



The Impact of IP Trends on Patent Information

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Patent law and regulations change slowly, but steadily

But:

The IP community reacts on these changes to avoid disadvantages

Reason for changes:

- **Economic trends**
- **Change of Regulations**
- **Case Law**

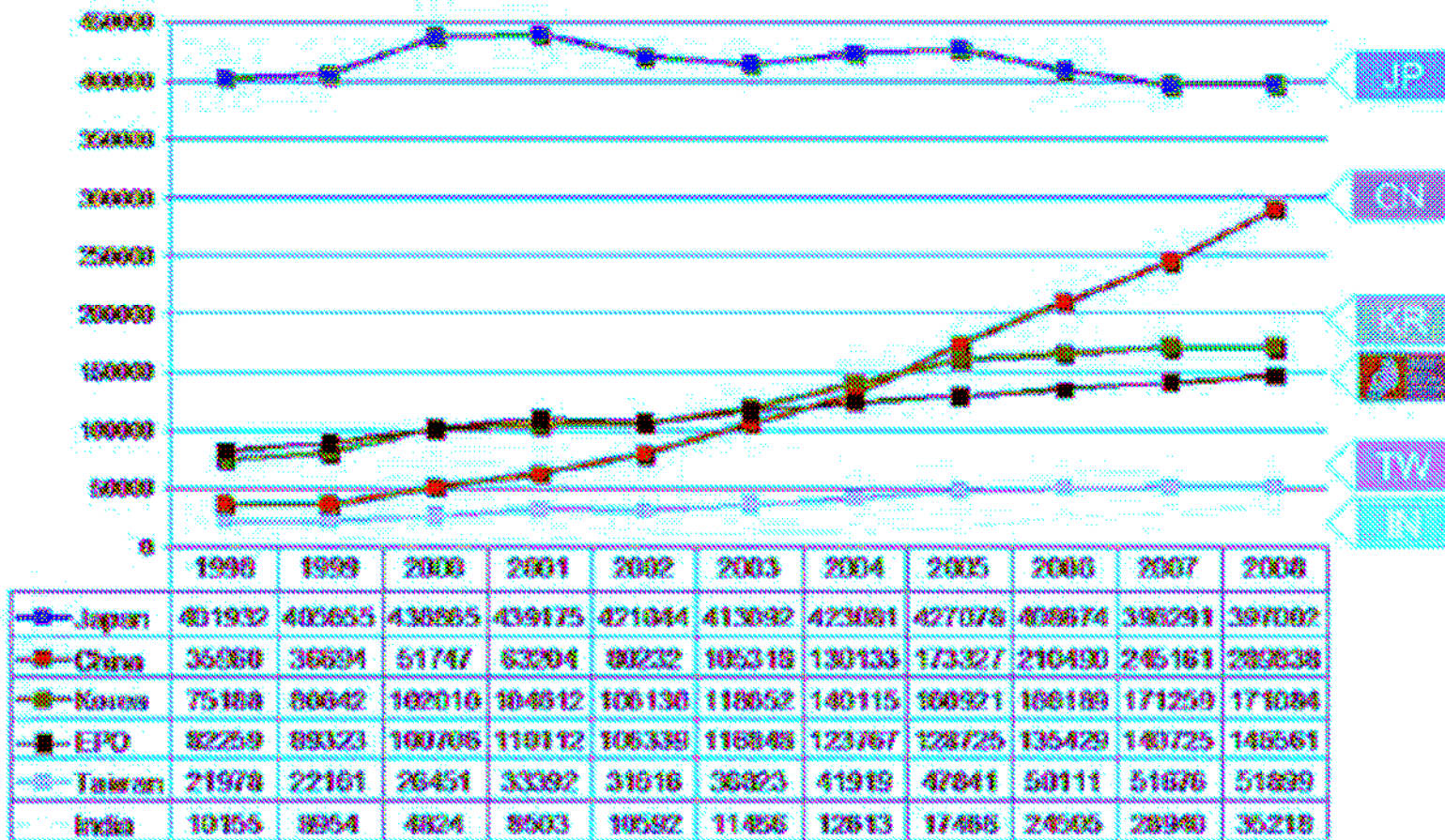
Economic trends:

- **Producing Industry moves to Asia**

The Impact of IP Trends on Patent Information



Evolution of filing figures (1998 - 2008)



The Impact of IP Trends on Patent Information



Evolution of Asian filings at the EPO (1998 - 2008)



Producing Industry moves to Asia

Resulting in:

More patent applications in Chinese, Japanese, Korean

Translation problems

Reliability of search results depending from quality of the abstracts or machine translations

Reaction of the IP community:

- **More patent filing in Asia**
- **Adaptation to Asian quality standards:**
 - ● **more examples,**
 - ● **more detailed description,**
 - ● **more information per case**

Patents seen more and more as tradable assets

Patents in the hand of non producing entities might cause problems

No more easy searching for known applicants only

Slow economic growth in industrialized countries

Reaction of the IP community:

Economic Importance of Innovation is growing

- ● more patents,
- ● more patent conflicts,
- ● more patent searches

Change of Regulations:

High Fees for additional Claims

Reaction of the IP community:

Claims hidden in the specification, more difficult to search

Change of Regulations:

- **High Fees for Additional Pages**

Reaction of the IP community

- **Hiding disclosure in Priority Documents**

Change of Regulations:

- **Restrictions for Filing Divisionals**

Reaction of the IP community not clear:

- **Either smaller Patent Families or more Patents**

Case Law

Narrower scope of novelty (German “Olanzapin” decision)

Broader specification at least in chemical cases

Tables instead of general formulas

Search results become less clear and have to be reworked

Case Law

US Festo Decision

Reaction of the IP community:

More Claims, more divisionals

What can be done:

Offices might raise their standards for formal requirements

e.g.:

- **Standards for abstracts that fulfill the needs of patent searchers**
- **Duty to disclose some prior art also in Europe**
- **Omission of any language that does not form part of the invention**

United States Patent [19]

[11] **4,154,016**

Reyes

[45] **May 15, 1979**

[54] MOUSE TRAP WITH BAIT HOLDING TILT TUBE	3,778,922	12/1973	Clark	43/61
	3,778,923	12/1973	Cuoco	43/69
	3,936,972	2/1976	Meyers et al.	43/69

[76] Inventor: **Daniel Reyes, c/o George Spector,**
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FOREIGN PATENT DOCUMENTS

[21] Appl. No.: 762,315	606483	1926	France	43/64
[22] Filed: Jan. 25, 1977	164631	1921	United Kingdom	43/69

[51] Int. Cl.²

[52] U.S. Cl.

[58]

