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PRACTICAL COMPETITIVE INTELLIGENCE
Breaking Down the Basics

What CI is and how law librarians and information professionals can use it.
BY KEVIN MILES

Welcome to our new column, Practical Competitive Intelligence, where we will explore practical uses of competitive intelligence (CI) that law librarians can offer as a service. Librarians conduct CI research when they gather information about people, companies, litigation parties, intellectual property, industry, or other activities for a specific reporting purpose. Each category has a juncture between the purpose of the research effort and the structure of the competitive intelligence report. Throughout each column, we will explore different facets of CI, including the uses of checklists in CI, standard and non-standard resources in CI, Special Purpose CI reports, the use of graphics and the use of statistics, and models for CI reports.

The Guiding Principles of Successful CI Reporting

As we all know, when an attorney requests information about any of the categories listed above, you must "peel the onion," or do a reference interview, in order to return relevant information, not just a data dump. Attorneys do not want to read a phone book; they want a succinct report. Here are three guiding principles of competitive intelligence reporting:

1. Determine what the attorney wants to know.

2. Determine how the attorney will use this information.

3. Determine the deadline for the report.

With these principles in mind, let's examine some typical CI questions and statements, with a focus on tactical or strategic competitive intelligence that law librarians are likely to face.

People

- Does the person serve on other boards?

- If the person is already an expert witness, what else has he/she written?

- Has this person served as an expert witness before, and what is his/her scorecard?

- Has this person litigated before? If so, what are the cases?

- Is there any adverse news about this person?

Company

- What does this company do, where are they located, and what are its subsidiaries?

- Who are the officers and directors?

- Identify any recent mergers & acquisitions (M&A) activity.

- Has this company been involved in restructuring?

- Who are the closest competitors?

Litigation Parties

- How many times has this party been in litigation as a plaintiff, defendant, or other role?

- What are the results of the litigation?

- How many times has this party appealed and what are the results?

- Which law firms and attorneys have represented the litigation party?

- Rank the topics of litigation by name and percentage.

Intellectual Property

- What patents are owned by a company and where are they distributed?

- How many intellectual property applications have been abandoned?

- Which technology patents are scheduled to expire in the next three years?

- What are the terms of assignment of specific patents?

- What are the trends of certain patent classes?

Industry

- What trends are emerging in a specific industry?

- What are the emerging regulations and legislations that face this industry?

- How are different states regulating a specific technology? Which states are friendly, neutral, or unfriendly?

- What is the recent M&A activity in the industry?

- Are any international factors impacting the industry?

Other Activities

- May I have a report to compare the judicial activities of judges in the same jurisdiction?

- Which cases have removed any number of patents and continued with the case?

- How many private equity companies are domiciled in this state, and what are their investments?

- How many new businesses have moved to this state?

- What are the current or pending investments of a private equity company, showing the details and representatives of each transaction?

If you are being asked to answer any of these types of questions, you are a competitive intelligence librarian. By keeping the three guiding principles in mind as you answer such questions, you will be more likely to produce successful CI reports.

Stay tuned: In the November/December issue we will explore the use of checklists when conducting CI research. ∎

ATTEND
AALL's Competitive Intelligence Foundations October 18, 2019, at Sidley Austin LLP in Chicago. Learn how to establish and maintain a strategic CI function—from development to implementation—for your organization. Register now at bit.ly/AALLFoundations.

READ
Zena Applebaum's article "Competitive Intelligence and Your Library: 10 Best Practices for Starting (Or Growing a CI Function for Small and Medium Firms," from the September/October 2016 issue of *AALL Spectrum* at bit.ly/SO16CI.

AALL2go EXTRA
Listen to the 2016 AALL webinar "Advanced Competitive Intelligence: Best Practices in Conducting CI Research," at bit.ly/AALL2go0616CI.

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