



**WEHR**

**Minerals**

## The Rise of AI in the IP World

Presented by  
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- **Background on legal tech and automation of IP tasks**
- **The introduction of AI (in the IP context)**
- **AI tools, systems and platforms**
  - **Patent searching**
  - **Trade mark clearance**
  - **Patent drafting**
  - **Prosecution**
  - **IP litigation**
  - **Legal research**
- **Looking toward the future**

## From humble beginnings...

- Legal task automation
- Decision trees and “Robot” lawyers

Negligence advice (2001)  
Will preparation  
DoNotPay (parking tickets)  
Refugee assistance

<https://donotpay-search-master.herokuapp.com/>

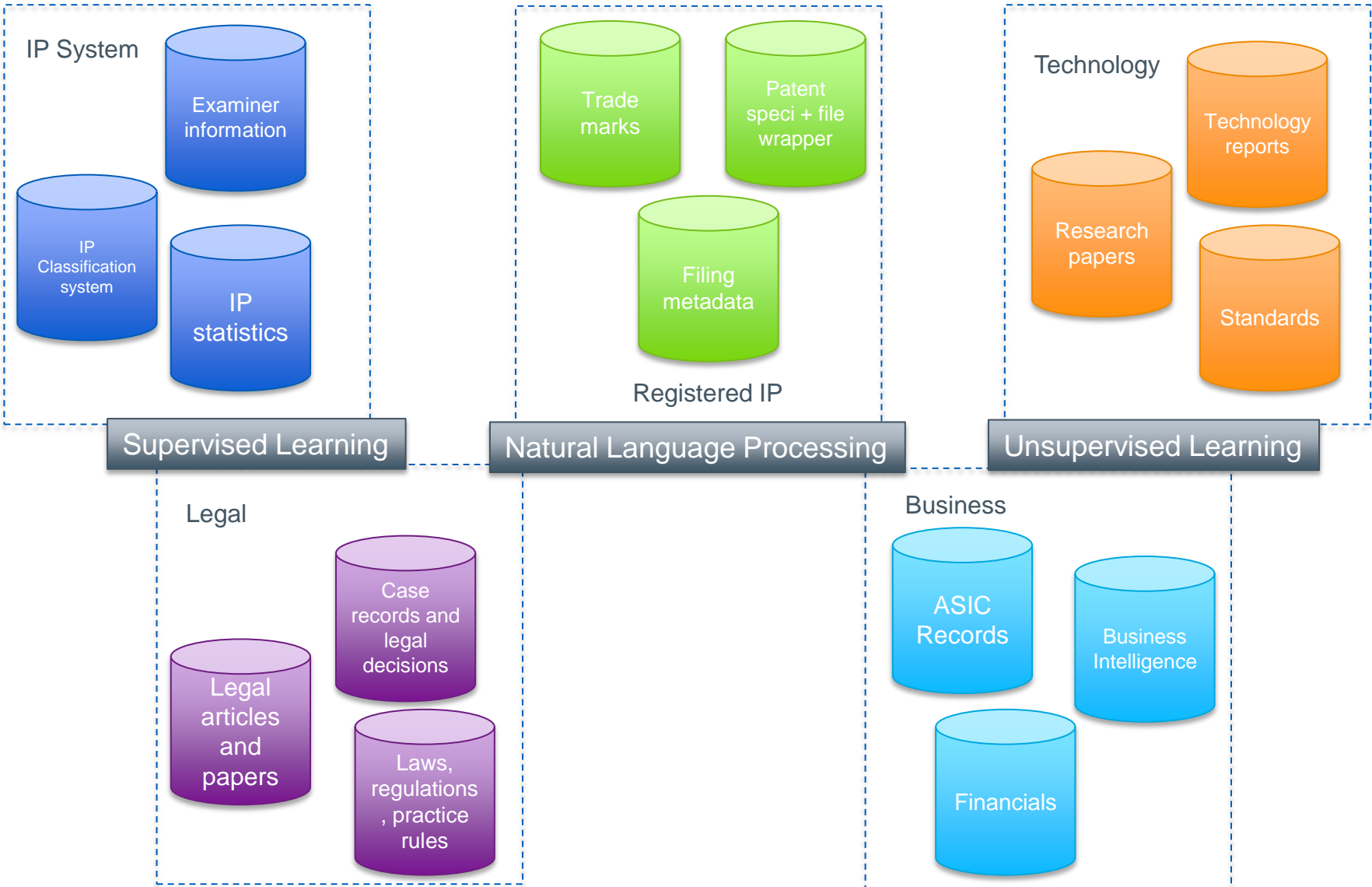


Guided trade mark applications  
Guided searching (pre-built playbooks)  
Specification checking (confirming support)  
IDS generation  
IP Australia’s Virtual Assistant - Alex

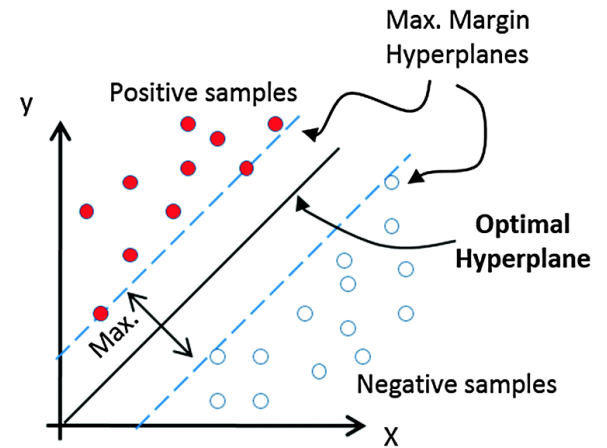
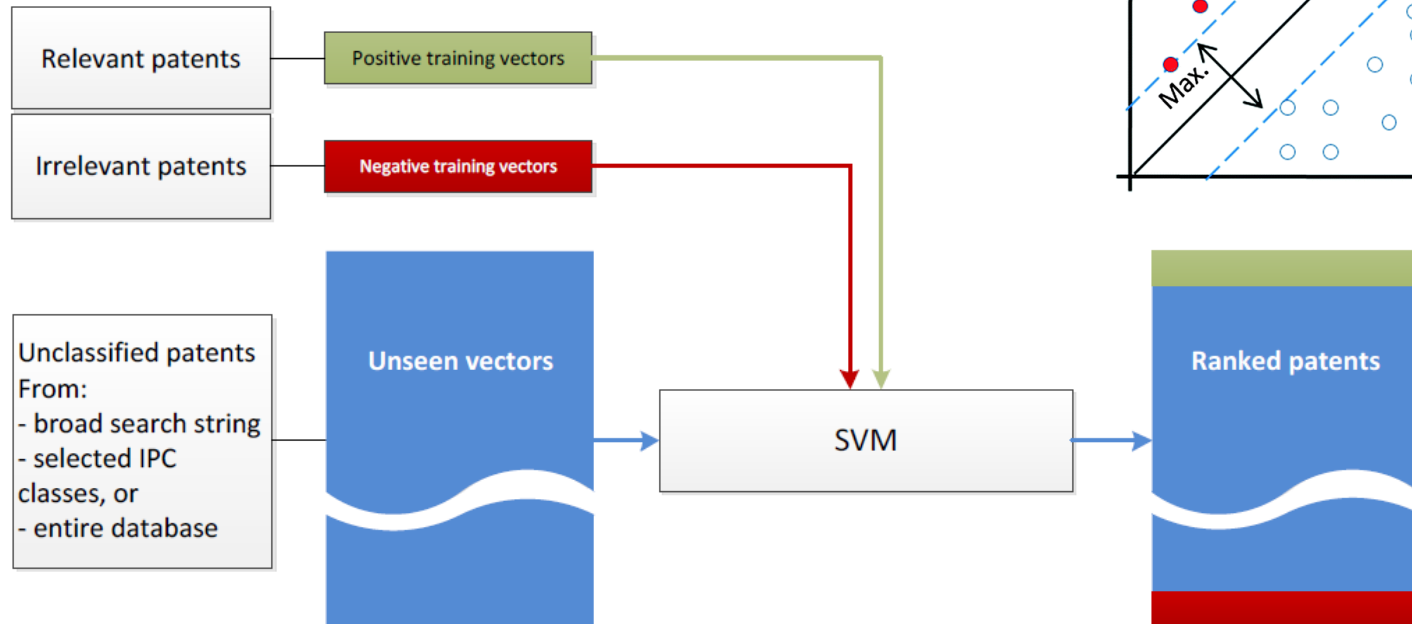
<https://www.ipaustralia.gov.au/about-us/news-and-community/news/meet-alex-your-virtual-assistant>

**...but not AI.**

# Bringing in AI – the basic recipe



- Traditional keyword searching
- Application of Machine learning - a new approach to searching for prior art



## Commercial tools:

- Innography's "true" semantic searching (Navigational search vs research search)
- Google Patents: machine classified Google Scholar results

<https://www.innography.com/>

## TrademarkNow

- Relevancy-ranked trademark searching and watching, and risk analysis
- Artificial intelligence model of trademark law (likelihood of confusion). Determines:
  - Similarity of trade marks
  - Similarity of goods and services
- Rule-based and statistical machine learning techniques
- Subscription on annual fee entitles a user to an unlimited number of searches
- Covers word marks and logos

<https://www.trademarknow.com/>

## Specifio

- **Submit a method claim set**
- **Software drafts a specification and figures**
- **Basic software-related inventions only at this stage**
- **Natural language processing and deep learning**
- **US\$2500 per application (USPTO practitioners)**
- **Potential issues to consider:**
  - **conflict of interest**
  - **privilege**

<https://specif.io/>



## TurboPatent's PatentBrain (for in-house)

- US based patent professionals assisted by AI
- Provisional: \$1500 to \$2000
- Non-provisional: \$4000 to \$5000

<http://turbopatent.com/>

## Roboreview (for attorneys)

- **Uses AI and predictive analytics to automatically analyse draft patent applications for:**
  - **Novelty**
  - **Patentability**
  - **antecedent basis**
  - **claim support**
  - **term consistency and more.**
  - **Intention is to reduce review time and human error.**

### **Generates two reports:**

- **Predictive analytics to inform strategy and set expectations**
- **Automatic Application Review provides in-document (MS Word) reviews for possible issues**

<http://turbopatent.com/roboreview/>

## SmartShell

- **AI and natural language processing generates an Office action response shell in 1 to 2 minutes**
- **Produces a package that includes:**
  - **Office Action Shell (Word)**
  - **TurboPatent Office Action Report**
  - **Client Summary Letter (Word)**
  - **OCR Converted Office Action (PDF) – with text layer added for copy/paste**
  - **OCR Converted Previous Claims (Word), if applicable**
- **Subscriptions work out to roughly US\$10 per use**

<http://turbopatent.com/smartshell/>

## Lex Machina

- Prior behaviour analysis
- Litigation frequency

### Provides insight on:

- Track record on litigation frequency
- Likelihood of settling
- Duration
- Outcome

<https://lexmachina.com/>

## Premonition

- Pools records from individual courthouses for analysis.
- Identify trends and outliers which can influence litigation outcome.
- Eg. Judge attorney pairing
- Choice of counsel (~30.7% of the verdict)

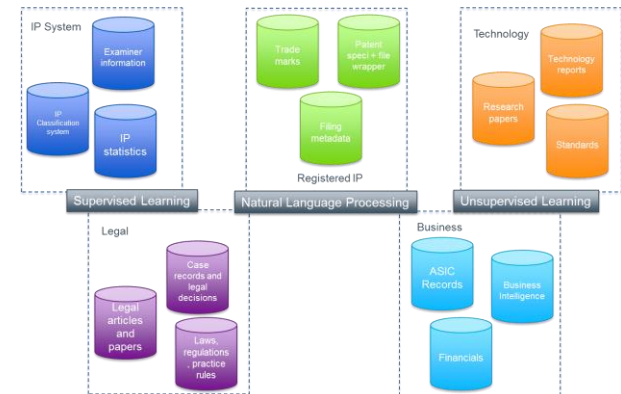
<https://premonition.ai/>

## IBM ROSS Platform

- **Built on IBM's Watson cognitive computer**
  - Jeopardy winner (2011)
  - Jill Watson, Georgia Tech TA bot
- **Legal research assistant tool designed to:**
  - understand natural language
  - provide answers to questions
  - formulate hypothesis
  - monitor developments in the legal system
- **Improves the more it is used**
- **Initial application – bankruptcy law**
  - Employed by Baker & Hosteler
- **Apply to patent law and language (beyond just case law)**
  - Patent searching and prior art advice
  - Relationship between embodiments and claims

<http://www.rossintelligence.com/>

- Continual improvement of existing systems and expansion to other jurisdictions
- and....
- Inventing (!)
- Software licensing analysis and compliance
- Comprehensive patentability assessments and invalidation targeting (eg patentx-ray –target claim to a higher likelihood of allowance - coming soon, IBM ROSS)
- Infringement detection (licensing opportunities) – initially just from patents, papers – eventually products / processes
- (High volume) IP Contract negotiation (block chain)
- Portfolio navigation (eg patentx-ray - backscatter patent portfolio scanner to organize, understand, and use the patents in an IP portfolio (coming soon) , Traklight – Arizona company focusing on identifying hidden innovations / IP)
- IP protection strategy



***“We always overestimate the change that will occur in the next two years and underestimate the change that will occur in the next ten. Don’t let yourself be lulled into inaction.”***

**- Bill Gates**