

■ Competitive Intelligence – Using Intellectual Property Information

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Outline

- **Concept of Competitive Intelligence (CI)**
- **Importance of CI**
- **CI and Intellectual Property**
- **IP Information as a Research Tool for Competitive Intelligence**
 - Patent Information
 - Others IP information (Trademark, Design and Domain names)

Concept of Competitive Intelligence (CI) (1)

What is Competitive Intelligence?

- **“Competitive Intelligence:** A systematic and ethical program for gathering, analyzing, and managing external information that can affect your company's plans, decisions, and operations” (SCIP)

- **“Competitive intelligence** is the gathering and analysis of information from human and published sources about market trends and industry developments that **allows for advanced identification of risks and opportunities** in the competitive arena.” (Ben Gilad, PhD)

Concept of Competitive Intelligence (CI) (2)

- Competitive Intelligence is NOT **Competitor Intelligence**
- Competitive Intelligence is NOT only for global companies, large companies BUT also **for SMEs**
- Competitive Intelligence uses **open sources, public domain information** NOT **spying** (breaking laws and use of illegal means to gather information)
- **Intelligence** NOT **Information** NOT **Data**
- Intelligence NOT “**out of time**”
- It has “**action-oriented implications**” for managers

Concept of Competitive Intelligence (CI) (3)

Competitive Intelligence Versus Market research

■ Market research

Conducted when new product is planned or developed. Utilizes: surveys, focus groups, and other research tools to study the market.

■ **Competitive Intelligence:** developed on real-time (i.e., dynamic) aspects of competitive events taking place in the business environment. More continuous and structured scanning of all actors in the business environment.

Concept of Competitive Intelligence (CI) (4)

Evolution

■ Military intelligence practices

Sun Tzu (Chinese military strategist - 500 BC) the Art of War / Von Clausewitz, "On War" (Prussian General 1852)



■ **National Intelligence activity** : national security as a policy issue after War II and link to linked to political science.



■ **More Business oriented** around 1980 "Industry and Competitor Analysis" (Porter,)



■ Now "**Competitive Intelligence for Strategic Decision Making.**" (SCIP)

Why is CI Important? (1)

- Know your area; closely monitor the competition; keep up with competitors' announcements, regulatory changes and political and social pressures impacting the industry.

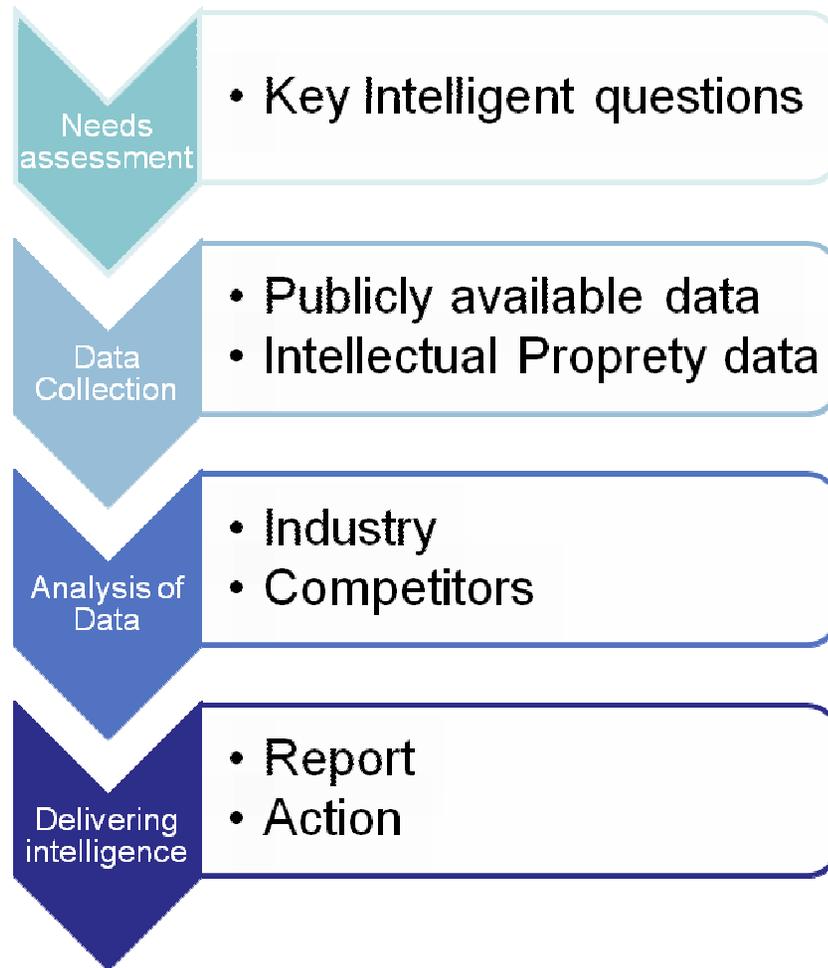
- Some common goals of competitive intelligence:
 - Detecting competitive threats
 - Eliminating or lessening surprises
 - Enhancing competitive advantage by lessening reaction time
 - Finding new opportunities

Why is CI Important? (2)

Knowledge economy, global competition, shorter product life cycle ... increase **OPPORTUNITIES** and **RISKS** for enterprises. CI is important because it allows to meet company's intelligence needs in one of these three functional categories:

- **STRATEGIC DECISIONS AND ACTIONS**, including the development of strategic plans and strategies.
- **EARLY-WARNING TOPICS**, including competitor initiatives, technological surprise, and governmental actions.
- **DESCRIPTIONS OF THE KEY PLAYERS** in the specific marketplace, including competitors, customers, suppliers, regulators, and potential partners

CI Process and Tools (1)



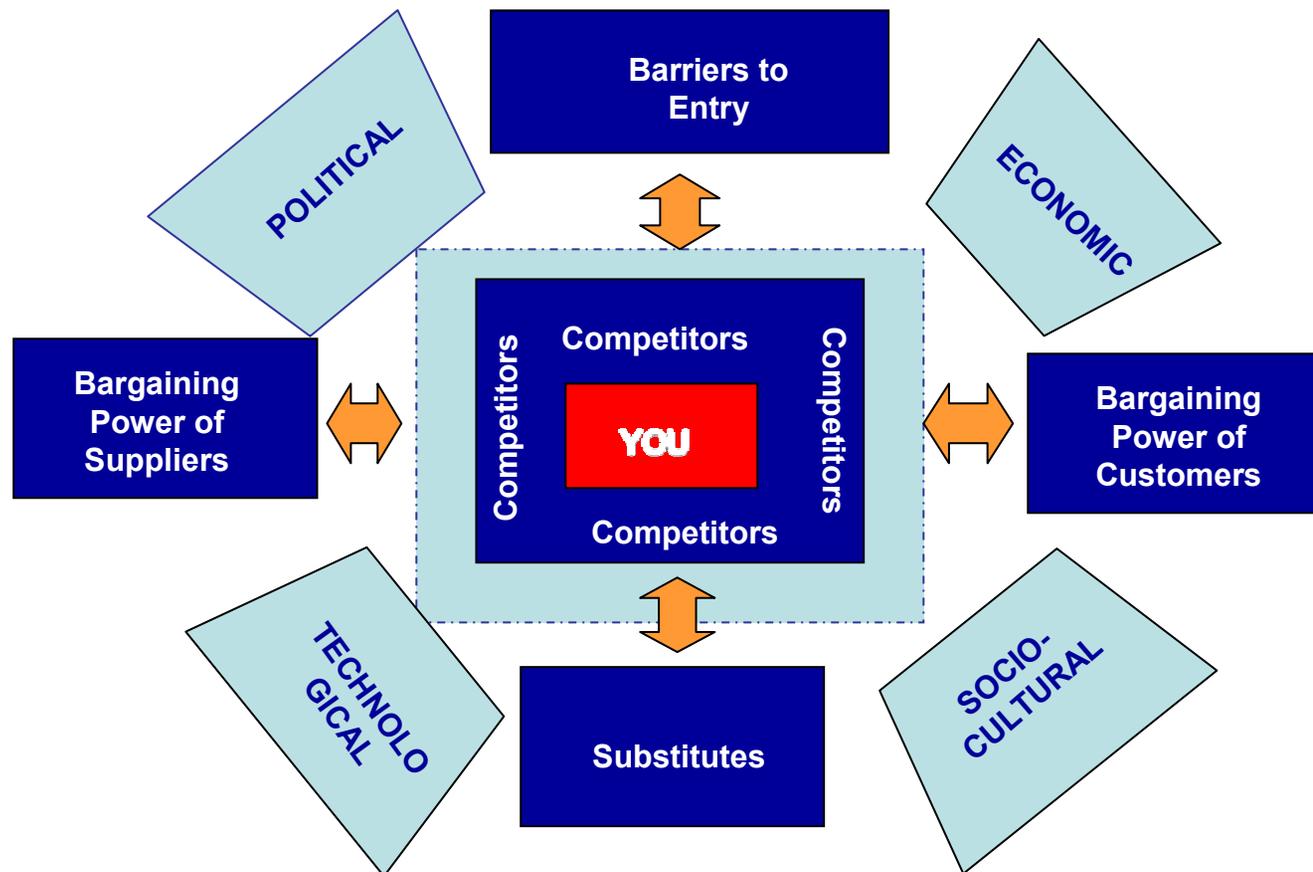
Ex: Near Field Communication technology

Mobile ticketing in public transport and Mobile payment — the device acts as a debit/ credit payment card.

CI Process and Tools (2)

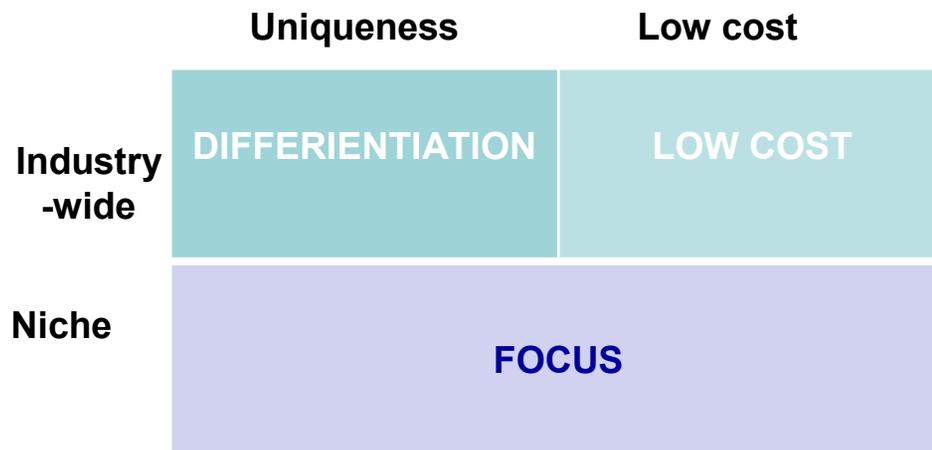
Objective: understand competitive dynamics

- What are the industry drivers?
- Which forces are the dominant in the market?



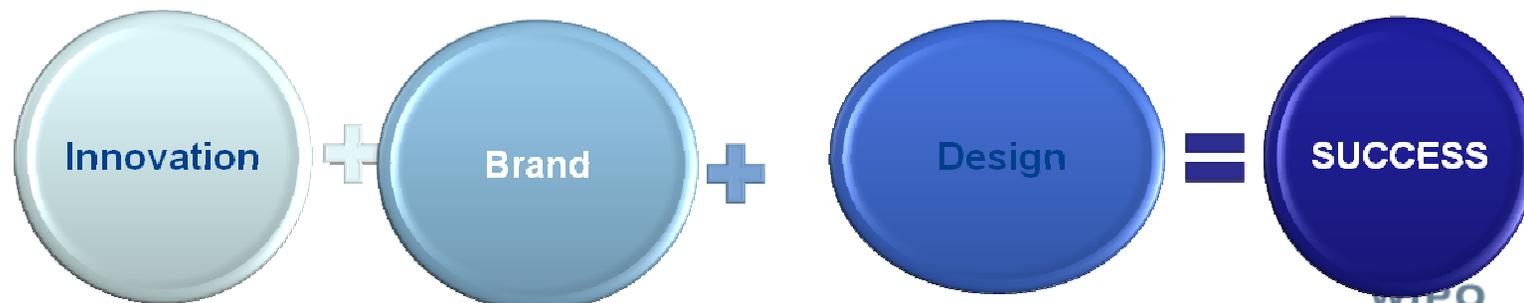
CI Process and Tools (3)

What strategy should the company adopt?



- Understand strategies adopted by competitors in the market
- Determine strategy to adopt as a reaction and to remain competitive.

What determine a successful product in the market?



CI Process and Tools (4)

Sources of information:

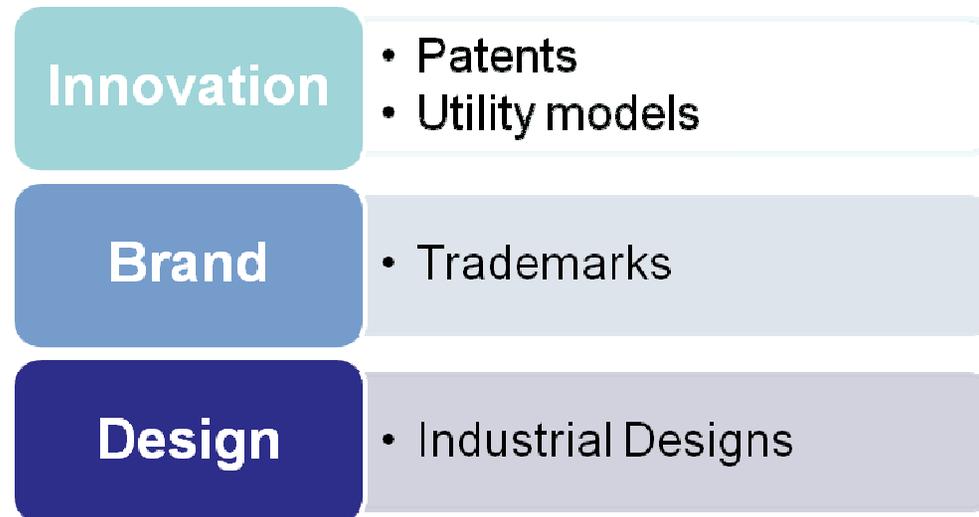
- public domain information such as
 - newspapers, journals
 - radio, television
 - internet, information databases
 - company publications
 - Trade shows
 - official publications by government authorities
 - reports, statistics,...
 - **Intellectual Property documents**

IP Information as a Research Tool for Competitive Intelligence (1)

Use of Intellectual Property

- Transform intellectual asset into a business asset
- To protect price and market share by excluding others from a specific marketplace and as a guarantee of channels to market
- As insurance against legal action by competitors
- As a financial asset in the market place (strategic alliances, commercialization, licensing, or held as a blocking strategy).

IP Information as a Research Tool for Competitive Intelligence (2)

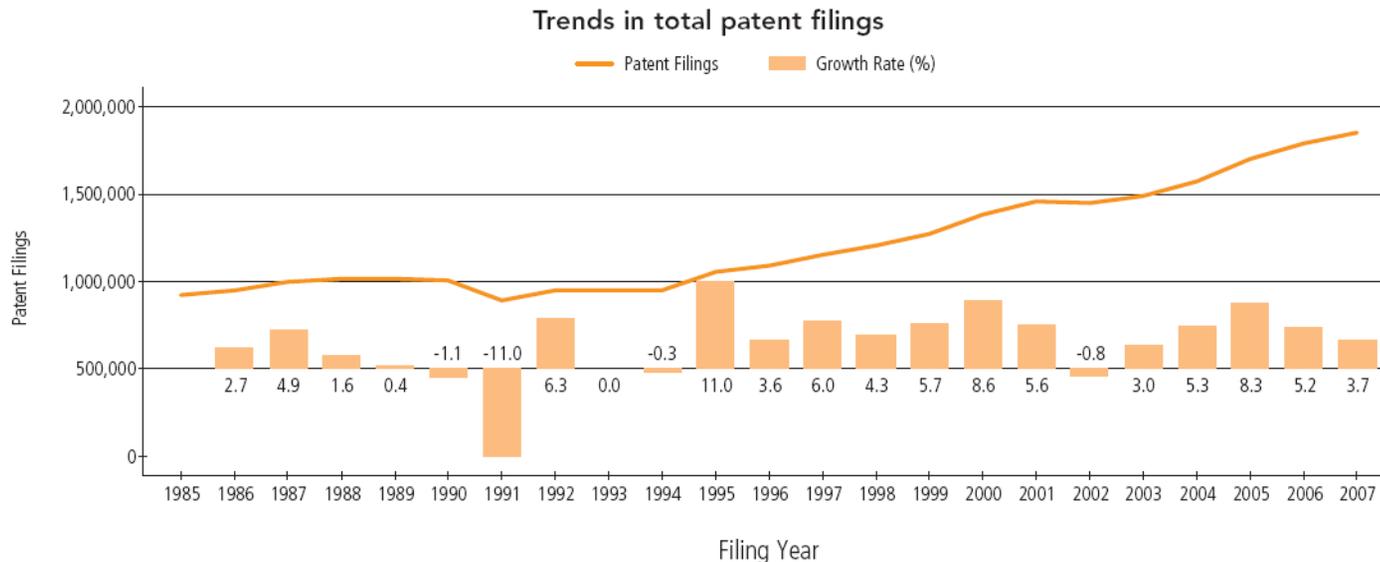


Analysis of Intellectual Property holdings may reveal a great deal about different moves in the industry.

IP Information as a Research Tool for Competitive Intelligence (3)

Patent System

- **Every 30 seconds** a new patent document is added to the vast technical library of patent documents
- In 2007 around 1.85 million filled in the world



IP Information as a Research Tool for Competitive Intelligence (4)

Patent system

■ Duality of the IP information system: Protection and Information:

Protection function

- Inform the public about the scope of protection **limited** in time and to a particular territory

Disclosure (Information) function

- Teach the **world wide** public domain how to use the invention
- 80% of information found in patents is unique

IP Information as a Research Tool for Competitive Intelligence (5)

Patent information

Example: The international patent application shown below has:

- > publication number WO2003/071888
- > application number PCT/US2003/003327
- > priority numbers 60/358,607 US and 10/245,919 US
- > filing date of 05.02.2003
- > publication date of 04.09.2003

Bibliographic data page of an international patent application

International Patent Classification (IPC)

Reference data identifying the applicant, inventor, representative, etc.

Abstract contains the fundamental features of the invention (keywords are found in the abstract, as well as the description and claims)

Countries for which protection has been requested

(WO/2003/071888) SOCCER GOALKEEPER GLOVE

Biblic. Data Description Claims National Phase Notices Documents

Latest bibliographic data on file with the International Bureau

Pub. No.: WO/2003/071888 International Application No.: PCT/US2003/003327
 Publication Date: 04.09.2003 International Filing Date: 05.02.2003

IPC: **A63B 71/14** (2006.01)

Applicant: LUCAS, Alfred, W., Jr. [USA/US]; 79 Cheese Factory Road Honeyoy Falls, NY 14472 (US).
 Inventor: LUCAS, Alfred, W., Jr. [USA/US]; 79 Cheese Factory Road Honeyoy Falls, NY 14472 (US).
 Agent: STEPHENS, Eugene, S.; Eugene Stephens and Associates 56 Windsor Street Rochester, NY 14605 (US).

Priority Data: 60/358,607 21.02.2002 US
 10/245,919 18.09.2002 US

Title: SOCCER GOALKEEPER GLOVE

Abstract: A palm face of a soccer goalkeeper glove (10) is provided with a strand mesh (2) secured at wrist (35) and fingertip regions (31) to strengthen back bending resistance of the thumb and fingers of the glove. The mesh can extend across spaces between the thumb and fingers on the glove, and can extend over fingertip regions of the glove to be bonded to back sides of the fingertip regions. The strand mesh can have screen or other configurations, and can be formed in a continuous laminate (40) extending over the palm face (of the glove). The goal is to reduce injuries from back bending of a goalkeeper's fingers from impact by soccer bats travelling at high velocities.



Designated States: AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CJ, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, OM, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, TJ, TM, TH, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.
 African Regional Intellectual Property Org. (ARIPO) (CH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW)

Patent document reference numbers, e.g.,

- publication number
- application number
- priority number, etc.

Drawings, pictures, graphical representations are found in the abstract, as well as later in the description

IP Information as a Research Tool for Competitive Intelligence (6)

Patent Information

Technical information from the description and drawings of the invention

Legal information from the patent claims defining the scope of the patent and from its legal status;

Business-relevant information from reference data identifying the inventor, date of filing, country of origin, etc.;

Public policy-relevant information from an analysis of filing trends to be used by policymakers, e.g., in national industrial policy strategy.

IP Information as a Research Tool for Competitive Intelligence (7)

Patent Information

A glance at the front page of a patent can reveal a great deal about the quality of the document.

Reputable corporate or institutional source as assignee?

- If the patent is held by a private inventor, there is a probability the invention was not the result of a well funded R&D program. If the inventor drafted the patent (indicated by lack of a legal rep.) then there is a strong chance it is not of much worth

Patent Cooperation Treaty Filing?

- If the priority filing was a PCT app., this would indicate considerable funds has been expended for international filings, indicating some confidence in the technology.

IP Information as a Research Tool for Competitive Intelligence (8)

Patent Information

Prior art cited? Literature cited?

- Studies indicate that patents issued to universities and research institutions providing generous citations reflect quality research.

Several inventors?

- Many inventors indicates well financed research team.

Continuations in part?

- Indicates ongoing serious research.

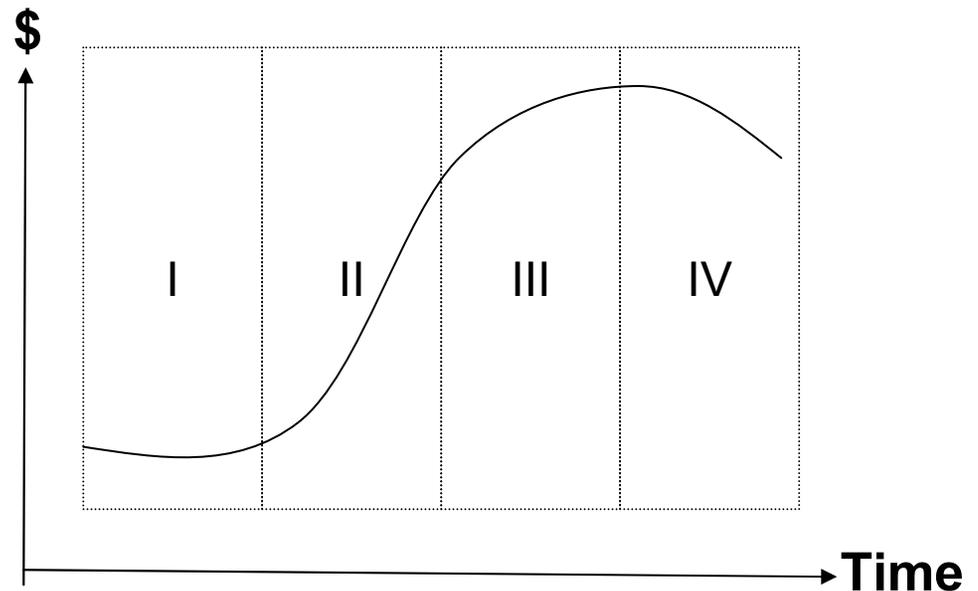
Prosecuted by solid law firm?

- Certain patent firms specialize in particular industries and are not cheap. In theory a patent produced by such a firm would be well drafted.

IP Information as a Research Tool for Competitive Intelligence (9)

Patent Information and General Life Cycle of a product Invention

- I. Starting Phase
- II. **Growing Phase**
- III. **Maturing Phase**
- IV. Declining Phase



- Patent Search earlier in Starting Phase
- Patent Core Technologies before entering Growing Phase
- Patent Improvements in Growing / Maturing Phases

From Supple et al., "*Lifecycle Innovation and Patent Strategies*", McMaster World Congress, January 2005

IP Information as a Research Tool for Competitive Intelligence (10)

Questions solved by Competitive Intelligence and Patent information

CI obtains information as to what is occurring in a particular technological area

- what are the subjects where research is being done ?
- what are the emerging research lines ?
- which are the players in a technical field ?
- which are the leading research teams ?
- what are the technological trends ?
- what are the patenting trends ?
- what are the technology portfolios of a company ?
- what are the technical strategies of a company ?

IP Information as a Research Tool for Competitive Intelligence (11)

Statistical Analysis of Patent Documents Concerning a Particular Applicant or Proprietor

Analyzing the	allows to find
applicants / proprietors (further)	cooperating companies
inventors	top inventors in a company
IPC symbols	fields of expertise, R&D focus
priority data (dates)	activity chart of a company
country codes (national patents)	importance of markets
designated EPC states	(foreign) markets of interest
designated PCT states	(foreign) markets of interest

Statistical Analysis of Patent Documents Concerning a Particular Inventor

Analyzing the	allows to find
applicants / proprietors	employers, assignments, C.V.
inventors (further)	inventor teams, networks
IPC symbols	fields of expertise of an inventor
priority data (dates)	creativity chart of an inventor
country codes (national patent)	local importance of inventions
designated EPC states	value of his inventions
designated PCT states	value of his inventions

IP Information as a Research Tool for Competitive Intelligence (12)

Statistical Analysis of Patent Documents Concerning a Particular IPC

Analyzing the	allows to find
applicants / proprietors	market leaders, competitors
inventors	experts in a field of technology
IPC symbols	related technology
priority data (dates / countries)	evolution/origin of a technology
country codes (national patents)	importance of foreign markets
designated EPC states	major regional markets
designated PCT states	geographic importance

Statistical Analysis of Patent Filings in or from a Particular Country / Region

Analyzing the	allows to find
applicants / proprietors	top players in/from a country
inventors	important experts
IPC symbols	important technology, in / from
priority data (country)	workplace of top players
priority data (date)	changes within a territory
designated EPC states	countries in competition
designated PCT states	countries in competition

IP Information as a Research Tool for Competitive Intelligence (13)

Where can patent information be found ?

Free databases

- WIPO's PATENTSCOPE® search service:



- European Patent Office
- National patent databases
- Google Patents
- Free patents online:
<http://www.freepatentsonline.com/>
- Delphion: <http://www.delphion.com>

Commercial databases

- List of commercial database:
<http://www.piug.org/vendors.php>
- Examples:
- Delphion
- Dialog
- Matheo
- Patents software:
<http://www.ipmenu.com/ipsoftware.htm>

IP Information as a Research Tool for Competitive Intelligence (14)

Trademark Information

FR: 103720376

12.04.2010 - Date of receipt of the international application by the Office of Origin

06.05.2010 - Date of receipt by the International Bureau

Status: Waiting for response

21.08.2010 - Time limit for reply

(732) NESTLE WATERS FRANCE

12, Boulevard Garibaldi Issy-les-Moulineaux, F-92130 (FR)

(740) Nestlé France (Service Juridique)

7 Boulevard Pierre Carle, BP 900 NOISIEL MARNE LA VALLEE Cedex 2, F-77446 (FR).

(540) **REFRESHINGLY UNIQUE**

(511) 30 Boissons à base d'eau aux extraits de thé.

32 Eaux plates, eaux gazeuses et gazéifiées, eaux traitées, eaux de source, eaux minérales, eaux aromatisées; boissons non alcoolisées à base de fruits et/ou aromatisées aux fruits; jus de fruits et jus de légumes, nectars, limonades, sodas et autres boissons non alcoolisées; boissons isotoniques; boissons énergétiques.

(821) FR, 11.03.2010, 10 3 720 376.

(832) AU, CH, EM, KR, RS, SG.

International (Nice) Classification of Goods and Services into 45 Trademark Classes (1 to 34 cover goods, and 35 to 45 services).

Class 32: Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.

Class 35: Advertising; business management; business administration; office functions.

Class 38: Telecommunications.

Class 44: Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services.

IP Information as a Research Tool for Competitive Intelligence (15)

Trademark Information

"Read-Only-Memory of Madrid Active Registry Information".

Romarin - Simple search

Query:

AND	International Registration Number	contains	
AND	Holder Name	contains	
AND	Representative	contains	
AND	Mark	contains	
AND	Vienna Classification	contains	
AND	Nice Classification	contains	
AND	Goods and Services (English)	contains	
AND	Goods and Services (French)	contains	
AND	Goods and Services (Spanish)	contains	
AND	Office of Origin	contains	
AND	Basic Application Number	contains	
AND	Basic Registration Number	contains	
AND	Designated Contracting Parties	contains	
AND	Registration date	contains	

Results at a time: 25

Search expired registrations
 Search pending registrations
 Search active registrations

Sort result list by: Hits Mark N° Mark Name

Search Reset

Search Madrid Express data

Structured Search options results

Please select a database:

Transaction Type:

Query:

AND	International Registration Number	=	
AND	Holder Name	=	
AND	Representative	=	
AND	Mark	=	
AND	Vienna Classification	=	
AND	Nice Classification	=	
AND	Goods and Services (English)	=	
AND	Goods and Services (French)	=	
AND	Goods and Services (Spanish)	=	
AND	Office of Origin	=	
AND	Basic Application Number	=	
AND	Basic Registration Number	=	
AND	Designated Contracting Parties	=	

Search Reset

▪ **WIPO : Romarin and Madrid Express** (Romarin contains a more detailed history of international marks than the Madrid Express Database)

▪ **Databases from national and regional intellectual property:**

<http://www.wipo.int/amc/en/trademark/output.html>

IP Information as a Research Tool for Competitive Intelligence (16)

Trademark Information

- Information about competition
- New marketing trends
- Trademark filings usually predate product launches or web mentions
- Trademarks offer a great way to gauge new trends industry.
- Measure commercial activity of a company

IP Information as a Research Tool for Competitive Intelligence (17)

Design information

- Also an international Classification (32 Classes): Locarno Classification for Industrial Designs: <http://www.wipo.int/classifications/nivilo/locarno/index.htm?lang=EN>

Ex: Class 9 packages and containers for the transport and handling of goods
 Class 10: clocks and watches and other measuring instrument, checking and signaling instruments
 Class 6: furnishing

Hague Express Structured Search

[\[Simple Search\]](#)

» Sort Results: Chronologically By Relevance

» Query:

Registration Number	▼	=	<input type="text"/>		
AND	▼	Holder	▼	=	<input type="text"/>
AND	▼	International Registration Date	▼	=	<input type="text"/>
AND	▼	Locarno Classification	▼	=	<input type="text"/>
AND	▼	Indication of Products	▼	=	<input type="text"/>
AND	▼	Priority Data	▼	=	<input type="text"/>
AND	▼	Designated Contracting Parties	▼	=	<input type="text"/>
AND	▼	Publication Date	▼	=	<input type="text"/>

» [Display Options](#)

- WIPO: Hague express search
- National and Regional IP Offices

IP Information as a Research Tool for Competitive Intelligence (18)

Design information

Enregistrements internationaux / International Registrations

(11) DM/073351 (15) 18.03.2010
 (22) 18.03.2010 (73) HUBLOT SA, GENÈVE, Rue de la Fontaine 7, CH-1204 Genève (CH) (86)
 (87) (88) CH (89) CH (74) Inteltech SA Rue Saint-Honoré 1 - Case postale 2510, CH-2001
 Neuchâtel (CH) (72) Marco TEDESCHI, Chemin du pré de l'Épine, CH-1261 LE VAUD,
 Switzerland (28) 1 (51) Cl. 10-02 (54) Watch / Montre (81) III. CH, EM, SG



Enregistrements internationaux / International Registrations

(11) DM/073346 (15) 16.03.2010
 (22) 16.03.2010 (73) ETA SA/MANUFACTURE HORLOGERE SUISSE, CH-2540 GRENCHEN
 (CH) (86) (87) (88) (85) CH (89) CH (74) The Swatch Group SA (The Swatch Group AG) (The
 Swatch Group Ltd.) 6, Faubourg du Lac, CH-2502 Biel/Bienne (CH) (72) 1) Katie KEEN, Post
 Box 909, 1090 North rd., North Blenheim NY12131, USA; 2) - 7) Michael KOCH, Albrecht-
 Achilles-Strasse 2, DE-10709 Berlin, Allemagne; 8) - 10) Charlotte FABRE, Birkenweg 3, CH-
 2504 Biel/Bienne, Suisse; 11) - 12) Véronique STOLL, Chemin de la Marnière 14A, CH-2504-
 Biel/Bienne, Suisse; 13) - 15) Philippe MOSER, Avenue Lignon 56, CH-1256 Genève, Suisse
 (28) 15 (51) Cl. 10-02 (54) 1-15. Montres-bracelets / 1-15. Wristwatches (81) I. BZ, MA, MC,
 ME, II. AL, AM, BA, CH, EM, GE, HR, KG, LI, MD, MK, MN, OM, SG, TR, UA



- How do your competitors customize their products to target a particular customer group?
- How do they target a niche market?
- How do they strengthen their brand?

IP Information as a Research Tool for Competitive Intelligence (19)

Domain names and Competitive Intelligence

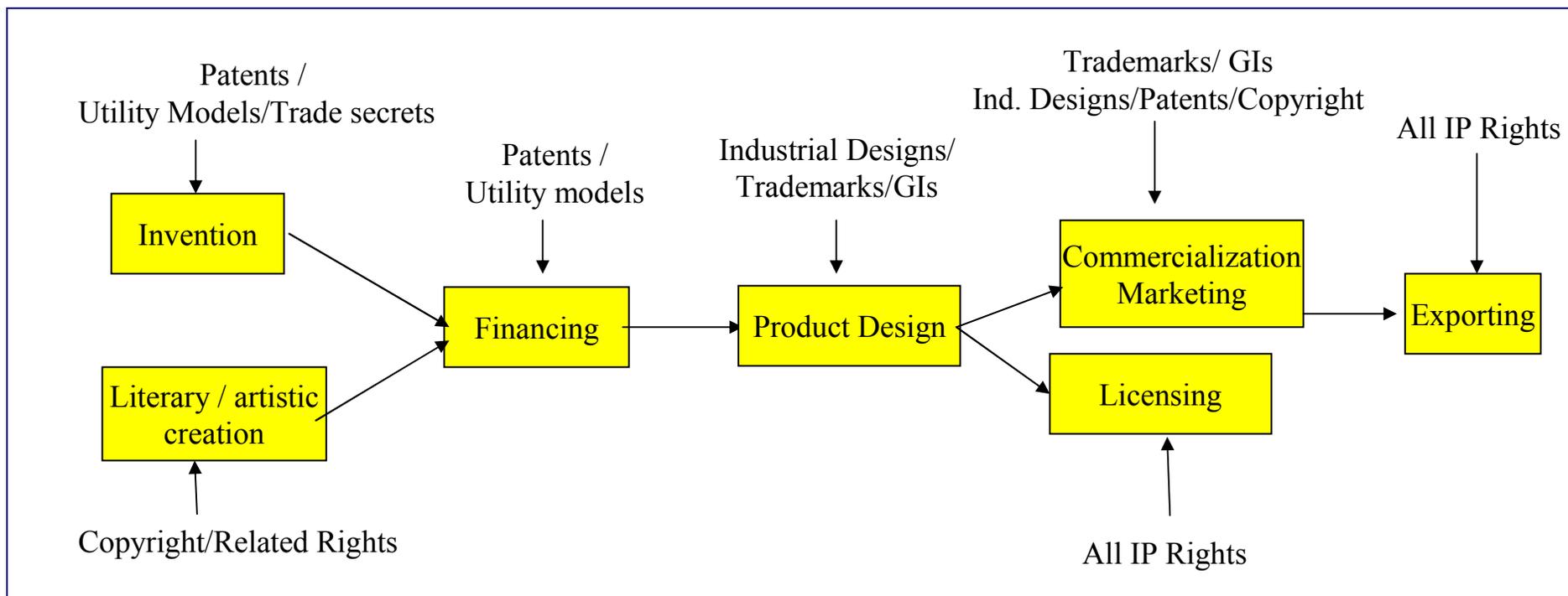
Domain names have become an important part of a company's brand :

- Use of multiple domain names to represent various products and to serve assorted markets
- Domain give access to product and branding strategies
- Preserve brand integrity and access to information about competitor bad faith, cyber squatting or other offenses
- Track industry actors and determine their market strategy by conducting inventory of domain name assets and compare it to trademark databases

Search domain names. Ex: www.uwhois.com

Conclusion

In the knowledge economy, IP adds value at **every stage** of the value chain from **creative/innovative idea** to the market, analyzing IP information of the different actors in the market is a strategic tool to **assess potential risks and opportunities**.



WHEREVER MONEY IS EXCHANGE SO IS INFORMATION

What is Competitive Intelligence?



**"It is pardonable to be defeated,
but never to be surprised.
(Frederick the Great)**

THANK YOU FOR YOUR ATTENTION !

Marina Sauzet
WIPO SMEs Division

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