

Do indexing systems of bibliographic databases meet today's user needs and expectations?

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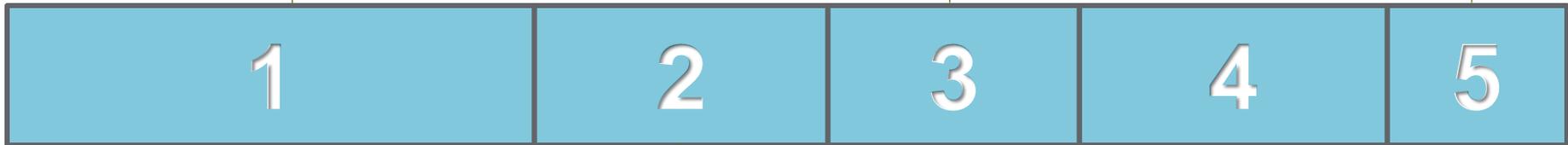
ICIC 2013, Vienna, October 15, 2013

Agenda

The specific challenge in indexing patent publications

The Difficult

Call for change



The Good in current indexing

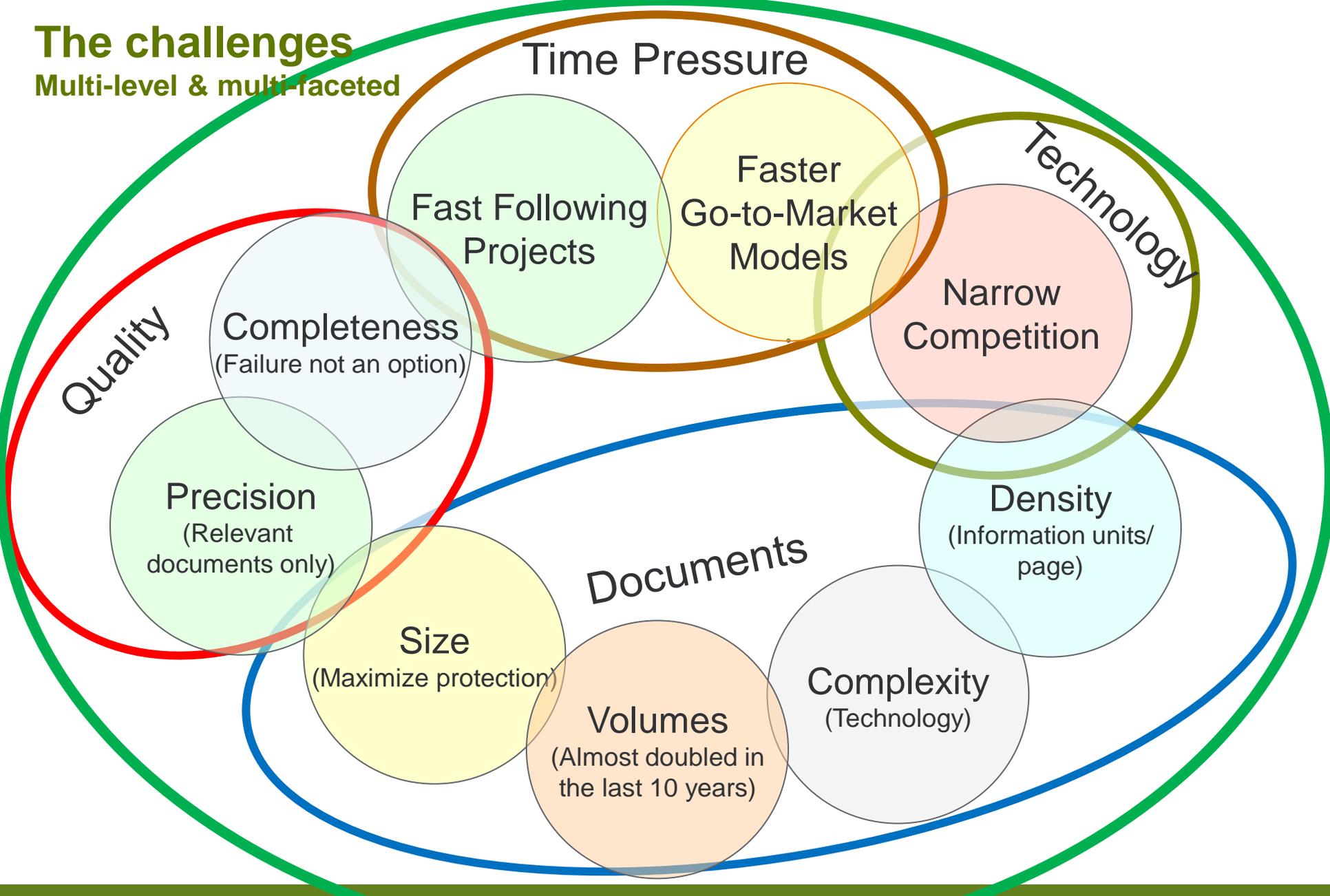
The Different

Scope and Limitations of presentation

- Patent publications only
- Focus on life-science field
- Issues with indexing on bibliography information is not in scope
- Specific quality issues not addressed
- General issues are raised with call for action

The challenges

Multi-level & multi-faceted

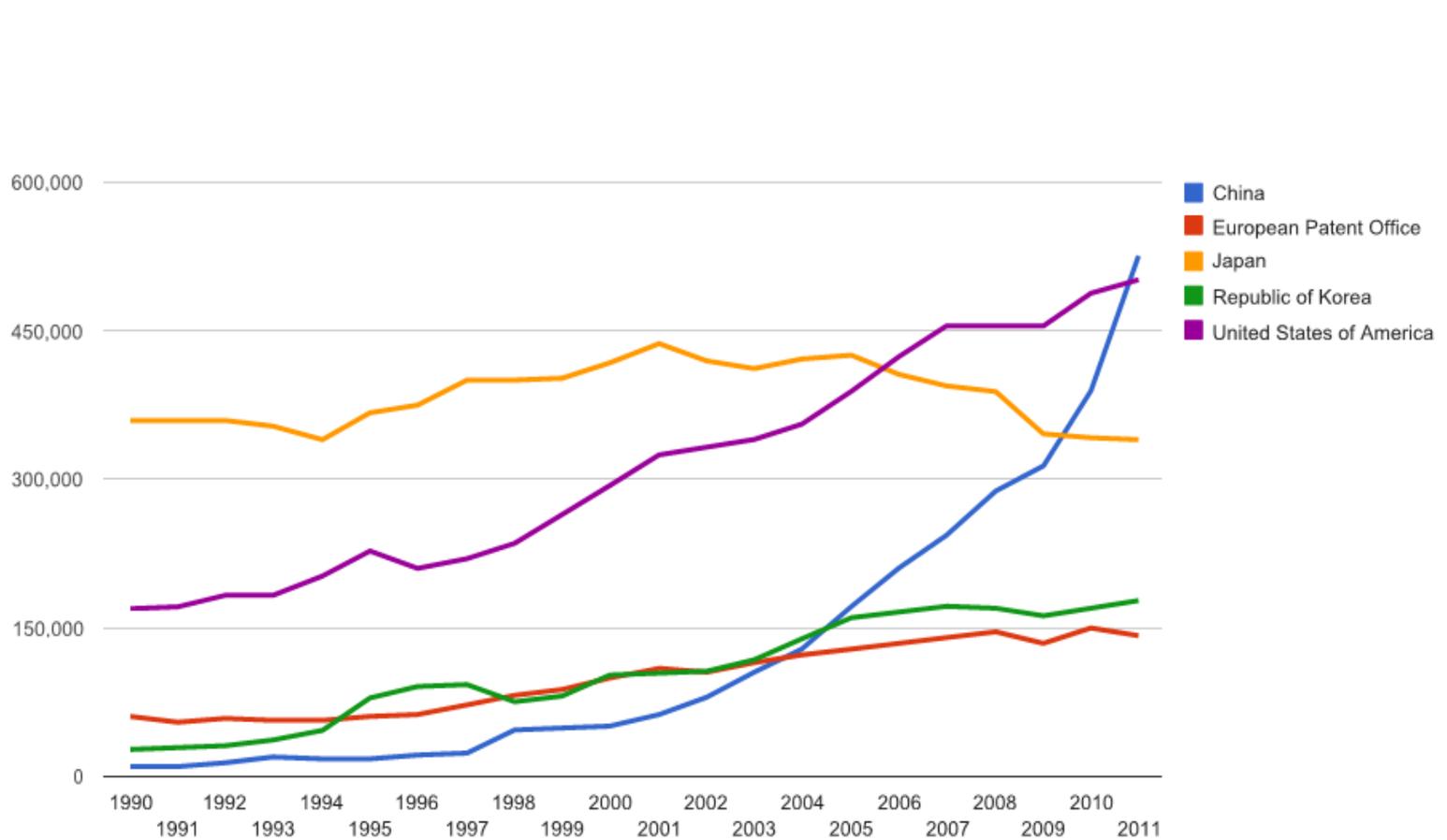


High value-add databases can Make the Difference !

Trends in patent applications at the top five offices

Patent
Total count by filing office

Indicators: 1 - Total patent applications (direct and PCT national phase entries)
Year Range: 1990 - 2011

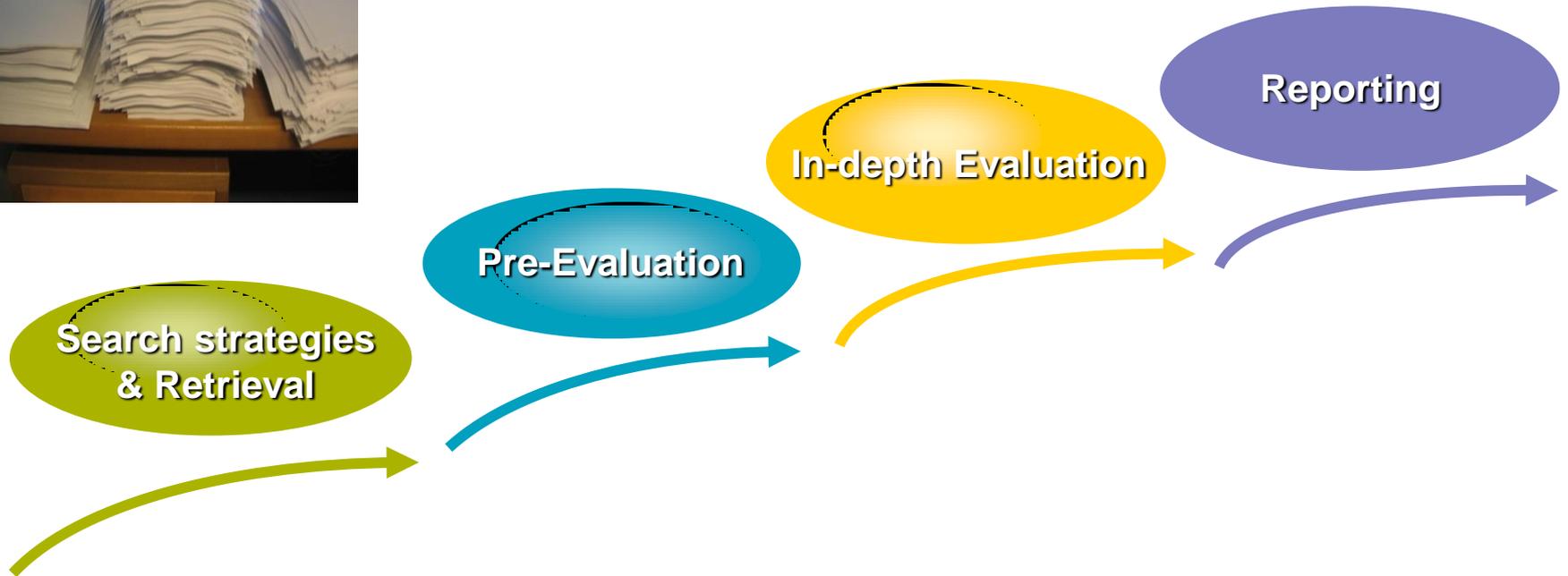


Source: WIPO statistics database. Last updated: March 2013

The value-add working process

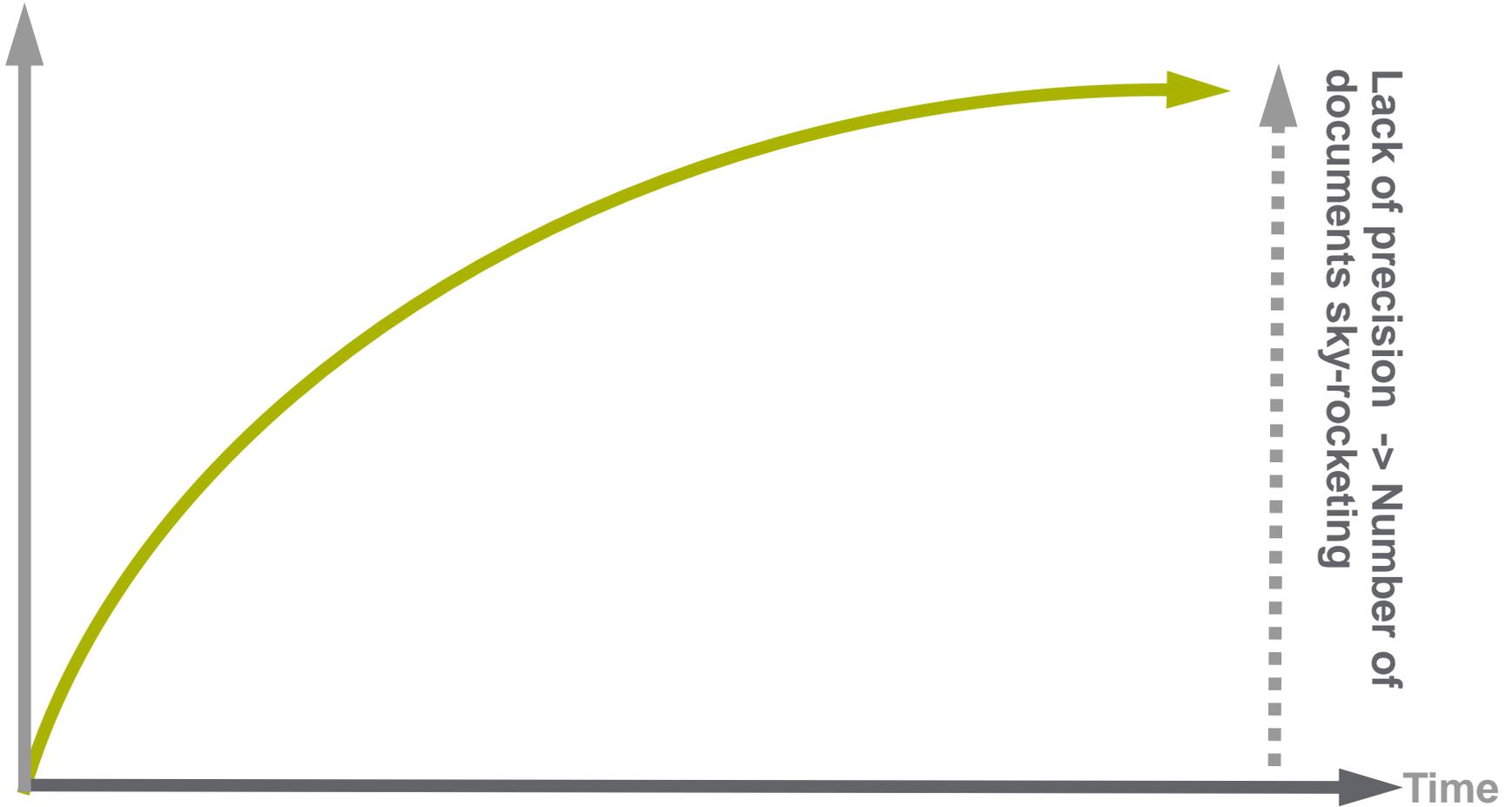


“Failure is not an option”



Comprehensiveness vs Precision

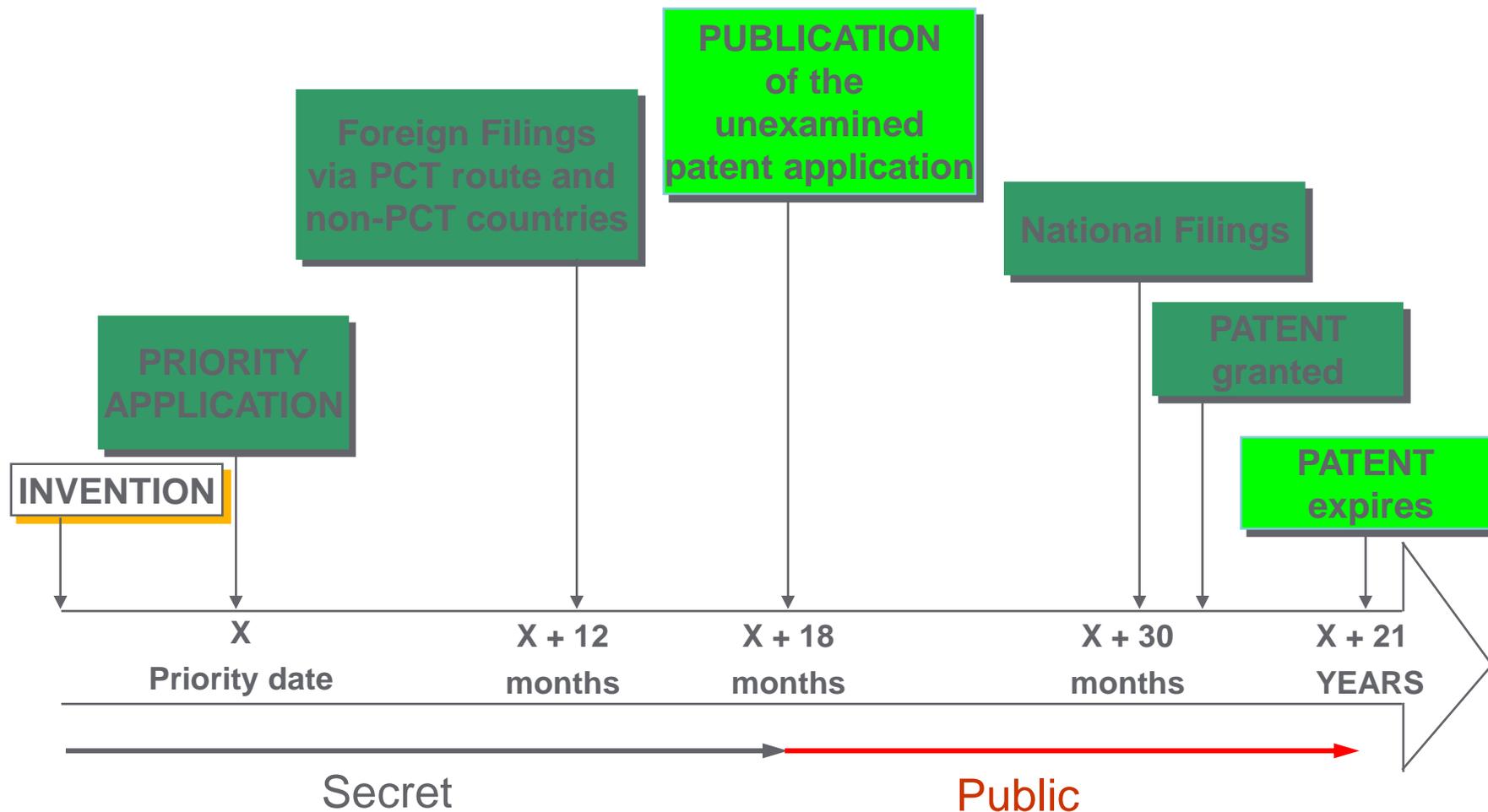
Comprehensiveness



Parts of a patent publication

- First page
 - Bibliography including dates and patent classifications
 - Title and Abstract
- Description
 - Field of the invention
 - Background Art
 - Disclosure
 - Summary of the invention
 - Detailed description of the invention
 - Best Mode and Examples
- Claims

From invention to expiry of patent (PCT route): Patent family and publication stages



Hard to cope with issues in the indexing of patent publications or what is different to journal literature

- Broad claims allowed in some technical areas
 - prophetic compounds
 - Markush claims
- Laundry lists in description and claims
 - Mixtures
 - Formulations
 - Uses
- Specific legal wording

The Good (1)

- ✓ All parts of the document fully indexed (WPI only since 2000)
- ✓ Deep indexing of compounds per se including prophetics (REG/CA)
- ✓ Deep indexing of Markush structures from claims in MARPAT and MMS
- ✓ Indexing of concepts/features and man-made abstracts with a Controlled Vocabulary
- ✓ Database specific coding of concepts/features

The Good (2)

- ✓ Controlled Vocabulary and database specific coding constantly updated
- ✓ Simple instead of extended family construction if an equivalent appears to describe new inventive material, e.g. US continuations-in-part
- ✓ Indexing covers at least 20 years (important for FTO Searches)
- ✓ WPI abstracts are written in “patent language” eg. “new compound” whereas CA abstracts are written in scientific language “preparation of”

The Difficult

- ❑ The ever increasing size and volume of documents (average > 100 pages) generally weakens deep indexing efforts due to cost pressure
- ❑ Information from one patent family must be split in many database records due to technical constraints in databases, e.g. indexing of prophetic compounds in REG/CA
- ❑ Only up to 99 compounds per se are indexed from examples in WPI
- ❑ Man-made abstracts focused on claims in WPI
- ❑ No backfile indexing when database codes are changed over time: Section codes in CA, Manual Codes in WPI

The Different (1) – PCTs not indexed

Missing disclosure for patent families where national applications have published a few days before PCT applications which is a drawback of fast indexing.

DE 19842894 (pub. 23.03.2000), claim 5: 46 different mixtures

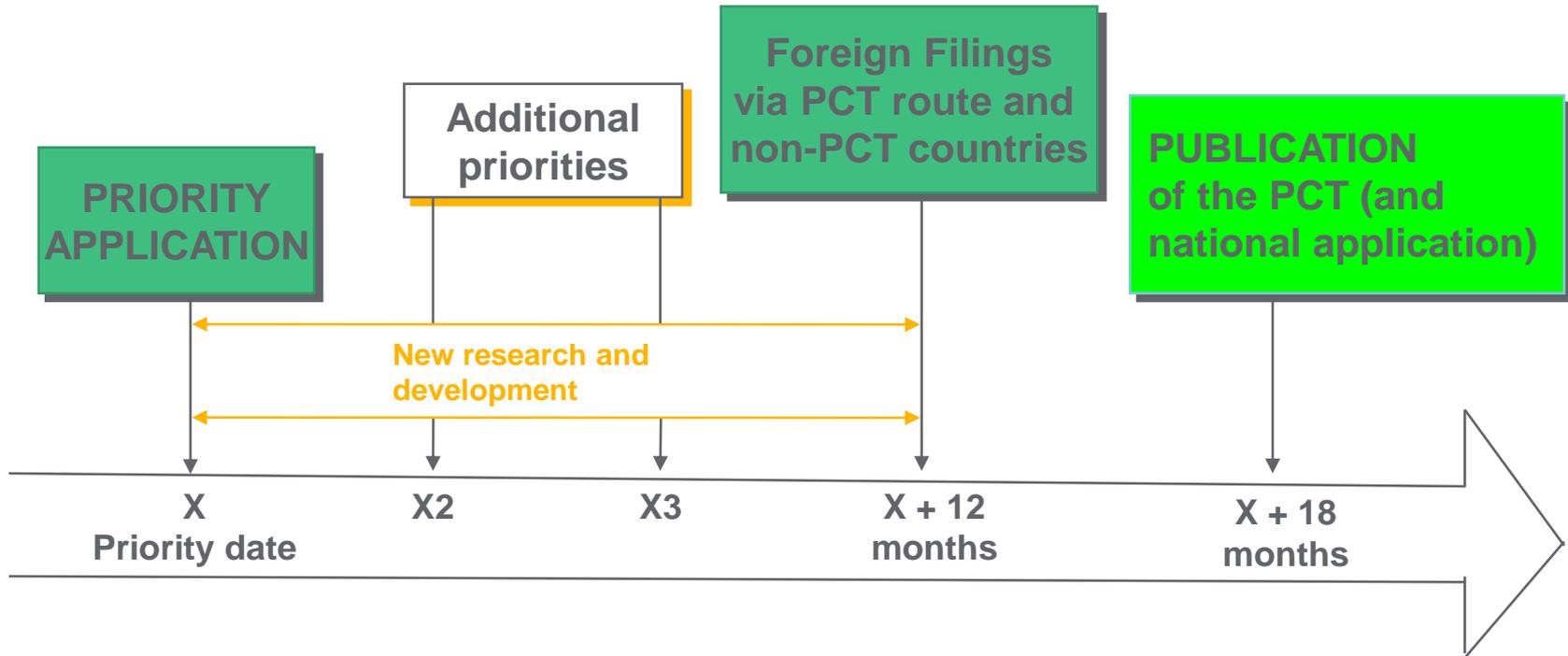
vs.

WO 00/16627 (pub. 30.03.2000), claim 5: 146 different mixtures



As a consequence on July 1, 2008 CAS began adding as basic patents both Patent Cooperation Treaty (PCT) applications and their original national equivalents

Additional matter added at the time X+12 to the PCT application



The Different (2) – Mixture indexing

Typical “list mixture” claim:

A composition comprising at least one compound selected from a list A (A1, A2, A3, A4,.....) and at least one compound selected from a list B (B1, B2, B3, B4,.....).

There is no indexing in place which would allow to retrieve only mixtures where two compounds are in different lists.



Mixture searches retrieve 95-99% of non-relevant records.

Example: a FTO search for a two-component mixture of dimoxystrobin+trifloxystrobin would retrieve this non-relevant document

WO 2013/127863

PCT/EP2013/053944

37

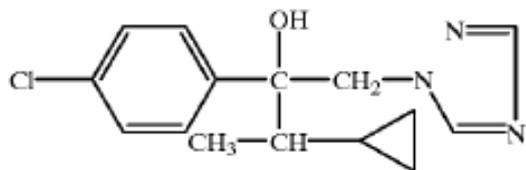
Claims

1. The use of an agrochemical composition comprising
 - A) at least one herbicide A selected from
 - A.a) acetylCoA carboxylase inhibitors (ACC inhibitors) selected from clethodim, cycloxydim, fenoxaprop, fenoxaprop-P, fluazifop, P, haloxyfop, haloxyfop-P, quizalofop, quizalofop-P, sethoxytepraloxydim;
 - A.b) acetolactate synthase inhibitors (ALS inhibitors) selected from rasulam, flumetsulam, foramsulfuron, halosulfuron, iodosulfuron and
 - B) at least one fungicide B selected from
 - B.a) inhibitors of complex III at Q_o site selected from azoxystrobin, methoxystrobin, coumoxystrobin, **dimoxystrobin**, enestroburin, fenaminostrobin, fenoxystrobin/flufenoxystrobin, fluoxastrobin, im-methyl, metominostrobin, picoxystrobin, pyraclostrobin, piconastromycin, pyraoxystrobin, **trifloxystrobin**, 2-[2-(2,5-dimethylphenoxy)methyl]phenyl]-3-methoxy-acrylic acid methyl ester, 2-(2-

The Different (3) – Amended claims

Claims of US2001051649, equivalent of EP591764 (German language):

1. Use of the compound of the formula (I)



its metal salts or acid addition compounds as a microbicide for the protection of industrial materials.

(I)

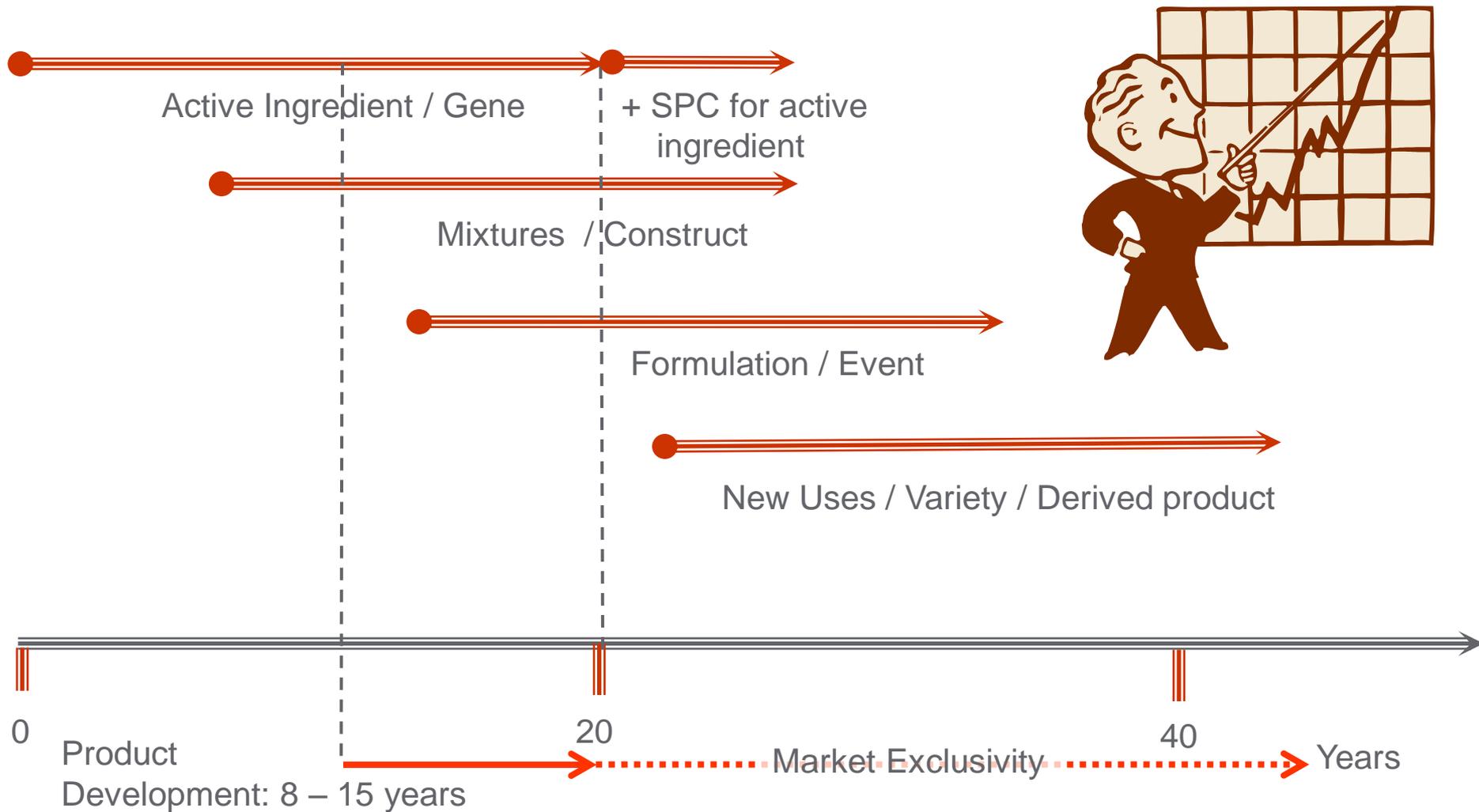
¹
3. Microbicidal compositions for the protection of industrial materials, containing a compound of the formula (I) according to claim 1 or its metal salts or acid addition compounds.

4. Composition according to claim 3, characterised in that it contains, as an additional component, at least one other antimicrobially active compound, fungicide and/or other active compound for broadening the spectrum of action or for achieving specific effects.

Claims of EP591764B2:

1. Combination of cyproconazole with tebuconazole or propiconazole.
2. Combination of cyproconazole with tebuconazole.
3. Combination of cyproconazole with propiconazole.

Increased number of FTO searches due to Life-cycle management



Why indexing of granted patents would make a difference

- Only around 20-30% of the patent applications get ever granted
- Granted patents have in general a (very) reduced claim set
- We face an increasing number of FTO searches
- Granted and pending patents of major jurisdiction can be identified with an increasing reliability.



The indexing of granted patents would reduce the workload in professional patent searching and enhance FTO reliability.

The call for change

Enhanced indexing

List allocation to mixtures components

- For mixture laundry lists
- For 2-component and multi-component mixtures
- Backfile indexing for 20 years

Indexing of granted patents

- To reduce workload for FTO searches
- Would also enhance reliability of FTO searches since broader and multiple strategies could be applied
- Amended claims can easily retrieved

Indexing of all PCTs

- Not yet a policy in World Patents Index
- Exclude potential to miss important disclosure

Other

- Backfile indexing when database codes are changed (similar to major revisions of IPC in the past)
- Simple family construction as a standard (all priorities to match)
- Patent legal wording for patent abstracts in CA

Bringing plant potential to life