

# APEX STANDARDS

## PSEUDO CLAIM CHARTING (PCC)

DUE DILIGENCE • SPEED • KNOWLEDGE • POWER

If you are

a licensor undertaking the **Burden of Proof** via more claim charted SEPs for F/RAND negotiations,  
a pool licensor or an inventor needing to provide standard-claim mapping for earning **bonus**,  
a to-be licensor trying to read owned patents against product descriptions to substantiate **Evidence of Use**,  
a licensee, buyer, defendant or IP counsel having to **timely investigate** patent validity,  
an applicant trying to adapt claims while selecting **favorable** prior arts for IDS to satisfy **Duty of Candor**,  
a litigation attorney wanting to run a **quick shot apriori** pitching and win a case, or  
a portfolio manager caring to **back** complex decisions with evidence (what/where/when to file/drop/buy/sell),

plus, if you desire to reach

## NEW HEIGHTS

PCC renders **DIRECT INSIGHT** into IP Assets' selection process and allows to learn strengths and weaknesses of both your assets and competitors'.

PCC offers **SUPPORTING EVIDENCE** to assess risk, therefore empowering you to formulate better, smarter **STRATEGIES** to your **ADVANTAGE** before everyone else does.

### Service Coverage

À la carte charting or from searching to charting in one shot  
Standards: 3GPP TS, HEVC/AVC codec, IEEE, JEDEC  
Validity Due Diligence before acquisition or litigation

Multilingual



### Market Leader

Non-Disclosure Agreement: you are protected  
NO Risk: free (\$0) sample for each patent for your evaluation  
Speedy: 48-hour turnaround upon order  
Affordable: \$2,500-\$5,000 USD/charting based on complexity

[www.apexstandards.com](http://www.apexstandards.com)

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Disclaimer: The promise of PCC is not to replace expert opinion but to provide due diligence and transparency prior to high precision charting. PCC conducts aggressive mapping (based on Broadest Reasonable, Ordinary or Customary Interpretation and Multilingual Translation) between a target patent's claim elements and other documents (potential technical standard specification or prior arts in the same or across different jurisdictions), therefore allowing for a top-down, apriori evaluation, with which, stakeholders can assess standard essentiality (potential strengths) or invalidity (potential weaknesses) quickly and effectively before making complex, high-value decisions. PCC is designed to relieve initial burden of proof via an exhaustive listing of contextual semantic mapping as potential building blocks towards a litigation-ready work product. Stakeholders may then use the mapping to modify upon shortlisted PCC or identify other relevant materials in order to formulate strategy and achieve further purposes

## CLIENT SUCCESS STORIES



Licensors need to crunch F/RAND numbers but generally only got 25-35% Standard Essential Patents (SEP) claim charted, mostly English only, assuming that other non-English patents (CN, JP, KR) automatically become SEP and ignoring the fact that family patents went through different examination processes and often came out varied breadth of scopes and therefore varied degree of essentiality. That fallacy had been accepted during most licensing negotiations until recently. Latest court rulings from Washington D.C. to Texas, from Nanjing to Shenzhen, and from Mannheim to Munich have demanded higher Burden of Proof upon licensors for more claim charts.

What if, we can do preliminary charting for most of your patents covering all languages? Would that make you look more credible before licensees?



Patent holders want to monetize their assets by identifying SEPs, and using these in cross-license or direct out-licensing programs. Alternatively, such SEPs could qualify participation in a licensing program offered by a Pool, in order to provide easy, one-stop license access for many implementers. Such identification requires inventors working alongside legal counsels to provide a clear mapping, with left-hand-side the claim elements and right-hand-side the standard specifications. Yet, TS versions progress over time—new features may be added or certain features may be taken out from the same TS, or, a procedure may be amended because of faulty or inefficiency, any of which affects standard essentiality of a patent across different versions. In industry, this whole process has been like needle searching in the haystack, taking a lot of guessing and easily taking months.

What if, we can, given any patent, in 48 hours return you 20 claim charts vis-à-vis highly relevant TS-Version combinations, with legal jargon and technical terminology cleanly mapped over, so you can narrow down the search area and move forward quickly? Would that give you greater confidence?



Corporations that have invested heavily in innovation can get bypassed by imitators without much R&D efforts. Therefore, it is important to get to reasonable terms with an infringer and turning him either a fair competitor who develops his own way of solution or otherwise into a licensee. For IP holders to identify potential licensees (who's products may infringe your patents), claim charts need to be prepared in order to kick off an effective conversation. This very first step, commonly known as a mining stage, is to identify other similar patents around your IP portfolio. This renders a clue whether there might be products protected by these other similar patents, therefore informing whether certain products warrant sophisticated, costly Reverse Engineering or Evidence of Use Investigation.

What if, we could provide you, upon receiving your portfolio of patents and a chosen jurisdiction, quickly with a list of claim charts that read patents against other comparable patents, which either were filed during a similar time window (competing technology) or filed after your patents (follower and/or potential infringer), so your company has a clearer picture before sending the whole team on a wild-goose chase?



When implemented AND legally valid, patents are high value assets. Patent transaction or litigation can cost from millions to billions of USD. When you face a major M&A with a larger IP portfolio involved or you get approached by a licensor, critical decisions have to be made. To your advantage, such decisions should be based on more solid ground. The earlier and broader you can obtain indications and knowledge regarding validity of the underlying patents, the stronger your position will be.

What if, we can, given one or more patents under scrutiny, generate a validity assessment report with claim charts off of potential prior arts, which serves as an indicator for weaknesses of such acclaimed assets, so that you can properly estimate risks in a matter of days not months?



Patent applicants and assisting attorneys have a Duty of Candor and good faith to disclose information known to be material to patentability. Such information is submitted to the patent offices in the form of an Information Disclosure Statement (IDS) with prior arts, as well as substantive preparation details filled in. Disclosed prior arts may point specific directions for patent examiners, therefore contributing towards breadth of allowance over the proposed claims so it is important to balance the pros and cons when providing prior art references.

What if, we could provide, when given your draft claims, quickly return you a list of claim charts that read your drafts against as known prior arts so that you can adapt the wording better in order to maximize your chance to obtain a granted patent with a broadest scope possible?



Law firms monitor litigation cases daily and compete to win over clients. When observing high profile infringement cases, IP attorneys are under time pressure to do homework before pitching to the defendants for the opportunity to represent.

What if, given an allegedly infringed patent under dispute, we can return in a matter of hours, a list of claim charts that support non-infringement and/or challenge the validity of the patent by identifying prior arts, with which, you demonstrate an ability to defend for the best interest of your clients? Would such in-depth overview boost your credibility, make you look more competitive and increase your chance for success immediately and in the long run?



Portfolio managers are constantly making complex, high-value decisions without evidence at hand. They include: what invention to seek patent protection for; which jurisdiction to file such protection; should a WIPO PCT be first filed for testing the water or a multi-jurisdiction family filing be pursued concurrently; does the invention justify more expensive fast-track filing; should licensing or acquisition be considered in order to enter a specific market segment more quickly; for some patents no longer needed to support corporate Freedom to Operate (FTO), is it possible to communicate value of these assets in order to monetize them by selling or out-licensing, or, is it advisable to stop wasting money over the renewal fees by abandoning them?

An inconvenient truth is that most portfolio managers make such decisions without clearly charted patents. Instead, the decisions are often made based on a posteriori knowledge derived from other experiences and by ignoring the fact that subject matter varies patent-by-patent. This inevitably narrows the scope of search and forbids effective evaluation of new possibilities not expected a priori. Furthermore, this leads to lost opportunities to monetize and lost positions to negotiate due to lack of knowledge about the validity and potential value of assets in their portfolio, thereby exposing the company to tremendous legal and financial risks.

What if, given a portfolio of patents, we can quickly chart them off of standard specifications or potential prior arts, enabling to see through both strengths and weaknesses around the portfolio and therefore make informed, insightful decisions quickly and effectively? Would it sound more persuasive, to be able to communicate with transparency, clarity, and make complex decisions based on claim-charted evidence ab initio, instead of gut feeling or citation counts?

We introduce next-generation **IPR-SWOT** analysis into your decision making, covering every need.

Do you like to dream big, make informed decisions with higher chances of success?

If your answer is yes, contact us and we show you how our tool will enable you to a next level.



IPR consideration does not have to be abstract yet uncertain and time-consuming.  
Our clients have found PCC useful for grounding deliberations in order to be able to  
navigate, create more assets and innovate more quickly and effectively.

## **APEX STANDARDS PSEUDO CLAIM CHARTING**

**Collecting Evidence of Value, to YOUR Advantage**

