



The Swiss Federal Institute of Intellectual Property's new search services to assist corporate strategic decision-making

Walter Ledergerber ^{*}, Andreas Kurt ¹

Patent Division, Swiss Federal Institute of Intellectual Property (IGE), Einsteinstrasse 2, CH-3003 Berne, Switzerland

Abstract

A further phase of the radical reorganisation and enhancements of the services provided by the Swiss Federal Institute of Intellectual Property in the field of patent information is described. The objective in this phase is to help customers to incorporate intellectual property and patent information into their corporate strategic decision processes. This is facilitated by generating a series of search modules, a selection of which can be linked together optimally to meet a customer's needs. Typical modules outlined include technology trend analysis, and portfolio assessment and competitor analysis, and embrace patentability and infringement patent searches. The objective is further facilitated by the formation of partnerships with organisations that have complementary skills.

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Zusammenfassung

Es wird eine weitere Phase der radikalen Reorganisation und Verbesserung der Dienstleistungen beschrieben, welche das Eidgenössische Institut für Geistiges Eigentum auf dem Gebiet Patentinformation zur Verfügung stellt. Die Zielsetzung dieser Phase ist es, Kunden zu helfen, Informationen des geistigen Eigentums und der Patentinformation in ihre strategischen Entscheidungsprozesse zu integrieren. Dies wird durch eine Reihe von Suchmodulen erreicht, wobei eine Auswahl davon zu Dienstleistungspaketen vereint werden, um die Bedürfnisse des Kunden optimal erfüllen zu können. Typische Beispiele dazu beinhalten unter anderem Technologietrendanalysen, Portfolioanalysen sowie Konkurrenzanalysen und umfassen auch Untersuchungen zu Patentierbarkeit und Patentverletzungen. Diese Zielsetzung wird zudem auch dadurch erreicht, indem Partnerschaften mit externen Organisationen aufgebaut wurden, die ihre ergänzenden Fähigkeiten in die Untersuchungen mit einbringen.

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1. Introduction

The services provided by the Swiss Federal Institute of Intellectual Property (IGE) in the field of patent information have undergone radical changes in recent years. These changes have in part been in response to the changing needs of customers once cheap and easily ac-

cessible patent databases and patent copy supply became available on the Internet. The changes have also been in part fostered by the increasingly financially independent status of the Institute, and by the Institute's decreasing role as a regulatory body in relation to granting patents. Some of these earlier changes have been the subject of articles in this journal by one of the co-authors—see Kurt [1–3].

IGE is Switzerland's national authority for matters pertaining to intellectual property law with one fairly major difference: it is financially independent of the federal budget, which means that it operates according to free-market principles. For this reason, it does not see itself as mainly an administrative agency

^{*} Corresponding author. Tel.: +41-31-322-49-82.

E-mail addresses: walter.ledergerber@ipi.ch (W. Ledergerber), andreas.kurt@ipi.ch (A. Kurt).

¹ Tel.: +41-31-323-01-09.

but more as a competence centre for intellectual property with the function of stimulating local enterprises by encouraging innovation at all stages of the development process, including the exploitation of patents.

The IGE patent division is particularly innovative and user-focused. In response to the problems posed by the dwindling number of national patent applications (there are now only about 2500 a year) and the staffing problems caused by the need for examiners to be not only specialised but fluent in one of three national languages, we set up a team including between two and three full-time equivalent posts in 1999 with the remit to develop new services. The goal was to create structured foundations for corporate strategic decision-making processes, and, after three years of development, that has become a reality in a package of services entitled ‘Manage your progress’.

During the product development phase, three basic guidelines were always kept in the forefront:

- knowledge, not just information;
- integration of IP into the corporate business context;
- complementary partners instead of just regional offices.

2. Knowledge instead of information

Patent professionals have known how to get information from data for a long time, and, since the advent of the Internet, the rest of the world does too. With more than 40 million patents accessible online, that is no mean feat. However, even with a very complex prior art search, that data is still just information. For example, some suppliers just return a pile of patent specifications to their customers. In order to make that information into knowledge, the directly deducible benefit to the customer, in his specific environment, must be identified.

Three types of specialised knowledge are needed to achieve this, namely technical and scientific knowledge, knowledge of possible corporate strategies, and knowledge of patent searching. Only this combination enables data to be analysed and information assessed.

3. Integration into the business context

Enterprises have processes, although they are not always transparent. Responsible for the processes are people whose needs vary depending on the process under their supervision. Although this is a platitude for some, it must be borne in mind that a prior art search can be useful at completely different points in a process. An R&D manager would certainly find this

true; management at the business end might be more interested simply in the end of the process, the exploitation of an innovation, i.e., products, turnover and licences.

4. Search modules

The IGE has now developed a series of module search packets which can be adapted to various individual processes and to the needs of the people responsible for those processes. Rather than having customers come, preferably in person, to simply get information about patents, the Institute has repositioned itself to be an external partner which solves specific problems.

The search service packets are modular in order to be both transparent and possible to produce. There are some 20 modules which can be combined in any way to form a search packet thus offering extraordinarily flexibility to the customer and a large degree of automation for the IGE.

5. Why complementary partnerships?

For the IGE, a partnership is not calling in an expert—even if the privilege is paid for. That is simply buying a service. Nor is it brokering services on preferential terms. That is co-operating but not complementing. A complementary partnership is when people with differing—perhaps for political or legal reasons—competencies offer services together which neither of the two could have offered on their own. In this kind of relationship, one and one can make more than two.

6. Search modules and partnerships in practice—some examples

Take for instance the licensing process. A customer usually wants answers to questions such as, is it even worth licensing an invention? Who would be interested? What is the potential of a licensee? For such a job, the suitable partner would be a licensing consultant firm which would specify the questions; the IGE would then supply the technological benchmark figures, and then the partner would consider what step to take next with the customer. With the patents and products databases maintained by the IGE, a list of enterprises which might be interested in the invention in question is drawn up. Then initial, exploratory contact with possible licensees is made via the partner firm. Once a shortlist is created, the IGE carefully assesses the R&D activities of the

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