## Drinker Biddle & Reath LLP

### Overview

**Firm:** Drinker Biddle & Reath LLP

**Location:** 12 offices nationwide

**Customer Profile:** Founded in 1849, Drinker Biddle employs about 600 attorneys across the U.S., providing legal counsel to clients in a wide range of practice areas and across a broad spectrum of industries.

**Business Situation:** Drinker Biddle had been using a patent research service from another legal service company for many years, but grew concerned about the capability of the service to meet their needs as patent searches grew more complex and USPTO scrutiny of patent applications became more intense. The firm's IP attorneys looked into alternative patent research products in the marketplace.

**Solution:** After testing and evaluating other patent research options, Drinker Biddle selected the first of what would eventually become a suite of IP tools from LexisNexis. The firm is now a user of: TotalPatent®, the world's largest collection of searchable full-text and bibliographic patent databases; *PatentOptimizer*$^{TM}$, which helps patent attorneys construct well-tailored patent applications and deconstruct granted patents for litigation; and PatentAdvisor$^{SM}$, which delivers predictive analytics and solid USPTO information so IP attorneys can make better strategic decisions and develop new business.

**Benefits:**
• Drinker Biddle's IP attorneys obtain more comprehensive results and conduct more complex search queries by using the global TotalPatent database
• *PatentOptimizer* has become a critical tool for Drinker Biddle, allowing them to reduce review time on patent applications
• The firm is able to pass on cost savings to its clients due to the enormous time savings achieved by the use of TotalPatent and *PatentOptimizer*
• The powerful analytics and USPTO metrics produced by PatentAdvisor have enabled Drinker Biddle & Reath to make the quality and consistency of legal counsel they provide to existing clients more efficient and it provides them with a significant advantage over competitors for developing new business.

# Drinker Biddle & Reath Leverages Power of LexisNexis® IP Solutions to Improve Success with USPTO & Reduce Time Spent on Review of Patent Applications

From its founding in 1849 to its present-day status as a leading law firm with a national footprint, Drinker Biddle & Reath LLP has demonstrated a sustained commitment to excellence in the practice of law, public service and a civil society. With over 600 attorneys in 11 offices nationwide, the firm strives to provide clients with unparalleled service in matters ranging from billion-dollar deals to complex class actions.

Drinker Biddle provides legal counsel to clients in a wide range of practice areas and across a broad spectrum of industries. The firm combines a comprehensive range of traditional legal practices with significant national roles in such practices as class action defense, intellectual property, corporate and securities, government relations, health care, insurance, investment management, private equity, bankruptcy, energy, environmental, education and communications.

## Situation

"Our IP team was a user of a patent research service from another legal service competitor, for many years," said Mercedes K. Meyer, Ph.D., a partner in Drinker Biddle's Intellectual Property Practice Group. "In 2010, we grew concerned about the product's capabilities and felt we weren't obtaining the results we needed from our increasingly complex and global patent database searches."

In addition to this concern about patent searches, Meyer and her colleagues knew that the USPTO was demonstrating greater scrutiny of patent applications and wanted to explore all possible information resources available to them in order to make sure they were providing their clients with the best possible counsel.

"We decided to go into the marketplace and look into the range of patent research tools available," said Meyer. "We established three key criteria and evaluated each product according to these considerations: comprehensive coverage of patent records worldwide; fast and user-friendly product; and cost-effective for our firm."

## Solution

After testing and evaluating other patent research options, Drinker Biddle selected the first of what would eventually become a suite of IP tools from LexisNexis.

"We made the decision to switch to TotalPatent, which we understand is the world's largest collection of searchable full-text and bibliographic patent databases," said Meyer. "It met all of our criteria and seems the most comprehensive information resource available to patent attorneys that we have found."

TotalPatent allows users to access extensive global patent databases, including the full text from 32 patent authorities, bibliographic and abstract data from a total of 100+ authorities, searchable both in the language of publication and in English language machine translations, as well as images, legal status, citations and patent family data and compressed and searchable PDFs. No other patent research solution in the world offers that level of comprehensive reach and international scope. In addition, there are a number of unique features in TotalPatent that make it easier for users to obtain the precise documents they need in the patent research process.

"After we made the switch to TotalPatent, we learned about *PatentOptimizer*, another tool in the LexisNexis IP suite," explained Meyer. "We were immediately impressed with the possibilities of that product to help us construct well-tailored patent applications, reduce Section 112 rejections and further mitigating our risk. We quickly acquired a subscription for *PatentOptimizer* as well. This type of patent solution provides a greater degree of quality control for patent drafting than found elsewhere and our clients appreciate the extra steps that we take to mitigate their risk." Created by patent attorneys who understand the nuances of the field, *PatentOptimizer* enables patent attorneys to develop internally consistent, concise and effective patent applications. *PatentOptimizer* is an easy-to-use tool that makes it very simple for users to check their claims and draft patent applications without all of the manual work that would otherwise be required. By streamlining patent analysis and serving as a critical quality control check when drafting patents, *PatentOptimizer* helps IP professionals to mitigate legal risk and work more efficiently.

"After a couple years of successfully using LexisNexis IP solutions, we became aware of PatentAdvisor, which delivers predictive analytics and solid USPTO information to patent attorneys," said Meyer. "It was clear to us that this product would assist us to make strategic decisions about how to advise our clients on prosecution strategy, and we have now acquired PatentAdvisor as well."

PatentAdvisor offers a powerful suite of services that allows patent attorneys to practice smarter and to obtain more predictable results with the USPTO. PatentAdvisor delivers in-depth patent statistics to help attorneys understand what is normal for an examiner or art unit. This unprecedented visibility into the USPTO patent analytics can guide patent strategies, whether it is deciding to file an RCE, abandon a patent, request an examiner interview, or file an appeal. Evaluating historical patterns and patent examiner statistics allows IP attorneys to objectively plan future strategies, enabling them to approach USPTO examiners with positions and tactics that have been successful in the past. The data also provides IP attorneys with the ability to gather competitive intelligence on the performance of other law firms with matters before the USPTO. Moreover, PatentAdvisor allows for better, more informed communications between IP counsel and their clients.

## Benefits

Drinker Biddle's IP team has realized a number of important benefits as a result of integrating the LexisNexis IP tools into the firm's patent workflow.

### TotalPatent

"TotalPatent has been a reliable patent database for us because it has allowed us to obtain more comprehensive results and conduct more complex search queries at the outset of the patent application process," said Meyer. "This gives us the confidence that our searches of patent records worldwide will be both comprehensive and accurate. That service mitigates risk by assuring that we check everything and saves us time by helping us quickly understand the range of issues out there that we need to navigate." TotalPatent is the most comprehensive online collection of patent information in the world, including more than 38 million main patent families, far more than any other patent research service.

### *PatentOptimizer*

*PatentOptimizer* has become a critical tool for some practitioners at Drinker Biddle in the development of patent applications for clients. "*PatentOptimizer* is a fabulous product and a really important tool for us," said Meyer. "It has helped us to streamline our claim and specification drafting and editing. The tool has also aided us in assessing patents owned by third parties for indefiniteness and written description for validity opinions."

In addition to the higher quality patent applications the firm is now drafting for clients, *PatentOptimizer* has allowed Drinker Biddle to reduce the average review time on patent applications. Coupled with the time savings achieved by using TotalPatent for patent research, the firm has been able to pass on significant cost savings to clients.

### PatentAdvisor

"PatentAdvisor is a terrific innovation because it contains powerful analytics and USPTO metrics that give us deep insights we could never before obtain," said Meyer. "We can look at a specific client's patent portfolio to see what they own and where it sits in the company. We now have visibility into how effective a specific company is with obtaining or defending their patents. And perhaps most useful of all, PatentAdvisor now gives us objective insight into the patterns of individual USPTO patent examiners, such as how many patents they review per year, how many applications they approve or reject, and how their decisions fared on appeals."

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The rich statistical data from PatentAdvisor helps Drinker Biddle's IP attorneys modify their patent strategies at various key decision points in order to decrease pendency rates and maximize patent allowance outcomes.

"The LexisNexis IP solutions are quite simply the wave of the future in patent law," said Meyer. "These products allow IP practitioners to take advantage of analytics and metrics in order to improve the quality of the legal counsel we provide to our clients. By surfacing important data we need to measure success with patent applications and benchmarking key factors that impact our results with the USPTO, the LexisNexis IP suite is ushering our profession into the new frontier of patent law."

## About LexisNexis

LexisNexis® (www.lexisnexis.com) is a leading global provider of content-enabled workflow solutions designed specifically for professionals in the legal, risk management, corporate, government, law enforcement, accounting, and academic markets. LexisNexis originally pioneered online information with its Lexis® and Nexis® services. A member of Reed Elsevier [NYSE: ENL; NYSE: RUK] (www.reedelsevier.com), LexisNexis serves customers in more than 100 countries with 15,000 employees worldwide.