

Case Study

Innovative Strategies Lead to Success in an Invalidation Case

Background

In typical invalidation cases, searches are concentrated within the specific domain of the invention. However, in a particularly challenging case, our client had already exhausted all relevant prior art within the invention's domain. They tasked us with finding references from unrelated fields that potentially invalidate a patent's novel aspects.

Client's Requirement

The client, familiar with the existing prior art in the invention's field, provided us with a promising reference and wanted us to identify out-of-domain results that could challenge the invention's novelty.

Key technical areas we need to consider while evaluating to invalidate a prior art include:

- **Magnetic Communication:** Establishing communication between a controller and controlled devices.
- **Bidirectional Communication:** Enabling two-way signal transmission between the controller and a subset of controlled devices via magnetic fields.
- **Relay-Based Signal Transmission:** Overcoming signal travel issues through relay-based communication.
- **Universal Command Transmission:** Allowing the controller to send a simultaneous command to all controlled nodes.
- **Through-Rock Communication:** Ensuring communication can occur through physical barriers, such as rock.

Challenges We Faced

- **Broad Scope of Keywords:** The extensive range of possible keywords made it difficult to narrow down the search.
- **Existing Strong Prior Art:** The client had already identified a robust prior art reference within the domain.
- **Result Identification:** We were striving to discover a combination of references that could effectively challenge the novel aspects of the patent claim.

Our Strategic Approach

- **NPL-based Search:** We conducted extensive Non-Patent Literature (NPL) searches across various paid databases, including Scopus and IEEE Xplore, to identify relevant prior art.
- **Exploring Out-of-Domain References:** We expanded our search beyond specific keywords, delving into different classes and fields that might be relevant. Our approach targeted out-of-domain references that could be aligned with the key features of relay-based communication and magnetic coupling. We examined various classifications related to magnetic coupling, with an emphasis on relay-based communication and interactions with subsets of controlled devices within the classifications without restricting the search with keywords.

Impact

Our efforts led to the identification of two critical references—one within the domain and another from an unrelated field—which, when combined, effectively challenged the novel aspect of the patent claim. The out-of-domain reference played a significant role in undermining the invention's novelty, and our client was highly satisfied with the quality and depth of our findings.

Conclusion

At leB, we are committed to delivering high-quality results while closely adhering to client instructions. Initial discussions with the client were essential in understanding the specific nature of the prior art and the expected outcomes. In this case, after the client had already exhausted in-domain resources, we took on the challenge to think creatively and explore beyond conventional boundaries. Our innovative search approach led to the successful invalidation of the patent's novel aspects, earning the client's appreciation and reinforcing our reputation for excellence.

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