

# **Kluwer Patent Law**

## **Participant Training Guide**

January, 2012

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## Introduction

Welcome to training for Kluwer Patent Law, the most comprehensive, fully-searchable database of world-wide primary and secondary materials in the field of international patent law.

Kluwer Patent Law offers authoritative analysis, case law, news, and legislation combined with tools enabling patent attorneys and lawyers operating in Europe to conduct efficient research on patent law. The service's unique focus on patent law in Europe offers on-demand information covering prosecution, litigation, and licensing, as well as introductory materials on jurisdictions outside Europe.

You have a flat-rate, annual subscription to Kluwer Patent Law. You will not incur additional charges for time spent online retrieving, reading, or printing documents.


## Objectives

Upon completion of this course, you will be able to:

- Access the Kluwer Patent Law website.
- Keep current with Recent News.
- Browse Categories, Books, Journals and Updates
- Use Practice Tools to create Smart Charts and to compare information across multiple jurisdictions.
- Conduct searches to find selected information.
- Navigate through search results.

## Accessing Kluwer Patent Law

### Direct Access

1. Go to: <http://www.kluwerpatentlaw.com>
2. Log in 
3. Enter your **User ID and Password**.
4. Click **Login**.

### IP authenticated subscribers

1. Go to: <http://intelliconnect.cch.com>
2. Log in using your registered **User ID and password**



**IntelliConnect™**

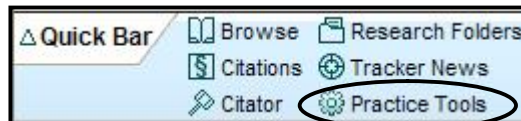
**Log In**

Enter your User ID (email address)

Enter your password

[Forgot your password?](#)

3. Click **Practice Tools on the Tool Bar**



4. Click **Intellectual Property**
5. Click **KluwerPatentLaw.com**. Kluwer Patent Law will open in a separate window.



## Home Page

This integrated library contains all the best Aspen expert-authored, analytical treatises, and links to primary source material such as cases, laws, and statutes. The library also includes current awareness from weekly email alerts of patent cases as well as articles from our IP periodicals. Also included are the Manual Industrial Property and the Kluwer EUIP Cases – Patents.

The screenshot shows the Kluwer Patent Law Home Page with several callout boxes highlighting key features:

- Home will return you to this page.** Points to the Home tab in the navigation menu.
- Tabs to Content** Points to the Browse Categories tab in the navigation menu.
- Login Status. If logged in, icon appears as:** Points to the user profile and 'Log off' link in the top right corner.
- Content and Tools.** Points to the 'Practice Tools' and 'Browse Categories' sections.
- Search options.** Points to the search bar and 'advanced search' link.
- Sign up for news alerts** Points to the 'SUBSCRIBE' and 'LATEST NEWSLETTER' buttons.
- News Service** Points to the 'News' section.
- Alternating links to EIP, EPI, and Hoyng Monegier web pages.** Points to the 'All books' link and the 'eIP' logo.

- **EIP** provides intellectual property services and is led by Derk Visser, one of the leading experts in European patent law. He is the author of The Annotated European Patent Convention which is included, plus he developed one of the smart charts.
- **EPI** - The Institute of Professional Representatives before the European Patent Office (“epi”) came into existence pursuant to the European Patent Convention (EPC) upon provisions adopted by the Administrative Council of the European Patent Organization. At present, the Institute which represents the first all-European patent profession comprises about 10,000 members from 38 European countries, both from industry and free profession.
- **HOYNG MONEGIER** - A specialised European intellectual property law boutique, dedicated to achieving innovative, practical and business-driven solutions.

## News

### News Service

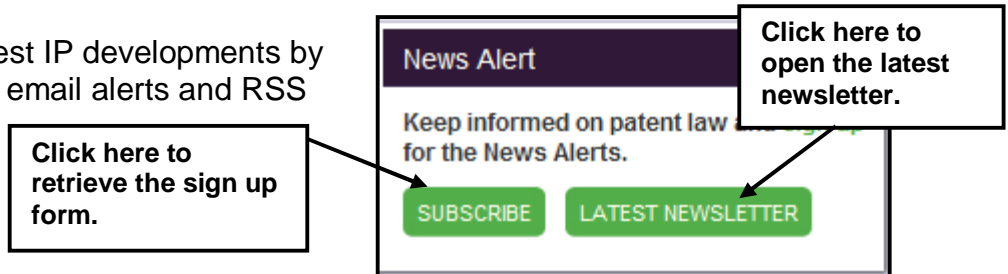
This current awareness service will keep you up to date on the latest legislation, changing regulations, and key decisions from the European Patent Office and European Patent Convention jurisdictions. News sources include:

- Kluwer Manual IP
- Kluwer Patent Cases
- Kluwer Patent Blog



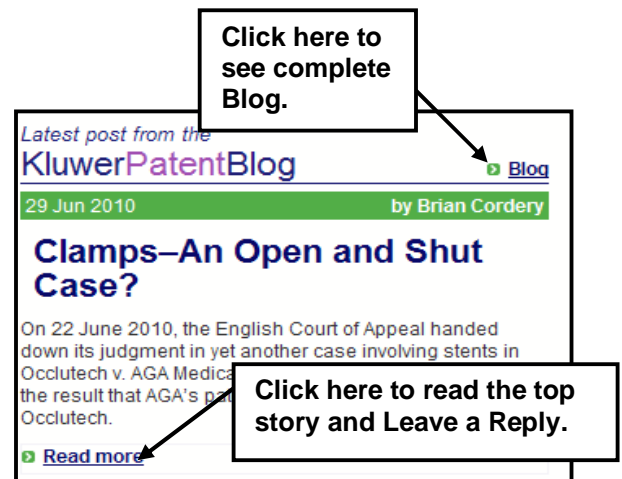
### News Alerts

Stay on top of the latest IP developments by signing up for weekly email alerts and RSS feeds.



### Blog

This blog provides unique insights from the top patent lawyers in Europe. These leading patent experts provide analysis of the biggest cases, the latest decisions, and any new developments that will affect attorneys and their clients. Contributors include Derk Visser (eIP), Peter Burgers (Brinkhof), Korbinian Kopf (Maiwald), to name a few. It is updated twice a week.



At the bottom right on every screen, there is an RSS link for users to sign up for RSS feeds for All News, News, Updates, and Supplements.

## Browsing Categories

Your subscription to Kluwer Patent Law provides access to:



- **IP Legislation** – provides access to the full text of key Patent conventions, treaties and agreements, including the European Patent Convention and its implementing regulations, WIPO Convention and TRIPS Convention.

To Browse IP Legislation:

1. Click the IP Legislation link in Browse Categories.
2. Click “+” to expand item(s) until reaching a document.

**IP LAWS AND REGULATIONS**

- INTERNATIONAL CONVENTIONS
  - General IP
  - Patents / Utility Models
    - Patent Cooperation Treaty
    - Patent Law Treaty
      - Patent Law Treaty adopted at Geneva on June 1, 2000
    - Strasbourg Agreement
    - Budapest Treaty
  - Trademarks
  - Industrial Designs and Models
- NATIONAL LEGISLATION

**Expand list and click on document you wish to open.**

**Document Contents**

- Article 1 Abbreviated Expressions
- Article 2 General Principles
- Article 3 Applications and Patents to Which the Treaty Applies
- Article 4 Security Exception
- Article 5 Filing Date
- Article 6 Application
- Article 7 Representation
- Article 8 Communications; Addresses
- Article 9 Notifications
- Article 10 Validity of Patent; Revocation

**Patent Law Treaty adopted at Geneva on June 1, 2000**

Article 1

**Abbreviated Expressions**

For the purposes of this Treaty, unless expressly stated otherwise:

(i) "Office" means the authority of a Contracting Party entrusted with the granting of patents or with other matters covered by this Treaty.

**Document Information**

**Legislation date**

> 1 June 2000

**Source**

> Patent Law Treaty adopted at Geneva on June 1, 2000, Selected IP Legislation, World Intellectual Property Organization, www.wipo.int

- **Cross Reference Tables EPC** – these tables allow you to convert article and rule numbers of EPC 1973 to their corresponding article and rule numbers in EPC 2000 and vice versa. The following tables are included:
  - Articles EPC 1973 - Articles / Rules EPC 20 00
  - Rules EPC 1973 – Rules EPC 2000
  - Implementing Regulations 2000 – EPC 1973 or Implementing Regulations 1973

The EPC Cross Reference Table allows you to convert article and rule numbers in EPC 2000 and vice versa.

Please select one of the following tables

Articles EPC 1973	Articles / Rules EPC 2000
-	<a href="#">Art. 4a</a>
<a href="#">Art. 16</a> (elmts)	<a href="#">R. 10</a>
<a href="#">Art. 18(1)</a> (elmts)	<a href="#">R. 10</a>
<a href="#">Art. 52(4)</a>	<a href="#">Art. 53(c)</a>

Articles EPC 1973 -> Articles / Rules EPC 2000

Rules EPC 1973 -> Rules EPC 2000

Implementing Regulations 2000 -> EPC 1973 or Implementing Regulations 1973

- **Organizations** – provides direct links to several governmental websites covering patent topics.

Governmental Websites and National Patent Authorities

- + Governmental Websites
- + National Patent Authorities (Filing Authorities)

EPO Resources

- + EPC Guidelines
- [EPC 2000 preparatory documents](#)

- **Landmark Patent Cases** – Cases organized by jurisdiction, in reverse chronological order.

France

Page 1 of 5    1   2   3   4   5   Next

You can email or print selected cases.

Select all      Email Selection   0/0

Jominet v. Ghibaudo, Court of First Instance Paris (Tribunal de Grande Instance Paris), 27 June 2008, Kluwer Patent Cases 2 April 2009, Case date: 27 June 2008  

- **Jurisdictions** – provides quick and easy access to content by Jurisdiction.

General   Judgments (49)   Commentary (10)   Recent Developments (7)   Legislation (1)

France

## Browsing Books, Journals, and Updates

- **Books & Treatises** including the Manual of Industrial Property (also known as Kluwer Manual IP and Brown Books), and the Annotated European Patent Convention. For a full list, click [All books](#).



- **Journals** currently contains European Patent Institute publications from 2006-2011.



- **Updates** are the latest updates to the Books and Journals.



- To browse through a book, journal or update, click on the title and then the desired section. You can email or print selected section.



## Using Practice Tools

Smart Charts are workflow tools which help you quickly and easily compare information across multiple jurisdictions. Your results are displayed in an easy-to-read chart or matrix format. These charts can be printed, saved, or exported. You have access to:



### Manual of Industrial Property Smart Charts

The **Kluwer Manual IP Smart Charts** help you quickly and easily compare information across multiple jurisdictions on Patents, Trademarks, Utility Models, and Industrial Designs.

#### To generate a Manual IP Smart Chart:

1. Click **Manual IP Smart Charts** title in the Practice Tools section. The Manual IP Smart Chart will open in a new window.
2. Select the **topic(s)** you would like to browse by clicking in the checkbox next to the topic. You can click the + to expand the categories and view sub-topics
3. Click the **Next** button, located at the bottom of the page.
4. Select the **Jurisdictions** you wish to compare.
5. Click the **Next** button again and the results are displayed in a chart format.

The screenshot shows the 'Manual IP Smart Charts' interface. Callouts provide the following instructions:

- Print the chart or Export to Excel or Word.** (Points to 'Printer Friendly' and 'Export' buttons)
- Change to Matrix view to display the jurisdictions in column format.** (Points to the 'Chart View' dropdown menu)
- Link to the full text of the relevant document in the Manual IP.** (Points to a blue hyperlink in the 'Citation' column)
- Return to the Previous screen or Start Over.** (Points to '<< Prev' and 'Start Over' buttons)

Jurisdiction	Allowable language(s) upon filing	UpToDateAsOf	Citation
United Kingdom	Only for applications concerning national security	December 2008	<a href="#">Obligation to file first with national office</a>
United States of America	Yes	January 2009	<a href="#">Obligation to file first with national office</a>
Belgium	French or Dutch	January 2009	<a href="#">Allowable language(s) upon filing</a>
Egypt	Arabic and English	May 2010	Report in process of being updated
United Kingdom	Any	December 2008	<a href="#">Allowable language(s) upon filing</a>
United States of America	Any		<a href="#">Allowable language(s) upon filing</a>

## Visser EPC Smart Charts

These Smart Charts were developed by Derk Visser of EIP and provide expert analysis on all topics encompassing the EPC in a quick, easy-to-use chart format.

### To create a Visser EPC Smart Chart:

1. Click **Visser EPC Smart Charts** title in the Practice Tools section. The Visser EPC Smart Charts will open in a new window.
2. Select the **main topic** you would like to browse by clicking in the checkbox next to the topic. You can click the + to expand the categories and view sub-topics
3. Click the **Next** button, located at the bottom of the page.
4. The results are displayed in a chart format.

The screenshot displays the 'Visser's EPC Smart Charts' interface. At the top, there are options for 'Printer Friendly' and 'Export'. The main content area shows a table of results under the heading 'Results (Step 2 of 2)'. The table is organized into sections: 'Conformance of all features', 'Cross-reference in document', and 'Extent of conformance'. Each section has columns for 'Law references', 'Commentary', and 'Case law'. Callouts with arrows point to specific links in the table:

- A callout points to the 'Printer Friendly' and 'Export' buttons, stating: "Print the chart or Export to Excel or Word."
- A callout points to the link 'Art. 54(1) EPC Novelty' under 'Law references' in the 'Conformance of all features' section, stating: "Link to the full text of the European Patent Convention."
- A callout points to the link 'Art. 54(1):3 EPC Cross-reference in document' under 'Commentary' in the 'Cross-reference in document' section, stating: "Link to *The Annotated European Patent Convention*".
- A callout points to the link 'T153/85 Specific reference' under 'Case law' in the 'Cross-reference in document' section, stating: "Link to the full text of the case."

Law references	Commentary	Case law
<a href="#">Art. 54(1) EPC Novelty</a>	<a href="#">Art. 54(1):4 EPC Conformance of all features</a>	<a href="#">T177/83 Conformance of all features</a> <a href="#">T248/85 New parameter</a> <a href="#">T167/84 No equivalents</a>
<a href="#">Art. 54(1) EPC Novelty</a>	<a href="#">Art. 54(1):3 EPC Cross-reference in document</a>	<a href="#">T153/85 Specific reference</a> <a href="#">T282/87 Inclusion of common general knowledge</a>
<a href="#">Art. 54(1) EPC Novelty</a>	<a href="#">Art. 54(1):5 EPC Extent of conformance</a> <a href="#">Art. 54(1):5.1 EPC Intended use feature</a> <a href="#">Art. 54(1):5.2 EPC Medical uses</a>	<a href="#">T114/86 No equivalent wording necessary</a> <a href="#">T181/82 Known process makes product known</a>

## Patent Litigation Smart Charts

These Smart Charts provide expert analysis on all topics addressing international patent litigation.

### To create a Patent Litigation Smart Chart:

1. Click **Patent Litigation Smart Charts** title in the Practice Tools section. The Patent Litigation Smart Chart will open in a new window.
2. Select the **country** you would like to browse by clicking in the checkbox next to the country name.
3. Click the **Next** button located at the bottom of the page.
4. Next, select the **topics** you want to browse. You can click the + to expand the categories and view sub-topics.
5. Click the **Next** button, located at the bottom of the page.
6. Your results will display in a chart format by default. However, you can also view your results in a matrix format by clicking on the drop-down arrow next to Display As and selecting matrix view.

The screenshot shows the 'Patent Litigation Smart Charts' interface. At the top, there are buttons for 'Printer Friendly' and 'Export'. Below that, the 'Results' section is displayed, showing a breadcrumb trail: 'United Kingdom > Scope of protection > Claims, description and drawing'. The 'Display As' dropdown is set to 'Chart View', and 'Updates within 6 months are highlighted'. The main content area is divided into sections: 'Law references' (with links to 'Section 125 of the Patents Act', 'Article 69 EPC', and 'Protocol on Article 69 EPC'), 'Patent as granted' (with links to 'Section 25(1) Patents Act 1977' and 'Section 27(3) Patents Act 1977'), 'Commentary' (with a link to 'Interpretation of the State of the Art'), and 'Case law' (with links to 'Willemin Houdstermaatschappij B.V. v. Madus Networks [1992] RPC 386 at 388', 'Biogen Inc. v. Medeva Plc [1997] RPC 1 [KLI-EUIP-CL-Bas0807006-UK-pat-ft]', and 'Dyson v. Hoover [2001] RPC 26 at 48').

Callout boxes provide the following instructions:

- Print the chart or Export to Excel or Word.** (Points to the 'Printer Friendly' and 'Export' buttons)
- Change to Matrix view to display the jurisdictions in column format.** (Points to the 'Display As' dropdown menu)
- Link to the full text of the relevant law.** (Points to the 'Section 25(1) Patents Act 1977' and 'Section 27(3) Patents Act 1977' links)
- Link to the IP Litigation Notes within Kluwer Patent Law.** (Points to the 'Interpretation of the State of the Art' link)
- Link to the full text of the relevant case.** (Points to the 'Willemin Houdstermaatschappij B.V. v. Madus Networks' link)

**Comparison Charts**

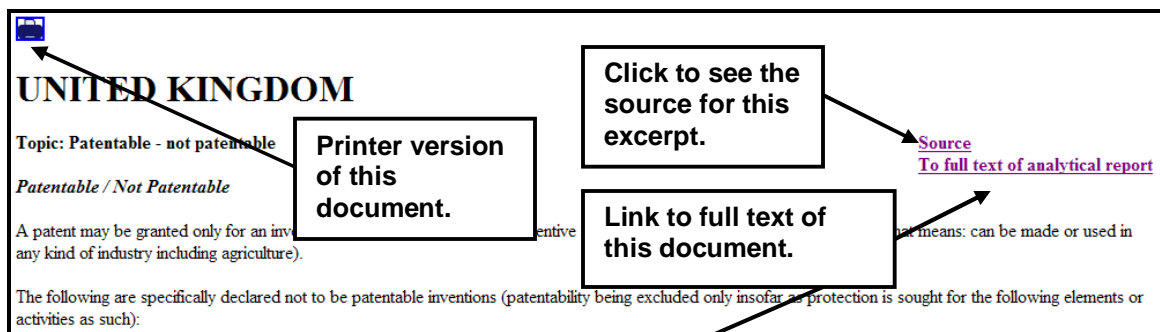
Another set of workflow tools allow you to compare information within a specific book from selected jurisdictions and topics/subtopics in one document. The three tools (referenced books) are:

- **Global Patent Litigation Compare Jurisdictions**
- **Manual of Industrial Property Compare Jurisdictions**
- **Software Patents Worldwide Compare Jurisdictions**

**To create a comparison chart:**

1. Begin by clicking on one of the tools in the Practice Tools section.
2. Select at least two countries in the **Select Jurisdiction(s)** column by clicking in the checkbox next to the selected country.
3. Select a topic in the **Select Topic(s)** column by clicking in the checkbox.
4. Click the **Submit** button.

The results are presented in a summary format with links to the full text of the analytical report or section from books or journals in the database.



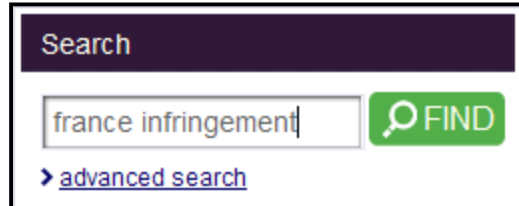
## Searching the database

The search capability allows results to be filtered and indexed. Federated searches cross predefined external sources and merge results with the internal search results. External sources currently include the European Patent Office Board of Appeal decisions and the WIPO Applicants Guide.

### Quick Search from the Home page

#### To perform a quick search:

1. Type in your keyword(s) or phrase(s) in the search text box.



2. Click **Find**.
3. Your search results are displayed and sorted in reverse chronological order. Also, your search results are divided over multiple tabs located at the top of the list, representing the different document types. There are also results filters located on the left side of the page.
4. Click a **document** link. The selected document will display.

### Working with your Search Results

Once your search results are displayed, you can open a single document or select multiple documents to email or print. You can also narrow down the results by using:


- The document type tabs at the top of the search results list (Commentary, Judgments, and Legislation), or
- The Search Results Filters on the left panel.

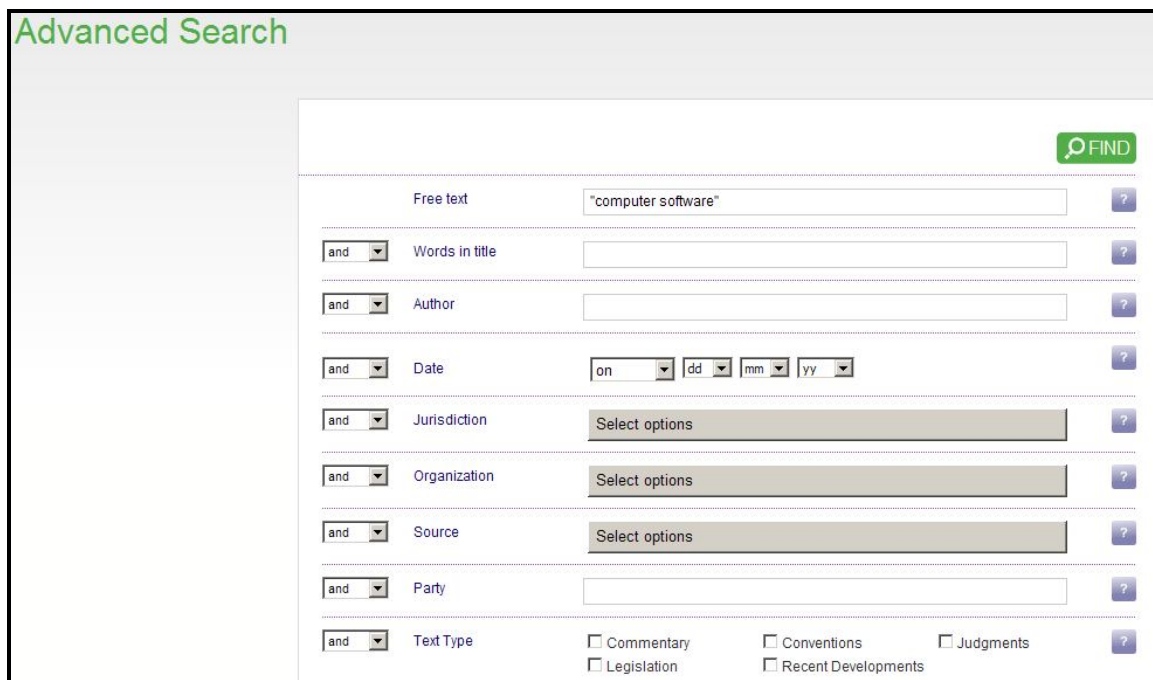


## Advanced Searching

Advance searching allows you to perform free-text searching plus you can narrow your search using additional search options such as author, date, country, organization, party and topic.

### To perform an advanced search:

1. Click **advanced search** under the Quick Search field.
2. Enter your search terms in the Filtering Fields (Free text, Words in title, Author, Party).
3. Click the  at the end of a field to call up tips and guidance for that field.
4. Use the Select options to select Jurisdiction, Organization, or Source.
5. Select a Text Type.

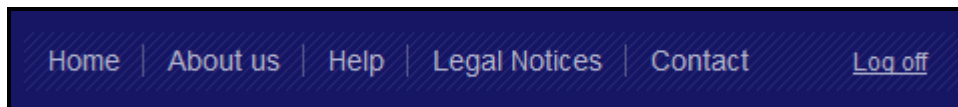




6. Click **Find**.



7. A **Search Results** list will display. The search results are displayed and sorted in reverse chronological order. Also, your search results are divided over multiple tabs located at the top of the list, representing the different document types. There are different search results filters located on the left side of the page.
8. Click a **document** link. The selected document will display.

## General Information & Support



- **Home** brings you back to the home page from any location in the Kluwer Patent Law site. It can also be accessed from the tab up top. 
- **About us** provides information about:
  - Kluwer Patent Law and its contents
  - Other online products – you will be redirected to the “other products” page of the KluwerLaw.com site.
- **Help** provides access to specific functions including explanations of search fields and details on all the features and functions. It can also be accessed from the tab up top. 
- **Legal Notices:** Under this section you will find Copyright notice, Disclaimer, General terms of use, Privacy policy, and Terms and conditions for subscribers.
- **Contact:** Select Feedback form to send an email to the product support staff.

**Contact**

To send an email,  
select **Feedback form**.



- **Telephone Support :**
  - Wolters Kluwer Technical Support North America: **1-877-471-5632** available Monday through Friday 3:00am-10:00pm CST.
  - Wolters Kluwer Technical Support Europe and rest of the world: **+1 773 866 6335** (toll free) available Monday through Friday, 9:00am to 3:00am GMT