Case Study:

Third Party Authentication System

LOOKING FOR 'NARROW' ELEMENTS

CHALLENGE

We got a patent from our client for conducting invalidity search that was related to wireless communication. The patent was about a special device which permitted several communication devices to communicate with each other under special conditions.

APPROACH

As usual, we started the search by developing the detailed understating of the patented invention followed by rigorous analysis of prosecution history of patent to of novel aspect of patent, taking into account the client's perspective and the type of prior arts expected.

Going through the prosecution history, we analyzed the cited references given by the examiner and the analysis showed that examiner had tried to reject the claims on the basis of obviousness, using two patent prior-arts. But the inventor had argued against the obviousness on the ground that the special device allowed communication between different devices only under special conditions. So it was clear that we had to focus on a narrow aspect to uncover anticipatory prior arts.

We began with the conventional search methods like key-words based search, in which we first identified the important keywords in both patent and non-patent literature in wireless communication and based on that performed the class-based search. We also identified eminent inventors, authors and assignees in field of wireless communication that were researching at relevant period of time.

At our preliminary stage, we distinguished two types of result sets. First type of results sets disclosed the special device, permitting the communication devices to communicate with each other. Second type disclosed communication devices communicating with each other under special conditions but without having need for permission from the special device.

After preliminary search, it was clear that it was not going to be an easy task to uncover the anticipatory prior arts, but as said "A challenge only becomes an obstacle when you bow to it" and at ResearchWire, bow word is not in our dictionary.

So it was time to move on to our unconventional search strategies. All team members working on this project, gathered to put their heads together to produce ideas as to where the results might be found.

One of the team members came up with the idea that instead of searching in particularly the same technology domain, we should try to overlook other technical aspects / domains in which claimed invention may be used as an application or part of application.

That was a good point to lead us. We started collecting all the data related to potential technology domains in which the invention might have been used. After going through a deep dive in the technological ocean, we came to know that the relevant period was the starting period of the Internet of things, so it might be a strong possibility that a special device like RFID tag might have been used to allow the things to communicate with each other. That was good enough for us to start moving. So we explored all the available options and covered all potential keywords that were relevant towards the Internet of things (IoT). Because it was the starting period of IoT so there was nothing but a hand full of patent applications available prior to the priority date of subject patent which were not related to the subject invention.

At this point, we decided to identify the players that were doing research in IoT at that time. After a lot of research, we listed all the players which were doing research at that time. We narrowed down the players and located one company which was using same technology in making groups or federation of things using RFID tag as special device in the same condition as disclosed in the subject patent.

Now using that concept of technical application and keyword “federation” we found two patent applications before the priority date of subject patent. So we had two strong anticipatory prior arts for our client.

Our major focus on each project is to identify the client’s requirements and deliver the corresponding results, no matter how difficult that might be.The greater the obstacle, the more glory in overcoming it.