



Intellectual Property Data for Competitive Intelligence

Business Intelligence & Analytics

Siddhast Intellectual Property Innovations (P) Ltd

New Delhi, India

Business Intelligence

The exploitation of IP can form the basis for a business strategy. However, it is equally important for businesses to stay abreast of industry and competitor developments, including continuous monitoring of newly published patent documents. Every firm should have in place a Competitive Intelligence program to provide management with the best information and analysis for executive decisions.

- The following areas will be addressed:
 - The IP portfolio.
 - IP management.
 - IP as a research tool for competitive advantage.

Building an Intellectual Property Portfolio

- **The IP Portfolio**

- Identifying knowledge assets within an organization can lead to new revenue sources through the development of alignments, licensing opportunities and research. A knowledge asset may also be used for further development, or be strategically significant because of its impact on competitor product development.

- **IP Management**

- IP is one factor in a complex of elements that contribute to the success of a company. Corporate management must be aware of the most critical factors to the survival of the company and industry. A good corporate technology management program results in an IP portfolio that maximizes the technology's leverage in protecting and expanding market share.

IP Information as a Research Tool for Competitive Intelligence

- Critical business decisions involving bids, proposals, mergers, acquisitions and other corporate strategies must be based on timely and accurate business information for the survival of a corporation. Systematic data gathering, study and analysis of the operating environment for a company is now called “competitive intelligence” or “business intelligence”.
- Good corporate CI is the "radar" of a company, utilized to anticipate and identify:
 1. Product/market/demographic changes
 2. Actions of competitors, suppliers, regulatory agencies, customers
 3. International industry trends
 4. Acquisition targets, hostile takeovers, "White Knights“
 5. Industry threats, environmental changes
 6. Advanced technologies and processes on the horizon
 7. Entry strategies and marketing plans of competitors

Six steps of the Competitive Intelligence Cycle

For CI to have the most value in a corporation, it must be integrated into the highest level of executive responsibility and be part of a continuous cycle of data collection, collation, analysis, action and re-evaluation.

- They six steps of Competitive Intelligence cycle are:
 1. Planning/direction of research in priority subject areas.
 2. Data collection from a variety of primary and secondary sources
 3. Data analysis to extract trends, make projections and confirm strategies of competitors
 4. Executive strategies formulated based on definition of the business environment
 5. Appropriate corporate tactical action
 6. Information feedback, further data gathering and analysis, further execution of refined plan.

Intellectual Asset Management and Technology Commercialization

- The objective of good CI practices (and good knowledge management) in a company may be expressed by the six R's : *The Right information, at the Right time, in the Right place, delivered the Right way, by the Right contact to the Right person.*
- Information gathered is usually classified as being either from primary or secondary sources. Primary sources are products of the targeted company - speeches, live interviews, website data, job adverts, press releases, financial reports, etc. Secondary sources may be analysts' reports, journal articles, government statistics or research publications.
- A range of analytical techniques have been developed in the CI industry, such as benchmarking, personality profiling, gap analysis, war games and business simulations such as SWOT analysis (Strengths, Weaknesses, Opportunities and Threats.)

What Information can be Extracted from Patents?

- *Identification of competitors or collaborators*
- *Assessment of human capital by analyzing inventor records for competing companies*
- *Assessment of competitors' R&D effort and direction*
- *Discover market trends, birth of new technologies*
- *Find new employees, consultants, and experts*
- *Locate licensees*

Analyzing Patent Quality

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.

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.

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.

Patent Strategies and Tactics in Portfolio Management

- IP managers should periodically conduct searches on their own patent portfolios to determine if other corporations are citing their company patents to “patent around.”
- Regular state-of-the-art searches may indicate who is about to launch a new technology that could be substituted or added to current products. Companies need to be aware of competitors who are preparing to leapfrog ahead with innovations such as “smart” products with onboard chips.
- Filing provisional patents around the larger firm’s core technology can pave the way for an equitable joint venture or cross-licensing agreement.
- The IP of acquisition targets must be studied: often a company in turmoil has a portfolio of lapsed, invalid, misassigned, expired, and mortgaged patents that poorly protect the technology under negotiation.

Conclusion

- IP manager must have a complete understanding of the strengths and weaknesses of the IP portfolio.
- The IP manager must also understand how IP can be used strategically for best advantage. IP strategy needs to be aligned with the corporate strategy, and monitored both to provide a benchmark for the corporation and to determine the status of the competition.



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Siddhast IP Innovation (Pvt.) Ltd.