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May 2010

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PDF**From the Editor**

There's always something new at Dialog. This month read about file histories delivered to your desktop, new data in Chinese Patents Fulltext, special pricing offers, and an enhancement to make post-processing Dialog data seamless with RefWorks. Two articles by our intellectual property experts in our Validate section provide valuable information on searching common law trademarks and how to approach a patent search. Remember to try GeoRef, the free file for May. And, sign up for a Dialog Forum near you!

**New Innovate Web page**

At every step of the innovative process, Dialog's depth and breadth of content, combined with precision searching, provides critical information to support continuous advances. If you haven't yet checked the new [Innovate Web page](#), take a look. This page regularly offers new research on innovation around the globe in the latest technologies. Bookmark this page and refer to it frequently.

**Patents unwrapped: file histories delivered to your desktop**

Sometimes you need to dig deeper to complete your patent analyses after a search, and obtaining file histories can be an important part of this process. Now you can order File Histories for patents and trademarks from DigiPat. Choose to receive the original application as filed, as well as all references to patents and non-patent literature (NPL) filed with the patent and referred to during the examination process.

**File history defined**

A file history is available for any patent information in the public domain; i.e., published applications or granted patents. It is a completely up-to-date account of all the correspondence between the patent office and the applicant and contains full details of the prosecution history. The file history (or file wrapper) includes documentation such as the table of contents of the file, the original application as filed with claims, declarations and drawings, the office actions (U.S.), amendments, notice of allowability, details of the search strategy and documents considered (U.S.). The European and PCT file wrappers contain the search reports and written opinions.

You can order file histories directly from all patent databases and three trademark files by clicking a link in a single record to obtain the file history for that particular patent, or through Dialog SourceOne after your search. Because file histories can be very long, DigiPat provides a searchable file history option you can bookmark, which is very useful when trying to find a precise piece of information in a file history containing hundreds of pages. File histories for recent U.S. patents are available immediately from DigiPat where they are held electronically. For older patents, the file history may first need digitizing to make an image or machine-readable PDF. So, if you've ordered a searchable copy, this will take longer to supply.

**Benefits of file histories**

File histories can be important when trying to:

- Find all the arguments between the examiner and the applicant important in an invalidity analysis
- Obtain the latest status of the patent application for a freedom-to-operate assessment
- Identify who really owns the patent or trademark in a competitor

[Subscribe here](#) →**Contents****From the Editor**[Patents unwrapped: file histories delivered to your desktop](#)[Chinese Patents Fulltext one-of-a-kind](#)[RefWorks: Post-processing made easy](#)[SPECIAL LIMITED TIME OFFER! 50% off all Alert profiles for key pharmaceutical industry and drug pipeline news sources](#)**A new Dialog**[Dialog Forums — European Tour and D.C.](#)[Free File of the Month — GeoRef](#)[Stories from the front lines](#)[Discover: Scientific, Technical and Medical](#)[Validate: Intellectual Property Content Updates](#)[Learn about Proquest](#)[Smart Searching](#)[Announcements](#)[Events](#)[Training](#)[Documentation](#)[Quantum?](#)[Search Techniques](#)[Dialog Search Tip](#)[DataStar Search Tip](#)**Learn about ProQuest****Your key to informed decision-making: ABI/INFORM Complete™**

Dialog and DataStar customers have long relied on ABI/INFORM® ([File 15](#) on Dialog; [INFO](#) on DataStar) for excellent coverage of economics, finance, corporate structure, management and human resources. ABI/INFORM provides unparalleled examinations of industries – from aerospace to electronics to pharmaceuticals – plus informative insight on manufacturing, products and processes. And this is the perfect time to expand your access to even more high quality, full-text business and industry journals, with a subscription to the complete ABI/INFORM collection on ProQuest, now with a 25% discount on new subscriptions.

**SPECIAL OFFER: 25% discount on new subscriptions to ABI/INFORM Complete**

Now through  
July 31, 2010,  
Dialog

analysis or due diligence

- Find out which parts of the patent application are linked to which priority date as part of a prior art or clearance search
- Order a certified copy if required for legal proceedings or due diligence.

### Chinese Patents Fulltext one-of-a-kind

#### 更加中国的专利

Last month Dialog brought you 20 years of searchable machine-translated full-text Chinese patents and utility models (covering the years 1985 to 2005) in Chinese Patents Fulltext ([File 325](#)). The database is now completely up to date, including patents from 2006 to the present, bringing the total number of Chinese patents to 3.5 million. This collection, searchable in English, is the only one of its kind to contain all Chinese patents issued since the beginning of the modern Chinese patent authority.

Utility models are very popular with Chinese companies, particularly in fields such as consumer products, mechanics and electronics, where products need to reach the market quickly in a fast-changing environment. Chinese companies who need protection quickly for their invention will file a utility model. Ninety-nine percent of utility models filed to 2008 were filed by Chinese companies. A utility model cannot be filed to protect a method and is only valid for 10 years from date of filing (compared to 20 years for patents). Utility models must still be considered in a prior art search anywhere in the world for novelty.

Set up weekly Alerts to coincide with the file updating, or choose your own frequency and timing for Alerts. There are over 100 types of legal status events for Chinese patents and utility models, and these are all translated into English in File 325. EXPAND LS= to get a complete list. Legal events can also be tracked in an Alert by patent number.

File 325 provides remote links to the PDF of the original Chinese patent documents, so you can quickly view all the drawings while reviewing the translated English text of your documents to gain a more complete understanding of the invention(s). Images or PDFs can be displayed when searches are conducted using DialogLink<sup>®</sup> 5, DialogClassic Web<sup>™</sup> or DialogWeb. Images are provided in Formats 12, 13, 15, 17 and 19, and can also be included in other formats by specifying the display tag IM.

Remote links to PDFs of the original Chinese patent document display with Formats 3, 9, 12, 13, 15, 17 and 19. To learn more about Chinese Patents, join our workshop at the PIUG Annual Conference on Thursday May 6 in Baltimore, Maryland.

### RefWorks: Post-processing made easy

Using RefWorks, an online research management, writing and collaboration tool, will make post-processing your Dialog search results and Alerts quick and easy. The RefWorks command is available in DialogClassic Web and DialogLink 5.

You can now export records directly from a Dialog search in DialogClassic Web or DialogLink 5 to RefWorks and receive your output in HTML format either inline or as an attachment. Just begin a RefWorks-enabled database and execute your search. The RefWorks command works in much the same way as the Dialog TYPE command. The command will automatically open a new window and import the records.

Command	Example
refworks <Sn>/<format>/<items>	refworks 1/9/1-10
refworks <set number>/<format>/<items>	refworks s1/3/1-14
refworks <accession number>/<format>	refworks 123456/9
refworks <Sn>/<format>/items/FROM <file number(s)>	refworks s1/9/1-3 from 154,72
refworks <Sn>/<format>/items/FROM EACH	refworks s1/9/1-5 from each
refworks <Sn>/<format>/items/FROM EACH	refworks s1/9/1-5 from each
refworks	refworks

You can also use the RefWorks command to export Alerts to RefWorks by adding RefWorks to your PRINT statement: PRINT Sn/Fmt/items REFWORKS ADDR USERADD. Output is delivered in HTML format either inline or as an attachment

RefWorks-enabled files include:

- BIOSIS Previews<sup>®</sup> (File 5, 55, 525,

[Login to your RefWorks Account](#)

WELCOME TO REFWORKS 2.0! The new security features of your RefWorks. To view - and better to look at, visit!

Search Alerts

customers will receive a 25% discount on new subscriptions to ABI/INFORM Complete on ProQuest. Whether you're developing strategies, forecasting international economic conditions, assessing risk, starting a new project or simply managing day-to-day operations, ABI/INFORM Complete offers top-notch business insights and expertise for making sound decisions. Searching and finding relevant data is easy, even for novice searchers, using ProQuest's award-winning search technology and interface, with robust indexing, Smart Search<sup>®</sup>, Browse Tab, Content Alerts, RSS Feeds and more.

Contact your Dialog account manager for additional details or call the Global Customer Support Team at 1-800-334-2564 (North America) or +00 800 33 34 2564 (Rest of World) or by [Customer@dialog.com](mailto:Customer@dialog.com) email for more information or to request a **free trial**.

### Smart Searching

#### Create customized reports and save money

Have you ever needed to compile data on the top companies in an industry? In company directory databases like D&B WorldBase<sup>®</sup> - U.S. ([File 517](#)) or D&B WorldBase<sup>®</sup> - International ([File 518](#)) or American Business Directory ([File 531](#)), you can run a quick search, qualify to sales (SA) greater than or equal to (>=) a figure, SORT by sales in descending order (SA,D), and then use the REPORT command to create a tabular display of the top number of companies, company names, cities, states, telephone numbers and sales figures. Just follow the command summary [shown here](#) to find the top 25 motion picture producers and studios. You can substitute your own SIC codes and sales numbers to fit your needs.

### Announcements

#### Free File for June

Dialog will offer Chinese Patents Fulltext ([File 325](#)) as the free file for June. Take this opportunity to search this never-before available collection of Machine Assisted Translation (MAT) Chinese Patents and Utility Models issued since 1985.

Search up to \$100 for free in the file (Connect Time or DialUnits) in June. Output and Alerts costs are not included. See an [Overview](#) of File 325 to learn more about this patent database.

#### And the winner is...

If you entered the User Profile Update drawing to win an Amazon Kindle<sup>™</sup>, take a look.



The drawing took place on April 30, and we're happy to announce the winner is:

**ALAIN BORSI** of the Canadian Space Agency in Saint Hubert, Quebec, Canada.

552, 205)

- Embase®/ Embase® Classic (Files 72, 73, 772, 972, 272)
- CAB ABSTRACTS (File 50, 250)
- Current Contents Search® (File 440)
- MEDLINE® (File 154, 155, 254)
- Ei Compendex® (Files 8, 278, 288, 988, 208)
- Inspec® (Files 2, 3, 4, 203, 213)
- Embase® Alert (File 172)
- PASCAL (File 144)
- Derwent Drug File (Files 376, 377, 912, 913)
- CA Search®: Chemical Abstracts® (Files 319, 308-314, 204)
- SciSearch®: A Cited Science Reference Database (Files 34, 434, 294).



**Note:** You will need to install or upgrade to the latest version of DialogLink 5 to access the RefWorks command.

### SPECIAL LIMITED TIME OFFER! 50% off all Alert profiles for key pharmaceutical industry and drug pipeline news sources



You still have until June 30 to enjoy a 50% discount on all daily, weekly or monthly Alerts profiles for pharmaceutical and related industry news sources on Dialog® and DataStar®.

During this period, all Alerts profiles in the pharmaceutical news sources listed below will be half the published price. Take advantage of this great opportunity to assess needs, set up new Alerts and refine or expand existing profiles!

- Adis Newsletters (File 428, ADPR)
- DIOGENES® FDA Regulatory Updates (File 158, DIOG)
- ESPICOM Pharmaceutical & Medical Device News (File 441, MDNE)
- IMS New Product Focus (File 446, IPLL)
- NewsRX Weekly Reports (File 135, RXNS)
- Pharmaceutical News Index (PNI®) (File 42)
- Prous Science Daily Essentials (File 458, 459, PRES)

If you need assistance in setting up Alert profiles, contact our Global Customer Support team at [Customer@dialog.com](mailto:Customer@dialog.com). You won't want to miss the chance to take advantage of this special offer through June!

### A new Dialog

If you haven't signed up yet on the Dialog **user panel**, do it today! See a preview of the new product, hear what users are saying and ask your own questions.

To learn more about the next-generation product, visit [dialog.com/feature](http://dialog.com/feature).



### Dialog Forums — European Tour and D.C.

Dialog Forums are being conducted across Europe throughout May and June. Join us for a forum in your area, and discover the new Dialog with an introduction to Release 1 of our new product, focusing on scientific discovery. In addition, our experts will share tips and techniques for maximizing your search results with analysis and visualization tools such as Innography and provide an update on the Dialog product strategy and vision for the future. **Register** today for a Dialog European Forum in Copenhagen, Frankfurt, London, Milan or Paris.

In **North America**, the U.S. Patent and Trademark Office (USPTO) will host a Dialog Forum on May 27 for customers in the greater Washington, D.C. area. The half-day agenda is full of great content, including an introduction to Release 1 of the new Dialog product, the latest *DWPI* updates, search tips and tricks, an open discussion about the future of copyrights, and coming attractions for complementary ProQuest products. **Register** for the morning or afternoon sessions today. Additional North America forums are being planned for the Fall — stay tuned for more information in an upcoming issue of the *Chronolog*.

### New issue of Eye on Innovation



Issue 4 of *Eye on Innovation* explores cleantech, the

latest boom in innovation worldwide. Using Dialog science and technology files, patents and business and market research databases, Dialog analyzes an important cleantech sector—water. **Read** about our most vital commodity and where it fits into the cleantech revolution and **sign up** to receive *Eye on Innovation*.

### Events

#### May events

We hope to see you at one of the following trade shows where Dialog is exhibiting in May.

**Trade Shows**—Dialog is exhibiting at the following trade shows during May:

- **PIUG Annual Conference**  
May 1-6  
Baltimore, Maryland
- **Dialog Workshop for PIUG Attendees — Focus on Chinese Patents.** If you are attending the PIUG Annual Conference in Baltimore, Maryland, join us for the Dialog workshop, *Focus on Chinese Patents*, being presented on Thursday, May 6, by Dialog's own Ron Kaminecki and Jane List at the Hilton Baltimore Convention Center. For the full abstract and event details or to register for this informative PIUG workshop, **click here**.
- **MLA Annual Meeting**  
May 21-26  
Washington, D.C.

Check the complete list of **2010 events**, and be sure to stop by the Dialog booth.

### Training

#### Training schedule

Check the training **Web site** for upcoming Webinars highlighting Dialog's large collection of resources in all subject areas. Put these sessions on your calendar:

- **Webinar: Overcoming the IP Due Diligence Dilemma – May 11**  
Get an insightful look at how applying intellectual property business intelligence can effectively overcome the problems frequently encountered when conducting IP due diligence. Presented by Innography's Chief Marketing Officer, Doug Miller, and Dialog's Director, Intellectual Property segment and U.S. patent attorney, Ron Kaminecki, this 45-minute webinar will take you through a use case example of how a leading consumer packaged goods company significantly reduced cost and time during the merger and acquisition process.

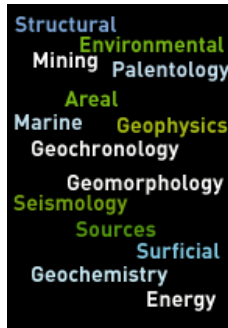
## Free File of the Month — GeoRef

Looking for comprehensive, authoritative geology and geophysics information? Then try GeoRef ([File 89](#)) as the free file for May. From archeology to earth science, from energy to pollution control, or oceanography to extraterrestrial geology, GeoRef has comprehensive content. Updated twice weekly, File 89 covers worldwide technical literature on geology and geophysics from more than 13,000 journals, books, conference papers, government publications and more.

About 40% of the indexed publications originate in the United States and the remainder from outside the United States. Publications of international organizations represent about 7% of the file. The GeoRef database covers the geology of North America from 1669 to the present, and the geology of the rest of the world from 1933 forward.

GeoRef uses specialized indexing including a thesaurus and subject categories. A key feature of the file is [geographic coordinates](#) that let you search for records relating to an area within a quadrangle, bounded by latitude and longitude.

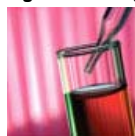
Learn more about the database in the [Overview](#) of GeoRef. Throughout May, explore this file up to \$100 for free (either DialUnits or Connect Time). Output and Alerts charges are not included. [Attend](#) overview webinar sessions on GeoRef scheduled on May 4 and 13.



### Stories from the front lines

Dialog has been helping customers with search needs for more than 35 years. Read on as a research librarian tells us how Dialog adds value to the process.

#### Logic and Dialog go hand-in-hand



"I learned to search Dialog in library school. It's not difficult, and if you like logic, Dialog makes perfect sense. Other search engines do not have the same capabilities, such as proximity operators. Whenever possible, I sit with engineers and scientists to review results. When the research librarian is inserted into the search process at the beginning, it's possible to view and respond to the changes in focus—it's a dynamic process."

— (R. Wengert, Eagan, Minn.)

*Send us your stories about using Dialog.*

### Discover: Scientific, Technical and Medical

#### MEDLINE records added to Embase on Dialog



Data from mid-January 2010 to the present has been loaded into Embase® on Dialog. This represents sources previously only available in MEDLINE®. Initially, the change only affects new additions to the database, but later in 2010 an archive of more than seven million records will also be loaded.

A new file segment (FS=) is effective for data added to the Embase files from January 22, 2010 onward (UD=20100122); this is FS=MEDLINE. MEDLINE records can also be explicitly excluded from future Alerts by adding NOT FS=MEDLINE to an Alert search strategy. When the archive is added, the FS=MEDLINE index will occur in MEDLINE records throughout the Embase files.

TABLE 1. REFWORKS

Field Name	New Display Tag	New Search Prefix
File Segment (UD=20100122 forwards)	FS	FS= (Phrase parsed)

### Inspec backfile on DataStar now contains IPC codes

If you are responsible for technology sourcing and licensing, patent licensing, freedom to operate, M&A or other IP-related activities, [register](#) for this webinar and take a short break from your day to learn more.

#### Register for What's New in Derwent World Patents Index® – May 13

The session will cover enhancements to country coverage and records on *DWPI*.

#### Register for Searching for Common Law Trademarks on Dialog – May 19

The sessions discusses how to find common law trademarks including databases to use and tools on Dialog to help in your searching.

- Check the [German](#) and [French](#) training pages for classes that might interest you. And, if you only have 15 minutes to refresh your skills, register for a short session.

### Documentation

#### New Documentation

Use the new [At a Glance](#) module to review the new RefWorks command mentioned in this issue. This five-minute module shows you how easy it is to combine Dialog and DataStar searching with post-processing on RefWorks.

### Quantum<sup>2</sup>

#### Qualities of an InfoStar

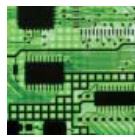


This month we highlight Paula Juckes, whose strategic relationship-building and

involvement in providing solutions for her clients' needs makes her an [InfoStar](#). At UCB, a global biopharma that focuses on severe diseases in the central nervous system and immunology, Paula's collaborative tools and training are the backbone of the information service she makes available to the company's scientific researchers, project groups and patent attorneys. A great believer in the necessity of good quality information to enable companies to make the right business decisions, she believes only a company with a good information strategy will be able to determine the right sources of information for the best advantage. To learn more about Paula's achievements, read her [profile](#).

#### Seeking nominations!

Dialog is seeking nominations in North America for the InfoStar awards to be announced at the forthcoming



Inspec® on DataStar has now applied International Patent Classification (IPC) codes across the backfiles including **INSP**, IN86, IN79, INYY and INZZ. IPC codes were added to new documents starting January 1, 2010. Inspec is mapping its own indexing schemes to the WIPO IPC scheme enabling them to assign IPC codes to relevant records. Initial testing indicates about 75% of new Inspec records will contain IPC codes, and the average record will have two assigned IPC codes. The Inspec implementation of IPC codes will be a valuable tool for the prior art searcher, allowing clustering of relevant non-patent literature within the same familiar code structure used for patents.

### ToxFile reloaded with 2010 MeSH

ToxFile® (**File 156**) is reloaded routinely once a year to refresh the file. The reload is now complete, and all ToxFile records containing MeSH® descriptors now match the 2010 MEDLINE® thesaurus already in use for new records in File 156.

### Files closed to transactional access

Starting May 1, at the request of the information provider Informa UK Ltd. Pharmaprojects (Files 128 / PHAR, PHDI, PHLP, PHZZ, TRPH) and AgroProjects (File 235) will be closed to transactional access.

### Validate: Intellectual Property Content Updates

#### Chinese Utility Model coverage extended in *Derwent World Patents Index*

The coverage of Chinese Utility Models in *Derwent World Patents Index*® (*DWPI*) (**File 351,350/352**) is being extended to cover all published records from the time period January 2007 to May 2007. Each record will have a full *DWPI* title and abstract, and associated manual coding to aid retrieval and analysis. As with the existing Chinese coverage in *DWPI* (Invention Applications and Utility Models), human translations of all the claims will be available at the *DWPI* member record level.

Chinese Utility Models are an important source of prior art with many records being filed only in China. Once complete, this extension to the backfile in *DWPI* will provide access to an additional 55,000 records, the majority of which are basics.

The extended coverage will start with the records published in May 2007, and over the next quarter the records from April 2007 back to January 2007 will be processed and made available in the file.

### Expand your trademark search

by Mary Kay McDonald, MSM, JD, Information Consultant, Dialog Knowledge Center



MARY KAY MCDONALD

From the United States to Finland, to China and Australia and beyond, Dialog's extensive collection of **TRADEMARKSCAN**® files worldwide makes it easy to quickly conduct preliminary screening for the availability of new product or service names. However, your options don't stop with government trademark registries.

Some jurisdictions, including the United States and the United Kingdom, provide certain trademark protections based on use of the mark in commerce, even without a trademark registration. These rights are sometimes called "common law" rights and can preclude the later adoption and registration of the same or a similar mark. Dialog's vast collection of company directories, news and product-focused files across a wide range of industries allows you to deepen the scope of your search and obtain a clearer idea of the availability of a mark prior to spending fees for a full trademark clearance search and legal opinion.

#### Extensive sources for searching for Common Law trademarks

When expanding your trademark screening beyond legal trademark registries, first consider Brands & Their Companies (**File 116**). File 116 is a directory of more than 365,000 brand names. About half of these trade names have been supplied by the companies themselves, providing information generally not available in other sources. Brands & Their Companies is designed to be used in conjunction with the TRADEMARKSCAN files, and supports the use of the powerful Rotated Trademark Index (TR=), which retrieves terms in any position, whether as a

TRADEMARK IMAGE AVAILABLE \*



Solar Fire

SLA Annual Conference in New Orleans June 13-15, 2010. If you know someone you think meets any or all of these **criteria**, send an email to **Betty Jo Hibberd** telling her why you are nominating your selected candidate. Closing date for nominations is Friday, May 14.

### Search Techniques


#### Dialog Search Tip: How can I find the ultimate parent of ARAMARK in File 517?

Dun & Bradstreet provides several ways to find the ultimate parent of a company. The easiest and most obvious method is to use the /ULTIMATE limiter. If you get a result of one record you know you have found the ultimate parent. What if the answer comes back with 0? It could mean that the ultimate parent has a different name, or the ultimate parent is from a different country than, for example, the United States in File 517. What to do?

A search for the ultimate parent of ARAMARK using EXPAND and SELECTing companies with names like CO=ARAMARK CORP or ARAMARK CORPORATION yielded 0 hits when qualifying the set to /ULTIMATE. A solution was to SELECT S1 AND SF=LINKED, then TYPE a record in Format 3, which provided the name of a corporate family member, and more importantly, names and DUNS numbers of its headquarters and of its ultimate parent. SELECT DN=79-107-2197, and *voilà*, there is the record for ARAMARK Holdings Corporation, the ultimate parent, located in Philadelphia, PA.

**Bonus tip:** If you find that CO=<company name> does not lead to the ultimate parent with the /ULTIMATE limiter, try searching <company name>/CO, e.g. SELECT ARAMARK/CO. Because the ultimate parent location has the word ARAMARK in its name, using /ULTIMATE on that set yielded two records. TYPE out the two records in Format 6 and try to determine which one is the parent of the company you seek.

#### DataStar Search Tip: Clinical trials searching in MEDLINE® in DataStarWeb

When searching for clinical trials in MEDLINE®, use both the **descriptors** and the **publication type** to retrieve comprehensive coverage. One quick way to see a list of descriptors that contain the words clinical trial is to enter CLINICAL-TRIAL? in the search box. This "EXPAND" command displays the first 50 terms from that place in the index, including a rotated index, showing the number of hits in the database, (e.g. 3100 CLINICAL-TRIAL\CONTROLLED, for CONTROLLED-CLINICAL-TRIAL). Note the "more" button  to "page down" to see additional terms.

prefix, suffix or embedded in word.

Since a significant number of organizations provide products and services under their company name, it's a good idea to check company directory files, such as D&B – Dun's Electronic Business Directory® ([File 515](#)), American Business Directory ([File 531](#)), the multi-country **KOMPASS** directories or TecTrends ([File 256](#)) when looking for non-registered designations. Product-focused files such as the Thomas Register Online® ([File 535](#)) and Cengage/Gale New Product Announcements/Plus® (NPA/Plus) ([File 621](#)) are rich sources of brand names as well. With Dialog's unparalleled content collection you can go broad and search general news articles in [Dialog NewsRoom](#) or take advantage of Dialog's industry-specific files such as World Textiles ([File 67](#)), Cengage/Gale Aerospace/Defense Technology and Markets ([File 80](#)), Cengage/Gale Computer Database ([File 275](#)) or IMS New Pharmaceutical Product Focus ([File 446](#)) to really focus your efforts on specific industries. For more information on these files as well as files supporting other industries, see the [Database Catalog, Dialog®/DataStar® 2010](#).

#### **Dialog tools: precise and cost-effective**

The Dialog Finder Files provide precision and cost savings by first pinpointing the best files for your common law trademark search. For example:

- Use the Journal Name Finder™ ([File 414](#)) to locate Dialog databases that include premier journals in the targeted industry, then search the proposed brand name
- Find files referencing a potential trademark designation in the Company Name field with the Dialog Company Name Finder™ ([File 416](#))
- Screen the Dialog files of your choice using DIALINDEX® ([File 411](#)) for earlier references to a candidate mark to find the frequency of such references and locate files to begin searching.

Short [Dialog At A Glance](#) on-demand training modules give concise step-by-step examples of how to use the Dialog Finder Files.

Take advantage of Dialog's broad content and unique search tools that give you resources you need to successfully navigate the interesting and often complex preliminary trademark screening process.

### **A Proximal and a Distal Tip**

*by Ron Kaminecki, MS, CPL, JD, director, IP segment, U.S. patent attorney*



**Ron Kaminecki**

#### **Prioritizing arguments**


I was conducting a strategy session once and stated it is best to break up a search into pieces and search the piece from which you expect the least number of records before you search the others. One of the brighter students pointed out that it did not matter which term you searched first, as you ended up with the same answer, pointing out that 1 plus 2 plus 3=3 plus 2 plus 1; therefore, the order was irrelevant. And, while he was logically correct, his math skills kept him from seeing the underlying principle I was trying to illustrate; so, we carried on a bit further, probably putting others to sleep over our debating of a seemingly single point of minutiae. Who won this argument? More on that later.

A search strategy that can be decomposed into different concepts is fairly typical, and assembling the concepts is a tried-and-true way of searching (the Building Block approach). But, what do you do when you don't have all of the facts (do we ever?), or worse, what do you do when the facts you have are suspect?

Tossing the facts out one at a time is one approach. A better approach is to prioritize the facts and start with the highest priority first (you can see where I'm going with my argument). In pointing this out to the bright student, I stated you cannot forget the human factor and our invariable propensity to get things done as fast and especially as easily and cheaply as possible. Instead of putting together three concepts, why not just two first and then see if you need the third one? Why not just use one concept?

So if I had to do a prior art search on, say, a rare disease like the treatment of histiocytosis X in humans, (a three concept search — treatment, the disease name, the target), I might want to start with the synonyms for the disease first (searching histiocytosis X and also including related terms like Langerhans cell granulomatosis or eosinophilic granuloma; these taken by EXPANDING histiocytosis x in MEDLINE® ([File 155](#)) and then EXPANDING the related terms). If I receive only a handful of hits, type them

In Advanced search, browse

**Publication Types** by clicking the arrow  to the left of Publication types. When the display opens, scroll down and you will find not only clinical trials terms, but also "randomized controlled trials."

To really get down to business and see a full list of MeSH® terms for clinical trial, go to "MeSH — enter a term" and enter clinical trial in the search box. This opens up the full list of preferred descriptor terms for clinical trial. Check off the term(s) you want, but remember to *also* OR in the **Publication type** clinical trial term as well.

out. End of search. If I used the least-frequent term first, I can save myself all the time involved with looking for fairly common terms that may not add substantially to the search. And, in prior art searching, we want to ensure we do not eliminate any essential references because we are more concerned with narrowing the search to a reasonable number; it is better to work your way up until the number gets out of hand.

If I get more than a few hits, I simply add in the next term. Very few searches can be done with just one concept, let alone one term! Take that, Internet! In this case, a little bit of thought will soon show you that the word *treatment* is less common than *human*. Indeed, the term *human* is a specialized indexing term in most medical databases, but may not even be used in patents! Thus, adding words for the concept of treatment and combining the results with the disease may generate enough hits to satisfy your personal preference as to how many hits you will actually look at. And, now you know that mathematically, you get the same number no matter what terms you enter first, but you can save a lot of time by putting in the concepts one at a time in order from least to most, and then stopping short of putting in the unnecessary ones. *Touché*, bright student!

**Duck logic**

The point to be taken is that sometimes you need to look at things in an unconventional manner. Even though the rules of mathematics show no difference, my intuition told me to search the terms in a different order. I focused on minimizing the number of hits by ranking the concepts from most important to least, and then searching the smallest number of concepts. And, numbers are used in math. And math rules. Ergo, I won the argument.