CSE490/590T Homework #2: Provisional Applications and Patent Prosecution

Due: May 6, 2015.

This homework asks you to delve deeper into the history of US Patent 6,285,999 (the Google PageRank patent).

Provisional Patents:

Review Provisional Patent Application No. 60/035,205 (the '205 Provisional), which is the provisional application to which US Patent 6,285,999 (the Google PageRank patent, or the '999 Patent) claims priority. You can find the '205 Provisional here:
http://www.cs.washington.edu/education/courses/cse490t/15sp/docs/60-035205.pdf

1. Does the '205 Provisional include any claims?

2. Find one or more statements in the '205 Provisional that could be used to cast doubt on when or if a feature was invented, developed, or implemented?) Cite the statement here, and say why you think it might be troublesome.

3. Find at least one claim in the '999 Patent that may not be well-supported by the '205 Provisional. Identify the claim here, and say why you think it is not well supported.

Duty to Disclose Material Information:

4. An inventor (and their attorney) for patent has a duty to disclose material information to the Patent Office. While we obviously can't know what the inventor and attorney for the '999 Patent knew about at the time of filing, can you find anything in the text of the '205 Provisional (or even the '999 Patent) that would at least raise a question about whether the parties fully complied with their duty to disclose? (Hint: is every source or paper discussed in the '205 Provisional and '999 Patent is listed in the References Cited section of the '999 Patent?)

Prosecution History:

Log onto Public PAIR (http://portal.uspto.gov/external/portal/pair), which provides information about patent applications. Find the file history (go to the "Image File Wrapper" tab) for the '999 Patent.

5. How many claims were originally filed?

6. How many times were the claims amended? (Hint, sort by Document Code, and look for document type "CLM.")

7. How many times were the claims rejected? (Hint, search on "Non-final rejection" and "Final rejection".)

8. Look at the "Continuity Data" tab. How many applications are "children" of this application?

9. BONUS: Draw the complete family tree of the '999 Patent.

10. BONUS: The Twitter patent also claims the benefit of a provisional application. You can find it here:
http://www.cs.washington.edu/education/courses/cse490t/15sp/docs/60-951415.pdf.
Compare the Twitter provisional to the Google provisional. Which one does a better job of supporting its corresponding patent? Why?