



Patent Search Reports - when do you receive them and what to do with them?

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Patent Search Reports issued by the European Patent Office (EPO) provide valuable insights both for the patent assignees as well as for their competitors, in particular regarding the grant procedure chances of success.

Filing a patent is an essential step in protecting an invention towards its industrial and commercial exploitation. The protection may last up to 20 years and covers designated territories which are usually the countries where the inventor(s) or the company - called 'assignees' - aim at commercialising or producing the product related to its invention.

Patentability

There are numerous strategies for filing a patent, starting from a national patent office to going directly to the European Patent Office, targeting a national, European or worldwide scale protection.

In all cases and in order to be granted, beyond the national provisional grant, the invention must fulfil three criteria:

1. Novelty
2. Inventiveness
3. Industrial application

In Europe, the grant procedure and the determination about these criteria fulfilment are supported by Search Reports issued and published by the European Patent Office. Those reports contain essential information regarding the patentability of an invention, through (i) the identification of most relevant prior-art documents related to the application and (ii) the examination of the filed claims with regards to those documents. Additionally, a classification code is assigned to the invention.

EUROPEAN SEARCH REPORT

Application Number: EP 00 16 0100

DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Relevant to claim	Relevant to search	Relevant to classification
A	EP 0 813 138 A2 (ROCHELL INTERNATIONAL CORP. [US]) 17 December 1997 (1997-12-17) * column 6, line 12 - column 8, line 26 * * column 8, line 32 - column 9, line 4; Figure 1 *	1-13	29C, 601/1/17
Y	US 6 170 429 A (CHEN SATONG [US] ET AL.) 3 October 1999 (1999-10-03) * column 2, line 57 - column 4, line 28; Figure 2 *	1,3-7	
Y	US 6 143 829 A (YAMADA SHINICHI [JP] ET AL.) 29 December 1999 (1999-12-29) * column 33, line 30 - column 35, line 45; Figures 2,3,16 *	1,3-7	
A	FR 2 864 428 A2 (COMPESANT ENERGIE ATOMIQUE [FR]) 3 July 2005 (2005-07-03) * page 4, line 18 - page 6, line 33; Figure 3 *	1-13	
A, D	US 2004/064168 A1 (SCHENKER DIT PAUL [CH]; HEDENMANN CHRISTIAN [CH]; SCHMITT HUBERT [CH]) 29 July 2004 (2004-07-29) * the whole document *	1-13	601/1
E	US 2004/131161 A2 (HARRIS PHOTOONICS KK [JP]; MOTO HARUOKI [JP]; KUSAKA RYUJI [JP]) 29 October 2004 (2004-10-29) * Figure 12 *	1	

The search report has been done up to all claims.

The Report was made on: 23 March 2010

Examiner: Mulverryck, J

WIPO WORLD INTELLECTUAL PROPERTY ORGANIZATION

The cited documents are linked to the relevant claims and a category code, called 'kind code', is attributed. This code qualifies the link between the document and the claims. On the basis of those codes, claims are deemed to be novel and/or inventive or not.

It is worth noting that, even with rather negative categorization of several claims, the search report remain an opportunity for the assignee to amend the patent (description, claims, drawings) towards a potential grant.

Besides, these reports are also a chance for the competitors to have a better overview of which elements of the invention are liable to be legally protected in the near future.

Would you like to know more about this or any other IP topic? Contact our experts.

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