims, the description of the patent, the images or embodiments, and also it includes the legal information, the citation and the patent family. In the patent family you might find a simple families and standard families, so it will help to have a broader picture of your patent application.

As a final result of an FTO search, you can also have a picture or another view of your patent application. If you are checking other patent applicants, you can see the abstracts, the claims of the application, the description, the images or embodiments, the legal information, the patent family and the citation. So, then you will have all the information gathered in the same place.

So, just to summarize the information we already explained about your search, we should consider that an FTO search provides an analysis of risk. The analysis will inform an organization of the next best steps and options to bear in mind. A search should be structured and documented in accordance with the organizations IP strategy.

Duncan Clark:

That's the end of part 5, and the conclusion of our course on how to perform a freedom to operate search. Thank you to Juliana for her expertise and thank you for taking part. Following this video there's a short quiz to test your knowledge. And, if you're ready to learn more about intellectual property and its risks, why not take on another topic? We recommend 'IP risk and IP risk management', made in collaboration with Donal O'Connell of Chawton Innovation Services. See you next time.