Agenda

- Introduction – Disclose at Your Own Risk!
- Prior Art Searching - Patents
  - Understanding “Prior Art” and Different Types of Searches
  - Tools / Techniques for Performing Searches
- Q&A
- Searching on Your Own
Patent Time Line – Why Prior Art is Important

- File application
- Third party submissions
- Publication of application
- 6 months after publication or before first Office action or Notice of Allowance
- 18 months from filing
- 1 or more office actions rejecting 1 or more claims based on any of the patentability requirements
- Post-grant review
- Supplemental examination
- Ex parte reexamination
- Inter partes review
- Information Disclosure Statements are required throughout prosecution
- Patent Issue Date
- 9 months from issue
- Infringement action
Types of Prior Art Searches

- **Patentability Search** – Determines if prior art exists that would be an obstacle to getting a patent for an invention.

  The scope of this search is broad because it tries to find relevant documents including United States and international patents, published patent applications, and non-patent printed publications such as papers, web sites, and presentations.

- In general, any “public domain” knowledge created before the invention occurred might be relevant.
Types of Prior Art Searches

- **Validity Search** – This search determines the validity of an issued patent by locating any prior art documents or references that would invalidate one or more of the patent claims.

- This search broadly considers prior art documents predating the priority date of the patent in question.
Types of Prior Art Searches

- **Infringement Search** – This search involves comparing a proposed product or service to non-expired United States patents to determine whether a patent claim “reads on” the product or service.

- This search uncovers issued and unexpired United States patents and published patent applications.
Types of Prior Art Searches

- Clearance Search – Similar to an infringement search, but also tries to find expired prior art documents.

- Strategy is that one might safely “practice the prior art” with reduced risk of patent infringement.
Types of Prior Art Searches

- **State-of-the-Art Search** – Looks at a broad, general inventive concept without specific implementation details.

- Scope of search can include broad range of different prior art to assess the “lay of the land” in the technical space in question.
United States Patent
Landers et al.

TIRE WITH LABEL

Inventors: Samuel Patrick Landers, North Canton, OH (US); Max Harold Dixon, Kent, OH (US); Frank Helmut Bucher, Konz (DE)

Assignee: The Goodyear Tire & Rubber Company, Akron, OH (US)

Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 130 days.

Appl. No.: 13/590,668
Filed: Aug. 21, 2012

Prior Publication Data

Related U.S. Application Data
Provisional application No. 61/561,987, filed on Nov. 21, 2011.

Int. Cl.
B60C 13/00 (2006.01)
B60C 13/02 (2006.01)

U.S. Cl.
USPC .................. 152/523; 152/524; 152/525

Field of Classification Search
None
See application file for complete search history.

References Cited
U.S. PATENT DOCUMENTS

Patent No.: US 8,869,854 B2
Date of Patent: Oct. 28, 2014

FOREIGN PATENT DOCUMENTS
EP 2070677 B1 8/2010
JP 2008247374 A 10/2008
KR 2008010157 A 10/2008
KR 109940512 B1 2/2010
WO 2006081197 A2 8/2006

OTHER PUBLICATIONS

* cited by examiner

Primary Examiner — Justin Fischer
Attorney, Agent, or Firm — June E. Rickey

ABSTRACT
A pneumatic tire is disclosed having a label affixed to a plurality of whisks extending from the outer sidewall of the tire. The whisks may be T shaped. The label may be colored.

4 Claims, 7 Drawing Sheets
U.S. Patent No. 8,869,854

- Who are the inventors?
- Who is the assignee?
- What’s the invention?

We claim:

1. A pneumatic tire comprising a tread, and a sidewall having a plurality of sidewall whiskers formed in a specified pattern, wherein the sidewall whiskers project from the outer surface of the sidewall, and a label having an upper surface and a lower surface, wherein the lower surface of the label has a plurality of T shaped whiskers which project from said lower surface and which are affixed to the sidewall whiskers with an adhesive.

2. The pneumatic tire of claim 1 wherein the label is formed of polyvinyl chloride.

3. The pneumatic tire of claim 1 wherein the label is colored.

4. The pneumatic tire of claim 1 wherein the tire sidewall has T shaped whiskers.
Hypothetical

- You are the inventor of the tire label mount claimed in U.S. Patent No. 8,869,854
- You work for Yourself, Inc.
- You want to conduct a patentability search on the tire label mount invention

*Let’s get started!*
Patentability Search

- Resources
  - www.uspto.gov
  - www.google.com/patents
  - Many more!

- Keyword search
  - Label
  - Indicia
  - Tire
  - Rubber
  - Elastomer
  - Whisker
  - Tongue
  - Snap-fit
  - Friction-fit
  - Interference-fit
  - Adhesive
  - …
Patentability Search

- Example: indica and tire (1717 search results)
- Example: abst/(indicia and tire) (45 search results)
- Example: ttl/(indicia and tire) (4 search results)
- Example: abst/((indicia OR label) AND (tire OR rubber)) (139 search results)
- Example: tire AND (label OR indicia) AND (snap$ OR friction$ OR interfer$) (1470 search results)
- Example: tire AND (label OR indicia) AND ("snap fit" OR "snap-fit") (104 search results)
Patentability Search

- Inventor search
  - Example: in/landers-samuel$ (81 search results)
  - Example: in/dixon-max$ (94 search results)
  - Example: in/bucher-frank$ (1 search result)

- Assignee search
  - Example: AN/"the goodyear tire & rubber company" (5668 search results)
  - Example: AN/"the goodyear tire & rubber co" (23 search results)
  - Example: an/goodyear (5884 search results)
Patentability Search

- U.S. Patent Classification
  - [http://www.uspto.gov/web/patents/classification/selectnumwithtitle.htm](http://www.uspto.gov/web/patents/classification/selectnumwithtitle.htm)
  - U.S. Class 152 – resilient tires and wheels
    - Subclass 523 – arrangement of grooves or ribs in sidewall
    - Subclass 524 – having annular inlay or cover on sidewalls (e.g., white sidewalls, etc.)
    - Subclass 525 – characterized by chemical composition or physical properties of external sidewall materials
Patentability Search

- Example: ccl/152/523 (204 search results)
- Example: ccl/152/524 (129 search results)
- Example: ccl/152/525 (293 search results)
- Example: ccl/152/$ and (label or indicia) (139 search results)
- Example: ccl/152/$ and ABST/(label or indicia) (20 search results)
- Example: ccl/152/$ and (snap-fit OR "snap fit") (19 search results)
- Example: ccl/152/$ and (interference-fit OR "interference fit") (83 search results)
THANK YOU!

- Laurén S. Murray
  (412) 355-7471
  lauren.murray@klgates.com