FIZ PatMonCoffee Lecture

LEGAL MONITORING OF PATENT VALIDITY

Jim Brown, FIZ Karlsruhe
Overview of FIZ PatMon

Focus on legal status actions with regards to validity

Legal status codes

Legal status categories

Patent status indicators

Search examples
FIZ PatMon

- Used to monitor patent family members of a FIZ-curated patent family
- Application to grant
- New family members
- Used to monitor any/all available legal status for patent members
- Easy to use interface
Validity

- Application to grant
- Post-issuance legal status actions
- Pay/Failure to pay maintenance fees
- Reexaminations
- Oppositions
- Withdrawn applications
Legal status codes

- EPO applies about 4000 legal status codes
- Each represents a specific legal status event from a particular patent office
- Some may be difficult to understand
- Searching by specific legal status codes allows for greater precision
- i.e., EP Application withdrawn, Fee payment in the US
FIZ Karlsruhe legal status categories

- FIZ Karlsruhe has introduced a set of 27 legal status categories to simplify legal status searches
- Editorial team reviewed complete list of legal status codes
- Searching by legal status categories allows for more comprehensive results
  - i.e., Any patent document in the family that has certain actions applied to it
  - Certain actions – any and all actions covered by that category
Some legal status categories of interest

<table>
<thead>
<tr>
<th>Legal status category</th>
<th>Complete name</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>EXP</td>
<td>Expiry</td>
<td>Patents or utility models become invalid when they reach their maximum lifetime.</td>
</tr>
<tr>
<td>LAP</td>
<td>Lapse (Non-payment of fees)</td>
<td>Patents or utility models or their applications became invalid due to non-payment of the due fees.</td>
</tr>
<tr>
<td>LIM</td>
<td>Nullification of Parts of Rights, Limitation</td>
<td>The validity of the patents or utility models have been limited; e.g., exclusion of certain claims.</td>
</tr>
<tr>
<td>ORE</td>
<td>Opposition, Reexamination, Appeal</td>
<td>Events in the opposition phase include filing, rejection, reexamination, proceedings, appeal to patent courts, etc.</td>
</tr>
</tbody>
</table>
## Some legal status categories of interest

<table>
<thead>
<tr>
<th>Legal status category</th>
<th>Complete name</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>EXT</td>
<td>Time Extension</td>
<td>Time extensions for special procedures during examination as well time extension for payment of fees or completion of specification.</td>
</tr>
<tr>
<td>FEE</td>
<td>Fee Payment</td>
<td>Fees that keep the patent or utility model valid have been paid. Confirmation that the patent or utility model was valid on a particular date.</td>
</tr>
<tr>
<td>REI</td>
<td>Reinstatement or Restoration</td>
<td>Patents or utility models previously invalidated have become valid again (e.g., late payment of annual fees, etc.)</td>
</tr>
</tbody>
</table>
Patent status indicators

- Based on latest legal status actions
- Indicator for each member of the family
- Four indicators
  - Alive
  - Indeterminate
  - Transitional
  - Dead
## FIZ Karlsruhe patent status indicators

<table>
<thead>
<tr>
<th>Patent Family Table</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Publication Number</th>
<th>Kind</th>
<th>Date</th>
<th>Application Number</th>
<th>Kind</th>
<th>Date</th>
<th>Patent Status Indicator (Date)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CN 106918977</td>
<td>A</td>
<td>20170704</td>
<td>CN 2016-10525135</td>
<td>A</td>
<td>20160705</td>
<td>DEAD (20220811)</td>
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<tr>
<td>JP 2017120364</td>
<td>A</td>
<td>20170706</td>
<td>JP 2016-110556</td>
<td>A</td>
<td>20160602</td>
<td>ALIVE (20201121)</td>
</tr>
<tr>
<td>KR 2017077761</td>
<td>A</td>
<td>20170706</td>
<td>KR 2016-70536</td>
<td>A</td>
<td>20160807</td>
<td>ALIVE (20201121)</td>
</tr>
<tr>
<td>TW 2017023929</td>
<td>A</td>
<td>20170701</td>
<td>TW 2016-120376</td>
<td>A</td>
<td>20160828</td>
<td>ALIVE (20201120)</td>
</tr>
</tbody>
</table>
Agenda

- Overview of FIZ PatMon
- Focus on legal status actions with regards to validity
  - Legal status codes
  - Legal status categories
  - Patent status indicators
- Search examples
FIZ PatMon monitoring profiles

- Monitoring profiles that focus on legal status codes, legal status categories, and patent status indicators are all created on the Monitoring Profiles page
- Click on plus sign icon in upper right hand corner to create a new monitoring profile
FIZ PatMon monitoring profiles
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Search example

- Set up an alert for if/when a BR granted patent associated with published application BR112023020077 publishes
Search example
Search example
Search example

- Set up an alert for if/when any US fees for US9985424 have or have not been paid
Search example
Search example
Summary

- FIZ PatMon is an essential tool for monitor the status of patent families
- The FIZ PatMon system can focus a monitoring case to be as broad or specific as needed
- FIZ curated legal status categories can greatly simplify these types of searches