

Shifting the Spotlight: From Small Apps to the Real Infringer

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PROBLEM STATEMENT

During a patent infringement analysis involving a document-processing system for visa applications, the client believed several small third-party apps providing visa-related document services were infringing the claims. These platforms appeared to perform the patented steps of accepting, processing, and preparing documents for visa applications. However, a deeper investigation was needed to verify whether these entities were the actual infringers under the claim scope.

KEY CHALLENGES

- ▶ Multiple small third-party apps performing similar document-processing functions.
- ▶ Client's initial assumption that each such app independently infringed the patent.
- ▶ Complex operational chain involving government authorization and backend integration.
- ▶ Necessity to determine who truly performs the claimed steps from a legal perspective.

SOLUTION APPROACH — Deep-Dive Search Methodology

- 1 Evaluated Claim Structure**
Analyzed each claim element to determine which party—app developer, end user, or backend entity—was performing the patented steps.
- 2 Investigated Authorization & Control**
Discovered that the government had formally authorized these third-party platforms to build and use such tools exclusively for generating outputs consumed by the visa-processing authority.
- 3 Mapped Data Flow & Responsibility**
Identified that the third-party apps merely collected data and forwarded it into the government's processing pipeline, where the core patented operations were actually executed.

⚡ BREAKTHROUGH INSIGHT

Our investigation revealed that although the apps appeared to perform visa-related document processing, they operated solely as government-authorized front-end interfaces. The patented steps were ultimately completed within the government's backend system. This shifted potential infringement liability away from the small third-party vendors and onto the government agency that performed or controlled the claimed operations.

IMPACT ON CLIENT

- Prevented the client from pursuing costly and misdirected enforcement against small app developers.
- Identified the government agency as the actual party performing the claimed steps.
- Enabled the client to reassess enforcement strategy based on accurate responsibility mapping.
- Helped avoid risk associated with pursuing incorrect targets.

KEY TAKEAWAYS

- Apparent infringers are not always the entities performing the claimed steps.
- Control, authorization, and backend execution are key in determining liability.
- Multi-party systems require careful mapping of who actually completes each claim step.
- Identifying true infringer can drastically refine enforcement strategy.

VALUE DELIVERED

By uncovering that the government, not the small app providers, executed the patented process, we delivered a strategically critical insight. The client gained clarity on actual liability, avoided wasted legal effort, and was able to realign its enforcement approach based on accurate technical and operational understanding.