



# EXPRESS SEARCH

21st Century Patent Research

## Non-Patent Literature Research

### **How is Non-Patent Literature Research Used?**

Non-patent literature provides similar benefits to patent prior art during prosecution, litigation, and re-examination proceedings.

Scholarly articles and documents within the public domain are an ever-increasing presence in the realm of intellectual property, as well as a growing requirement by the USPTO.

Relevant articles can be efficiently located to provide support for intellectual property endeavors, from validity to clearance research.

These articles point out key elements that were known to those skilled in the art prior to a patent's publication and provide insight into the development of cutting edge technologies.

### **How is Non-Patent Literature Research Conducted?**

The viability of non-patent literature as an aid to patent research has greatly increased over the past decade with the maturation of online data collections.

It was recognized that when conducting non-patent literature research the major limitation was not on the time spent doing the research, but rather the cost of accessing the standard databases.

Database developments, particularly with regard to federated databases, provide a relatively newfound access to scholarly publications. In most cases, it is possible to locate highly relevant non-patent literature without incurring substantial database costs.

The advent of federated databases, coupled with an experienced background in non-patent literature research and its diversified search strategy formation, offers an alternative to standard subscription database research and its associated cost.

Express Search utilizes both subscription and free databases, depending upon the field of technology and individual case requirements. Our researchers are skilled at identifying the right non-patent literature in the most cost effective manner possible.

### **Non-Patent Literature Research Fees**

- Cost: \$115 per hour
- Recommended hours: 6-12 hours

We have successfully provided Accelerated Examination *Pre-Examination Support Documents* based entirely on free databases. These databases highlight a widely available pool of free information. Additionally, these databases balance the increased USPTO requirements with a cost-effective research alternative.

### **Who Benefits from Non-Patent Literature Research?**

All patent research may benefit from the inclusion of non-patent literature with standard patent prior art. It provides a window into the field of art that can strengthen claims of novelty and enforceability.

USPTO initiatives to reduce examiner workload, along with the increased availability of non-patent literature resources, will dictate an increased role for non-patent literature in the intellectual property arena.

Complex filings already require non-patent literature components. Express Search has refined the process from both a research and cost-benefit perspective, offering a thorough, detailed, and professionally viable addition to traditional patent research results.

### **Search Results Include:**

- Opinion-free comments
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