

RFP N° PTD/10/079

Annex I - Terms of Reference

Background:

At its Fourth Session, the WIPO Committee on Development and Intellectual Property approved a “Project on Developing Tools for Access to Patent Information” for implementing Recommendations 19, 30, and 31 of the WIPO Development Agenda. Within the framework of this Project, it was proposed that an e-tutorial be prepared to “provide training on using and exploiting patent information, in particular focusing on the preparation of technology and patent search reports similar to Patent Landscaping Reports.” For more information, please go to http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=129711

The e-tutorial will be designed to target individual users or support training to groups of users across various levels of competency in the field of patent information, ranging from basic to intermediate, including university students and professors, small and medium business entrepreneurs, and policymakers. A basic level of familiarity with intellectual property (i.e., understanding of the fundamental differences between intellectual property rights) will be assumed, given that the e-tutorial should complement and build on other awareness-raising and training publications and e-learning tools such as IP Panorama. The e-tutorial should take into account the various cultural, educational, and professional backgrounds of potential users.

The preparation of the proposed e-tutorial will involve the following steps:

1. Establishment of a content delivery strategy and identification of required technical assets;
2. Development or customization of a content delivery system;
3. Elaboration of content;
4. Preparation of graphical and audio elements;
5. Inputting of content into the delivery system.

The present tender aims to identify one or more contractors to: (a) assist in establishing a content delivery strategy and in identifying required technical assets (“e-learning specialist”); (b) preparation of graphical and audio elements (“media designer”); and (c) develop or customize a content delivery system for the proposed e-tutorial and input its content into the system (“system developer”).

A - Establishment of a content delivery strategy for an e-tutorial on using and exploiting patent information

Tasks:

Under the supervision of the Assistant Director General of the Global Infrastructure Sector and the Head of the Innovation and Technology Support Section, the contractor will:

1. Review and analyze existing e-tutorials and online courses on patent information, focusing in particular on strengths and weaknesses in training methodology and content (Appendix I) and, as appropriate, taking into account additional related resources (Appendix II);
2. Review and analyze the draft proposal for an e-tutorial on using and exploiting patent information, in particular its structure (Appendix III);

3. Prepare a proposal on the structure and training approach to be followed in preparing the e-tutorial based on and incorporating the findings from tasks 1 and 2 above, including options for activities and exercises to be used to support learning and identify technical assets required to implement the proposed approach.

Output:

The findings of the contractor will be summarized in two intermediate reports and a final report to be provided for the consideration and approbation of WIPO according to the schedule indicated below.

Timetable, Milestones, Deliverables:

WIPO expects the contractor to complete the assignment within 20 working days. The contractor will be expected to deliver the output in three phases, as described below:

1. Phase I: Review and analysis of existing e-learning resources
The contractor shall deliver an intermediate report comprising at least the elements required in Section II ("Tasks") Item 1.
2. Phase II: Review and analysis of the draft proposal
The contractor shall deliver an intermediate report comprising at least the elements required in Section II ("Tasks") Item 2.
3. Phase III: Preparation of the final report
The contractor shall deliver a final report comprising at least the elements required in Section II ("Tasks") Item 3.

B - Development or customization of a content delivery system for an e-tutorial on using and exploiting patent information

Tasks:

Under the supervision of the Assistant Director General of the Global Infrastructure Sector and the Head of the Innovation and Technology Support Section, the contractor will:

1. Develop a content delivery system or customize an existing system previously developed by the contractor, for which the contractor holds all the necessary rights, with the following features:
 - Adaptable to multiple languages including non-Latin character languages using standardized format input methods (e.g. XML for text content and MPEG Layer 3 for audio content);
 - Flexible in the use of media (audio, fixed graphics, and motion graphics);
 - Possible to distribute in web-based and physical media formats (e.g., DVD);
 - Fully usable with common Web browsers including previous generation and in multiple screen sizes.
2. Input the content provided by the patent information specialists;
3. Prepare graphical elements of the e-tutorial based on the content provided by the patent information specialists;
4. Prepare audio elements based on the content provided by the patent information specialists.

Output:

The content delivery system prepared by the contractor will be presented in web-based format and delivered in physical media format for review and approbation of the supervisors at the end of the contract period. The system will include: (i) the features called for in the section "Tasks" above and in the final report of the e-learning specialist, as agreed with the supervisors; (ii) all content provided by

the patent information specialists; and (iii) complete graphical and audio elements based on the content provided by the patent information specialists. The contractor shall also deliver instructions for system use and instructions for inputting text and audio content in additional languages.

Timetable, Milestones, Deliverables:

WIPO expects the contractor to complete the assignment within 60 working days. The contractor will be expected to deliver the output in three phases, as described below:

1. Phase I: Development/customization

The contractor shall deliver a proof of concept for the system, demonstrating the features called for in Section II ("Tasks").

2. Phase II: Preparation of graphics and audio

The contractor shall deliver sample graphics.

3. Phase III: Inputting of content and finalization of the system

The contractor shall input the content into the content delivery system and deliver a user guide on the use of the system and on inputting text and audio content in additional languages.

The assignment will commence upon the delivery of the content by the patent information specialists and its review by the relevant supervisors (estimated at 3.5 months from the completion of tasks elaborated in Part A above).

Appendix I: Existing e-tutorials and online training courses

WIPO/KIPO/KIPA, "IP Panorama 03: Invention and Patent",
<http://www.wipo.int/sme/en/multimedia/flash/03/>

WIPO/KIPO/KIPA, "IP Panorama 06: Patent Information",
<http://www.wipo.int/sme/en/multimedia/flash/06/>

WIPO, "DL-318E: Patent Information Search",
http://www.wipo.int/academy/en/courses/distance_learning/catalog/dl318patsearch.html (full text to be provided)

EPO, "Patent Information Tour", <http://www.european-patent-office.org/wbt/pi-tour/tour.php>

EPO, "esp@cenet assistant", <http://www.european-patent-office.org/wbt/espacenet/assistant.php>

Judy Ceulemans and Dominique Winne, "When to stop a search", https://e-learning.epo.org/data/wbt/decompressed/g15_473829/player.html

Werner Fröhlich, "Users' perspectives on patent searching", https://e-learning.epo.org/data/wbt/decompressed/l3_106776/player.html

Philippe Lahorte, "Inside the mind of an EPO examiner", https://e-learning.epo.org/data/wbt/decompressed/l9_473823/player.html

Heiko Wongel, "IPC and ECLA - comprehensive search and retrieval", https://e-learning.epo.org/data/wbt/decompressed/ipc_and_ecla_106801/IPC%20and%20ECLA/player.html

Appendix II: Additional related resources

WIPO, "Finding Technology Using Patents",
http://www.wipo.int/export/sites/www/freepublications/en/patents/434/wipo_pub_l434_02.pdf

WIPO, "WIPO Guide To Using Patent Information",
http://www.wipo.int/export/sites/www/freepublications/en/patents/434/wipo_pub_l434_03.pdf

WIPO, PATENTSCOPE[®] search service, <http://www.wipo.int/patentscope/search/en/search.jsf>

Appendix III: Draft proposal for an e-tutorial on using and exploiting patent information

Structure:

The e-tutorial content will comprise the following sections:

I. Patent basics

1. What is a patent?

- 1.1. Exclusive right
- 1.2. Patent granting procedure
- 1.3. Patentability criteria (novelty, inventive step/non-obviousness, industrial applicability/usefulness, patentable subject matter)
- 1.4. Disclosure and publication → Patent information

2. Elements of a patent application

- 2.1. Bibliographic data
 - Inventor
 - Applicant
 - Numbers (application, publication) → *Submodule: Number formats*
- 2.2. Priority data
- 2.3. Classification → *Submodule: IPC*
- 2.4. Description
- 2.5. Claims
- 2.6. Designated states

3. Elements of a search report

- 3.1. Document citations → *Submodule: Reading a search report*

4. Special topics

- 4.1. Citations (examiner, applicant; forward, backward)
- 4.2. Patent families

II. Patent search and retrieval

1. Introduction: Why search?

2. Search strategy

- 2.1. Precision vs. recall
- 2.2. Keywords vs. classification
- 2.3. Iteration
- 2.4. When to stop a search

3. Structuring searches

- 3.1. Operators
 - Boolean
 - Proximity
 - Wildcards
- 3.2. Truncation (left, right, internal, SLART)
- 3.3. Phrases
- 3.4. Nesting
- 3.5. Fields

4. **Challenges in searching** → including approaches for addressing challenges

- 4.1. Languages → *Submodule: Non-Latin characters, special characters*
- 4.2. Numbers and number ranges (e.g. 1000, 10³, one thousand, etc.)
- 4.3. Units of measurement (e.g. 1000 W, 1 kW, one thousand watts)
- 4.4. Synonyms, homonyms
 - Applicant names
 - Technical terms
- 4.5. Errors

5. **Fields of technology: Issues and challenges**

- 5.1. Biotechnology: Biological sequences, biological activity
- 5.2. Chemistry: Chemical structures
- 5.3. Engineering

III. **Patent analysis**

1. **Introduction: How can patent analysis help me? What types of analysis exist?**

2. **State-of-the-art**

- 2.1. Rationale, uses: Which solutions exist to my technical problem?
- 2.2. Methodology: Search by technology
- 2.3. Required tools and content: Patent documentation for multiple countries, specialized tools in field of technology (*optional*)
- 2.4. Sample report elements

3. **Novelty/patentability**

- 3.1. Rationale, uses: Can I obtain a patent for my invention?
- 3.2. Methodology: Search by technology within date range
- 3.3. Required tools and content: Patent documentation for multiple countries, specialized tools in field of technology (*optional*)
- 3.4. Sample report elements

4. **Validity**

- 4.1. Rationale, uses: Is a patent valid and, if so, can it be challenged?
- 4.2. Methodology: Search by technology, patent examined for legal status
- 4.3. Required tools and content: Patent documentation for multiple countries, legal status data for patent in question, information on laws, regulations, and cases for country in question
- 4.4. Sample report elements

5. **Freedom to operate**

- 5.1. Rationale, uses: Can I produce and/or commercialize my product in this country?
- 5.2. Methodology: Search by technology, results disaggregated by country and examined for legal status and claims construction
- 5.3. Required tools and content: Patent documentation, legal status data, and information on laws, regulations, and cases for country in question → *Submodule: Legal status data*
- 5.4. Sample report elements

6. **Technology trends** → *Submodule: Econometric analysis*

- 6.1. Rationale, uses: How has a particular technology developed over time?
- 6.2. Methodology: Search by technology, results disaggregated by time (and applicant, country)

- 6.3. Required tools and content: Patent documentation for single or multiple countries, statistical or graphical analysis tools, applicant/inventor name indexes (*optional*)
- 6.4. Sample report elements

7. Innovators (inventors and applicants)

- 7.1. Rationale, uses: Who are top innovators in this field of technology? With whom should I seek partnerships?
- 7.2. Methodology: Search by technology, results disaggregated by inventor/applicant
- 7.3. Required tools and content: Patent documentation for single or multiple countries, applicant/inventor name indexes (*optional*)
- 7.4. Sample report elements

8. Competitor activities

- 8.1. Rationale, uses: In which fields of technology are my competitors active?
- 8.2. Methodology: Search by applicant, results disaggregated by technology (and time, country)
- 8.3. Required tools and content: Patent documentation for single or multiple countries, applicant/inventor name indexes (*optional*)
- 8.4. Sample report elements

9. Patent portfolios

- 9.1. Rationale, uses: What is the lifecycle profile of my patent portfolio? In which areas is my portfolio concentrated? How am I exploiting my patent rights?
- 9.2. Methodology: Review of patents and patent applications disaggregated by time and technology, review of commercialization and licensing
- 9.3. Required tools and content: Patent documentation in portfolio, market and licensing data
- 9.4. Sample report elements

10. Valuation

- 10.1. Rationale, uses: How valuable are the patents that I hold? How valuable are the patents that my competitors hold?
- 10.2. Methodology: Search by applicant, review of patents and patent applications disaggregated by technology (with review of market conditions in the fields of technology), review of citations
- 10.3. Required tools and content: Patent documentation for single or multiple countries (for competitor), patent documentation in portfolio, citation mapping tools, market and licensing data
- 10.4. Sample report elements

Training approach: Virtual tutor

Example (explanation and demonstration):

Patent information > Patent search > Structuring searches > Boolean operators > Example 1



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Ask your tutor

Search For

Good! Now let's try a more advanced search query... Skip

Example (exercise):

Patent information > Patent search > Structure searches > Boolean operators > Exercise 1



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Ask your tutor

Keyword 1
electric

Operat

Keyword 2

electric

automobile

Keywords

AND

OR

NOT

Boolean operators

NEAR

ADJ

Proximity operators

Drag the search terms to the correct spaces to set up your query! Skip

Example (asking questions):

Patent information > Exercises > Using operators



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> What does AND do? →

Do you want to know more about...?

- Boolean operators (AND, OR, ANDNOT/NOT)
- Precision vs. recall

Go ahead! Ask your question...

Patent information > Exercises > Using operators



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> dfgdfgsss →

I'm sorry... I didn't understand what you are asking.

Could you please rephrase your question?

Go ahead! Ask your question...