Date: April 21, 2015

To: WorldClassPatentQuality@uspto.gov / Mail Stop Comments – Patents, Commissioner for
         Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450
         ATTN: Michael Cygan, Senior Legal Advisor, Office of Patent Legal Administration, Office of
         the Deputy Commissioner for Patent Examination Policy

From: Doug van der Zee, Director, Business Development, North America, Minesoft
         Charles Tolliver, Business Development Executive, Minesoft
         Email: doug@minesoft.com; charles@minesoft.com
         Mail: c/o Tempus IP, LLC , 578 South 23rd Street, Arlington, VA 22202 USA

Subject: Comments on Enhancing Patent Quality – *a Proposed Rule by the Patent and Trademark
Office*

Introduction:

As one of the world's leading innovators in patent information solutions, Minesoft is encouraged that the
Patent and Trademark Office (PTO) has requested comments on Enhancing Patent Quality.

Founded in 1996, Minesoft is a global patent information and analytics solutions provider offering web-
based solutions designed to help drive innovation forward. In May 2003, Minesoft and RWS Group
announced their agreement to develop PatBase – an international searchable database of patent documents
designed by experts in the complex art of the patent information search. PatBase has gone on to attract
over 40,000 users worldwide, and helps researchers in some of the world's poorest countries develop and
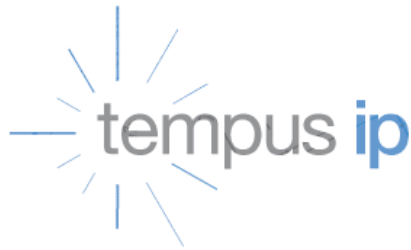implement their own intellectual property strategies.

Minesoft has grown to become a leader and innovator in the patent research analytics field. We are
focused on assisting the USPTO in enhancing the quality of patents issued by the USPTO.

COMMENTS: Patent Quality Pillars: New directions for the Automated Pre-Examination Search
proposal.

Proposal 2 Under Pillar 1: - Automated Pre-Examination Search: Comprehensive access to global patent
data by examiners. Minesoft recommends for USPTO examiners an automated pre-examination search
tool, PatBase – a global patent family database. Included is access to patent family data, bibliographic
information and the full-text of patent documents from the major patenting authorities. This will enhance
the examiner's ability to conduct an efficient, relevant and comprehensive prior art search using a single
resource. Moreover, daily electronic feeds into PatBase will provide examiners with current and up to
date coverage.

Minesoft's PatBase database incorporates two search options to further help guide the examiner to
discover relevant prior art. These search options are: Minesoft's proprietary 'similarity search' and 'Find
Similar' functions. The Similar search analyses parts of a patent (s), (e.g. text, citations, images,
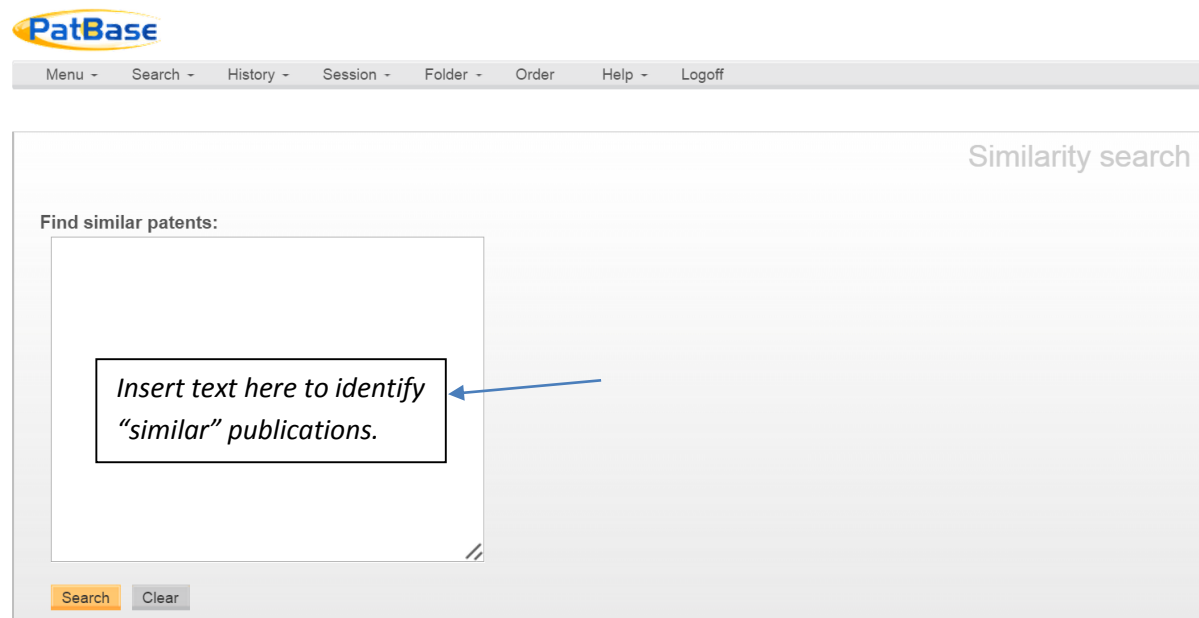
classifications) and expands results by finding similar publications. The examiner can simply paste text from a document(s) and the search process for the similar art begins. The similarity search will then pull out key terms from the entered text, leaving out stop words and common words like method, process and device. Moreover, both the backward and forward citations for all publications within a results set are returned. The minimum requirement to complete a Similarity Search is 20 words, and US texts are analysed as priority. If no results are initially returned for text searches the keywords are sent to WIPO's CLIR (Cross-Lingual Information Retrieval) system which, where possible, expands the keyword search criteria.
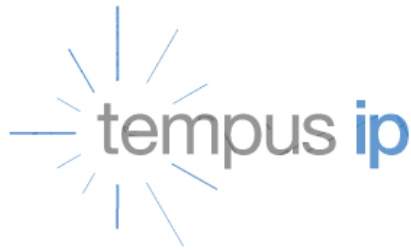
Examiners will also have the option to perform a search on Similar Images / Descriptions of Drawings. The Similar Images / Descriptions of Drawings search uses information from the Description of the Drawings to identify similar publications. The Similar Images / Descriptions of Drawings search is available for US publications only. It does not include design patents.

Additionally, examiners can also perform a similarity search by Classification Codes. Classifications codes are analysed using a PatBase algorithm and similar publications are returned. The similarity is given a relevance rating which is included within the search query when results are returned.

Only the top 100 most relevant publications are returned for Classification Codes searches. There are no record limits (only the PatBase restriction of 100,000 results) on Similar Title & Abstract, Similar Claims, Similar Description, Similar Images / Descriptions of Drawings (US publications only) and Citations (backward & forward).

Example: "PatBase Similarity Search" option

Further, the examiner also has the ability to expand their prior-art search using the "Find Similar Patents" option.

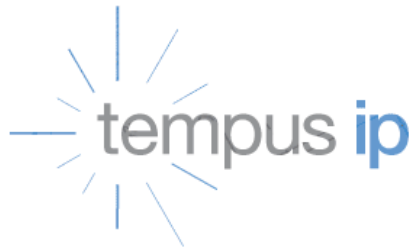Example: "Find Similar Patents"

Find similar patents (43550697)

Find similar patents using one of the following options:

- Similar Title & Abstract
- Similar Claims
- Similar Description
- Similar Images / Descriptions of Drawings (US publications only)
- Citations (backward & forward)
- Classifications (Top 100 matching families)
- Similar non patent literature

Note: To view the most relevant family first sort records by 'Relevance'.

Further consideration should be given to the following additional areas:

1) Search in original language text with on-demand machine translations: The proposed tool should have an integrated "Term Translator" to enable a keyword search in the original language text, including non-Latin characters. Having the capability to search in original language text would prove to be very useful in identifying relevant art that might be missed by an exclusively English keyword-search. Moreover, the tool should include on-demand machine translations of original language text, thereby helping to reduce any concerns created by potential language barriers.

2) Search customization: Examiners should be able to search on specific fields such as the "title", "abstract", "full text" or by "classification code", for example. Moreover, a classification code search should include the option to search on several different classification systems such as the International Classifications (IPC), Cooperative Patent Classifications (CPC), European Classifications (EC), US Classifications (UC) and Japanese F-Terms (JCT). Searching on specific fields will enable Examiners to more efficiently focus on the relevant publications and more quickly narrow their search results.

3) Integrated advanced analytics: The tool should include an analysis software capable of handling a large amount of publications to produce a visual interpretation of the data in several different

formats (e.g. graphs, charts, clusters, and concept analysis). The analysis software should allow Examiners to easily interpret and extract meaningful insights from their search criteria including analysis on jurisdiction, year, assignee, inventor, classification, keyword and legal.

4) Automatic Alerting Service: Strong consideration should also be given to a tool that allows examiners to have access to an alerting system that provides an automatic notification whenever a technological development, procedural, or legal status change occurs to selected prior art. Such a tool will effectively eliminate the need for time-consuming manual checks.

Conclusion
Minesoft appreciates the efforts undertaken by the Patent and Trademark Office in moving towards a new paradigm of patent quality. Minesoft also appreciates the opportunity to provide comments on the proposed Automated Pre-Examination Search Tool.