

Actionable Prior Art Now

How Marshall IP use IPRally to help their clients make better business decisions

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“My clients have found that we’re unearthing really strong prior art that puts them in a better position to make their business decisions.”



— Jeremy Kriegel, Partner
Marshall, Gerstein & Borun LLP.

Key highlights

- + Much closer to the bullseye prior art
- + IPRally provides quick and relevant search results to start from, even without a lot of background information
- + Actionable results the same day rather than having to wait a week for an outside search provider to come back

Traditional ways of finding prior art

Jeremy Kriegel is partner at Marshall, Gerstein & Borun LLP. In addition to performing prior art searches where an inventor has presented him with a disclosure or a general concept, he is frequently doing invalidity and FTO searches on behalf of his clients. He often starts without a lot of background information.

“My old strategy was to start my search with the information I had. It could be an assignee name, an inventor, publication or patent. Or I'd start searching brand names and figuring out who the owners of the trademark registrations were, and then checking what patents and applications they had filed. Then I'd do forward searching and backward searching. So, if I had a patent from 2016, maybe I'd look at a patent from 2020 that cited that patent. After that I'd look at the prior art cited in the 2020 patent to see if I could find prior art against the earlier patent. That was a lot of my strategy and it was hit or miss. More hits than misses, but not as cogent as an AI solution.”

“We would also use outside searchers which seem to spend an enormous amount of time on presentation and I'm not interested in that. I'm interested in finding strong references, not sifting through pages and pages of excess unusable or unimportant reports.”

AI brings references closer to the bullseye

If it's a really important patent Jeremy is trying to invalidate, he is not averse to commissioning multiple searches and combining different search methods. IPRally's AI graph approach provides quick and actionable search results to start from.

“What intrigued me about the IPRally approach was that it was promised to be intuitive, that the results would be easy to digest and that the results would be better. And on all those three promises, IPRally delivered. I would say that our hits are a lot closer to the bullseye more often than not. My clients have found that we're unearthing really strong prior art that puts them in a better position to make their business decisions, and that's what we're here to do.”

“We're certainly getting actionable results the same day, rather than having to wait three, four or seven days for an outside search to come back. I wouldn't say that I pit IPRally against outside searchers though – when I'm doing invalidity searching I'm looking for the best references I can from whatever source I can find. And IPRally gives me closer to the bullseye patents to start from. It does a nice job of highlighting why the AI identified the references and just giving me the raw results and leaving it up to me to do what I want with them. We also do some FTO searches and I think what's nice is that IPRally starts out-performing some of the outsourcing that we do there. We are able to do more of that in-house.”

“To summarize, IPRally let me drink from a drinking fountain. You are not shooting me with a fire hose of information, you are giving me a clean interface, and actionable information in manageable bites.”

Founded in Chicago in 1955, Marshall, Gerstein & Borun LLP. provides IP advice and legal services to many of the world's most innovative businesses, research institutions, universities, and entrepreneurs. They help clients balance the risks and rewards of developing, monetizing, and marketing new technologies through patent and trademark prosecution, transactional and litigation counsel, copyright protection, and other IP services.

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