**Study Note:** The study of this module will take you around 13 hours. You may find it convenient to break your study after each search activity. Please note that you MUST have access to the internet.

#### Important Note:

In the exercises and activities that follow, the number of hits (i.e., the number of results or documents found) may be given. However these numbers should be regarded as indicative only, since online databases are updated frequently and the numbers of hits will therefore continually change.

Also, since functionality and screen layout change regularly, what you see on your screen may differ from what is shown in the Module.

### MODULE 4: PATENT INFORMATION SEARCH TRAINING

#### Learning outcomes

On successful completion of this module, students will be able to:

- put into practice the basic searching skills built up during previous modules
- identify clues and hints to guide searches
- use different national and regional patent search resources appropriately to identify the particular patent information required
- compare the results of searches with model answers in order to identify and learn from any differences, recognising however that given the nature of patent searching, there is rarely one 'right' answer to any particular search

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  - 4.1.3 Choosing classification symbols
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  - 4.1.5 Finding publication dates of prior art
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4.2.2 Search Activity – Finding an application where the inventor has a common name

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4.2.5 Search Activity - Finding a patent where the inventor has a common name

4.3 Finding some well known inventions

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4.3.2 Search Activity – Finding a famous invention from its technical description

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4.4 Finding patent documents using keywords

- 4.4.1 Search Activity Choosing the best keywords
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- 4.5.2 Search Activity Using classification symbols to perform a search
- 4.6. Finding patent documents using a combination of keywords and IPC symbols

4.6.1 Search Activity - Waste water revisited

- 4.6.2 Search Activity Alarm system revisited
- 4.7 Finding patent family members
  - 4.7.1 Search Activity The 1983 America's Cup
- 4.8 More complex searches
  - 4.8.1 Search Activity Finding the patent for the vaccine Tamiflu
  - 4.8.2 Search Activity Tea tree oil
- 4.9 Self Assessment Questions (SAQs)

#### 4.1 Hints

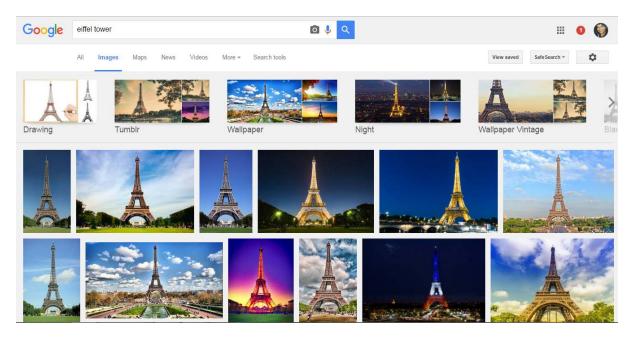
#### 4.1.1 Introduction

Let's start with some tricks of the trade. These are based on experience and knowledge about patent searching and the character of various search databases worldwide. We hope they will become useful to you.

#### 4.1.1 Viewing images

During your searches you may require to view the details of a patent document. Sometimes, it is necessary to have a special plug-in (application) in order to view images on some websites. For example, to view images on the USPTO site, you will need a .tiff file image viewer called Internetiff, available from http://www.internetiff.com/

For conducting Google Image search you can put in keywords and click on Images and link. It will give the images representing your search results.



#### 4.1.2 Choosing keywords

When a product is being developed, applying for a patent comes quite early in the process, whilst brand names and clinical trials usually come at a later stage. So if you are searching for the original patent application for a well-known branded product, e.g. *zovirax*, you will need to be aware that this brand name would likely not have been used in the patent application. Searching for *zovirax* will probably only turn up patents that came later than the original. To search for the original basic patent, you would need to know that the active ingredient such as ACYCLOVIR which will help you identify the correct invention behind zovirax.

#### 4.1.3 Choosing classification symbols

As already explained in Module 3, you can choose from a combination of the following tools that will help you get started if you are unfamiliar with patent classification schemes:

Choose from a combination of the following tools that will help you get started if you are unfamiliar with patent classification schemes:

- Check classifications on patent documents with similar technologies. You can search for those similar documents first with keywords and note the symbols on the documents most closely matched to what you are looking for.
- Select from the various tools available to search the IPC: 'Terms', 'Cross-references', 'Stats' or 'Terms'
- Use IPC Internet publication (http://www.wipo.int/ipcpub/#lang=en&refresh=page)
- Use the IPC categorization (IPCCAT) tool (https://www3.wipo.int/ipccat/) which is Internet explorer friendly.

#### 4.1.4 Using the results of other people's searches

Patent searchers can and do use the results of others' searches, either as a supplement to their search or to get some clues or fast track solutions to begin their search.

There are several ways of using other people's searches. One is to look at the citations (i.e. references to patent documents or non-patent literature) that appear in the search report from the Patent Office. These search results are often published in patent documents and are available online

References to related patents and other documents can also often be in the introductory part of patent documents where the invention is placed in the context of what's been done before.

In Espacenet, once you have selected a document e.g. US5866601:

- by clicking on 'Cited documents' you can find those documents cited against US5866601
- by clicking on '**Citing documents**' you can find those documents against which US5866601 has been cited

Europäisches Patentamt European Patent Office Office européen des brevets	Espacen Patent search	Deutsch English Français Contact Change country ▼
← About Espacenet Other EPO of Search Result list            Refine search → Results → US580	y patents list (3) Qu	ery history Settings Help
U S5866601 (A)	Bibliographic	: data: US5866601 (A) — 1999-02-02
Bibliographic data Description Claims Mosaics	th my patents I Carbocyclic con	st > EP Register II Report data error
Original document	Page bookmark	US5866601 (A) - Carbocyclic compounds
Cited documents Citing documents	Inventor(s):	LEW WILLARD [US]; KIM CHOUNG U [US]; LIU HONGTAO [US]; WILLIAMS MATTHEW A [US] +
INPADOC legal status		
INPADOC patent family	Applicant(s):	GILEAD SCIENCES INC [US] ±
	Classification:	- international: C07D309/28; (IPC1-7): A61K31/35; A61K31/445; A61K31/66
Quick help –		- cooperative: <u>C07D309/28</u>
→ What is meant by high guality	Application number	US 19950476946 19950606
text as facsimile? → What does A1, A2, A3 and B	Priority number(s):	US19950476946 19950606 ; <u>US19950395245 19950227</u>
stand for after a European publication number?	Also published as:	CN101143859 (A) CN101172957 (A) CN101172957 (B) CN1733707 (A) CN100338031 (C)
<ul> <li>→ What happens if I click on "In my patents list"?</li> <li>&gt; What happens if I click on the "Register" button?</li> <li>&gt; Why are some sidebar options deactivated for certain documents?</li> <li>&gt; How can I bookmark this page?</li> <li>&gt; How can I bookmark this page?</li> <li>&gt; Why does a list of documents with the heading "Also published as" sometimes appear, and what are these documents?</li> <li>&gt; What is Global dossier?</li> <li>&gt; Why do I sometimes find the</li> </ul>	and a group having an described. Methods o	

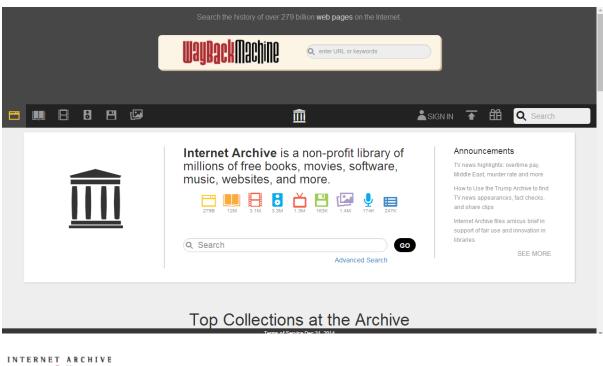
This subject is dealt with in more detail in Module 6.

#### 4.1.5 Finding publication dates of prior art

For a patent to be granted, the invention set out in its claims must be new and inventive having regard to anything that's been published anywhere in the world before the priority date of the application. This published material – patents, journals, conference reports, scientific papers, manuals, online publications etc. – wherever published and whatever the language of publication – is called the prior art.

If something similar to the invention has been published, it is therefore vital to determine when it first became available to the public. This is straightforward with patent documents since the publication date is printed on the document itself; but with other references it can be more difficult, particularly with material found online. However, there are some online tools that allow people to visit archived versions of stored websites. By typing in a URL one can begin surfing on an archived version of the web.

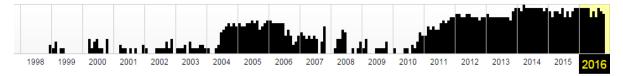
One tool that is used in this determination is the internet archive at *http://www.archive.org* 



http://www.bbc.com/ BROWSE HISTORY

Saved 14,431 times between December 2, 1998 and October 15, 2016.

PLEASE DONATE TODAY. Your generosity preserves knowledge for future generations. Thank you.



This archive can be used for pages that no longer exist.

#### 4.2 Finding patent documents given some clues

### 4.2.1 Search Activity – Finding an application where the inventor has an unusual name

Find the application number that has the inventors name *C. Dampeirou* on the Chinese patent search site

http://211.157.104.77:8080/sipo\_EN/search/tabSearch.do?method=init

Step	Description of step	Answer
1	Visit the Chinese search site and consider the search options available	
2	Search for the inventor's surname	
3	Check the result(s) for correctness.	
4	Note the application number(s); and the title of the invention.	

### 4.2.2 Search Activity – Finding an application where the inventor has a common name

This search activity is much harder than it first appears. You need to be wary when searching for names, particularly inventor names. Different Patent Offices store names in different ways. If you are unfamiliar with a database and how names are stored, it is a good idea to find out from the 'help' source.

Find the application that has the inventor name Andrew Michael SCOTT in the New Zealand patent database available at

https://www.iponz.govt.nz/

http://app.iponz.govt.nz/app/Extra/IP/PT/Qbe.aspx?sid=636122801360403986.

Hint 1. The co-inventor is David William Bell WESTERMAN.

Hint 2. Use a wildcard (\*)

Step	Description of step	Answer
1	Access the patent search database	
2	Find the field in which to enter your query.	
3	Decide on your search query	
4	Do you have the correct result? If not, why not?	
5	Try again using only the family name and the first name.	
6	Do you have the correct result? If not, why not? Note the presentation and the punctuation of the inventor names.	
7	Having regard to the way the names are shown, repeat the search.	
8	Did this give the right result?	
9	Can you think of another way to find the right result,	

	using wildcards?	
10	Did the wildcards give the right result?	

### 4.2.3 Search Activity – Finding an application where the inventor's name can be spelt in different ways

Imagine an associate called you from Head Office and asked you to do a search for any granted US patents that have to do with harvesting machinery and were invented by *Mark Samuel Phillips*.

Step	Description of step	Answer
1	Go to the US	
	granted patents	
	database	
2	Look at the help	
	notes for	
	searching	
	inventors	
3	Go back to the	
	query box and	
	type in your	
	inventor's name.	
4	Did that give the	
	right result?	
5	Could the	
	inventor's name	
	be presented	
	differently? How	
	would you search	
	for alternatives	
	using wildcards?	
6	How about	
	different	
	spellings?	
7	Is there an easier	
	way to find	
	misspelt results?	

8	Are these results
	relevant?
	Tolovant:

#### 4.2.4 Search Activity – Checking a company's IP assets

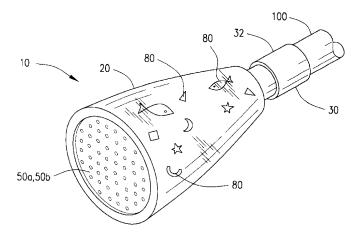
Imagine your farm machinery company is interested in acquiring a company named *Trima AB.* You need to see if this company has any valid patents in Australia. Go to the Australian patent search site:

<u>http://pericles.ipaustralia.gov.au/ols/auspat/structuredSearchPage.do</u> perform your search and give a brief summary of what you find.

Step	Description of step	Answer
1	Go to the	
	database and	
	enter your query	
2	Determine which	
	of the documents	
	found have Trima	
	AB as applicant	
3	What did you	
	notice about	
	these results?	
4	Is there anything	
	else that may be	
	worth searching?	

### 4.2.5 Search Activity - Finding a patent where the inventor has a common name

*Luxury Bath Fittings Inc.* is a company which manufactures bath fittings such as faucets, wash basins, bath tubs, shower panels, shower heads etc. Recently their researchers came across a patent US6263524 that mentions a shower head which provides an entertaining display of moving objects while in the shower.



Intrigued by the patent, the researchers want to know if they could use the idea of floating objects, for example fish, in a bath tub to make it both decorative and appealing for their customers. They have information on a bath tub designed in combination with an aquarium by an inventor whose second name is Robinson. Can you help the researchers find the patent number and its date of issue?

Step	Description of step	Answer
1	Choose a search site and indicate why you've chosen it	
2	What information do you have for searching	
3	Enter your search criteria.	
4	How many results did you get?	
5	Do you want to refine your strategy?	

6	How many results did you get?	
7	What did you find?	

#### 4.3 Finding some well-known inventions

#### 4.3.1 Search Activity - Finding the patent document for the pop-up toaster

The best thing since sliced bread, but it was actually invented before sliced bread. See if you can find the application number, and locate the patent document of the pop-up toaster by Charles Strite applied for in 1920.

Step	Description of step	Answer
1	Choose a search site and indicate why you've chosen it.	
2	Enter your criteria.	
3	Find the original document that protected the toaster 100 years ago	

### 4.3.2 Search Activity – Finding a famous invention from its technical description

Find the well known US invention of 1970 described in this abstract:

'Infusible, solvent-dispersible, solvent-insoluble, inherently tacky, elastomeric copolymer microspheres consist essentially of about 90 percent to about 99.5 percent by weight of at least one alkyl acrylate ester and about 10 to about 0.5 percent by weight of at least one monomer selected from the group consisting of substantially oil-insoluble, water-soluble, ionic monomers and maleic anhydride. The microspheres are prepared by aqueous suspension polymerization utilizing emulsifier in an amount greater than the critical micelle concentration in the absence of externally added protective colloids or the like.'

Step	Description of step	Answer
1	Think of appropriate keywords.	
2	Find a site to search	
3	Put in the keywords at relevant database	
4	What is the invention?	
5	Still don't know the consumer product?	
	We don't blame you. Try to find a product from Google.	

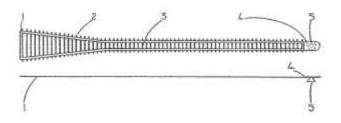
#### Discussion

Reading the abstract may not (unless you are a polymer chemist) have given you the answer, but who has not used a post-it note? For reference read more on *http://en.wikipedia.org/wiki/Post-it\_note*. Remember the Hint under 4.1.2, about products gaining popularity with a certain catchy name or brand name after the filing of patents. When searching such products in patent databases one has to think how a patent drafter would have described the invention and which classification symbols the product would have come under.

# 4.3.3 Search Activity – Finding the invention which helps spiders get out of the bath

A latex ladder to enable spiders to climb out of a bath was invented in 1993. Find:

i) patent application details, ii) where this patent application was granted, iii) inventors, and iv) claims.



Step	Description of	Answer

	step	
1	Think of	
	appropriate	
	keywords and	
	choose a	
	database	
2	Perform the	
	search	
3	i) find the	
	patent	
	application	
	details	
4	ii) find where	
	this application	
	was granted	
5	iii) find the	
	inventors	
6	iv) find the	
	claims	

#### 4.3.4 Search Activity – Finding the safety pin patent

The safety pin was invented in 1849. Find out the name of the inventor and a US patent number for the application.

Step	Description of step	Answer
1	Think of how to	
	find the	
	inventor's name	
2	Find the	
	inventor's name	
3	Find out the US	
	application	
	number	

# 4.3.5 Search Activity – Finding Albert Einstein's US patent relating to refrigeration

As many people know, Albert Einstein (1879 – 1955) was a theoretical physicist who, amongst other things, developed the general theory of relativity, one of the two

pillars of modern physics. Possibly not so well known is that he did much of his early work whilst employed as a patent examiner at the Swiss Patent Office in Berne. He was also an inventor with patents filed and granted in the United States, France, Germany, Switzerland and Austria.

Using the *Lens patent database*, can you get the number of his US patent relating to refrigeration? What is its filing date? Is there any co-inventor? Who was the applicant of this patent application?

Step	Description of step	Answer
1	Decide what clues you have and perform a search in Espacenet.	
2	Check the results for anything relevant	
3	When was the patent application filed?	
4	Are there any other inventors?	
5	Who was the patent applicant?	

**Note** Einstein's co-inventor Leo Szilard was also a world famous physicist. He discovered and patented the nuclear chain reaction in the 1930s, and worked on the Manhattan Project developing the atomic bomb in World War II.

#### 4.4 Finding patent documents using keywords

#### 4.4.1 Search Activity – Choosing the best keywords

An abstract of an invention reads: The objective of the invention is to control mycelium bacteria in waste water treatment, in which method the waste water is treated with peracetic acid.

You are asked to search Patentscope to find patent documents relating to this technology. Which of the following search strings do you think it would be best to use?

Observe the difference in result of the counts we get by putting in below keywords separately and see which gives a manageable number of results set. This will help you read the results which focus on similar inventions.

(1) peracetic acid

- (2) waste treatment plants
- (3) method to solve the swelling sludge problem
- (4) waste mycelium peracetic

#### 4.4.2 Search Activity – How could Boolean operators help with this search?

Using the same example as in Search Activity 4.4.1, which of the following search strings do you think it would be best to use in the Patentscope simple search page

- (1) "peracetic acid" AND waste
- (2) sludge AND waste
- (3) sludge OR waste
- (4) mycelium AND bacteria

#### 4.4.3 Search Activity – Choosing the best keywords

An abstract of an invention reads:

An alarm system (100) to wake sleeping occupants in the event of an emergency has a receiver (105) for detecting a warning signal (130) emitted from an external device (125), such as a smoke or carbon monoxide detector. A processor (11) compares the received warning signal with a predetermined signal and, if they correspond, then a transmitter (115) transmits an alarm (135). The predetermined signal can be pre-programmed or it can be learned by the alarm system. The alarm is at least one of an audible, visual, vibratory, and olfactory communication. A customized audible communication in a voice familiar to the occupants can be recorded and stored in the alarm System. In addition, the system may provide different alarms before and after motion is detected.

Which of the following search queries do you consider the best if you want to find patent application(s) corresponding to this abstract in Patentscope?

- (1) alarm AND voice AND fire
- (2) security AND remote AND smoke
- (3) "security alarm" AND "voice activated" AND "smoke detector"
- (4) (alarm OR security) AND (voice OR remote) AND (fire OR smoke)

#### 4.5 Finding patent documents using classification symbols

#### 4.5.1 Search Activity – Finding classification symbols from an abstract

Using keywords from the abstract in the previous example 4.4.3, determine which of the following search queries might be the best one to enter into the natural language classification tool IPCCAT to find the appropriate IPC symbols.

Alternative (1): An alarm system (100) to wake sleeping occupants in the event of an emergency has a receiver (105) for detecting a warning signal (130) emitted from an external device (125), such as a smoke or carbon monoxide detector.

Alternative (2): alarm system warning signal smoke or carbon monoxide detector predetermined signal transmitter audible communication voice

Alternative (3): *alarm system* 

Alternative (4): Use the entire abstract text quoted above

Check the IPC symbols suggested by the system against the current edition of the IPC.

#### 4.5.2 Search Activity – Using classification symbols to perform a search

Find the documents most similar to the abstract in 4.4.3 using the classification symbols G08B 1/08, G08B 19/00, and G08B 25/00 in Patentscope.

Step	Description of step	Answer
1	Find out how to format your classification symbols G08B 1/08, G08B 19/00, and G08B 25/00.	
2	Perform a search and comment on the results	
3	Perform a search IC/G08B-1/08 AND IC/G08B-19/00 AND IC/G08B-25/00 and comment on the results	

### 4.6. Finding patent documents using a combination of keywords and IPC symbols

#### 4.6.1 Search Activity – Waste water revisited

An invention provides a method to control mycelium bacteria in waste water treatment using peracetic acid.

A structured search, e.g., using classification symbols can give you less "noise" and more refined and accurate hits. Suppose we want to try a different approach than using phrases. Try to use classification symbols using a few important keywords.

We might try to locate results by using different search strings:

(1) Try C02F1/50 in IPC Classification search

(2) Now, try C02F1/50 in IPC Classification search with keyword peracet\*

(3) Further, try C02F1/50 in IPC Classification search with keyword peracetic acid, mycelium bacteria

#### 4.6.2 Search Activity – Alarm system revisited

In search activity 4.4.3 we used keywords to search for an alarm system. This time let's use a combination of IPC symbols *IC/G08B-1/08* OR *IC/G08B-19/00* OR *IC/G08B-25/00* and keywords (*alarm* OR *security*) AND (*voice* OR *remote*) AND (*fire OR smoke*)

Step	Description of step	Answer
1	Determine how to format your search string.	
2	Perform a search and comment on the results.	
3	What further refinements can you suggest to retrieve fewer results?	

#### 4.7 Finding patent family members

#### 4.7.1 Search Activity - The 1983 America's Cup

Find a patent for the hull of the Australian yacht designed for the 1983 America's Cup; and also find its family members.

An America's Cup design team tends to be secretive. It was rumoured that for the1983 race, the Australian yacht had a revolutionary hull design invented by Ben Lexcen. Despite their best efforts, the media were unable to discover the new features of the Australian yacht in advance of the unveiling. In fact, the details of the new hull could have been obtained three months before the race from patent documents which described the improved hull in detail.

Step	Description of step	Answer
1	Determine what clues	
	you have and perform	
	a search	
2	Find any family	
	members.	

#### 4.8 More complex searches

#### 4.8.1 Search Activity - The Segway Transporter

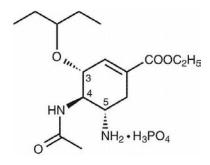
You are thinking of making and selling the *Segway Transporter* (shown in the figure below) in Australia. You need to find out if it has been patented, and whether you are free to go ahead with your plan.

The transporter has a support on which the user stands and a ground engaging module attached to the support to suspend the user over the ground.

As this is your first complex patent search, we suggest you look at what each step entails and then send your ideas to your tutor. You should use databases such as Espacenet, USPTO, and IP Australia.

Step	Description of	Answer
1	step Think of suitable keywords that describe the invention	
2	Choose a database	
3	Carry out the search, and examine the abstracts and drawings to shortlist the best hits	
4	See if there are any patent family equivalents in and Australia	
5	Find the legal status of the Australian document	
6	Are you free to make or sell the transporter in Australia?	
7	How can you find out where in the world you are free to make or sell the transporter?	

### 4.8.2 Search Activity - Finding the patent for the vaccine Tamiflu



Tamiflu is an interesting example that pulls together a lot of features not only of patent information but of IP in general. Tamiflu is an antiviral drug, a neuraminidase inhibitor available in convenient pill and liquid suspension It works by attacking the flu virus to keep it from multiplying in your body and reducing the symptoms of the flu. Tamiflu can sometimes keep you from getting the flu if you take it before you become ill.

Tamiflu is made from an acid produced from the Chinese star anise plant, which is in limited supply because it is grown in only four provinces in China and is harvested between March and May.

Find out who own(s) the rights to use Tamiflu in the United States by finding the patent number and who the owner (assignee) is, who is allowed to make Tamiflu, what the active ingredient is in Tamiflu, and what equivalents there are (patent family members) for the original patent of the Tamiflu vaccine.

iswer

5	Who owns
	the rights to
	use
	Tamiflu?

Look on Google to research the patent history as the period for protection draws to an end.

#### 4.8.3 Search Activity – Tea tree oil

Find patents that use *tea tree oil* (sometimes called *teatree oil*) to treat *cold sores*.

Use a database called Lens.org https://www.lens.org/lens/

as well as the Internet in general to find patents that use tea tree oil as an anti viral medicinal composition to treat cold sores (Herpes Simplex).

In other words, the objective of this search should be to find (more than one) prior art documents (oldest documents) pertinent to questioning novelty of using tea tree oil to treat cold sores.



Step	Description of step	Answer
1	Think about the	
	concepts you will	
	need to search for	
2	Let's start with a	
	quick and dirty	
	search (ie a simple	
	though not	
	comprehensive	
	search)	
3	Let's carry on and	
	broaden our	
	search to see if we	
	can find any other	
	useful documents.	
	Let's look for other	
	keywords	
	representing the	
	concepts	
4	Look at other	
	alternatives	
5	Conclusions	

#### 4.9 Self Assessment Questions (SAQs)

SAQ4.1: Which do you think is the better keyword to use?

- 1. the brand name *zovirax*
- 2. the active ingredient acyclovir

**SAQ4.2:** An invention relates to treating waste water with peracetic acid to control mycelium bacteria, which is the best search string to use?

- 1. peracetic acid
- 2. waste treatment plants
- 3. method to solve the swelling sludge problem
- 4. waste mycelium peracetic

**SAQ4.3:** Using the same example as in SAQ4.2, which do you think is the best search string to use in Patentscope?

- 1. "peracetic acid" AND waste
- 2. sludge AND waste
- 3. sludge OR waste
- 4. mycelium AND bacteria

**SAQ4.4:** Using the same example as in SAQ4.2, which do you think is the best search string to use in Patentscope?

- 1. IC/C02F-1/50
- 2. IC/C02F-1/50 and Ab/peracet\*

**SAQ4.5:** What do you think is the best way to do a search for an inventor's name when you're not sure of the exact spelling?

1. List all possible ways of spelling the name and search each in turn

2. List all possible ways of spelling the name and search them all in one go in OR relationship

- 3. Search the name using a wildcard for letters which you are uncertain about
- 4. Search for similar technology and note the spelling of the inventor's name

**SAQ4.6:** Which of the following databases are multi-country ie contain patents from a number of different countries?

- 1. Espacenet
- 2. Patentscope
- 3. USPTO

**SAQ4.7** When working for a client and checking a company's IP assets in a particular country, which of the following step or steps should you carry out?

carry out a worldwide search for patent documents in the company's name
 carry out a search for patent documents in the company's name in that particular country

3. report the list of documents found to the client

4 before reporting to the client, investigate the status of the documents (eg 'lapsed'; 'granted and in force' etc)

**SAQ4.8:** You are interested in a particular patent document, which of the following is or are correct?

1.In Espacenet, you can find those documents which have been cited against your document

2. In Espacenet, you can find those documents against which your document has been cited

[End of Module 4]