



Sibanda & Zantwijk

Shaping Business Strategy Through Competitive Intelligence - Strategic Use of Intellectual Property Information

– Practical Exercise – Topic 7 –

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Training of the Trainers Program on Effective Intellectual Property Asset
Management by Small and Medium Sized Enterprises (SMEs)

Organised by the World Intellectual Property Organisation (WIPO) and the Business and
Property Registration Agency (BPRA), Revolutionary Government of Zanzibar

17th June 2014



Presentation Outline

- Introduction
- Patent Information
- Searches
- Concluding Remarks

Introduction

Overview of Patent System

□ Patents grant right to:

- exclude others (without permission) to **manufacture, exercise, dispose, import, use** the patented invention
- rights owner to grant permission to others (**licence**)
- transfer to others (**assignment**)

□ Rights are limited

- **20 year** period, subject to maintenance
- Patent in each country where want patent protection
- Subject to rights of third parties (*example of chair*)

Introduction

Overview of Patent System

□ Importance of disclosure requirement

- Scope of protection must be clear in claims
- Sufficient disclosure of invention
 - Teach the invention
 - Enable others to build on

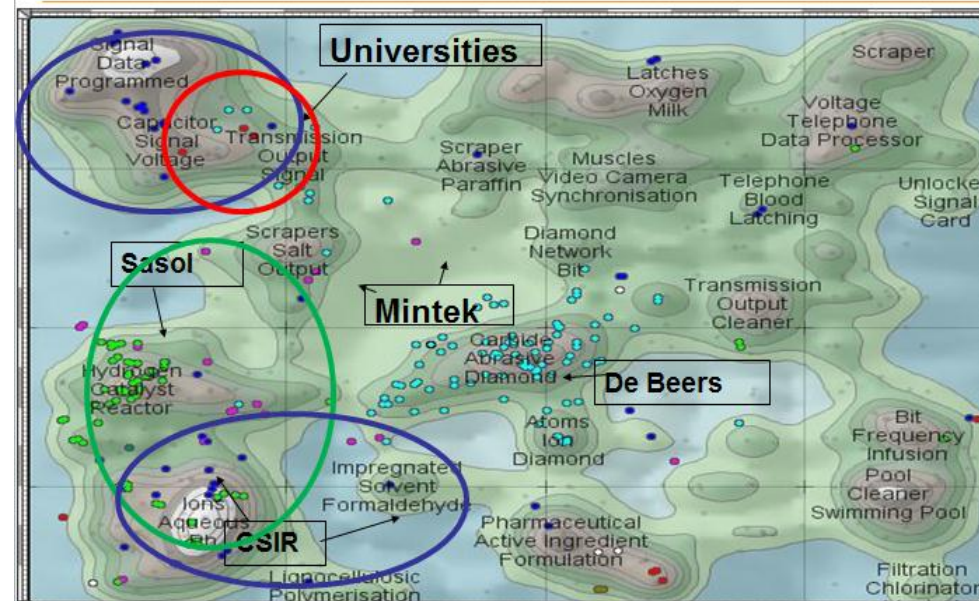
Patent Information

Patent System: Basis for Competitiveness

□ Strategic Use of a Patent Document:

- Source of state of art before embarking on R&D
- Potential commercialisation partners
- Suppliers
- Competitor developments
- Patents validity and scope
- Search reports

Patent Clusters – South African Patent Landscape



Patent Information

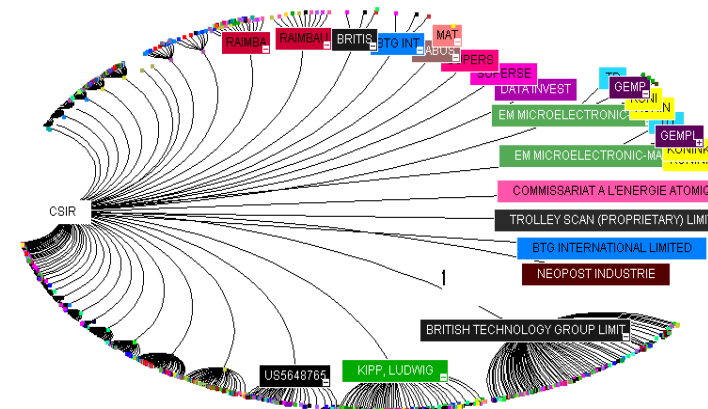
Patent System - The Patent Document

□ A source of most up to date technology

- State of art before filing a patent application
- Avoid duplication in the innovation process
- Jump-start own innovation process and ride on back of others developments

□ Source of market intelligence

- citation analysis
- assignee analysis
- filing rates
- inventors and hence resources to be acquired



Patent Search

Practical Examples

❑ Which patents are owned by particular assignee / cite a particular inventor?

- Find the Chinese patent that names *Dampeirou* as inventor
<http://www.chinatrademarkoffice.com/index.php/ptsearch>

❑ Which patents exist in a given field of technology?

- *Imagine your farm machinery company is interested in acquiring a company named Trima AB. You are obliged to do a due diligence search to see if this company has any valid patents in Australia. Go to the Australian patent search site <http://www.ipaustralia.gov.au/auspat/>, perform your search and give a brief summary of what you find*

□ What is the patent family?

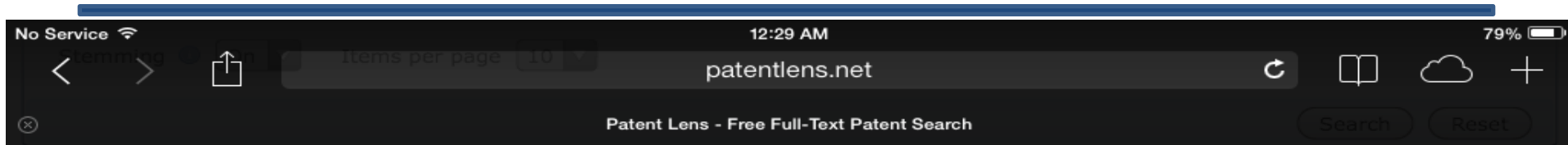
- i.e. countries has a patent application been filed claiming priority from a particular first application and where have patents been granted?

□ Using patent classification

- <http://www.wipo.int/classifications/ipc/en/>

Patent Search

Additional Examples ... “passion fruit beverage”



Search Results for ((Process for extracting juice from passion fruit) in claims)



Showing 11-20 of 28 results (in 0.175 seconds)



<input type="checkbox"/>	No	Patent No	Title	Info	Published	Score
<input type="checkbox"/>	11	US 2004/0047968 A1 patent application	Natural re-hydrating and energizing beverage based on coconut water, fruit juices and incorporated nutritive components		Mar 11, 2004	<div style="width: 100%; height: 10px; background-color: green;"></div>
<input type="checkbox"/>	12	EP 0619707 B1 granted patent	FRUIT EXTRACTION AND INFUSION		May 19, 1999	<div style="width: 100%; height: 10px; background-color: green;"></div>
<input type="checkbox"/>	13	US 2011/0206786 A1 patent application	<i>Abstract</i> Extraction, especially of firm fruit such as cranberries, with improved yields of high quality, low tannin juices by using an improved countercurrent extractor employing longitudinal members positioned between adjacent flights and reinfusion of decharacterized, extracted fruit pieces with infusion syrups, such as juices from fruits other than that extracted, to produce a fruit food product of various flavors having a desired level of inherent soluble fruit component, without the need to bleed off spent syrup as a byproduct.		Aug 25, 2011	<div style="width: 100%; height: 10px; background-color: green;"></div>
<input type="checkbox"/>	14	US 2012/0021079 A1 patent application			Jan 26, 2012	<div style="width: 100%; height: 10px; background-color: green;"></div>
<input type="checkbox"/>	15	WO 2011/106417 A2 patent application			Sep 1, 2011	<div style="width: 100%; height: 10px; background-color: green;"></div>
<input type="checkbox"/>	16	WO 2011/106423 A2 patent application	<i>Inventors</i>		Sep 1, 2011	<div style="width: 100%; height: 10px; background-color: green;"></div>
<input type="checkbox"/>	17	US 7157109 granted patent	<ul style="list-style-type: none">• MANTIUS, Harold, L.• PETERSON, Peter, R.		Jan 2, 2007	<div style="width: 100%; height: 10px; background-color: green;"></div>
<input type="checkbox"/>	18	US 2010/0166915 A1 patent application	<i>Assignees</i>		Jul 1, 2010	<div style="width: 100%; height: 10px; background-color: green;"></div>
<input type="checkbox"/>	19	WO 2009/002184 A1 patent application	<ul style="list-style-type: none">• OCEAN SPRAY CRANBERRIES, INC.		Dec 31, 2008	<div style="width: 100%; height: 10px; background-color: green;"></div>
<input type="checkbox"/>	20	US 2009/0324798 A1 patent application	METHOD FOR FLAVOURING COCOA BEANS		Dec 31, 2009	<div style="width: 100%; height: 10px; background-color: green;"></div>

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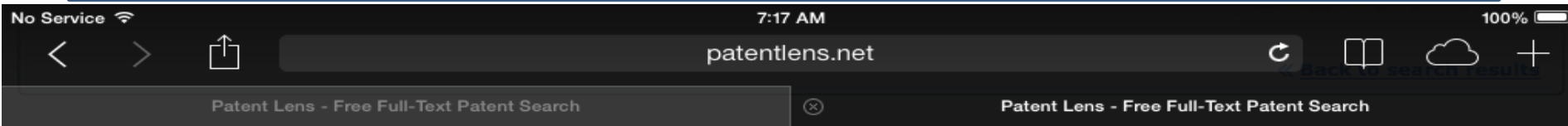
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Patent Search

Additional Examples ... “passion fruit beverage”



US 2011/0117255 A1 (patent application)

Save Patent Permalink PAIR Export Email

Alcoholic Beverage Formulation and Method of Making the Same

Front Page

Full Text

PDF Version

Patent Family & Status

Applicants/Inventors

- BROWN, Carl S. [US], Oakdale CT (US)
- CLANG, Kevin P. [US], Uncasville CT (US)

Filing Date

Nov 17, 2009

Publication Date

May 19, 2011

Application Number

12620137

IPC

C12H 1/14; C12H 1/16;

US Classification

4263304; 426592;

Title

Alcoholic Beverage Formulation and Method of Making the Same

Claims

1. A method of preparing a fruit-based alcoholic beverage comprising the steps of:
 - a) combining a juiced fruit and optionally grinds of the juiced fruit with water to produce a concentrate;
 - b) blending the concentration with a sweetening agent;
 - c) heating the sweetened concentrate for a period of time;
 - d) filtering the heated concentrate;
 - e) cooling the heated concentrate to a temperature between about 115° F. and 165° F.;
 - f) adding a proofed alcohol to the heated and cooled concentrate; and
 - g) re-filtering the product to produce the fruit-based alcoholic beverage.
2. The method according to claim 1, wherein the fruit is selected from the group consisting of citrus fruits, berries, apples, grapes, mango, melon, passion fruit, pineapple, papaya, pomegranate, plums, apricots, coconut, and combinations of one or more of the foregoing.
3. The method according to claim 1, wherein the sweetening agent is selected from the group consisting of su...

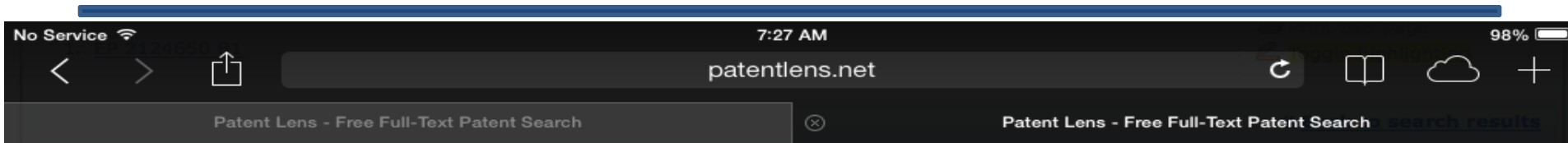
[+ show all claims](#)

Abstract

A method of preparing a blended alcoholic beverage and a blended alcoholic beverage formulation thus produced. The blended alcoholic beverage is made by a process including the steps of: a) combining a juiced fruit and optionally grinds of the juiced fruit with water and, optionally, other flavorings or additives, to produce a concentrate; b) blending the concentration with a sweetening agent; c) heating the sweetened concentrate for a period

Patent Search

Additional Examples ... “passion fruit beverage”



EP 2124650 B1 (granted patent)

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NATURAL BEVERAGE PRODUCTS

Front Page

Full Text

PDF Version

Patent Family & Status

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Assignees

- The Concentrate Manufacturing Company of Ireland 101293319 P/2GX96/SB/5, Corner House 20 Parliament Street Hamilton HM 12 (BM)

Filing Date

Mar 13, 2008

Publication Date

Feb 29, 2012

Title

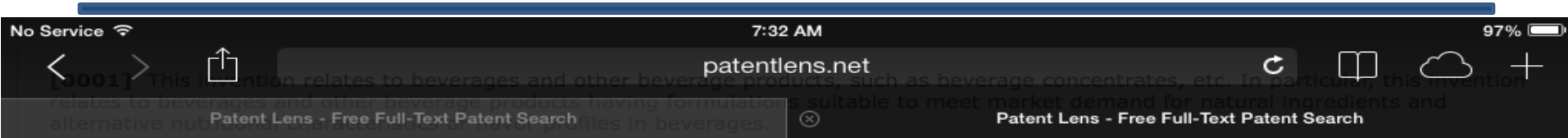
NATURAL BEVERAGE PRODUCTS

Claims

1. A natural **beverage** product comprising only natural ingredients including at least monatin and an acidulant comprising lactic acid and at least one of tartaric and citric acids, optionally other natural carboxylic acids, and no phosphoric acid.
2. The natural **beverage** product of claim 1, wherein the acidulant comprises lactic, tartaric, and citric acids.
3. The natural **beverage** product of claim 1 or 2, wherein the acidulant comprises from about 0.01% to about 1.0 % by weight of the **beverage** product, preferably wherein the acidulant comprises from about 0.05% to about 0.25% by weight of the **beverage** product.
4. The natural **beverage** product of claim 1-3, having a pH of from about 2.0 to about 5.0.
5. The natural **beverage** product of claim 1-4, further comprising carbonated water.
6. The natural **beverage** product of claim 1-5, further comprising an additional natural sweetener, preferably wherein the additional natural sweetener comprises at least one of sucrose, fructose, glucose, high fructose corn syrup, invert sugar, maple syrup, maple sugar, honey, brown sugar molasses, cane molasses, sugar beet molasses, sorghum syrup, sorbitol, mannitol, xylitol, glycyrrhizin, D-tagatose, erythritol, meso-erythritol, maltitol, maltose, lactose, fructo-oligosaccharides, Lo Han Guo, mogroside V, steviol glycosides, xylose, arabinose, isomalt, lactitol, maltitol, trehalose, rhamnose, ribose, thaumatin, monellin, brazzein, 1-alanine and glycine, preferably rebaudioside A.
7. The natural **beverage** product of claim 1-6, further comprising a natural flavoring comprising at least one of natural **fruit** flavors, natural botanical flavors, and natural spice flavors, wherein preferably the natural **fruit** flavor comprises at least one of

Patent Search

Additional Examples ... “passion fruit beverage”



Background

[0002] It has long been known to produce beverages of various formulations. Improved and new formulations are desirable to meet changing market demands. In particular, there is perceived market demand for beverages having alternative nutritional characteristics, including, for example, reduced calorie content. Also, there is perceived market demand for beverages having alternative flavor profiles, including good taste, mouthfeel, etc. In addition, there is consumer interest in beverages and other beverage products, such as beverage concentrates, etc. Whose formulations make greater use of natural ingredients, that is, ingredients distilled, extracted, concentrated or similarly obtained from harvested plants and other naturally occurring sources, with limited or no further processing.

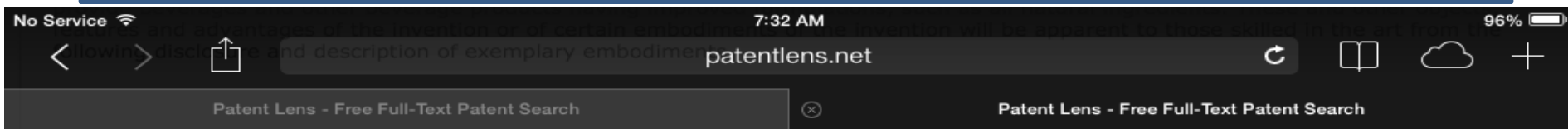
[0003] The development of new beverage formulations, for example, new beverage formulations employing alternative sweeteners, flavorants, flavor enhancing agents and the like, presents challenges in addressing associated bitterness and/or other off-tastes. In addition, such challenges typically are presented in new beverage formulations developed for alternative nutritional characteristics and/or flavor profiles. There is need for new beverage formulations which can satisfactorily meet the combination of objectives including nutritional, flavor, shelf life, and other objectives.

[0004] Development of new beverage formulations has faced obstacles. For example, U.S. Patent No. 4,956,191 suggests that carbonated beverages which contain blends of saccharin or the stevia extract with aspartame tend to be less organoleptically pleasing than those containing sugar.

[0005] It is therefore an object of the present invention to provide beverages and other beverage products. It is an object of at least certain embodiments of the invention (that is, not necessarily all embodiments of the invention) to provide beverages and other beverage products having desirable taste properties. It is an object of at least certain (but not necessarily all) embodiments of the invention to provide beverages and other beverage products having improved formulations, such as all natural ingredients. These and other objects, features and advantages of the invention or of certain embodiments of the invention will be apparent to those skilled in the art from the following disclosure and description of exemplary embodiments.

Patent Search

Additional Examples ... “passion fruit beverage”



[0006] U.S. Patent No. 5,851,578 is directed to beverages supplemented with vitamins, minerals and soluble fiber, and beverages that contain synthetic sweeteners such as saccharin, aspartame and acesulfame K, as well as artificial colors.

[0007] U.S. Patent No. 4,061,797 is directed to food products having both fruit and cola flavors, wherein the fruit flavor is pronounced with respect to the cola flavor.

Brief Summary of the Invention

[0008] The invention is defined by the claims.

[0009] In accordance with a first aspect, a natural beverage product, such as a natural beverage, a natural beverage concentrate, or other product is provided which comprises only natural ingredients. The natural beverage product includes monatin and an acidulant comprising lactic acid and at least one of tartaric and citric acids, optionally other natural carboxylic acids, and no phosphoric acid.

[0010] In accordance with another aspect, a method of preparing a natural beverage product is provided which comprises including in the beverage product a sweetener comprising monatin and an acidulant comprising lactic acid and at least one of tartaric and citric acids, and optionally other natural carboxylic acids, and no phosphoric acid.

[0011] In accordance with another aspect, a clear natural beverage is provided comprising monatin and an acidulant comprising lactic acid and at least one of tartaric and citric acids, and no phosphoric acid. As used here, substantially clear means that the beverages have substantially no turbidity and substantially no color.

[0012] It will be appreciated by those skilled in the art, given the benefit of the following description of certain exemplary embodiments of the beverage and other beverage products disclosed here, that at least certain embodiments of the invention have improved or alternative formulations suitable to provide desirable taste profiles, nutritional characteristics, etc. These and other aspects, features and

Patent Search

Additional Examples ... “passion fruit beverage” - novelty

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<input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C.		<input checked="" type="checkbox"/> See patent family annex.			
<p>* Special categories of cited documents :</p> <p>*A* document defining the general state of the art which is not considered to be of particular relevance</p> <p>*E* earlier document but published on or after the international filing date</p> <p>*L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</p> <p>*O* document referring to an oral disclosure, use, exhibition or other means</p> <p>*P* document published prior to the international filing date but later than the priority date claimed</p> <p>*T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</p> <p>*X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</p> <p>*Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.</p> <p>*&* document member of the same patent family</p>					
Date of the actual completion of the international search			Date of mailing of the international search report		
12 June 2008			19/06/2008		
Name and mailing address of the ISA/ European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016			Authorized officer Couzy, François		

Patent Search

Additional Examples ... “passion fruit beverage” - novelty

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A23L 2/02

INTERNATIONAL SEARCH REPORT

International application No

PCT/US2008/056810

A. CLASSIFICATION OF SUBJECT MATTER

INV. A23L2/68 A23L2/60

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

A23L

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, FSTA, BIOSIS

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 851 578 A (GANDHI AMITA [US]) 22 December 1998 (1998-12-22) column 1, lines 8-14 column 5, lines 60-67 examples 1,2,5-7,9	1,3-23
A	US 2005/106305 A1 (ABRAHAM TIMOTHY W [US] ET AL) 19 May 2005 (2005-05-19) paragraphs [0002], [0138], [0139]	1-23
A	WO 2006/127935 A (CADBURY ADAMS USA LLC [US]; HARGREAVES CAROLE ANN [GB]) 30 November 2006 (2006-11-30) page 1, paragraph 2 pages 39-40 examples 9-12	1-23

Patent Search

Additional Examples ... “passion fruit beverage” - novelty

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INTERNATIONAL SEARCH REPORT

International application No
PCT/US2008/056810

C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 4 061 797 A (HANNAN JR HARRY ET AL) 6 December 1977 (1977-12-06) column 1, lines 51-61 examples 1-10	1-23
A	US 4 612 205 A (KUPPER PHILIP L [US] ET AL) 16 September 1986 (1986-09-16) column 1, lines 6-9 column 3, line 24 - column 4, line 5 examples 1,2,4	1-23
P,A	WO 2007/078293 A (PEPSICO INC A NORTH CAROLINA C [US]; AKINRULI HELEN [US]; CLARK CYNTHI) 12 July 2007 (2007-07-12) paragraphs [0005], [0006], [0017] - [0019], [0027], [0038]	1-23

Patent Search

Additional Examples ... “passion fruit beverage” - novelty

The screenshot displays the Lens patent search interface. The search query is "extract fruit juice passion fruit", resulting in 1761 (794 families) results. The interface includes a search bar, navigation tabs, and a results table.

Patent Search

Home → 1761 (794 families) results for "extract fruit juice passion fruit"

Search: extract fruit juice passion fruit [Refine]

Filters: Dates, Jurisdictions, Inventors, Owners (US), Applicants, Collections, Family Data, Document Types, Classifications, Biologicals, Query Tools

Jurisdictions

Highcharts.com

Rank	Document	Title	Info	Family	Cited	Published
1	WO 2005/097153 A2 Patent Application	Extracts Of Passion Fruit And Uses Thereof		7	2	Oct 20, 2005
2	US 7390517 B2 Granted Patent	Extracts Of Passion Fruit And Uses Thereof		6	0	Jun 24, 2008
3	WO 2010/133533 A2 Patent Application	Mannoprotein For The Use In Fruit Juice		3	0	Nov 25, 2010
4	WO 2012/001687 A2	A Neuroprotective Natural Extract		4	0	Jan 5, 2012



Patent Search

Patent Search Sites

WIPO - Patentscope

- <http://patentscope.wipo.int/search/en/search.jsf>

USPTO

- <http://www.uspto.gov>

Espacenet

- <http://worldwide.espacenet.com/>

Patentlens

- <http://www.lens.org/lens/>



Patent Searches

Cloves (process for oil production, varied properties)

Yellow pepper sauce

Citations

- examination process
- citation analysis

THANK YOU



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