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## An analysis of the breadth and depth of coverage of emerging market countries by commercial patent information sources



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### ABSTRACT

The Patent Documentation Group (PDG) ONLINE Working Group has undertaken a study comparing different aspects of emerging market country coverage amongst 5 commercial sources of patent information. The sources were compared against the national patent office registers for each of 9 ‘emerging market’ countries, as well as Inpadoc/Espacenet. Coverage was assessed in relation to 25 patent families occupying the pharmaceutical and household or specialty chemical technical domains. In general, vendors were shown to have added value in terms of country coverage over the ‘baseline’ offered by Inpadoc/Espacenet but to varying degrees fell short of the ‘gold standard’ offered by registers. These variances were explored, and conclusions and recommendations were shared with the vendors in order to facilitate product development. In a separate effort, observations relating to the design, searchability and reliability of registers were collated and communicated to the PDG IMPACT working group who commonly liaise with WIPO. This has culminated in a proposal being made by the Committee on WIPO Standards (CWS) to set up a task force on standards for (all) patent office registers during 2017.

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## 1. Introduction

In recent years, global companies have adjusted their strategic focus to encompass more emerging market economies [1]. As a consequence, protection of intellectual property and the avoidance of infringement of intellectual property rights in those markets have assumed greater importance. This in turn has increased the need for accurate and comprehensive patent information relating to these countries in order that necessary prior art and freedom-to-operate searches can be carried out effectively. Commercial patent

information vendors have responded by increasing their coverage of emerging market patent authorities (it is a source of competitive advantage within their own industry) and PDG members have been kept aware of these developments through regular press releases. Whilst these developments are welcome, it was felt that there remains a lack of clarity amongst users of commercial patent information over precisely what data elements are indexed when vendors refer to the coverage of their patent collections. During 2014 and 2015 the Patent Documentation Group (PDG) Online Working Group set up a task force to undertake a study comparing 8 different aspects of country coverage amongst 5 commercial patent database products. The aim was to shed some light on the relative strengths and weaknesses of the different databases in relation to coverage criteria that are commonly considered to be important by patent searchers and their clients. The overall conclusions are presented in this article.

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The PDG ([www.p-d-g.org](http://www.p-d-g.org)) was founded in 1957 by 13 European companies seeking to promote the effective and efficient use of patent information [2]. The organisation now comprises 39 multinational companies and has an unrivalled reputation in Europe as an indispensable partner in efforts to enhance the quality and availability of published and indexed patent information. The PDG also strives to promote effective searching and retrieval of all types of patent-relevant information.

Current objectives for the PDG include discussions of new developments and challenges in patent information, gathering opinions from members on shared interests, and communicating formulated proposals and suggestions to third parties in the field of intellectual property. The PDG comprises several active Working Groups. This study was undertaken by members of the Networks and Online Working Group (WG Online) which is a group that focuses on seeking to improve patent information products and services.

## 2. Method

Patent issuing offices, including many in emerging market countries, make their document collections freely available to the public via online registers. Examples of well-known national patent registers include PAIR (United States), DPMA register (Germany) and J-PlatPat (Japan). Such registers can be thought of as 'primary' sources of patent information. In many cases national offices separately provide electronic feeds to regional or global patent authorities such as European Patent Office (EPO) and WIPO, as well as commercial vendors. The EPO and WIPO, amongst their many activities, act as data aggregators and produce publically available secondary patent databases using these feeds with the most notable of these being Espacenet, Inpadoc and PatentScope. Commercial providers integrate data from the aggregators and various national offices and add value in various ways, for example by providing sophisticated search and retrieval interfaces or comprehensive and detailed thesauri and indexing systems. It should be noted that the depth of information contained in registers is often greater than that included in the data feeds that are provided to aggregators and vendors.

Our methodology was to use primary data from emerging market patent office registers as a 'gold standard' against which to compare and evaluate corresponding secondary data from 5 commercial patent databases, for completeness and accuracy. A scoring system was devised (1 point for matching the register, 0.5 point for partial match and zero for no match) for 8 comparison criteria, relating to 25 selected patent cases and their equivalents in each of 9 chosen countries. This was a collaborative project involving a total of 12 task force members from 8 different PDG member companies. The task force team members represented pharmaceutical companies, general chemical companies and a significant multinational consumer goods company. Each contributor analysed data relating to 1 or 2 patent cases and entered it into a common Excel template (Fig. 1). Completed templates were combined and after a further round of data checking, scores were applied (Fig. 2) and charts were produced. The charts were shared amongst the task force members who provided further observations. The team was then able to draw conclusions and make recommendations.

For each of the 25 patent cases, 'identifying data' was collected that could be used to confirm the existence of equivalents to that patent in each emerging market country's patent register. This data consisted of *earliest priority number and date*, any related *PCT applications*, *applicant*, *inventor(s)* and *title*. These identifying criteria formed the far left hand block of the Excel template.

Patent registers for each of the 9 countries were then searched

for equivalents to the chosen patents using the identifying data. Where equivalent patents or published applications were found, information relating to the 8 comparison criteria was noted and the details added to the second block in the template. Where there were multiple publications for a given country in the register (e.g. an 'A' kind published application and a 'B' kind granted patent) all of the data was included in order to build the fullest possible picture against which to compare corresponding data in the commercial databases.

Finally, for each of the 5 commercial patent databases, patent family records relating to the 25 patents under study were examined for data corresponding to each of the 8 comparison criteria in associated family members from the 9 chosen emerging market countries. This information was noted and entered into the third (and largest) block of the template. Again, the data recorded was as full as possible so that sufficient information was present to enable meaningful scoring later on.

### 2.1. Commercial patent information sources

2 bibliographic and 3 full text commercial patent database products were evaluated.

#### 2.1.1. Bibliographic sources

CAPLUS (CAS) [3].  
Derwent World Patents Index, DWPI (Clarivate Analytics) [4].

#### 2.1.2. Full text sources

ORBIT INTELLIGENCE (Questel) [5].  
PATBASE (Minesoft) [6].  
THOMSON INNOVATION (Clarivate Analytics) [7].

Although not a 'commercial' database as such (it is freely available to search), Espacenet/Inpadoc [8] was included in the analysis because it is understood that this data often underpins or at least forms an important part of the data feeds to many commercial databases. By comparing the vendor's data with Espacenet and Inpadoc it would be possible to gain some perspective of the value added by the vendor over and above the 'baseline' (provided by Espacenet/Inpadoc) as well as comparing all of them to the 'gold standard' provided by registers. Other commercial sources were available (such as *TotalPatent* from LexisNexis) but time did not allow for their inclusion. The 5 chosen sources were those most frequently utilised by the task force team membership and are all significant players in the commercial patent information marketplace.

### 2.2. Countries

A mix of 'mature' emerging market countries (e.g. China) and smaller, less developed economies (e.g. Malaysia and Thailand) were chosen. An important criterion in choosing the countries was that they needed to have a free, usable public online patent register whilst the market itself needed to be deemed reasonably significant in size. To this end, the following countries (and their respective registers) were chosen:

Argentina (INPI)  
Brazil (INPI)  
China (SIPO)  
India (iPAIRS, since relaunched as inPASS)  
Malaysia (MyIPO)

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