PTAB HIGHLIGHTS

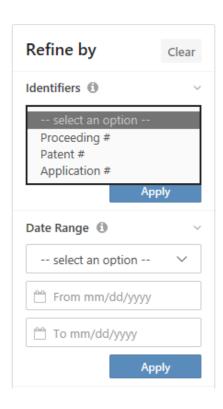# A Review of the PTAB Bulk Data Search Tool

By Apurv Gaurav and Rusty Griggs[*]

The U.S. Patent and Trademark Office (USPTO) recently released a Bulk Data Search tool that can be used to research decisions made by the Patent Trial and Appeal Board (PTAB) for AIA trials, including decisions from Post Grant Reviews (PGRs), Inter Partes Reviews (IPRs) and Covered Business Method (CBMs) reviews.
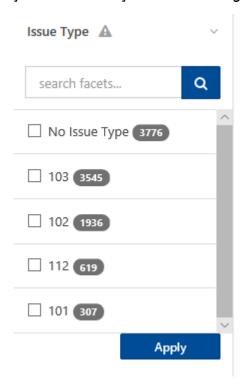
Prior public tools were generally limited to searching AIA trial decisions by name and number, rendering it more difficult to perform comprehensive legal research of PTAB litigation. PTAB litigation is evolving rapidly, and the USPTO's Bulk Data Search tool provides a relatively useful mechanism to search this growing body of law. Furthermore, in contrast to similar tools offered by Docket Navigator, Lexis or Westlaw, USPTO's Bulk Data Search tool is free. The following is a brief introduction to the different filters and search functionalities that this tool offers.

As shown below, the tool offers a quick look-up function. If you know the proceeding number, patent number, or application number, you can quickly find a decision. Additionally, if you know the approximate dates of the decision, you can apply a date range to narrow the results.

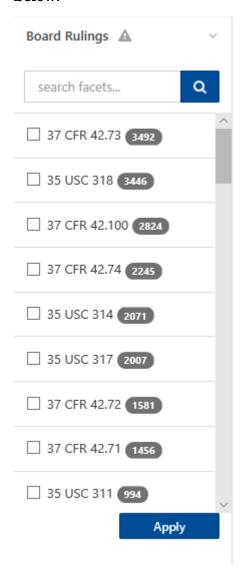[*] Rusty Griggs is a summer associate in Banner Witcoff's Washington, D.C., office. He is a law student at Brigham Young University Law School.

Unlike some other legal research tools, the PTAB lookup tool is specifically designed for patent law. As shown below, if you need to find a case specific to §101, §102, §103, or §112, you can narrow your search using "Issue Type."

Decisions can be filtered based on which rules and statutes are cited therein, as shown below:

Another useful feature is the ability to filter search results based on the tech center of the Patent Owner/Respondent. As illustrated below, the most common tech centers for AIA trials are 2600 (semiconductors, electrical optical systems and components), 2800 (communications), and 3600 (transportation, electronic commerce, construction, agriculture, licensing and review).

The PTAB lookup tool also allows you to find decisions about the same topic, by searching the text of the decisions:

After searching the text, you can open a quick-view of the case and see an example of the text that matches the search:

| Search ⚠ | "closed system"~5 | 🔍 |

Board Decisions

61 results found   Page refreshed 10:23:35 AM ⟳

	Proceeding #	PO/Respondent	Board Decision	Decision Date	PO/Respondent Application #	Proceeding Type	Decision Type	PO/Respondent Art Unit
⊙	IPR2017-00359	PETITE et al	Final Decision	11-28-2018	09439059	AIA Trial	Decision	2632

Decision document   download file ☁

PO/Respondent application # 09439059	Petitioner application # -
PO/Respondent patent # 6437692	Petitioner patent # -
PO/Respondent patent grant date 08-20-2002	Petitioner patent grant date -
PO/Respondent patent owner name PETITE et al	Petitioner patent owner name -
PO/Respondent patent inventor name -	Petitioner patent inventor name -
PO/Respondent party name SIPCO, LLC	Petitioner party name -
PO/Respondent counsel name Gregory Gonsalves	Petitioner counsel name -
PO/Respondent art unit 2632	Petitioner art unit -

> . Id. at 33:2425. 3. McGowan McGowan was published in 1995. Ex. 1005, 4. On the record presented, it is prior art to the challenged claims under 35 U.S.C. 102(b). McGowan is a book titled Direct Digital Control: A Guide to Distribute Building Automation. Ex. 1005. McGowan discloses what is IPR2017-00359 Patent 6,437,692 B1 19 referred to as a **closed**-loop control **system** in which a sensing element provides feedback information to a controller, which in turn processes

	Proceeding #	PO/Respondent	Board Decision	Decision Date	Application #	Proceeding Type	Decision Type	Art Unit
❱	IPR2017-01020	BROOKINS, ERNIE	Final Decision	09-11-2018	11830067	AIA Trial	Decision	3655
❱	IPR2017-00344	Fawcett et al	Termination	05-24-2018	14931276	AIA Trial	Decision	2685

The search engine uses many standard searching mechanisms including Boolean operators and wildcard searches, but with some specific nuances that may not be as intuitive. The following are a few of the highlights and important things to note:

- *Boolean operators*: Make sure the operators are in ALL CAPS or you will find every instance of the word "and" in the decisions (e.g. "AND," not "and").
- *Fuzzy searches*: Insert a tilde (~) after a word in the search. Consider adding an additional parameter of a number between 0 and 1 to search words with higher similarity (e.g. "patent~0.9" will search and find words that are more similar to patent than "patent~0.1" will).
- *Wildcard searches*: Use the "?" symbol for a single-character wildcard and the "*" symbol for a multi-character wildcard.
- *Proximity searches*: Find words within a certain distance of each other by using a tilde (~) symbol after the quotation enclosed phrase. (e.g. "art unit"~3 will find all instances where "art" and "unit" are within 3 words of each other).

Fuzzy searches could be especially helpful in researching AIA trial decisions involving similar inventions with certain claim features or elements. For example, a researcher may rank or designate the relevance of a certain claim feature or element by adding an appropriate numerical parameter to the claim feature or element.

This tool is a feature of the PTAB API, which is a part of the USPTO Open Data Portal. A guide to the PTAB API for developers and users of the Bulk Data Search tool can be found here. The Bulk Data Search tool itself can be found here.