

How to Conduct a Patent Search

Step by Step Strategy

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Patent and Trademark Depository Library Program
U.S. Patent and Trademark Office*



What can be patented?

- Any invention that is new, useful, non-obvious, and which is accompanied by a written description disclosing how to make and use it can be patented.

But how do we know if an invention is new and non-obvious?

Today's Topics

- What is prior art?
- What is a preliminary patent search?
- U.S. Patent Classification (USPC)
- Patent Searching, Step by Step
- Benefits of thorough searching

What is Prior Art?

Prior art consists of information disclosed to the public, including:

- Patents, published patent applications;
- Journal and magazine articles; -
- Books, manuals, catalogs;
- Web sites and databases;
- Conference proceedings and scientific papers;
- Among other things...

For more information see: Patents Search Templates

U.S. Patent Search File

- 1790 to present
- More than 7.5 million patent documents
 - Utility, design, plant, reissue, etc.
- Classification updated regularly

The patent search file is one of the largest collections of organized technical information in the world

What is a Preliminary Patent Search?

A preliminary patent search is a classification search of granted U.S. patents and published applications ("prior art") conducted to determine the patentability (novelty) of an invention.

Patent Search Tools

- U.S. Patent Classification System:
 - *Index to the U.S. Patent Classification*
 - *Manual of Classification*
 - *Classification Definitions*
- USPTO Web patent databases (PatFT, AppFT)
- USPTO PubWEST databases – only at PTDLs
- Cassis search databases:
 - *Patents BIB* (bibliographic data)
 - *Patents CLASS* (classification data)
- Cassis DVD
 - *USAPat* (patents)
 - *USApp* (published applications)

What is a Classification?

- In general, a classification system is a system of hierarchical categories used to organize “things” by their characteristics and relationships.
- Classification systems are very useful for sorting and searching large collections of information.

Classification Systems

Animals and Plants:
Linnean System

Books in a Public Library:
Dewey Decimal System

Family Equidae



000 Generalities
100 Philosophy and Psychology
200 Religion
300 Social Science
400 Language
500 Natural Science and Mathematics
600 Technology (Applied Sciences)
700 Arts
800 Literature
900 Geography and History

Sources: Museum of Paleontology, Univ.
of California, Berkeley,
www.ucmp.berkeley.edu.

Sources: Dewey Decimal Home Page,
<http://www.oclc.org/dewey/>

Keyword Searching Problems

Vague or inconsistent terminology:

Toy and Process of Use (Patent 2,415,012)

Obsolete names and terms:

"LP"... "hi-fi"... "laser disc"... "water closet"

Different meanings in different fields:

"Mouse" the Animal v. Computer "Mouse"

Synonyms:

Rodent Extermination Device (Patent 5,185,953)

The Patent Search, Step by Step

1. Brainstorm keywords to describe the invention
2. Use keywords to find initial class/subclass - *Index to the U.S. Patent Classification*
3. Verify the relevancy of class/subclasses using the Classification Schedule - *Manual of Classification*.
4. Confirm scope of subclass - *Classification Definitions*
5. Access complete patent documents and published applications by classification
6. Review the claims, specifications and drawings of documents retrieved
7. Retrieve and review related cited references and "Field of Classification Search" for additional areas to search

STEP 1: Describe the Invention

What does it do?

- Essential function of the invention.

What's the end result?

- Essential effect or basic product resulting from the invention.

What is it made of?

- Physical structure of the invention.

What is it used for?

- Intended use for the invention.

The Better Mousetrap

Mousetrap, mouse trap, rodent, vermin, pest, mammal, trap, trapping, capturing, etc.

Rotating Dowel

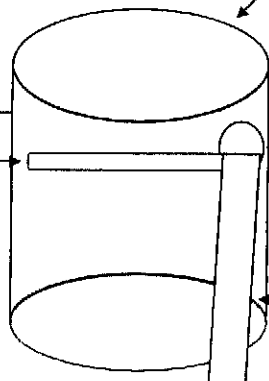
Axle
Cylinder
Pipe
Platform
Rod
Bobbin

Container

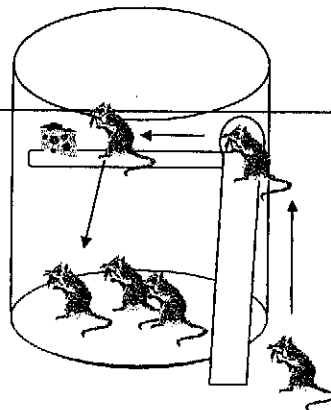
Bin
Box
Bucket
Pail
Receptacle

Opening
Access way
Doorway
Entrance
Entryway
Portal

Ramp
Ladder/steps
Inclined plane



How It Works



STEP 2: Initial Class/Subclass

Index to the U.S. Patent Classification

- Use the *Index* to find your initial class(es) and subclass(es).
- Look up terms that describe your invention, e.g. function, composition, etc.
- Note class and sub-class numbers for each term.
- + indicates that additional sub-classes may be relevant.

www.uspto.gov

The screenshot shows the USPTO website with a news article titled "Hall of Fame Inventor Forrest Bird to Speak at Independent Inventor Conference". The article mentions that Dr. Bird, inventor of the "Baby Bird" respirator, will speak at the Chicago Regional Inventor Conference on July 28-29. The website also features a sidebar with links to various USPTO services and a "STOP FAKES GOV" banner.

UNITED STATES PATENT AND TRADEMARK OFFICE
An Agency of the United States Department of Commerce

NEWS

Hall of Fame Inventor Forrest Bird to Speak at Independent Inventor Conference
Byron L. Bird, President, Bird's Eye View

Dr. Forrest Bird, whose invention of the "Baby Bird" respirator has saved the lives of millions of babies over the years, has joined the roster of speakers for the Chicago Regional Inventor Conference on July 28-29. Dr. Bird was inducted into the National Inventor Hall of Fame in 1995.

The Conference is co-sponsored by the United States Patent and Trademark Office (USPTO), Northwestern University School of Law and the National Inventor Hall of Fame. It will be held at the Northwestern School of Law, 375 E. Chicago

Other speakers of the event include: Commissioner for Patents John Doll and Louis Forstman, CEO of Emerytye, a product design and manufacturing firm. Forstman is also executive producer of the upcoming PBS series "Everyday Engineers." The series, which features the inventions of 14 independent inventors, will premiere in September.

Various USPTO experts will be on hand to conduct workshops and one-on-one meetings with attendees. The two days will be packed with vital information for both novice and seasoned inventors. Space is limited so register now. For more details on the conference and to register, click here.

USPTO To Give Patent Filers Accelerated Review Option

www.uspto.gov/patft/

United States Patent and Trademark Office

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Patent Electronic Business Center > Patent Full-Text and Full-Page Image Databases

Issued Patents (PatFT) (full-text since 1976, full-page images since 1996)	Published Applications (AppFT) (published since 15 March 2001)
<ul style="list-style-type: none">Quick SearchAdvanced SearchPatent Number SearchView Patent Full-Page Images How to View Patent ImagesStatus & Event HistoryDatabase ContentsHelp Files	<ul style="list-style-type: none">Quick SearchAdvanced SearchPublication Number SearchView Publication Full-Page Images How to View Published Application ImagesStatus & Event HistoryHelp Files

Information Applicable to Both Databases

Important Notices and Policies - Please read!
How to Access and View Full-Page Images
Problems Using the Databases?
Report Errors in Data Content

Related USPTO Services

Tools to Help in Searching by Patent Classification
Patent Application Information Retrieval (PAIR)
Patent Assignment Database
Downloadable Published Sequence Listings

www.uspto.gov/go/classification/

United States Patent and Trademark Office

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Index to the USPC.

Patents > Substances, Tools, and Manuals > Classification Information

Class Numbers & Titles | Class Numbers Com | Index to the U.S. Patent Classification (USPC) System | International | HELP | Office of Patent Classification

Site Date is Current as of February 2006.

A. Access Classification Info by Class/Subclass HELP

1. Enter a US Patent Classification...

/

Class (required)/Subclass (optional)
e.g., 704/1 or 482/1

2. Select what you want...

☐ Class Schedule (HTML)
☐ Printable Version of Class Schedule (PDF)
☐ Class Definition (HTML)
☐ Printable Version of Class Definition (PDF)
☐ US-to-IPC8 Concordance (HTML)
☐ US-to-IPC8 Concordance (PDF)
☐ US-to-Locarno Concordance

3.

B. Search

Can't find what you want? Try...

FIRSTGUV

Search for:

FirstGov Search Tips

Index to U.S. Patent Classification

United States Patent and Trademark Office

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Patents > Guidance, Tools, and Manuals > Classification > Index to the USPC

Class Numbers & Titles > Class Numbers Only > USPC Index > International > HELP > Office of Patent Classification

Index to the USPC

Select a letter and format to go to the index

Index to the United States Patent Classification (USPC) System

- Select what you want...
 - ☒ Index in HTML
 - ☐ Index in PDF
- Select letter ...

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

Note: Some content linked to on this page may require a plug-in for Adobe Acrobat Reader.

Go to "M" to look up first keywords, "mouse trap" and "mousetrap."

Index Term "Mouse"		
Mounting		
Tires on wheels		157
Mouse		
Computer input and control devices . . .	345/156+	
Guard		
Piano pedal openings	84/233	
Multicellular living organisms	800	
Traps	43/58+	
Mouth		
Bag holders	248/99+	

Brainstorm other terms

Don't forget to check other keywords, for example "rat," "rodent," "trap" and "trapping," in order to locate additional classifications.

Index Term "Trap"

Transuranium Compounds	
Inorganic	423/250+
Organic	534/11+
Trap & Trapping	
Animal, etc.	43/58+
...	
Design	D22/119+
...	
Fish, game, vermin traps	D22/119+
...	

Additional design classification.

STEP 3: Classification Schedule

Manual of Classification

- Check the MoC for the class(es) and subclass(es) you've identified in Step 1.
- Scan the entire class schedule, paying attention to the "dot indents."
- Revise search strategy as needed.
- Remember subclasses are not necessarily listed in sequential order. Focus instead on the outline of the schedule.

Class Schedule v. Essay Outline

Class 43 FISHING, TRAPPING, AND VERMIN DESTROYING

- 58 TRAPS
- 64 . Self and ever set
- 65 .. Nonreturn entrance
- 66 ... Victim-opened
- 67 ... Victim-closed
- 68 .. Sinking compartment
- 69 .. Tilttable platform
- 70 ... Trigger-released
- 71 .. Rotatable platform
- 72 ... Trigger-released
- 73 . Self-reset
- 74 .. Rotating door or platform
- 75 .. Smiting
- 124 VERMIN DESTROYING
- 125 . Fumigators

TITLE OF THE ESSAY

I. MAIN TOPIC

A. Major Point

1. Sub point

a. Minor Point

b. Minor Point

2. Sub point

3. Sub point

a. Minor Point

4. Sub point

a. Minor Point

B. Major Point

1. Sub point

2. Sub point

II. MAIN TOPIC

A. Major Point

Classification Schedule

United States Patent and Trademark Office
Home Site Index Search FAQ Glossary Guides Contacts eBusiness eClass Alerts News Help

Patents > Guidance, Tools, and Manuals > Classification > Plain Menu

Class Numbers & Titles | Class Numbers Only | Index to the U.S. Patent Classification (USPC) System | International | HELP | Office of Patent Classification
Site Data is Current as of February 2006.

A. Access Classification Info by Class/Subclass HELP

1. Enter a US Patent Classification...
 /
Class (required)/Subclass (optional)
 e.g., 704/1 or 482/1

2. Select what you want...
☒ Class Schedule (HTML)
☐ Printable Version of Class Schedule (PDF)
☐ Class Definition (HTML)
☐ Printable Version of Class Definition (PDF)
☐ US-to-IPC8 Concordance (HTML)
☐ US-to-IPC8 Concordance (PDF)
☐ US-to-Locarno Concordance

3.

B. Search

Note PDF and HTML display options.

Classification Schedule – Class 43

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Home Site Index Search FAQ Glossary Guides Contacts eBusiness eClass Alerts News Help

Patents > Guidance, Tools, and Manuals > Classification > Class Schedule

Class Numbers & Titles | Class Numbers Only | USPC Index | International | HELP

Class 43 FISHING, TRAPPING, AND VERMIN DESTROYING

Click here for a printable version of this file

1 MISCELLANEOUS
 2 DECOYS
 3 Duck
 4 FISHING
 4.5 Methods of fishing
 5 Fish landing devices combined with tackle, e.g., gaffs, grapples
 6 Harpoons and spears
 6.5 Gathering or catching device with conveyor to boat
 7 Nets
 8 Handling apparatus
 9.1 Trawl
 9.2 Having excluder device
 9.3 Having limiting or limit indicating feature
 9.4 Bottom running sled
 9.5 Bottom running roll
 9.6 Utilizing electrical shock to control fish or aquatic animal
 9.7

Are you in the correct class?

Classification Schedule - Traps

Note: subclass numbers are not necessarily listed in sequential order. They are subclass identifiers and shift position when that subclass is moved within a schedule.

57	... Aerating pump
57.1	.. Hook
57.2	... Holder for snelled hook under tension
57.3	.. Trotline holder
58	TRAPS
59	.. Burglar
60	.. Imprisoning
61	.. Swinging or sliding closure
62	.. Failing encaging member
63	.. Jaw cage type
64	.. Self and ever set
65	.. Nonreturn entrance
66	... Victim-opened
67	... Victim-closed
68	.. Sinking compartment
69	.. Tilttable platform
70	... Trigger-released
71	... Rotatable platform
72	.. Trigger-released
73	.. Self-reset
74	.. Rotating door or platform
75	.. Smiting

43/69

43/71

43/74

STEP 4: Check Definitions

Classification Definitions

- Read the corresponding subclass definitions to establish the scope of subclass(es) relevant to your search.
- Definitions also include "See" references that will point you to additional appropriate classes and subclasses.

www.uspto.gov/go/classification/

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Patents > Guidance, Tools, and Manuals > Classification Main Menu

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Site data is current as of February 2005.

A. Access Classification Info by Class/Subclass HELP

1. Enter a US Patent Classification...
 /
Class (required) / Subclass (optional)
 e.g. 1041 or 4821

2. Select what you want...
☒ Class Schedule (HTML)
☐ Printable Version of Class Schedule (PDF)
☐ Class Definition (HTML) **Class Definitions**
☐ Printable Version of Class Definition (PDF)
☐ US-to-IPC8 Concordance (HTML)
☐ US-to-IPC8 Concordance (PDF)
☐ US-to-Lucarno Concordance

3.

B. Search
 Can't find what you want? Try...
 [FirstGov Search Tips](#)

United States Patent and Trademark Office
Home Site Index Search FAQ Glossary Guides Contacts Citations Alerts News Help

Res. Patents > Guidance, Tools, and Manuals > Classification
 Class Numbers & Titles | Class Numbers Only

Class 43 FISHING, TRAPPING, AND VERMIN DESTROYING
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1	MISCELLANEOUS
2	DECOYS
3	Duck

69 **Tiltable platform**
 This subclass is indented under subclass 64. Traps including one or more trap-doors or platforms normally held in a substantially horizontal position by gravity, springs, weights, etc., but capable of tilting under the weight of the animal to precipitate the latter into a container below.
 (1) Note. These traps are distinguishable from the nonreturn-entrance traps having victim-opened gates by the fact that here the animals are precipitated into a container below.

SEE OR SEARCH THIS CLASS, SUBCLASS:

74, for self-reset traps with a rotating door or platform.

SEE OR SEARCH CLASS:

119, Animal Husbandry, subclass 158 for means for dumping livestock into a treating bath.
 232, Deposit and Collection Receptacles, subclass 47 for letter box traps and 55, for coin traps.

71 **Rotatable platform**
 This subclass is indented under subclass 64. Traps having a rotatable structure with wings or webs forming a plurality of platforms operated by the weight of the animal to revolve about a horizontal axis, the arrangement being such that the animal is precipitated into a receptacle below, while the rotating structure stops only because of friction.

SEE OR SEARCH THIS CLASS, SUBCLASS:

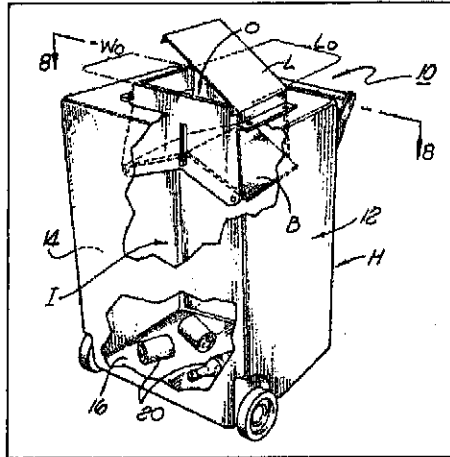
74, for similar self-reset traps.

SEE OR SEARCH CLASS:

232, Deposit and Collection Receptacles, subclasses 60+ for rotatable coin traps.

"See" references

Why Class 232/60?



Proximate function:
“similar processes
or structures that
achieve similar
results are
considered to have
the same
fundamental utility.”

Source: Examiner Handbook on the Use of the USPC, www.uspto.gov.

STEP 5: Access Documents

Retrieve the entire subclass listing to obtain a list of **all patent documents**, including **published patent applications**, for every selected class and subclass you've identified.

Full-Text Access Methods

- USPTO Web databases:
 - PatFT: Full text and Image Patents.
 - AppFT: Full text and Image PGPubs (applications).
- PubWEST databases:
 - Combine US Patents and US Pre-Grant Publication databases
- DVD Products:
 - *USAPat* (patents).
 - *DVD USAApp* (pub. applications).
- Microfilm (for patents, not applications)

Access Patents from the Schedule

<input type="checkbox"/> P	64	. Self and ever set
<input type="checkbox"/> P	65	.. Non-return entrance
<input type="checkbox"/> P	66	... Victim-opened
<input type="checkbox"/> P	67	... Victim-closed
<input type="checkbox"/> P	68	.. Sinking compartment
<input type="checkbox"/> P	69	.. Tilttable platform
<input type="checkbox"/> P	70	... Trigger-released
<input type="checkbox"/> P	71	.. Rotatable platform
<input type="checkbox"/> P	72	... Trigger-released
<input type="checkbox"/> P	73	Self-reset
<input type="checkbox"/> P	74	.. Rotating door or platform

Click on "P" icon to retrieve all patents in the given subclass.

List of Patents Retrieved for 43/71

Searching 1790 to present...

Results of Search in 1790 to present db for:
CCL43/71: 34 patents.
Hits 1 through 34 out of 34

Search Results

Search Results CCL43/71

PAT. NO.	Title
1 6,557,295	T Rodent trap device
2 6,212,812	T Reusable, odorless rodent trap
3 6,016,623	T Rodent trap
4 5,996,274	T Rodent trap
5 5,782,034	T Rodent trap
6 5,528,852	T Rotating cylinder rodent trap
7 5,327,674	T Trap for harvesting earthworms
8 5,115,595	T Rodent trap
9 4,845,887	T Scented mouse trap
10 4,372,074	T Animal trap
11 4,155,193	T Automatic all-purpose trap for catching small animals alive
12 2,565,142	43/121-43/71 43/131
13 2,471,540	43/71 43/74

"Rotating cylinder
rodent trap."

Access Applications from AppFT



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Patent Electronic Business Center > Patent Full-Text and Full-Page Image Databases

Issued Patents (PAIR)
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- Advanced Search
- Patent Number Search
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How to View Patent Images
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(published since 15 March 2001)

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Also retrieve published
applications



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Patents > Guidance, Tools and Manuals > Classification > Class Schedule

Class Numbers & Titles: 1 Class Numbers Only 1 USPC Index 1 International 1 HELP

☒ Class 43 FISHING, TRAPPING, AND VERMIN DESTROYING

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- 1 MISCELLANEOUS
- 2 DECOYS
- 3 Duck

STEP 6: Review Claims & Specs

SUMMARY OF THE INVENTION

In view of the foregoing disadvantages inherent in the known types of trapping devices now present in the prior art, the present invention provides a new rotating cylinder rodent trap construction wherein the same can be utilized for capturing rodents. As such, the general purpose of the present invention, which will be given in greater detail, is to provide a new trap apparatus and method which takes of the trapping devices many novel features that result in a trap which is not anticipated, nor even implied by any of the prior art, either alone or in any combination thereof.

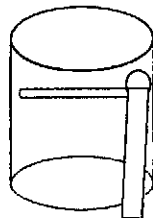
To attain this, the present invention for capturing rodents within a device includes an axle having a ramp thereon. A mounting assembly is positioned at an open upper end of a container ground surface to the upper end of a container and onto the cylinder wall of the container.

There has thus been outlined, in brief, the important features of the invention, and in order that the present construction may be better appreciated, there are additional features of the

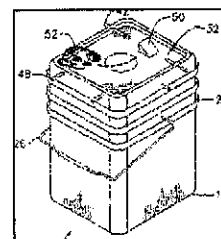
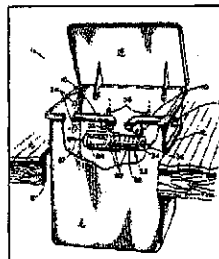
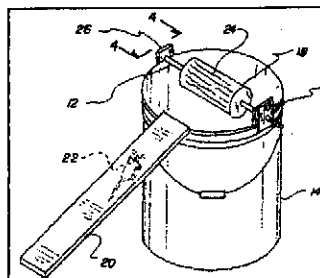
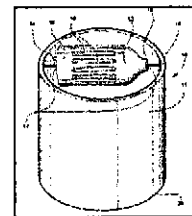
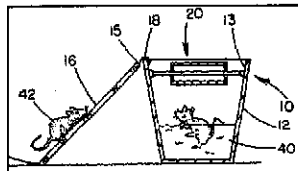
What is claimed as being new and desired to be protected by LETTERS PATENT of the United States is as follows:

1. A rotating cylinder rodent trap comprising:
 - a container;
 - an axle of substantially elongated configuration positioned across an open end of said container;
 - a cylinder rotatably mounted about the axle so as to be positioned in a substantially horizontal orientation centered over the open upper end of the container;
 - a ramp extending from the open upper end of the container and downwardly therefrom so as to be positionable upon a second surface;
 - and a mounting means for securing the axle across the open upper end of said container, said mounting means

STEP 6: Review Drawings



← My mousetrap.



STEP 7: Cited References

Abstract

A trap for capturing rodents within a bucket. The inventive device includes an axle having an axle assembly secured to the axle across an open upper end of a container. A ramp extends from the axle whereby a comestible paste applied to the cylinder will lure a rodent up the ramp and into the container.

Inventors: Sarff; Entry R. (P.O. Box WWB, Ketchikan, AK 99950-0280)

Appl. No.: 446426

Filed: May 22, 1995

Current U.S. Class:

Intern'l Class:

Field of Search:

43/71; 43/64; 43/69

A01M 023/10

43/71,74

Forward citation search links patents that cite the displayed patent.

References Cited [Referenced By]

864200
1090750

Aug., 1907
Mar., 1914

U.S. Patent Documents

Shelton
Teach

43/72,
43/17

References provided by the applicant and patent examiner.

Additional classifications to search?

STEP 7: Forward Linking

Searching 1996-2004...

Results of Search in 1996-2004 db for:

REF/5,528,852: 6 patents.

Hits 1 through 6 out of 6

Six patents issued after 1996 cite patent 5,528,852.

Advanced Search

Advanced Search: ref/5,528,852

PAT. NO. Title

1 5,263,612 T Rodent trap

2 5,212,819 T Reusable, odorless rodent trap

3 5,996,274 T Rodent trap

4 5,782,034 T Rodent trap

5 5,720,126 T Mouse catching apparatus

6 D382,039 T Mouse trap with ramp and spinning bait bobbin

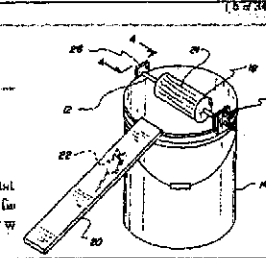
STEP 7: Field of Search

United States Patent
Sarff

Rotating cylinder rodent trap

Abstract

A trap for capturing rodents within a bucket. The inventive device includes an axle having a cylinder rod assembly secures the axle across an open upper end of a container. A ramp extends from a ground surface whereby a comestible paste applied to the cylinder will lure a rodent up the ramp and onto the cylinder w container.



Inventors: Sarff; Entry R. (P.O. Box WWP, Ketchikan, AK 99950-0280)
Appl. No.: 446426
Filed: May 22, 1995

Current U.S. Class:
Internal Class:
Field of Search:

43/71; 43/64; 43/69
A01M 023/10
43/71,74

The Field of Search shows additional classes searched by the patent examiner.

The Patent Search, Review

1. Brainstorm keywords to describe the invention
2. Use keywords to find initial class/subclass - *Index to the U.S. Patent Classification*
3. Verify the relevancy of class/subclasses using the Classification Schedule - *Manual of Classification*.
4. Confirm scope of subclass - *Classification Definitions*
5. Access complete patent documents and published applications by classification
6. Review the claims, specifications and drawings of documents retrieved
7. Retrieve and review related cited references and "Field of Classification Search" for additional areas to search

Tips for Savvy Searchers

- Have realistic expectations
- Ask the right expert
- Plan your search
- Be Persistent
- Take notes

Document Search & Results

- Note date and time of search
- Document the classifications searched
- List databases used
- Save/Print lists of patents/applications numbers retrieved
- Save/Print copies of full text for the most relevant patents and applications
- Keep lists of related cited references

Save Time and Money



Remember the Novelty Requirement: You can't patent an invention that has already been patented or disclosed in a published application ("prior art").

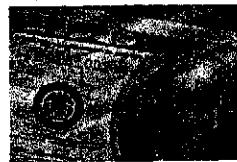
The USPTO won't refund your money if it rejects your application based on existing prior art, among other reasons.

Reduce Risk



A patent search will determine if an invention or process you want to license, use, produce, import or sell is patent protected.

Remember: Someone could sue you for patent infringement!



Reduce Legal Costs



- A patent search and analysis can average \$1,500.
- Hiring a patent attorney or agent to prepare the application will average \$5,500 for an "invention of minimal complexity"

Source: American Intellectual Property Law Association
2003 Report

Go to USPTO Web site, www.uspto.gov, for the current directory of registered patent attorneys and agents.

How to Conduct a Patent Search Step by Step Strategy

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