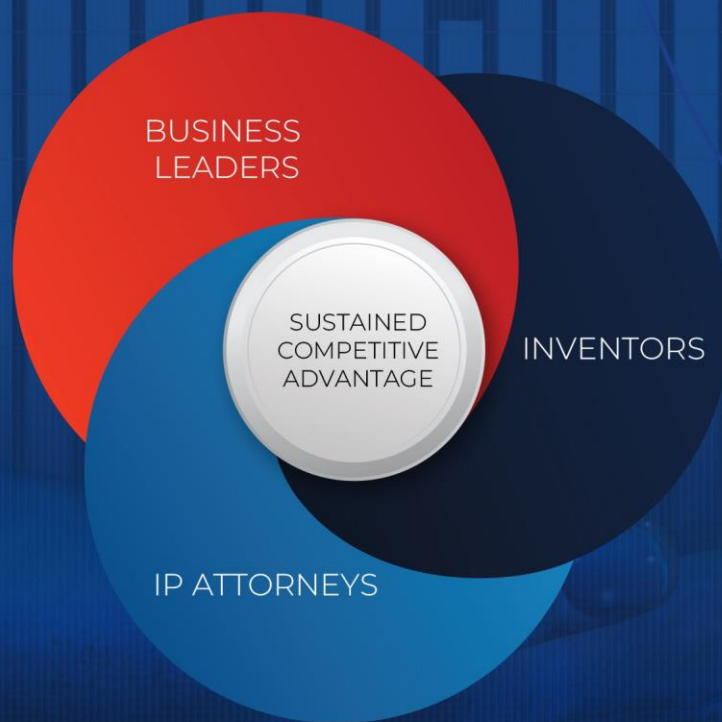


ANALYTICS DRIVEN PATENT STRATEGY

FOR INVENTORS & MANAGERS



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TABLE OF CONTENTS

Chapter 1:	<u>The Importance of an IP Triad in an Organization.....</u>	<u>1</u>
Chapter 2:	What is an IP Strategy & Common Mistakes to Avoid.....	5
Chapter 3:	What is IP analytics?	11
Chapter 4:	The Creation and Evolution of an IP Strategy Over Time.....	14
Chapter 5:	Analytics By Phase	19
Chapter 6:	Creating Strong IP	41
Chapter 7:	Free Patent Search Tools.....	47
Chapter 8:	Becoming Skilled as an IP Expert – as an Inventor or Manager.....	77
Chapter 9:	Summary.....	80

About the authors



Mark Kline, founder, The Solution Infusion, has experience spanning 30+ years in Research & Development. A creative & divergent thinker, Mark is an IP expert from an inventor's point of view, having obtained 125+ granted patents of his own besides advising inventors on IP matters. He has been successful with numerous case prosecutions & litigations. Mark has applied his knowledge to earn \$1B+ incremental profit and focuses on business impact, offering services for Finding Solutions, Protecting Solutions, and Training/Mentoring. The firm's recent research includes recent work on eczema prevention and treatment, solar cell uses, steel stamping, automotive production systems and more.



Srin Achanta, Managing Director, SciTech Patent Art, founded SciTech Patent Art in Hyderabad, India in 2002 and joined full time in 2012. Apart from holding a Ph.D. in Chem Eng. (Purdue Univ.) and an M.B.A. in Strategy (Univ. of Michigan), Srin has over 20 years of experience in strategy, marketing and innovation; having served in significant positions in The Procter & Gamble Company, Booz & Company and Honeywell Corporation, prior to founding SPA. At SPA, he is responsible as a key decision maker in overall firm strategy and new AI + analytics solutions.

Preface

Mark and I, though we worked at Procter & Gamble together, did not meet while we were there but afterwards through a mutual friend Wayne Fisher who is an innovation guru and a valued consultant. Interestingly, in initial discussions we both found that we were both barking up the same tree, i.e., how innovators miss a lot of opportunity by being too narrow in their thought processes and how, using analytics and other tools at their disposal, they can be more expansive in their thinking and grab more of the IP that's at stake. We both felt they were leaving too much value on the table.

Mark and I were basically working on the same problem but different perspectives. Mark from a strategy perspective and I from an analytics perspective. Mark has extensive experience as an innovator (over 125 patents), as an expert witness at litigations and as a strategy person supporting innovators in developing IP strategy. I, on the other hand, have extensive experience in supporting R&D teams in conducting analytics that will throw light on white spaces, gaps, emerging trends, etc.

We continued our discussions over several follow-on phone conversations during which it became clear that there are many best practices on this subject that we were both aware of and we both felt that by sharing them with inventors we would help them. As a trial, we decided that we would launch a webinar and gauge inventors' reactions. We conducted webinars on the title "Analytics-Driven Strategic IP Thinking for Inventors" for the western and eastern hemispheres separately. Our webinar were very well attended and follow-on conversations were encouraging. This confirmed to us that the topic of discussions between us was something of strong interest to the general inventor audience. So, we decided to write a short book summarizing our experiences and real-life case studies that would help inventors not only avoid pit falls but also gain a lot of value from their innovations.

Strategy in general, and IP strategy in particular, is something that emerges from a deep understanding of the space that one is operating in. This understanding of the space has three dimensions – the business dimension where what matters to the market and the consumer is well understood, the inventor dimension where the core technology and how the technology meets the market/consumer need is well understood and the legal dimension where what is legally possible in terms of protection is well understood.

In this book we focus on the inventor's role in developing strategy that both the business and legal functions can build on to create a compelling strategic advantage. The inventor's role is critical because too often the dimensions/degrees of freedom for strategy development reside in technology and it's the inventor that understands the technology the most. So, we will discuss how the inventor, by asking strategic questions at various stages, can drive key analytics and armed with these analytics bring unique insights to the strategy development process.

One point we emphasize in this book is that driving analytics with strategic questions is a key to success. Too often we see inventors running analytics because they were “told” to do so by management. Patent landscapes have become a fad these days and too often we find reports sitting on client desks unused because the inventors did not really understand how to use the analytics to extract value for themselves

Another aspect that we emphasize in this book is around organizational processes and inventor management techniques that are required to encourage strategic thinking in innovators. We added this angle to the book because in our experience successful IP strategy development is an interactive process between the three stakeholders mentioned above – R&D, IP and Business. Due to this highly interactive nature of work between three core functions of any corporation, it is critical that business processes be established to allow for frequent interaction, escalation and decision-making. So, we also touch upon this topic in this book.

We thank Wayne Fisher for introducing us. Mark thanks all those who helped him learn IP on the job throughout his career, and in particular John Cooper. John really helped mentor and encourage Mark in his earliest work. Srin thanks all his colleagues and clients at SciTech Patent Art for helping him understand all the intricacies of IP analytics and their business implications.

Srin & Mark

CHAPTER 01

THE IMPORTANCE OF AN IP TRIAD IN AN ORGANIZATION

A common view of Intellectual Property (IP) is that an inventor comes up with an idea, says “Eureka – I’ve got it”, tells an attorney about it; and the attorney then drafts and files a patent.

That certainly does happen, often in the case of solo inventors.

However, in an organization (i.e., a business or university), there can and should be more to it than that. The strongest, most business-relevant IP emerges from the collective work of a minimum of 3 people: the inventor, a business leader, and an attorney. We call this an “IP Triad”.

Per Figure 1.1, the IP Triad members work collaboratively around the goal of ensuring the appropriate IP is in place to secure a sustained competitive advantage.

Additional others, such as experts in IP Analytics, IP Strategy Development and analytical methods also play key supporting roles.

As noted in the preface, an IP Strategy is intended to maximize the return on investment of the effort and expense required to develop and launch something to market. The 3 key players each have important and distinct roles in creating and implementing an IP Strategy.

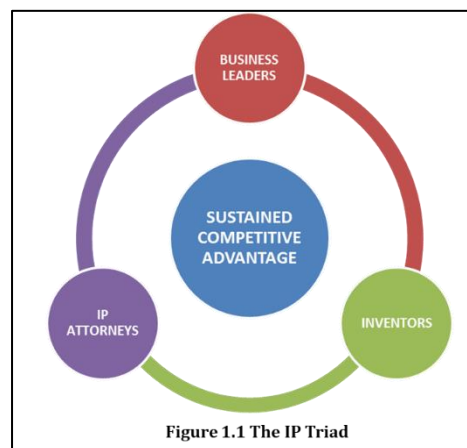


Figure 1.1 The IP Triad

The inventor’s role is generally understood by all. The inventor is the person who has solved a problem in a way others have not. To be clear – in the context shared within this book, inventors may be people solving more than a classic technical problem. They may be people who solve commercial problems, such as identifying new and unique ways to present a brand’s equity or increase sales of products or services. Commercial IP via business methods, trademarks, and copyrights can be important assets and are part of a robust IP Strategy. Inventors can and should also have roles in the prosecution and/or litigation of the IP. The inventor’s roles in commercial.....

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Contact us