## UNITED STATES PATENT AND TRADEMARK OFFICE



## Patent Public Advisory Committee Quarterly Meeting

# A Day in the Life of a Patent Examiner: Searching

Jessica Manno Supervisory Patent Examiner AU 2828



#### How does an application get to an Examiner?

- Patent applications are given a classification based on the subject matter of the application and assigned to the proper Technology Center based on this classification.
- Each Technology Center is an organization with various art units within a broad area of mechanical, electrical, chemical or design.
   Each is managed by one or more directors.

1600 – Biotechnology and Organic Chemistry

1700 - Chemical and Materials Engineering

2100 - Computer Architecture and Software

2400 – Network, Multiplexing, Cable, Security

**2600 – Communications** 

2800 - Semiconductors/Memory, Optics/Photocopying, Electrical Circuits &

**Systems and Printing/Measuring & Testing** 

2900 - **Design** 

3600 – Transportation, Construction, Agriculture, Electronic Commerce and

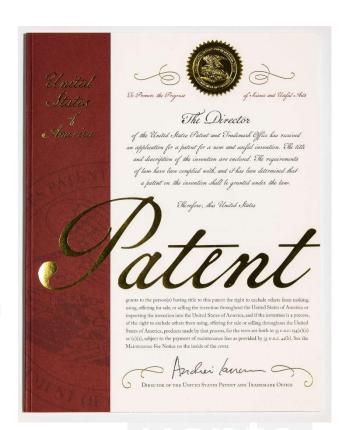
**National Security** 

3700 – Mechanical Engineering, Manufacturing and Medical Devices/Processes



#### What does an Examiner do with the application?

- Reads and understands the invention
- Determines whether the application is adequate to define the boundaries of the claimed invention
- Determines the scope of the claims
- Searches existing technology for claimed invention
- Determines patentability of claimed invention
- Provides a response, called an Office Action, that notifies applicant of the examiner's patentability determination



#### What electronic tools does an examiner use?

- Docket and Application Viewer (DAV)
  - View docket and applications
- Search Tools (EAST/WEST, other electronic databases)
  - Search for relevant prior art
- Office Action Correspondence Subsystem (OACS)/Official Correspondence (OC)
  - Write up outgoing correspondence to be sent to applicants/applicant's representatives



#### How are search strategies developed?

- Claim interpretation
  - Read and understand the claimed invention
  - Determine the scope of the claimed invention
- Consultation with other examiners
- Review of the cited prior art
  - Information disclosure statements, 3<sup>rd</sup> party submissions
- Review of patent family documents (foreign or domestic)



#### Why do Examiners search?

- Facilitate claim interpretation
- Determine the state of the art
- Identify relevant prior art
- Determine patentability

#### Where do Examiners search?

- US and International Patent Literature databases
- Electronic Searching (e.g., publications, web sites)
- Anywhere they might find the information they need with evidence of the date of publication or availability



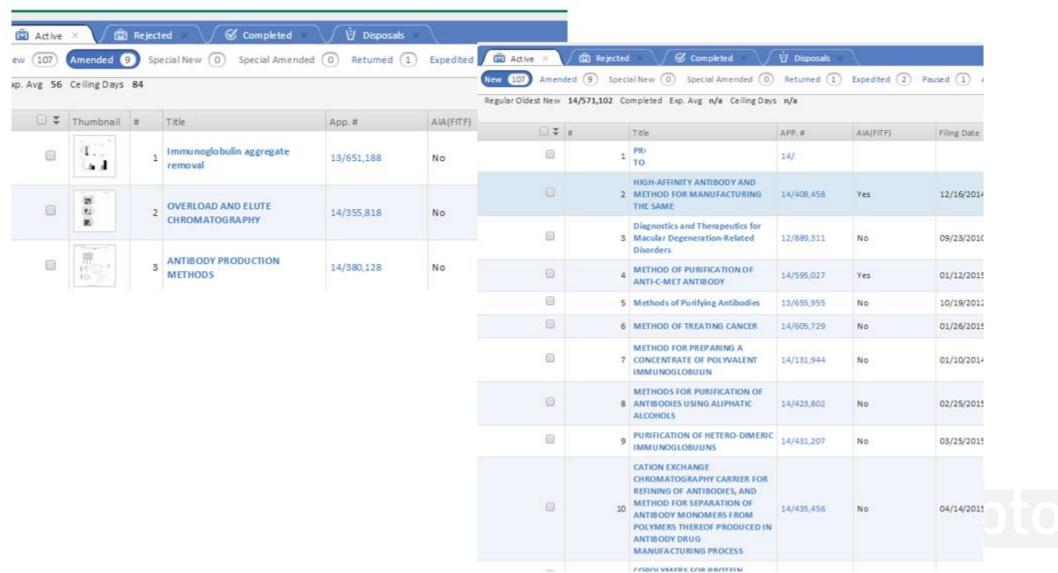
## Patent Public Advisory Committee Quarterly Meeting

## **Demonstration: USPTO Search Tools**

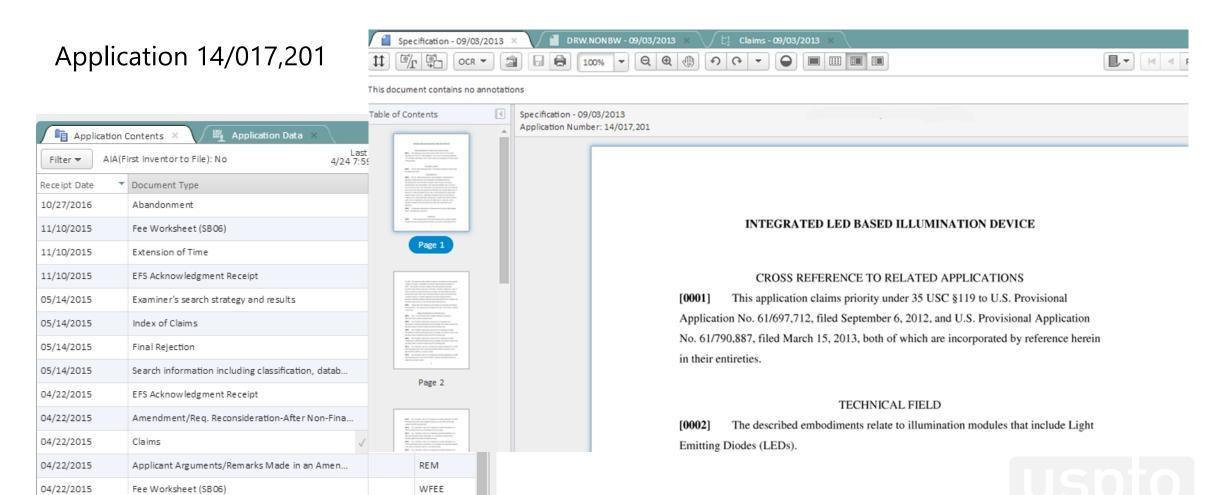
Kevin Parendo Primary Patent Examiner AU 2819



## **Docket and Application Viewer (DAV)**

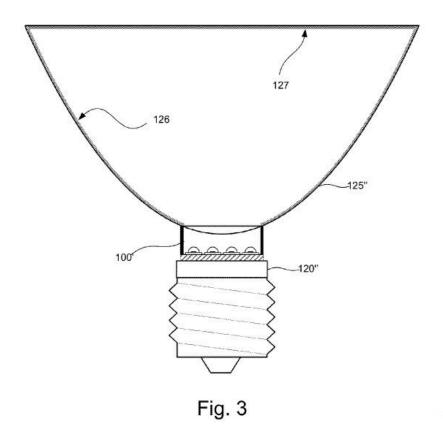


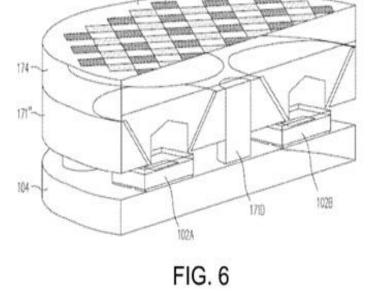
#### **Docket and Application Viewer (DAV)**

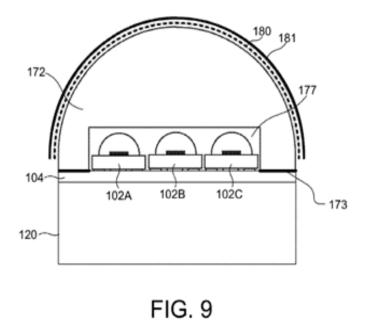


## What did the applicant disclose in the drawings?

Retrofitted lamp device (Fig. 3) having LED-based illumination device 100 (Figs. 6 or 9) therein







## What did the applicant claim?

Claim 1. An LED based illumination device comprising: <u>a plurality of LEDs</u> mounted to an LED mounting board; <u>a first transmissive plate</u> disposed above the plurality of LEDs, the first transmissive plate includes a first amount of <u>a first wavelength converting material</u> configured to change a wavelength of an amount of light emitted by the plurality of LEDs; and a <u>base reflector structure</u> coupled to the LED mounting board between at least two of the plurality of LEDs and extending to the first transmissive plate over a contact area.

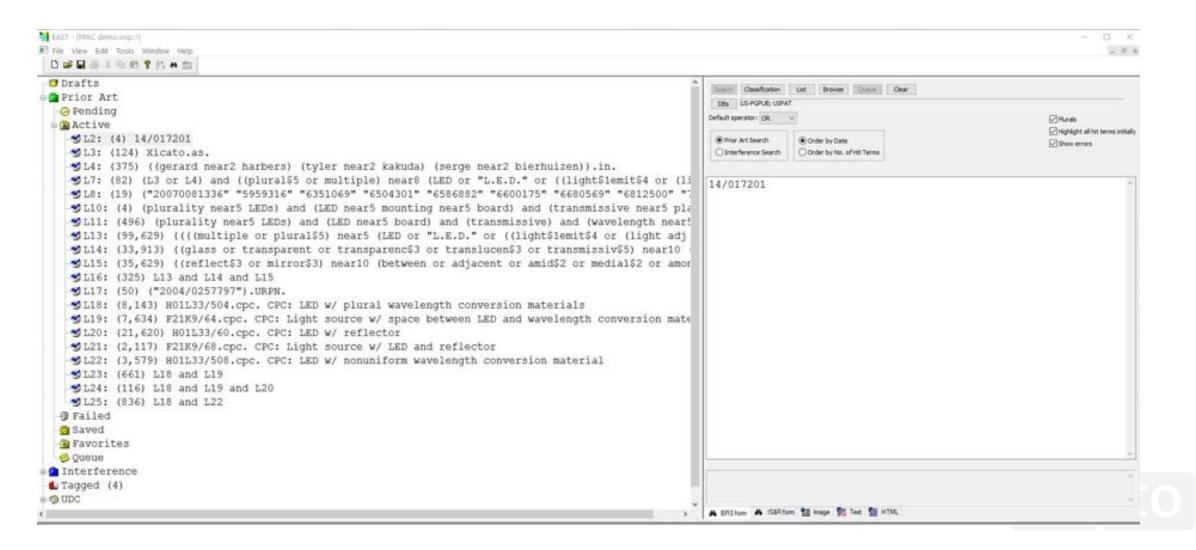
- A plurality of LEDs
- A first transmissive plate
- A first wavelength converting material
- A base reflector structure



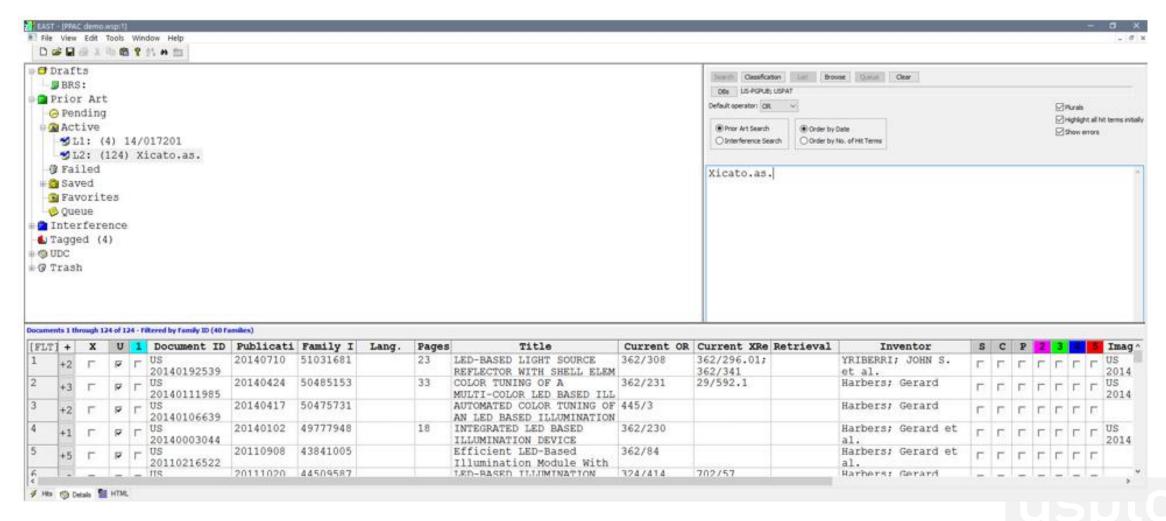
#### What are some of the tools used for Search?

- Applicant submitted prior art
- Review of International Search reports (ISR) and Written Opinions for PCT 371 applications
- Review of patent family documents (e.g., domestic, IP5, Cooperative Patent Classification (CPC) patent family)
- Review of related US patent applications
- Patents and patent-related literature (EAST/WEST)
- Non-Patent Literature (NPL) searches
- Chemical structure searches

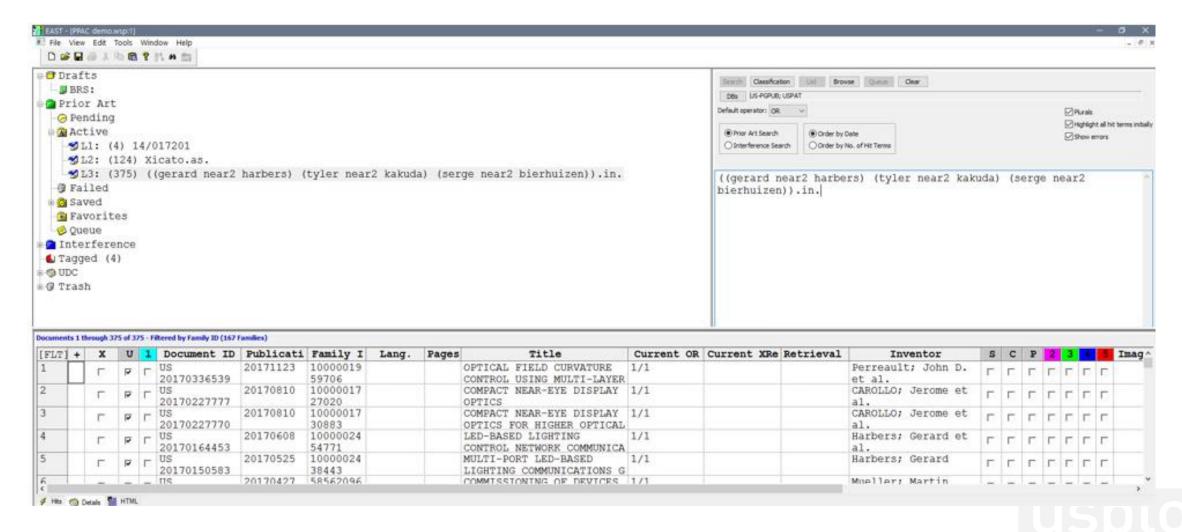
#### **Search Tool: Live EAST Demo**



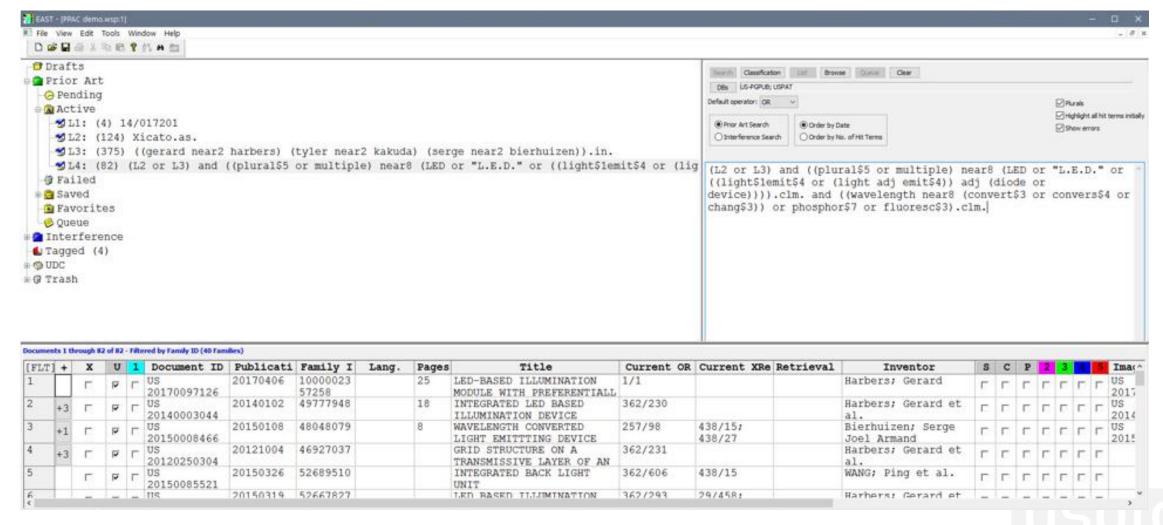
## **Inventor and Assignee Searches**



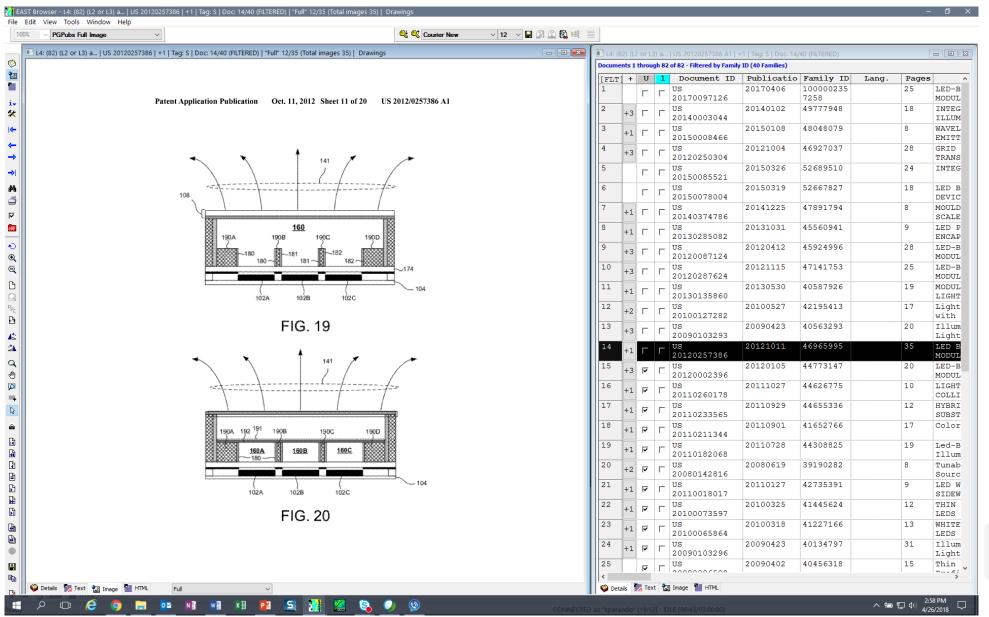
## **Inventor and Assignee Searches**



## **Inventor and Assignee Searches**

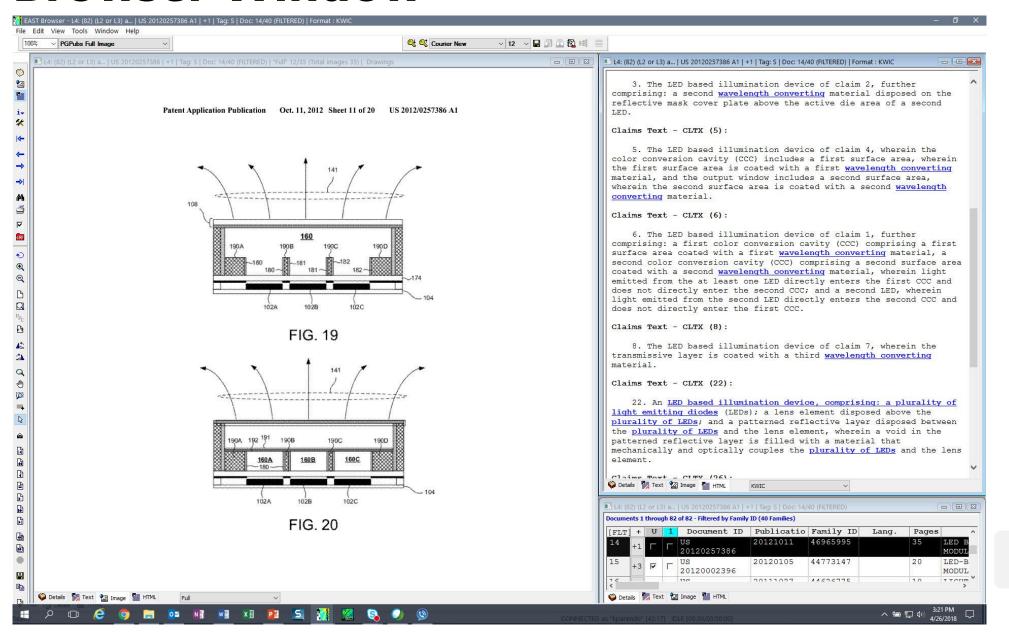


#### **Browser Window**

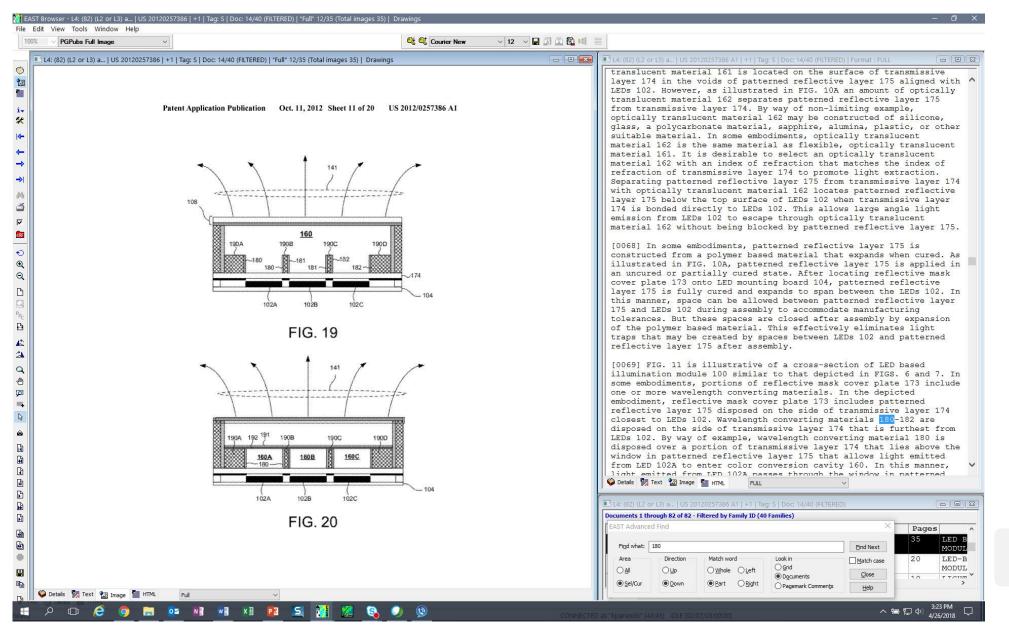


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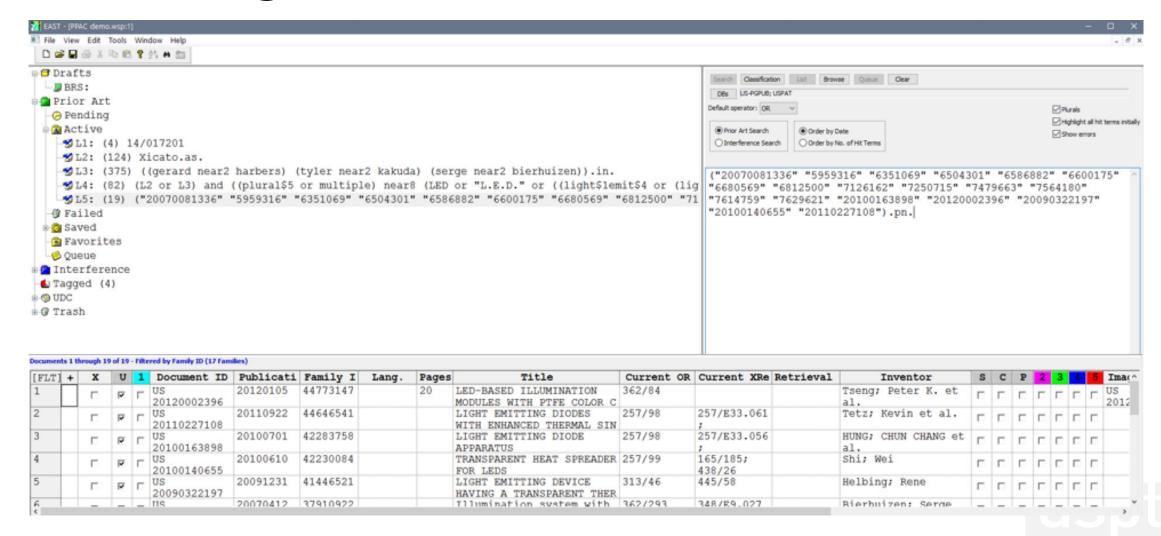
#### **Browser Window**



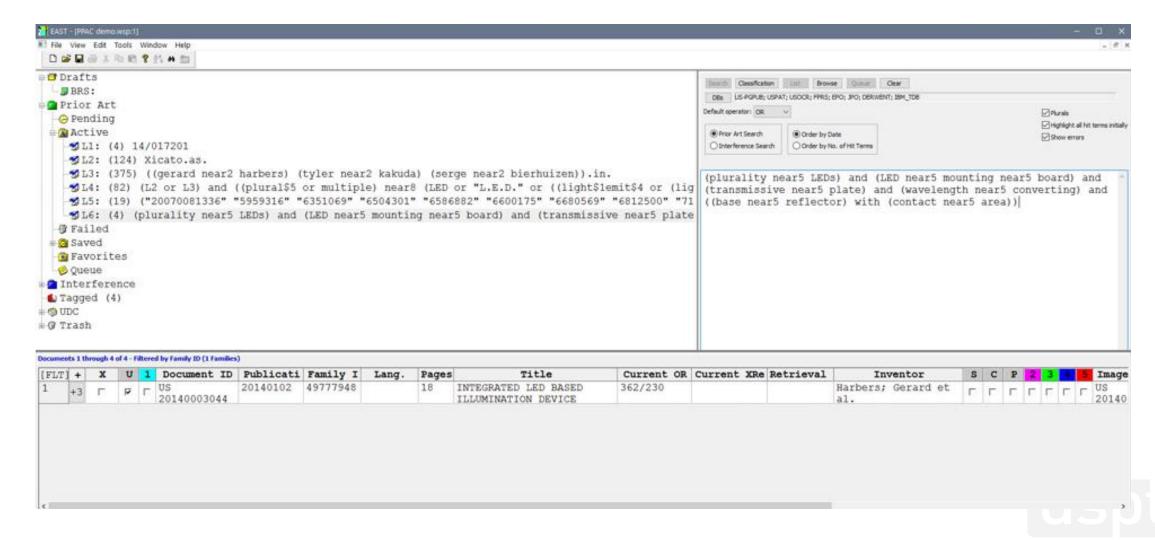
#### **Browser Window**



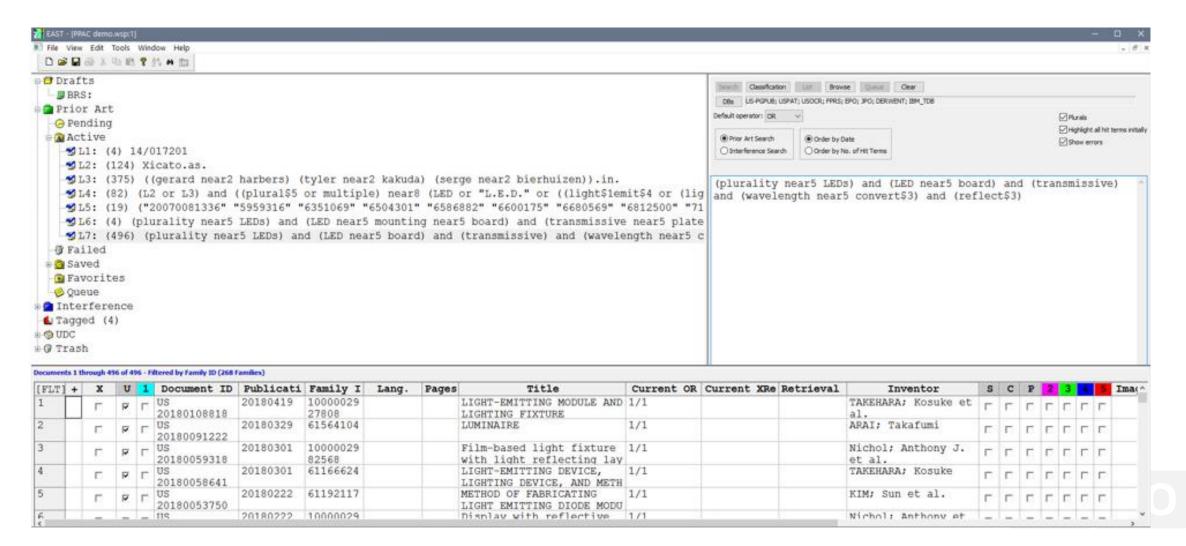
### **Reviewing IDS Documents**



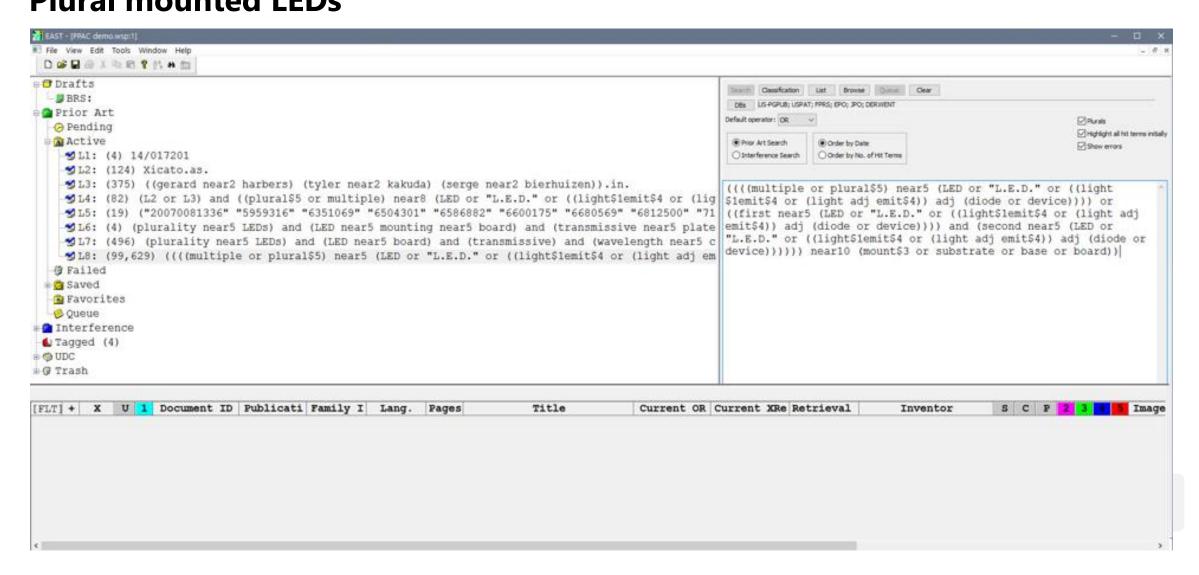
### **Text Searching Claim Language**



## **Text Searching Claim Language (More Broadly)**

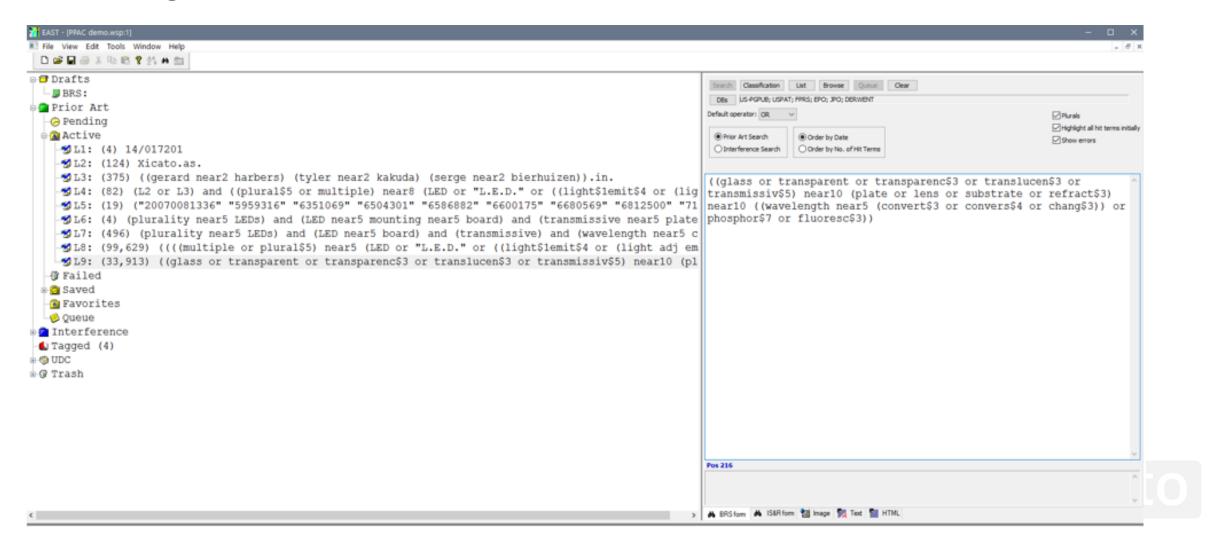


## Text Search – Concept 1 Plural mounted LEDs



#### **Text Search – Concept 2**

#### **Wavelength conversion material on Transmissive Plate**



## **Text Search – Concept 3**

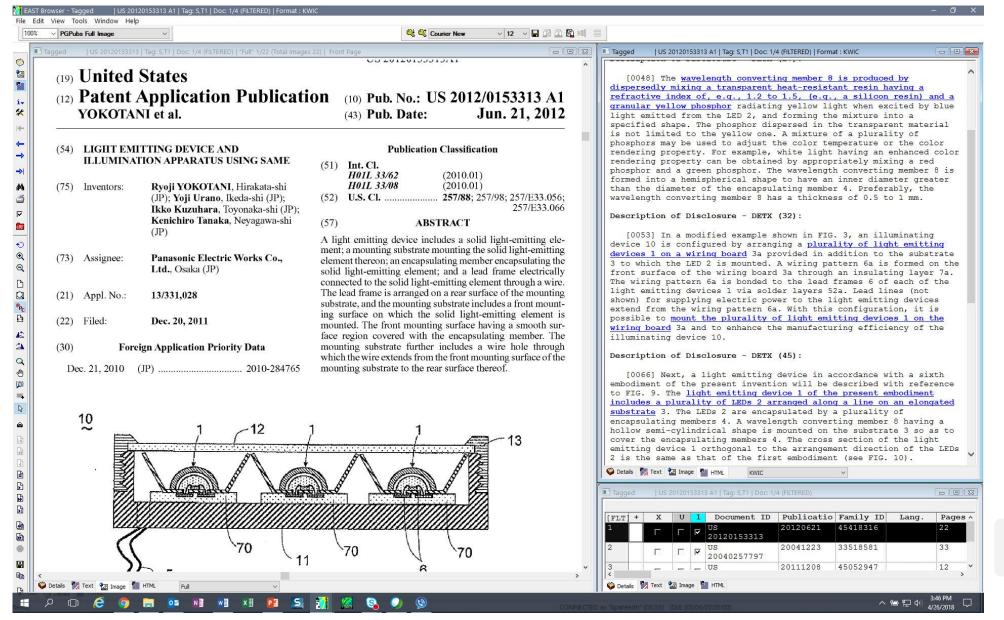
#### **Reflector between LEDs**



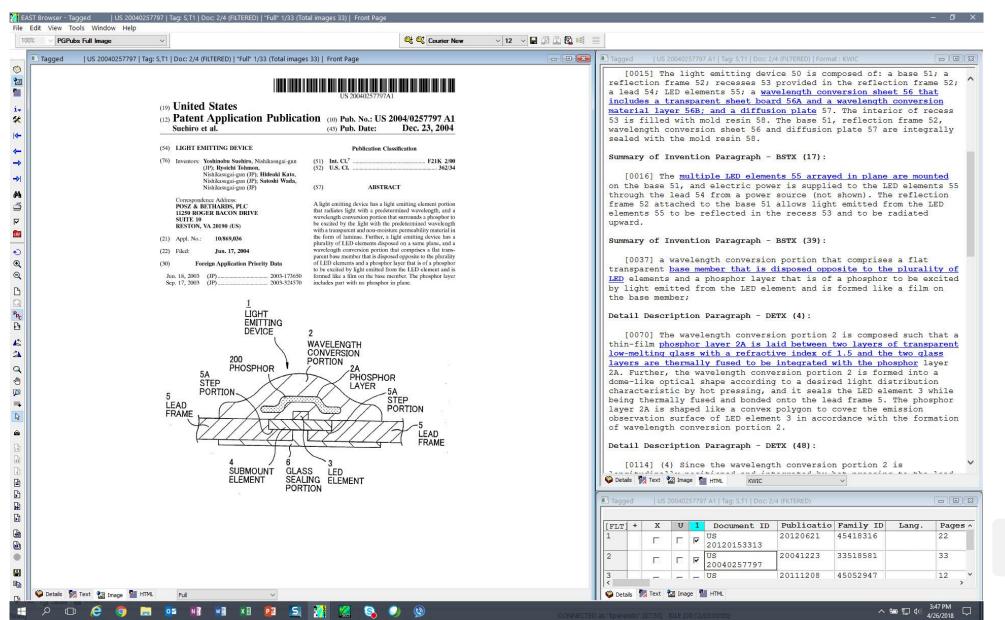
## **Text Search - Combining Concepts 1-3**



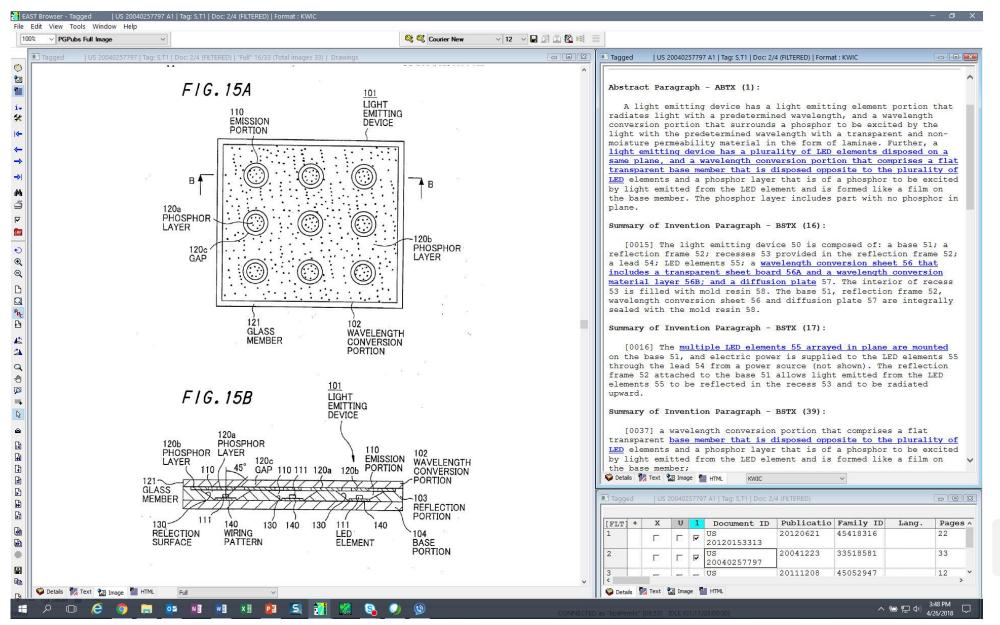
#### **First Reference**



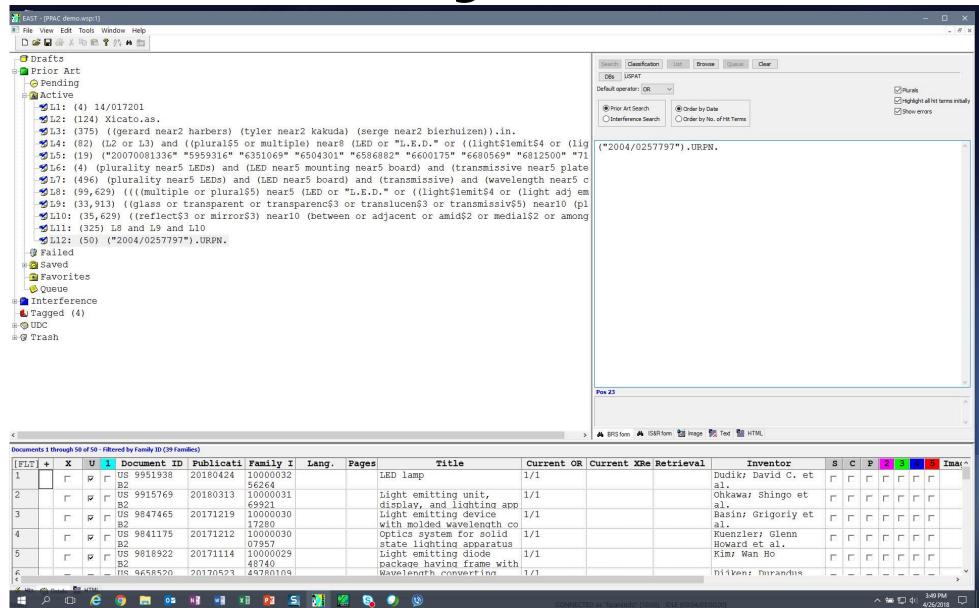
#### **Second Reference**



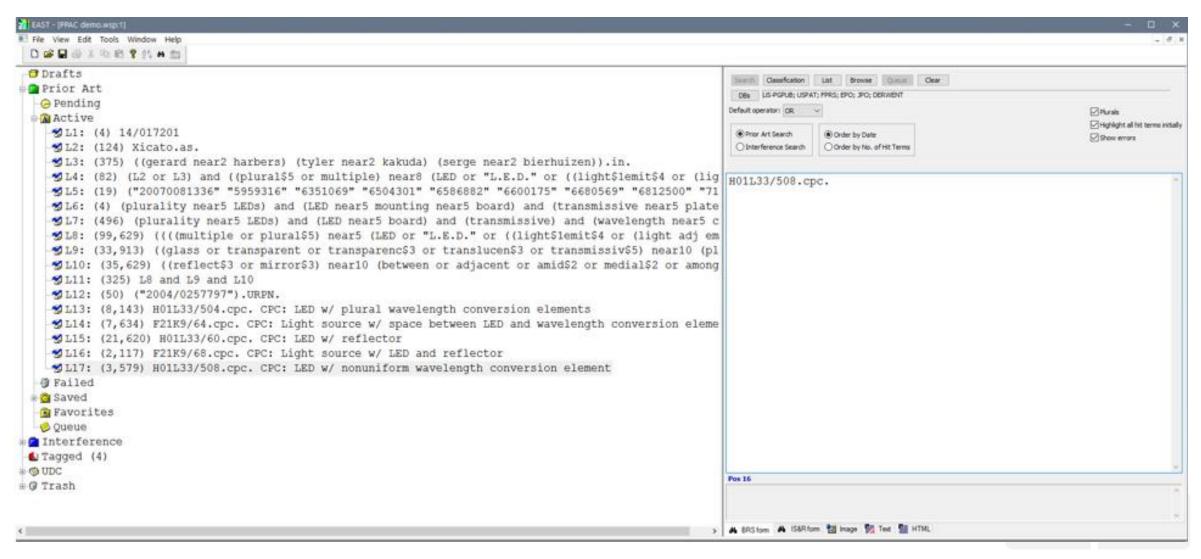
#### **Second Reference**



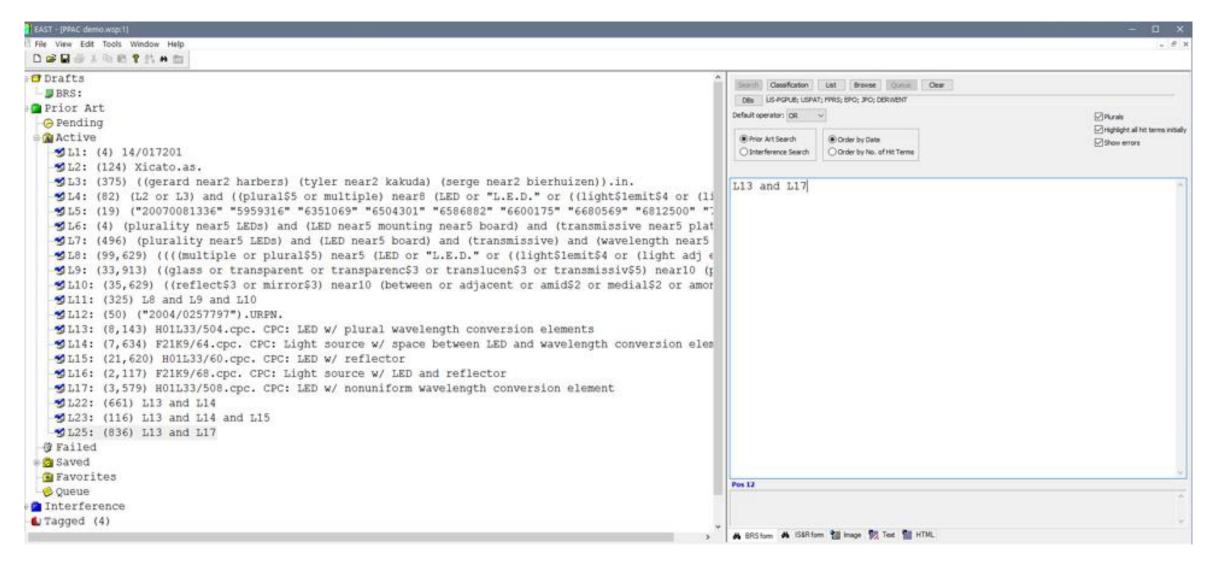
## "Forward Searching"



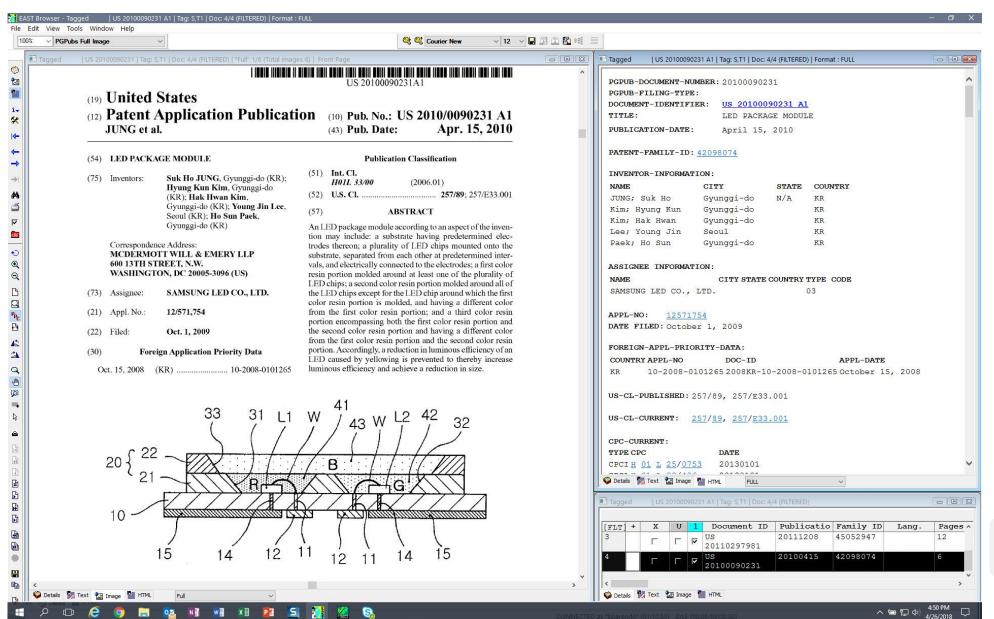
## Classification – Collecting Subgroups (Concepts)



## **Classification – Search Combinations of Concepts**

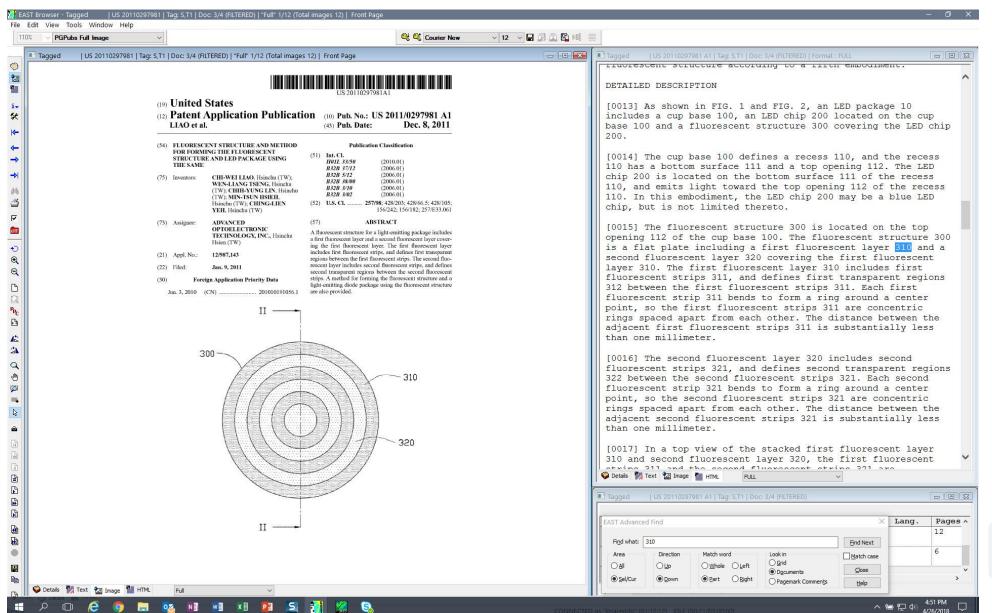


#### **Third Reference**



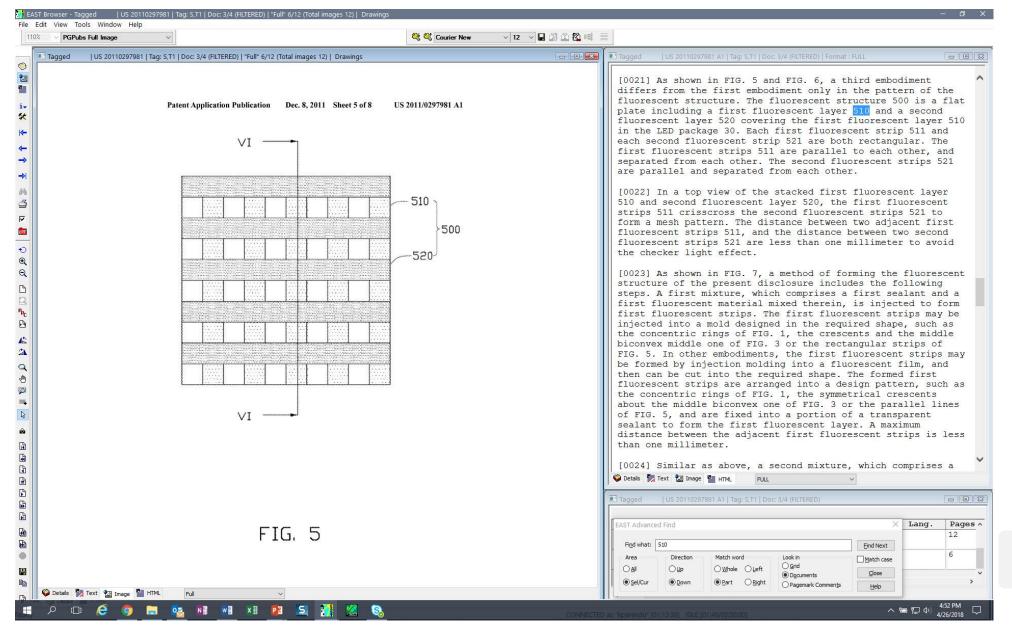
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#### **Fourth Reference**

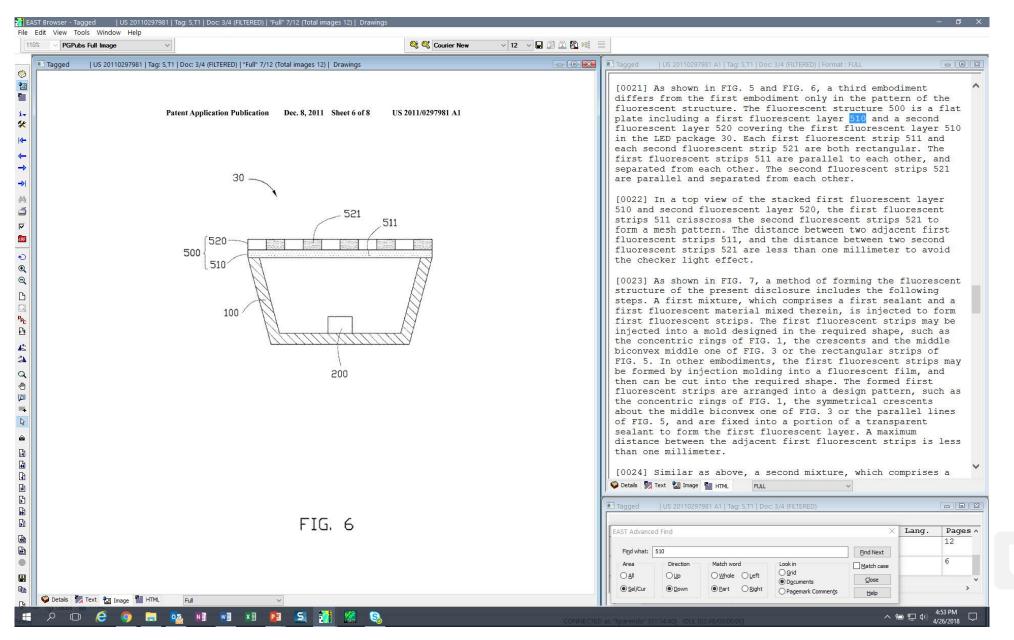


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#### **Fourth Reference**



#### **Fourth Reference**



#### **Additional Search Tools**

- Online databases (e.g., IP.com, IEEE)
- Internet search engines (e.g., Google, Bing)
- Foreign databases (e.g., Espacenet, WIPO)
- Scientific and Technical Information Center (STIC)
  - Electronic Information Centers which support Technology Centers
  - Technology specific search assistance
- Search Strategy Experts (SSE)
  - Search training and assistance



## What did the applicant claim?

Claim 2\*. A method of testing an LED based illumination device comprising the steps of: measuring the color temperature of a plurality of LEDs in an LED illumination device.

Measurement of color temperature of LED devices

Claim 3\*. The LED based illumination device of Claim 1, wherein the <u>first</u> wavelength converting material is YAG.

Wavelength converting material: YAG



<sup>\*</sup>Note: These are hypothetical claims, they were not actual claims from the previously mentioned application.

### NPL search: Standard method of testing

Search string for internet search engine: "ASTM or ANSI or SEMI standards for LED color temperature measurements"

[PDF] LED Color Characteristics

https://www.energy.gov/sites/prod/files/2016/.../led-color-characteristics-factsheet.pdf ▼



Solid-State Lighting Technology Fact Sheet

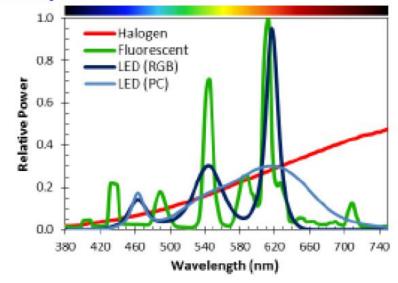
Google: ASTM or ANSI or SEMI standards for LED color temperature measurements

#### **LED Color Characteristics**

Color quality is an important consideration when evaluating lighting products. This fact sheet reviews the fundamentals regarding light and color, summarizing the most important color issues related to white-light LED systems, including color consistency, stability, tuning, and rendering, as well as chromaticity.

#### **LED Emission Attributes**

Individual LED dies, often referred to as chips, emit light in





# Chemical structure search: Search strategy formulation

- Concept to be searched: "Wavelength converting material is YAG"
- Claim does not define "YAG"; consult specification to identify its meaning:

[0043] By way of example, phosphors may be chosen from the set denoted by the following chemical formulas: Y3Al5O12:Ce, (also known as YAG:Ce, or simply YAG)

- Information provided by specification: "phosphor" and "wavelength converting material" are synonyms
- Internet search determines YAG stands for Yttrium Aluminum Garnet

# Chemical structure search: Example of search query and results

Search query for chemical name:

"LED devices containing Yttrium Aluminum Garnet"

**Search Results:** 

Candidates Selected (ID 2)

2338 references were found containing the two concepts "LED devices" and "yttrium aluminum garnet" closely associated with one another.

Reference excerpt:

Ce-doped Al<sub>2</sub>O<sub>3</sub>–YAG (Y<sub>3</sub>Al<sub>5</sub>O<sub>12</sub>, <u>yttrium aluminum garnet</u>) eutectic, a resinfree phosphor for white <u>light emitting diodes</u> (WLEDs), was successfully grown by the Czochralski method. X-ray diffraction and scanning electron microscopy show that this material has a typical eutectic structure of interpenetrating sapphire and <u>garnet</u> phases, as well as lamellar spacing in the order of tens of microns. The eutectic has a higher Ce<sup>3+</sup> segregation coefficient than YAG single crystal. The photoluminescence properties of this eutectic were also investigated. Results show that it is characterized by a wide excitation band, and that the...

## **Questions and Comments**

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