

Patent Searching

Patents provide a vast resource of technical information, which can be searched for a variety of reasons. You may wish to check whether a new product infringes an earlier patent, determine whether an invention is new and patentable, or watch developments in a particular class of technology or a competitor's activities.

Infringement Searching

Before launching a new product it is prudent to ensure that it will not infringe an earlier patent. This type of search is relatively effective, since detailed consideration is limited to Australian patents which are in force. If you intend to trade overseas you should extend the search to include those overseas countries.

Patentability Searching

An invention must be new and inventive in order to be patentable. Patent Offices around the world conduct searches, mainly of earlier patents and published applications, as part of their examination procedure. They may cite earlier relevant documents they find to support a refusal of a patent application, on the ground that it lacks novelty or inventive step. An earlier patentability search can anticipate examination and provide you with a good indication of the likelihood of your application being successful.

Subject Matter Searching

It is sometimes useful to know the direction in which a particular technology is developing or which of your competitors are most actively filing patent applications in a chosen technical field. These searches can be conducted on-line at reasonable cost, with the results reported periodically.

Watching

In industries that are governed by a small number of dominant organisations, it may be particularly important to watch the patent filings and progress of competitors' applications in order to compete effectively. This type of watch can be conducted routinely and reported on a regular basis. It is also possible to conduct "family" searches to determine whether a patent or application has equivalents, divisionals or continuations in other countries.

Limitations of Searching

However much time and money is spent conducting searches, it is impossible to be completely sure that every relevant item has been found. Databases are sometimes incomplete. Classification schemes can be difficult to interpret, and mistakes are sometimes made in classifying documents and in searching the correct classes. There is a delay before documents are captured on databases. Finally, since patents are not usually published for at least 18 months, there is a time lag before a completely up-to-date search can be made.

Griffith Hack is able to conduct all types of searches and to provide you with detailed analyses of the results. We have on-line facilities to search the Australian Patent Office databases and other commercially available on-line databases. Our offices in Melbourne, Sydney, Brisbane and Perth have ready access to the Patent Office in those cities.

For more information please visit our website
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