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Introduction

The information community I have chosen to explore is lawyers. According to the American Bar Association (ABA), there are currently over 1.3 million licensed lawyers in the United States. These lawyers work in a wide range of environments, including private practice, government, the judiciary, education, legal aid/public defender, and private associations (ABA, 2015).

Lawyers are an information community as defined by Durrance and Fisher (2003). Members of the legal profession are “united by a common interest in creating and increasing access to a set of dynamic, linked, and varying” sources of legal information (p.657). Lawyers also exploit electronic technologies, serving as both information providers and users. They conduct legal research online, blog on a wide variety of law-related issues, and participate in social media to network, establish expertise, find clients, and develop their careers (Levitt & Rosch, 2013; Craddock, 2009; Shields, 2014).

Law is an information-intensive profession (Kuhlthau & Tama, 2001). Most lawyers conduct legal research, a process that requires access to an “expanding and often overwhelming information universe, including not only well-established primary and secondary legal sources, but also a wide variety of other sources and databases” (Poje, 2014; Leckie, Pettigrew, & Sylvain, 1996, p.173). Lawyers also require information to keep up-to-date on legal developments in their practice areas, a behavior often referred to as “monitoring” (Ellis, Makri,
Examination of Resources

Community-Based Resource

My community-based resource is the blog *Patently-O*. The APA citation is as follows:


**Position within the information cycle.** The *Patently-O* blog primarily occupies two positions in the information cycle: “Hours/Day of the Event” and “Days/Weeks after the Event.” Many posts report new court decisions on the day they are filed. Some posts report on decisions days or weeks after issuance. These later posts tend to be lengthier and provide more analysis.

**Scope and content.** *Patently-O* is a blog that reports on U.S. patent law developments. It also provides summaries and links to journal articles and posts open jobs in the patent field. A daily email subscription feature is also offered.

**Credentials and authority of authors.** The *Patently-O* blog is authored by two patent law professors: Dennis Crouch, University of Missouri School of Law, and Jason Rantanen, University of Iowa College of Law, with occasional guest posts by patent law practitioners. Another professor, David Hricik, Mercer University School of Law, covers ethics topics.

**Purposes and uses.** The purpose of the blog is to be the leading source of patent law news in the U.S. Readers also share ideas and ask questions. The site is also used by potential employers to find applicants and by job-seekers to find employment.

**Intended audience.** Patent law practitioners are the blog’s intended audience. The site reports over 19,000 email subscribers.

**Design.** *Patently-O* is a web site. The design is visually appealing and uncluttered. There
are tabs along the top for the patent blog, jobs listing, ethics posts, and journal articles.

**Currency and frequency of update.** The blog portion of the web site is updated frequently. During the week beginning Oct. 12, 2015, there were 10 posts, with 1-2 posts per day on every day except Saturday, and 14 new job listings. As stated above, the postings are extremely current, with many occurring the day a decision was issued. The ethics portion of the site was not updated during the relevant time period.

**Biases and gaps.** There does not appear to be an editorial board reviewing content on the *Patently-O* blog. Because of the quick posting of information, it is possible mistakes are made. Also, because posts are authored primarily by three individuals, bias may be an issue. However, *Patently-O* readers provide extensive comments on posts. It is not unusual for posts to receive over 100 comments. In one instance, 71 comments were logged within one day of the original post. With a readership of patent practitioners, the large volume of comments may help correct mistakes and/or counteract bias.

**Value for community.** *Patently-O* is a valued source within the patent law community. One lawyer stated, “I’m a patent prosecutor and reading the blog every day keeps me up to speed with what is going on in the patent world” (Mui, McDonough, & Rawles, 2014). Patent law is a specialized field, and the opportunity to read up-to-the-minute developments and analysis, pose questions, and review comments by other practitioners is extremely valuable. In fact, the ABA Journal named the site to its blog Hall of Fame, which recognizes consistently outstanding blogs (Mui et al., 2014).

**Research-Based Resource**

My research-based resource is *Chisum on Patents*. The APA citation is as follows:

**Position within the information cycle.** The position of *Chisum on Patents* in the information cycle is “Years after the Event.” The treatise covers subjects in depth, discussing the evolution of legal doctrine over many years. For example, in the section on interpreting claim language, the author discusses court opinions on the issue dating from 1982 to 2014.

**Scope and content.** *Chisum on Patents* is a treatise on U.S. patent law. It provides in-depth analysis of legal doctrine, statues, and case law on a wide range of patent issues such as patentability, patent validity, and infringement. The treatise also includes a topical outline with abstracts of Federal Circuit Court cases.

**Credentials and authority of author.** The author is Donald Chisum, a former law professor at both the University of Washington and Santa Clara University.

**Purposes and uses.** The main purpose of *Chisum on Patents* is in-depth legal research.

**Intended audience.** The treatise is intended for patent law practitioners.

**Design.** *Chisum on Patents* is a 33-volume treatise published in loose leaf binder format. A treatise is a secondary reference source in a particular subject area which analyzes and synthesizes primary sources, including statutory and case law (Hazleton, 2010). The treatise is available in print, as an eBook, and on the LexisNexis subscription database.

**Currency and frequency of update.** *Chisum on Patents* was first published in 1978. It is updated quarterly in a loose leaf format.

**Biases and gaps.** The gaps in *Chisum on Patents* are intrinsic to secondary sources. As one librarian stated, secondary sources are “writings about the law, not the law itself” (Dorchak, 2010). Consulting treatises is an important step in the research process, but lawyers must also
read and cite primary sources. However, *Chisum on Patents* is such an authoritative resource, it is often cited in court opinions. According to the publisher, the treatise has been cited over 800 times by federal courts (LexisNexis, 2015). A second gap is the delay inherent in the publishing process. Lawyers cannot rely on this source for the most recent developments in patent law.

**Value for community.** *Chisum on Patents* is highly valued in the patent community. It is regarded as the authoritative treatise on patent law (Georgetown Law Library, 2015).

**Compare and Contrast**

On the surface, the community-based and research-based sources appear similar. Both are authored by respected academics in the field. Both report and comment on patent law. However, the two sources fulfill very different purposes. The primary use of *Chisum on Patents* is legal research. It is highly organized with in-depth treatment of its topics. An entire volume is devoted to its extensive subject and case indexes, facilitating the research process. On the other hand, *Patently-O* is not designed for in-depth research. It does supply a search feature and organizes posts by subject tags, but the case-by-case format does not provide the kind of synthesis and in-depth treatment provided by recognized secondary sources.

The primary purpose of *Patently-O* is to keep lawyers up-to-date on legal developments. Although *Chisum on Patents* provides quarterly loose leaf updates, the format is not conducive to the monitoring required by lawyers to keep abreast of changes. The two sources also differ in their interactivity. The communication of *Chisum on Patents* is one-way: author to audience. The communication of *Patently-O* is multiple-way: author to audience, audience to author, audience to audience.
Conclusion

*Chisum on Patents* and *Patently-O* satisfy different but important information needs in the patent law community. *Chisum on Patents* is an essential legal research tool for patent practitioners and even courts. *Patently-O* keeps the patent community up-to-date on new developments and provides a place for patent lawyers to connect. As Craddock (2009) observed, among lawyers the blog “steps in where the French salons of the seventeenth and eighteenth centuries left off,” by providing “a useful tool for sharing ideas and developing arguments, staying abreast of news, and simply finding others who share the same professional interests and passions” (p.1368). It is this social connectedness and sharing of information without regard to geographical boundaries that fulfills the potential of information communities envisioned by Durrance and Fisher (2003).
References


