

Identifying Prior Art Hidden Inside an Instagram Reel

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PROBLEM STATEMENT

A client approached with an invention related to an **innovative user-interaction feature** implemented through a **unique gesture-based control technique**. Conventional patent databases and technical literature did not disclose anything similar, and the client was confident about novelty. The feature was highly visual, deployed in a niche domain, and early searches across patents and scholarly sources yielded no relevant disclosures. However, given the growing trend of product demos appearing first on social media, the investigation was extended beyond traditional sources.

KEY CHALLENGES

- ▶ The claimed feature was entirely visual — no technical keywords mapped to standard patent classification codes, making conventional text-based search ineffective.
- ▶ The prior art was embedded in informal, non-indexed social media content rather than peer-reviewed literature or patent filings.
- ▶ The relevant disclosure was created by a small-scale independent creator with no technical tagging, title, or description connecting it to the invention.
- ▶ Establishing temporal validity of the social media content required verification of public disclosure date to confirm it predated the client's priority date.

SOLUTION APPROACH — EXPANDED MULTIMEDIA SEARCH METHODOLOGY

1 Expanded Platform Search

Conducted a multimedia prior art search across YouTube, Instagram, TikTok, and product-review channels, moving beyond traditional patent databases and academic repositories.

2 Keyword-Agnostic Visual Scanning

Deployed a visual-first scanning methodology focusing on gesture patterns, UI interaction flows, and device interaction sequences rather than relying on descriptive keywords or technical terminology.

3 Reel Identification & Analysis

Identified an Instagram Reel posted by a small-scale creator demonstrating a prototype device. Although not tagged with technical terms, the reel visually showed the same combination of elements as the client's claimed feature.

4 Frame-by-Frame Claim Mapping

Performed a detailed frame-by-frame analysis to confirm the presence of each claim element within the video. The public posting date was timestamped and verified to establish clear, datable evidence of prior public disclosure.



BREAKTHROUGH INSIGHT

Visual inspection of the Instagram Reel revealed that a small-scale creator had publicly demonstrated a prototype device featuring **the exact same combination of gesture-based interaction elements** as the client's claimed feature. A frame-by-frame analysis confirmed the presence of every individual claim element, and the verified public posting date established that this constituted **anticipatory prior art** published **months before the client's priority date**. The prior art had entirely evaded conventional searches due to the absence of any technical metadata on the post.

IMPACT ON CLIENT

- ✓ Prevented the filing of a weak, broad patent that would have been vulnerable to invalidation post-grant based on the identified Instagram Reel.

- ✓ Advised the client to modify their claim strategy — focusing on specific technical improvements over the disclosed prototype rather than the broad gesture-based concept.
- ✓ Helped redirect patent prosecution resources toward more defensible, narrow claim sets with genuine novelty.
- ✓ Demonstrated that social media platforms are a legitimate and increasingly critical domain for prior art discovery, particularly for consumer-facing, visual-interaction inventions.

KEY TAKEAWAYS

- ▶ Social media platforms — Instagram, TikTok, YouTube — now constitute valid and discoverable prior art repositories and must be included in comprehensive novelty searches.
- ▶ Visual-interaction inventions require visual search methodologies; text-based keyword searches will systematically miss disclosures that lack technical metadata.
- ▶ Frame-by-frame claim element mapping is an effective technique for establishing anticipation when the prior art appears in video format.
- ▶ Early identification of anticipatory prior art is far more valuable than discovery after grant — it preserves resources and enables proactive claim refinement.

VALUE DELIVERED

By identifying anticipatory prior art buried within a non-indexed Instagram Reel — before the client filed — IIPRD delivered a strategically critical insight that traditional searches had entirely missed. The client gained full clarity on the novelty risk, avoided filing a patent that would have been vulnerable to post-grant challenge, and was empowered to redirect prosecution toward a narrower, better-defended claim set. This case demonstrates the expanding frontier of prior art discovery and the operational value of multimedia search methodologies in modern IP practice.