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(71) Applicant(s)
LexisNexis, A Division of Reed Elsevier Inc.

(72) Inventor(s)
Silver, Harry;Freisthler, Andrew;Miller, David

(74) Agent / Attorney
Watermark Patent and Trade Marks Attorneys, Level 2 302 Burwood Road, Hawthorn, VIC, 3122

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[US/US]; 902 N. Broadway Apt. B, Lebanon, OH 45036 (US).

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(74) Agents: MELSER, Allen et al.; Jacobson Holman, PLLC, 400 Seventh Street, N.W., Washington, DC 20004 (US).

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(71) Applicant (for all designated States except US): LEXISNEXIS, A DIVISION OF REED ELSEVIER INC. [US/US]; 9443 Springboro Pike, Miamisburg, OH 45342 (US).

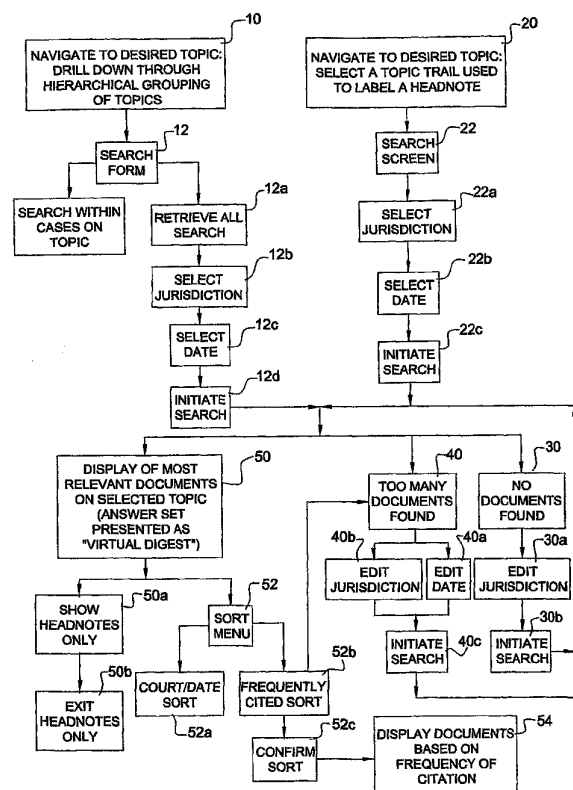
(72) Inventors; and

(75) Inventors/Applicants (for US only): MILLER, David [US/US]; 2689 Woodbluff Lane, Dayton, OH 45458 (US). SILVER, Harry [US/US]; 3456 Colton Road, Shaker Heights, OH 44122 (US). FREISTHLER, Andrew

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(54) Title: LANDMARK CASE IDENTIFICATION SYSTEM AND METHOD



(57) Abstract: A landmark case identification system and method in which the user is presented with a set of the most relevant documents on a selected topic. This set, which is dynamic and asserted to be inclusive at any point in time, is presented to the user in a Virtual Digest and initially sorted by court/date order. The user has an option to resort the answer set using a Frequently Cited sort option, which causes the system to dynamically analyze the answer set for references between the documents. Landmark cases are identified by their peers in the domain as they will be referenced and relied upon most often. The user is presented with the resorted answer set, and information detailing how many other cases in the domain referenced them is now included.



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LANDMARK CASE IDENTIFICATION SYSTEM AND METHOD

CROSS-REFERENCE TO RELATED APPLICATIONS

5 The present patent application is based on, and claims priority from, U.S. provisional Application No. 60/603,278, filed August 23, 2004, which is incorporated herein by reference in its entirety.

BACKGROUND OF THE INVENTION

10 1. Field of the Invention

 The present invention relates to a landmark case identification system and method using interactive legal databases, particularly interactive online legal databases. More specifically, the invention relates to a landmark case identification system and method that pinpoints how many and how often documents in a set of
15 documents relevant to a particular topic reference other documents in the same set.

2. Related Art

 Interactive legal databases, and particularly interactive online legal databases, commonly provide a “popularity ranking” for search results. However, a
20 legal database search is not capable of identifying landmark cases in an answer set.

 It is to the solution of these and other problems that the present invention is directed.

It is accordingly an object of the present invention to provide a legal database sort feature that can identify landmark cases in a set of documents relevant to a particular topic.

Other objects, features, and advantages of the present invention will be apparent to those skilled in the art upon a reading of this specification including the accompanying
5 drawings.

SUMMARY OF THE INVENTION

In one aspect of the present invention there is provided a method for identifying landmark documents in a document database, wherein each document in the database has a
10 standardized citation and a normalized document identifier corresponding to the standardized citation, and wherein each document that includes a citation to another document in the database also includes a normalized document identifier keyword for the normalized document identifier of the cited document, the method including the steps of:

(a) retrieving from a database the most relevant documents on a topic selected by a
15 user from a pre-defined topical hierarchy, the retrieved documents defining an answer set;

(b) following step (a), displaying the answer set to the user, sorted in an order based on bibliographic information;

(c) following step (b), and in response to a user request to sort the answer set based on frequency of citation, retrieving the normalized document identifiers corresponding to the
20 standardized citations of the retrieved documents;

(d) constructing a search request using the retrieved normalized document identifiers as search terms, wherein the search request contains a search term for each document in the answer set;

(e) generating document frequency counts for each search term within the search
25 request for documents in the answer set by counting occurrences of each normalized document identifier keyword corresponding to a search term within the request in the documents in the answer set;

(f) resorting the documents within the answer set based upon the document frequency counts; and

30 (g) following step (f), displaying the resorted answer set to the user.

In a further aspect of the invention there is provided a method for identifying landmark documents in a document database, wherein each document in the database has a standardized citation and a normalized document identifier corresponding to the standardized citation, and wherein each document that includes a citation to another document in the database also includes a normalized document identifier keyword for the normalized document identifier of the cited document, the method including the steps of:

- (a) initiating a search of a database for the most relevant documents on a topic selected by a user from a pre-defined topical hierarchy;
- (b) following step (a), if no documents are found, displaying a message advising the user to change or expand the scope of the search;
- (c) following step (a), if more than a predetermined number of documents is found, (i) interrupting the search and (ii) displaying a message advising the user that the search has been interrupted and that the user should narrow the scope of the search;
- (d) following step (a) if the number of documents found is at least one and less than the predetermined number, retrieving the most relevant documents on the topic selected by the user, the retrieved documents defining an answer set;
- (e) following step (d), displaying the answer set to the user, sorted in an order based on bibliographic information;
- (f) following step (e), and in response to a user request to sort the answer set based on frequency of citation, retrieving the normalized document identifiers corresponding to the standardized citations of the retrieved documents;
- (g) constructing a search request using the retrieved normalized document identifiers as search terms, wherein the search request contains a search term for each document in the answer set;
- (h) generating document frequency counts for each search term within the search request for documents in the answer set by counting occurrences of each normalized document identifier keyword corresponding to a search term within the request in the documents in the answer set;
- (i) resorting the documents within the answer set based upon the document frequency counts; and
- (j) following step (i), displaying the resorted answer set to the user.

In a further aspect of the invention there is provided a system for identifying landmark documents in a document database, implemented using a processor of a programmable data processing apparatus, wherein each document in the database has a standardized citation and a

normalized document identifier corresponding to the standardized citation, and wherein each document that includes a citation to another document in the database also includes a normalized document identifier keyword for the normalized document identifier of the cited document, the system including:

5 means executed by the processor for retrieving from a database the most relevant documents on a topic selected by a user from a pre-defined topical hierarchy, the retrieved documents defining an initial answer set sorted in an order based on bibliographic information;

10 means executed by the processor for retrieving the normalized document identifiers corresponding to the standardized citations of the retrieved documents, in response to a user request to sort the answer set based on frequency of citation;

means executed by the processor for constructing a search request using the retrieved normalized document identifiers as search terms, wherein the search request contains a search term for each document in the answer set;

15 means executed by the processor for generating document frequency counts for each search term within the search request for documents in the answer set by counting occurrences of each normalized document identifier keyword corresponding to a search term within the request in the documents in the answer set;

20 means executed by the processor for resorting the documents within the answer set based upon the document frequency counts; and

means executed by the processor for displaying the initial answer set to the user and for displaying the resorted answer set to the user.

BRIEF DESCRIPTION OF THE DRAWINGS

25 The invention is better understood by reading the following Detailed Description of the Preferred Embodiments with reference to the accompanying drawing figures, in which like reference numerals refer to like elements throughout, and in which:

FIGURES 1A-1D are exemplary screen displays illustrating drilling down through a hierarchical grouping of topics using the Lexis™ Research System Search Advisor product hierarchy.

FIGURE 2 illustrates an exemplary screen display presented to a user on reaching the end node of the hierarchy of FIGURE 1D.

FIGURE 3 is an exemplary screen display of the headnotes portion of a FULL case display.

FIGURE 4 illustrates an exemplary screen display presented to a user on clicking on a Retrieve All icon at the end of a topic trail for one of the headnotes of FIGURE 3.

FIGURE 5 illustrates an exemplary screen display of a “No Documents Found” message following running of a “Retrieve All” search.

FIGURE 6 illustrates an exemplary screen display of a “More than 3000 Results” message following request of a “Retrieve All” search.

FIGURE 7 illustrates an exemplary screen display of a “Confirm Sort” message following request of a “Frequently Cited” sort of the results of a “Retrieve All” search.

FIGURE 8 illustrates an exemplary screen display of an “Unable to Sort” message following request of a “Frequently Cited” sort of the results of a “Retrieve All” search.

FIGURE 9A illustrates the top portion of an exemplary screen display of the results of a “Retrieve All” search, sorted by court/date order.

FIGURE 9B illustrates the middle portion of an exemplary screen display of the results of a "Retrieve All" search, sorted by court/date order.

FIGURE 10A illustrates the top portion of an exemplary screen display of a "Frequently Cited" sort of the results of a "Retrieve All" search.

5 FIGURE 10B illustrates the middle portion of an exemplary screen display of a "Frequently Cited" sort of the results of a "Retrieve All" search.

FIGURE 10C illustrates the bottom portion of an exemplary screen display of a "Frequently Cited" sort of the results of a "Retrieve All" search.

10 FIGURE 11 is a high level flow diagram of the Frequently Cited process.

FIGURE 12 is a high level flow diagram of the normalized document identifier (NDI) retrieval process.

FIGURE 13 is a high level flow diagram of the NDI Search process.

15 FIGURE 14 is a tree diagram illustrating the features of the landmark case identification system and method in accordance with the present invention.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

In describing preferred embodiments of the present invention illustrated in the drawings, specific terminology is employed for the sake of clarity. However, the invention is not intended to be limited to the specific terminology so
20 selected, and it is to be understood that each specific element includes all technical equivalents that operate in a similar manner to accomplish a similar purpose.

The present invention can be implemented by computer program instructions. These computer program instructions may be provided to a processor of a general purpose computer, special purpose computer, or other programmable data processing apparatus to produce a machine, such that the instructions, which execute
5 via the processor of the computer or other programmable data processing apparatus, create means for implementing the functions specified in the flowchart block or blocks.

These computer program instructions may also be stored in a computer-readable memory that can direct a computer or other programmable data
10 processing apparatus to function in a particular manner, such that the instructions stored in the computer-readable memory produce an article of manufacture including instruction means which implement the functions described.

The computer program instructions may also be loaded onto a computer or other programmable data processing apparatus to cause a series of
15 operational steps to be performed on the computer or other programmable apparatus to produce a computer implemented process such that the instructions that execute on the computer or other programmable apparatus provide steps for implementing the functions described.

The following definitions are used herein:

20 *Headnote*: A point of law identified by an editor in the body of a caselaw document; the points of law are reproduced at the top of the case so that researchers can easily determine what the case is about.

Virtual Digest or *Digest View*: A view that displays matching headnotes and the best paragraph display format in a single answer set. The Virtual Digest may be sorted by user-selected options.

5 *Best Paragraph* or *Best Text*: A format in which a portion of the text case is displayed. The terms displayed preferably are from one of the most relevant discussions in the case, and the entire chunk of text will be about the size of a paragraph. Additional information about the case, such as the name and citation, is also included.

10 *Retrieve All (RA)*: A search feature that allows users to retrieve cases relevant to a selected legal topic, such as a Lexis™ Research System Search Advisor topic, whether or not the cases contain a headnote with a topic label. Users are able to isolate only the cases with a headnote on a topic from the initial Retrieve All answer set.

15 *Retrieve All Boolean Algorithm*: a more narrowly defined Boolean search using the Topic's Boolean Algorithm and restricting it to the CORE-TERMS of the documents within the defined jurisdiction. The Core Terms are determined algorithmically and represent the statistically most important words and phrases within the document using the phrase identification process described in U.S. Patent No. 5819260, which is incorporated herein by reference.

20 *Search Advisor (SA)*: A search feature that allows users to access cases from a subject within a topical hierarchy for a selected jurisdiction.

Topic's Boolean Algorithm: The Boolean search that is written to identify cases that should be included in a Search Advisor topic's collection of cases. A Boolean search is written for every Search Advisor end node.

The landmark case identification system and method in accordance
5 with the present invention identifies landmark cases by dynamically analyzing how many and how often documents in an answer set reference other documents in the answer set. The answer set is a set of documents that are presumed to encompass all material on a given topic within a specified jurisdiction and date range. Preferably, the answer set is displayed as a "Virtual Digest." The Lexis™ Research System
10 Search Advisor hierarchy, or any other search system that displays results as a Virtual Digest can be used to define the answer set.

While the landmark case identification system in accordance with the present invention is not limited to any specific database search, for exemplary purposes, in the implementation described herein, the present invention is presented
15 as a service available through the Lexis™ Research System interactive, online, legal databases, and more particularly, using the Lexis™ Research System Search Advisor product. However, it will be appreciated by those of skill in the art that the present invention can be implemented in association with services other than the Lexis™ Research System and using search features other than the Lexis™ Research System
20 Search Advisor product.

The Search Advisor product classifies Lexis™ Research System caselaw material into groups of various points of law, or topics. Topics are defined

by both a set of editorially maintained searches as well as classifications assigned to headnotes, or points of law, within the material.

With reference to the exemplary screen displays illustrated in FIGURES 1A-1D, 2-8, 9A-9B, and 10A-10C, and to FIGURE 14, which illustrates the exemplary screen display in tree diagram format, a user navigates to his or her desired topic by either: (1) drilling down through a hierarchical grouping of these topics 10, at which point the user is presented with a search form 12, which includes a Retrieve All feature 12a, or (2) selecting a topic trail 20b used to label a LexisNexis headnote 20, which invokes a Retrieve All screen 22. After selecting the Retrieve All feature 12 or 22, the user is presented with a set of the most relevant documents on that topic 50, referred to as the answer set, or domain. This set, or domain, is established using the editorially maintained searches and the LexisNexis Boolean search engine to perform the Retrieve All Boolean Algorithm. Using this approach, the domain is dynamic and asserted to be inclusive at any point in time. The answer set is presented in a Virtual Digest 50 and initially sorted by court/date order 52a.

Once in the Virtual Digest 50 for a Retrieve All search, the user has an option to resort the answer set using a sort menu 52 located on the user interface. Selecting the Frequently Cited sort option 52b will cause the system to dynamically analyze the answer set for references between the documents. This is both dynamic, because the domains established by the Retrieve All searches change over time and by jurisdiction, and distributed, as the data is stored across many servers. Landmark cases are identified by their peers in the domain, as they will be referenced and relied upon most often. The user is presented with the resorted answer set 54 (FIGURES

10A-10C), and information detailing how many other cases in the domain referenced them is now included.

For purposes of illustration, and without limiting the invention thereto, an example is described herein for research relating to Labor and Employment law, and more particularly, to remedies for age discrimination. In the Lexis™ Research System Search Advisor product, the user selects the topic Labor & Employment Law > Discrimination > Age Discrimination > Remedies by drilling down in the Search Advisor topical hierarchy (FIGURES 1A-1D) (corresponding to block 10 in FIGURE 14). Upon arriving at a topical end node, the user encounters a search form screen 12 (FIGURE 2), where the Retrieve-All option 12a is available among other choices. Before carrying out a Retrieve All search, the user must select a jurisdiction 12b, for example by selecting a “Select Jurisdiction” drop-down button to display a list of jurisdictions; and also has the option of selecting a date restriction 12c (FIGURE 2). Once the user has selected a jurisdiction and, optionally, a date restriction, the user clicks on a “Go” icon 12d to initiate the Retrieve All search.

Alternatively, a user can invoke the Retrieve-All feature from an icon 20a appearing in the display of an actual case that the user is reviewing (FIGURE 3) (corresponding to block 20 in FIGURE 14). Specifically, the icon 20a is found at the end of the topic trail 20b for any end-node topic used to label a LexisNexis headnote. When the user clicks on the Retrieve All icon 20a, he or she is presented with a Retrieve All search screen 22, and must then select a jurisdiction 22a and may optionally select a date range 22b (FIGURE 4). Once the user has selected a

jurisdiction and, optionally, a date restriction, the user clicks on a “Go” icon 22c to initiate the Retrieve All search.

If no documents are found, a message 30 is displayed advising the user to change or expand the jurisdiction 30a (FIGURE 5) and try again 30b (FIGURE 14).
5 If more than 3,000 documents are found, a message 40 is displayed advising the user that the search has been interrupted and that the user should try a more restricted jurisdiction 40a (FIGURE 6) or a more specific date 40b (FIGURES 6 and 14) and try again 40c (FIGURE 14). It is noted that the search parameters used to generate the messages shown in FIGURES 5 and 6 are different from the search parameters shown
10 in the preceding figures, as the search parameters in the preceding figures do not generate the error messages shown in FIGURES 5 and 6.

Results appear in Digest View 50, which includes headnotes for the selected topic (FIGURES 9A and 9B). The Digest View 50 also shows the most pertinent text from other highly relevant cases, such as “Stevens v. Department of
15 Treasury” (FIGURE 9B). These additional cases are included because they are relevant to the topic, although they may not have a headnote assigned to the topic.

The user can display only the cases with headnotes by selecting the “Show Headnotes Only” link 50a. To redisplay all cases for the topic, the user can select the “Exit Headnotes Only” link (not shown). Normally, cases are displayed in
20 order by Court/Date 52a (FIGURES 9A-9B). However, the user can use the landmark case identification system and method in accordance with the present invention to sort the cases and display them based on how frequently they are cited in other cases on the list 52b (FIGURE 14). To sort based on frequency of citation, the user clicks on

the “Sort by” drop-down 52, then selects “Frequently Cited.” A confirmation message 52c is displayed (FIGURE 7), advising the user that the search may take a few minutes, and requesting confirmation that the user wishes to continue. If there are too many cases to sort based on frequency of citation, a message 60 is displayed
5 advising the user to this effect (FIGURE 8). Otherwise, the documents display 54 with the most frequently cited cases first (FIGURES 10A-10C).

When the user selects a sort based on frequency of citation 52b, the cases 54a are ranked by how often they are cited by the other cases in the answer set. Each case 54a displays the number of cases 54b in which it is cited, and has a “view”
10 link 54c. To display those cases that cite a particular case, the user can select its “view” link.

Referring now to FIGURES 11-13, there are shown high-level flow diagrams illustrating the steps following in ranking the cases.

FIGURE 11 is a high level flow diagram of the Frequently Cited
15 process 100. Blocks 102 - 110 of FIGURE 11 represent the following steps:

102: The process begins with a sort request of an existing search answer set. The answer set is presumed to be a complete collection of documents for a specific topic within a defined jurisdiction and date range.

104: For each document in the set, the normalized document identifier (NDI) of the
20 primary citation for that document (determined by the order established by *The Bluebook: A Uniform System of Citation* (published by the Harvard Law Review Association in conjunction with the Columbia Law Review, the University of Pennsylvania Law Review, and the Yale Law Journal)) is retrieved.

106: A search request is constructed using the retrieved NDIs as search terms. The search is restricted to the current document set.

108: The search engine generates document frequency counts for each term within the search request. The Lexis™ Research System inserts NDI keywords for the official citation reporters into each citing reference within caselaw documents. The search request finds these citing NDI keywords for the NDI terms within the search request. These terms correspond to the documents in the set, and each document frequency is assigned to its corresponding document. The Lexis Freestyle Search Engine identifies relevant documents using search process described in U.S. Patent No. 5692176, which is incorporated herein by reference, however, the search process is aborted immediately after the calculation of the document frequencies.

110: The documents within the set are resorted based upon their assigned frequencies.

In step 104 of the Frequently Cited process 100 as shown in FIGURE 11, the NDI is retrieved by pulling it from the cite segment of that document. Alternatively, the NDIs can be harvested and maintained in a specialized database. While this alternative NDI retrieval method would make it easier to get the NDIs for the documents in the answer set, it would create synchronization problems between the NDIs in the two separate databases, which would need to be solved.

FIGURE 12 is a high level flow diagram of the NDI process 200.

Blocks 202 - 216 of FIGURE 12 represent the following steps:

202: The search answer set contains documents from one or more databases (DB). A subtask structure is defined for each DB.

204: The subtask control component of the pre-search software process creates an independently executing subtask for each subtask structure and starts each subtask so they can complete their assigned work in parallel.

206: The subtask processes each document assigned to it. It first retrieves the data
5 assigned to the cite segment within the document.

208: The cite segment is read from the DB.

210: The NDI is extracted from the cite segment data.

212: The NDI is posted into the subtask structure.

214: The subtask control component terminates each subtask when they complete
10 and frees any resources such as dynamic memory held by the subtask.

216: The NDIs are all available for the search step of the sort process.

FIGURE 13 is a high level flow diagram of the NDI Search process

300. Blocks 302 - 314 of FIGURE 13 represent the following steps:

302: The search request contains a search term for each document in the answer set,
15 up to 3000 terms. A subtask structure is created for each 50 search terms.

304: The subtask control component of the pre-search software process creates an independently executing subtask for each subtask structure and starts each subtask so they can complete their assigned work in parallel.

306: Each subtask processes its search request by locating the keywords within the
20 request in the DB dictionary, and counting occurrences of each keyword for the documents being searched.

308: The DB contains a Dictionary of keywords within the documents with location information for each keyword. The location information includes the document numbers.

310: The document frequency for each search term is returned and updated into the
5 subtask structure.

312: The subtask control component terminates each subtask when they complete and frees any resources such as dynamic memory held by the subtask.

314: The document frequencies for each search term are assigned back to the document from which the search term originated, and documents can now be sorted by
10 citation frequency.

Modifications and variations of the above-described embodiments of the present invention are possible, as appreciated by those skilled in the art in light of the above teachings. It is therefore to be understood that the invention may be practiced otherwise than as specifically described.

THE CLAIMS DEFINING THE INVENTION ARE AS FOLLOWS:

1. A method for identifying landmark documents in a document database, wherein each document in the database has a standardized citation and a normalized document identifier corresponding to the standardized citation, and wherein each document that includes a citation to another document in the database also includes a normalized document identifier keyword for the normalized document identifier of the cited document, the method including the steps of:

(a) retrieving from a database the most relevant documents on a topic selected by a user from a pre-defined topical hierarchy, the retrieved documents defining an answer set;

(b) following step (a), displaying the answer set to the user, sorted in an order based on bibliographic information;

(c) following step (b), and in response to a user request to sort the answer set based on frequency of citation, retrieving the normalized document identifiers corresponding to the standardized citations of the retrieved documents;

(d) constructing a search request using the retrieved normalized document identifiers as search terms, wherein the search request contains a search term for each document in the answer set;

(e) generating document frequency counts for each search term within the search request for documents in the answer set by counting occurrences of each normalized document identifier keyword corresponding to a search term within the request in the documents in the answer set;

(f) resorting the documents within the answer set based upon the document frequency counts; and

(g) following step (f), displaying the resorted answer set to the user.

2. The landmark document identification method of claim 1, wherein step (g) also includes displaying with the sorted answer set the number of documents in which each document in the sorted answer set is cited.

3. The landmark document identification method of claim 1, wherein the topic is a legal topic, and wherein the documents are legal cases.

4. The landmark document identification method of claim 3, wherein in step (a), the retrieved cases are restricted based on a date range specified by the user.

5. The landmark document identification method of claim 3, wherein in step (b), the cases are sorted in order by court and date.

6. The landmark document identification method of claim 1, wherein the topic selected by the user is one of a plurality of pre-defined topics.

7. A method for identifying landmark documents in a document database, wherein each document in the database has a standardized citation and a normalized document identifier corresponding to the standardized citation, and wherein each document that includes a citation to another document in the database also includes a normalized document identifier keyword for the normalized document identifier of the cited document, the method including the steps of:

(a) initiating a search of a database for the most relevant documents on a topic selected by a user from a pre-defined topical hierarchy;

(b) following step (a), if no documents are found, displaying a message advising the user to change or expand the scope of the search;

(c) following step (a), if more than a predetermined number of documents is found, (i) interrupting the search and (ii) displaying a message advising the user that the search has been interrupted and that the user should narrow the scope of the search;

(d) following step (a) if the number of documents found is at least one and less than the predetermined number, retrieving the most relevant documents on the topic selected by the user, the retrieved documents defining an answer set;

(e) following step (d), displaying the answer set to the user, sorted in an order based on bibliographic information;

(f) following step (e), and in response to a user request to sort the answer set based on frequency of citation, retrieving the normalized document identifiers corresponding to the standardized citations of the retrieved documents;

(g) constructing a search request using the retrieved normalized document identifiers as search terms, wherein the search request contains a search term for each document in the answer set;

(h) generating document frequency counts for each search term within the search request for documents in the answer set by counting occurrences of each normalized document identifier keyword corresponding to a search term within the request in the documents in the answer set;

(i) resorting the documents within the answer set based upon the document frequency counts; and

(j) following step (i), displaying the resorted answer set to the user.

8. The landmark document identification method of claim 7, wherein step (d) also includes displaying with the sorted answer set the number of documents in which each document in the sorted answer set is cited.

9. The landmark document identification method of claim 7, wherein the topic is a legal topic, and wherein the documents are legal cases.

10. The landmark document identification method of claim 8, wherein in step (a), the searched cases are restricted based on a date range specified by the user.

11. The landmark document identification method of claim 8, wherein in step (e), the cases are sorted in order by court and date.

12. The landmark document identification method of claim 7, wherein the user selects the topic from a plurality of subjects and the subjects from which the user makes a selection are pre-defined.

13. A system for identifying landmark documents in a document database, implemented using a processor of a programmable data processing apparatus, wherein each document in the database has a standardized citation and a normalized document identifier corresponding to the standardized citation, and wherein each document that includes a citation to another document in the database also includes a normalized document identifier keyword for the normalized document identifier of the cited document, the system including:

means executed by the processor for retrieving from a database the most relevant documents on a topic selected by a user from a pre-defined topical hierarchy, the retrieved documents defining an initial answer set sorted in an order based on bibliographic information;

means executed by the processor for retrieving the normalized document identifiers corresponding to the standardized citations of the retrieved documents, in response to a user request to sort the answer set based on frequency of citation;

means executed by the processor for constructing a search request using the retrieved normalized document identifiers as search terms, wherein the search request contains a search term for each document in the answer set;

means executed by the processor for generating document frequency counts for each search term within the search request for documents in the answer set by counting occurrences of each normalized document identifier keyword corresponding to a search term within the request in the documents in the answer set;

means executed by the processor for resorting the documents within the answer set based upon the document frequency counts; and

means executed by the processor for displaying the initial answer set to the user and for displaying the resorted answer set to the user.

14. The landmark document identification system of claim 13, further including:

means for initiating a search of the database for the most relevant documents on the topic;

means for determining whether the number of most relevant documents on the topic is at least one and less than a predetermined number;

means for interrupting the search if the number of most relevant documents is either zero or greater than or equal to the predetermined number; and

means for causing the means for displaying to display an error message to the user allowing the user to expand the scope of the search if the number of most relevant documents is zero or to restrict the scope of the search if the number of most relevant documents is greater than or equal to the predetermined number.

15. The landmark document identification system of claim 13, wherein the means for displaying performs the further function of displaying with the sorted answer set the number of documents in which each document in the sorted answer set is cited.

16. The landmark document identification system of claim 13, wherein the topic is a legal topic, and wherein the documents are legal cases.

17. The landmark document identification system of claim 16, wherein the means for retrieving retrieves cases limited to a jurisdiction specified by the user.

18. The landmark document identification system of claim 17, wherein the means for retrieving retrieves cases restricted to a date range specified by the user.
19. The landmark document identification system of claim 18, wherein the means for displaying displays the cases in the initial answer set sorted in order by court and date.
- 5 20. The landmark document identification system of claim 13, wherein the user selects the topic from a plurality of subject and the subjects from which the user makes a selection are pre-defined.
21. A method for identifying landmark documents in a document database or a landmark document identification system substantially as herein described with reference to the
10 accompanying drawings.

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Search Research Task Search Advisor Get a Document Shaeper

Legal Topics

All Topics > Labor & Employment Law ☐

Look for a Legal Topic

Option 1: Find a Legal Topic

Type in your research issue as an individual term, phrase, list or sentence. Enclose phrases in quotation marks.

Find

Option 2: Explore Legal Topics

☐ Affirmative Action ☐ Occupational Safety & Health

☐ Collective Bargaining & Labor Relations ☐ Posting & Recordkeeping Requirements

☐ Disability & Unemployment Insurance ☐ Preemployment Practices

☐ Discrimination ☐ Trade Secrets & Unfair Competition

☐ Employee Privacy ☐ U.S. Equal Employment Opportunity Commission

☐ Employee Retirement Income Security Act (ERISA) ☐ Wages & Hour Laws

☐ Employer Liability ☐ Worker Adjustment & Retraining Notification Act

☐ Employment Relationships ☐ Workplace Violence

☐ Equal Pay ☐ Wrongful Termination

☐ Leaves of Absence

Key:

☐ Click the link next to these icons to see that folder's contents

☐ Click the link next to these icons to search within that topic

☐ Click to see information about this topic

FIG. 1B

10

Search Research Task Search Advisor Get a Document Shaeper

Legal Topics

Need help starting your research? Lexis Search Advisor is a finding tool for legal data based on areas of law and related legal topics. It can help target your legal issue, identify appropriate sources, and formulate your search request. Show Me

Choose From My 1 and 20 Legal Topics

Remedies ☐ Go ☐

Look for a Legal Topic

Option 1: Find a Legal Topic

Type in your research issue as an individual term, phrase, list or sentence. Enclose phrases in quotation marks.

Find

Option 2: Explore Legal Topics

☐ Administrative Law ☐ Governments ☐ Courts, Legislation, Local Governments,...

☐ Admiralty Law ☐ Healthcare Laws ☐ Action Against Facilities, Insurance, Treatment,...

☐ Antitrust & Trade Law ☐ Immigration Law ☐ Admission, Immigrants, Nonimmigrants,...

☐ Banking Law ☐ Insurance Law ☐ Life Insurance, Motor Vehicle Insurance, Reinsurance,...

☐ Bankruptcy Law ☐ International Law ☐ Dispute Resolution, Immunity, Treaty Formation,...

☐ Business & Corporate Entities ☐ International Trade Law ☐ Dispute Resolution, Imports & Exports, Trade Acts,...

☐ Civil Procedure ☐ Labor & Employment Law ☐ Employee Privacy, Employer Liability, Wrongful Termination,...

☐ Commercial Law ☐ Legal Ethics

FIG. 1A

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10

Search Research Task Search Advisor Get a Document Sheep

Legal Topics

All Topics > Labor & Employment Law > Discrimination > Age Discrimination

Look for a Legal Topic

Option 1: Find a Legal Topic

Type in your research issue as an individual, phrase, list or sentence. Enclose phrases in quotation marks.

Find

Option 2: Explore Legal Topics

☐ Coverage & Definitions ☐ Proof of Discrimination

☐ Defenses & Exceptions ☐ Remedies

☐ Employment Practices ☐ Waivers

☐ Enforcement ☐ Other Laws

Key:

☐ Click the link next to these icons to see that folder's contents

☐ Click the link next to these icons to search within that topic

☐ Click to see information about this topic

FIG. 1D

10

Search Research Task Search Advisor Get a Document Sheep

Legal Topics

All Topics > Labor & Employment Law > Discrimination

Look for a Legal Topic

Option 1: Find a Legal Topic

Type in your research issue as an individual, phrase, list or sentence. Enclose phrases in quotation marks.

Find

Option 2: Explore Legal Topics

☐ Accommodation ☐ Public Contracts

☐ Actionable Discrimination ☐ Racial Discrimination

☐ Age Discrimination ☐ Reconstruction Statutes (secs. 1981, 1983 & 1985)

☐ Disability Discrimination ☐ Religious Discrimination

☐ Disparate Impact ☐ Retaliation

☐ Disparate Treatment ☐ Reverse Discrimination

☐ Federal Employee ☐ Sexual Harassment

☐ Gender & Sex Discrimination ☐ Title VII

☐ National Origin Discrimination ☐ Title VII Amendments

Key:

☐ Click the link next to these icons to see that folder's contents

☐ Click the link next to these icons to search within that topic

☐ Click to see information about this topic




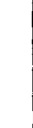
FIG. 1C

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The screenshot displays a web-based legal research application. At the top, a breadcrumb trail reads: "All Topics > Labor & Employment Law > Discrimination > Age Discrimination > Remedies". Below this, a navigation bar contains buttons for "Search", "Research Task", "Search Advisor", "Get a Document", and "Shepards". A "Legal Topics" sidebar is on the left. The main content area is titled "Remedies" and contains a search box with the text "Labor & Employment Cases, Federal". To the right of the search box are buttons for "Cases", "Agency Materials", and "Analytical Materials". Below the search box, there are two steps: "Step 1" and "Step 2". "Step 1" is labeled "Labor & Employment Cases, Federal". "Step 2" is labeled "Retrieve all headlines and additional cases on this topic". Below "Step 2" is a search box with the text "Go" and a "Search" button. To the right of the search box are radio buttons for "Tutors and Connections" and "Material Language". Below these are three radio buttons: "Suggest Words and Concepts for Remedies", "Suggest Words and Concepts for Enlarged Terms", and "Restrict Search Using Mandatory Terms". Below these are two radio buttons: "Optional: Restrict by Date" and "No Date Restrictions". To the right of these are "From" and "To" date input fields. Below the search box is a list of results, with the first item being "Labor & Employment Cases, Federal".

FIG. 2

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Search Research Task Search Advisor Get a Document Shepard's

Terms Search Within All Documents

FAST Print Print Download Fax Email Text Only

Sort By: Court Data Page 24

LexisNexis(R) Headnotes - Hide Headnotes

Labor & Employment Law > Discrimination > Age Discrimination > Coverage & Definitions ☐ **20b**

Labor & Employment Law > Discrimination > Age Discrimination > Remedies ☐ **20a**

20b Age Discrimination in Employment Act of 1967 (ADEA) broadly prohibits arbitrary discrimination in the workplace based on age. ADEA §§ 4, 32, codified at 29 U.S.C.S. §§ 622(a)(1), 631(a), make it unlawful for an employer, inter alia, to discharge any individual between the ages of 40 and 70 because of such individual's age. The ADEA incorporates many of the enforcement and remedial mechanisms of the Fair Labor Standards Act of 1938 (FLSA). Like the FLSA, the ADEA provides for such legal or equitable relief as may be appropriate to effectuate the purposes of this chapter. 29 U.S.C.S. § 626(b). That relief may include without limitation judgment compelling employment, reinstatement or promotion. The ADEA incorporates FLSA provisions that permit the recovery of wages lost and an additional equal amount as liquidated damages 29 U.S.C.S. § 216(b). More Like This Headnote

Labor & Employment Law > Discrimination > Age Discrimination > Remedies ☐ **20**

20a The Age Discrimination in Employment Act of 1967 specifically provides that liquidated damages shall be payable only in cases of willful violations of the chapter, 29 U.S.C.S. § 626(b). The ADEA does not permit a separate recovery of compensatory damages for pain and suffering or emotional distress. More Like This Headnote

Tax Law > Federal Taxpayer Groups > Individuals > Gross Income (JRC sec. 61) ☐ **20**

20a See 26 U.S.C.S. § 61(a)

Governments > Legislation > Interpretation ☐

20b The default rule of statutory interpretation is that exclusions from income must be narrowly construed. More Like This Headnote

Tax Law > Federal Income Tax Computation > Compensation & Welfare Benefits > Disability Payment (JRC sec. 304-100) ☐

20a 26 U.S.C.S. § 104(a) provides an exclusion for five categories of compensation for personal injuries or sickness. More Like This Headnote

Tax Law > Federal Income Tax Computation > Compensation & Welfare Benefits > Disability Payment (JRC sec. 304-105) ☐

20b See 26 U.S.C.S. § 104(a)

FIG. 3

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Search Research Task Search Advisor Get a Document Shepard's

Legal Topics

Retrieve all headnotes and additional cases on Remedies

All Topics > Labor & Employment Law > Discrimination > Age Discrimination > Remedies

Jurisdiction: Labor & Employment Cases, Federal

Optional: Restrict by Date

☒ No Date Restrictions ☐ From To

Go Cancel X

FIG. 4

No Documents Found

No documents were found for your Retrieve all headnotes and additional cases on Remedies and date get (08/14/2004) request. Please change or expand your jurisdiction and try again.

Edit Jurisdiction Cancel X

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FIG. 5

More Than 3000 Results

This search (Retrieve all headnotes and additional cases on Summary Judgement Standard) has been interrupted because it will return more than 3000 results. Please edit your search and try again. Please try again using:

- A more restricted jurisdiction, or
- A more specific date

Edit Jurisdiction Cancel X

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FIG. 6

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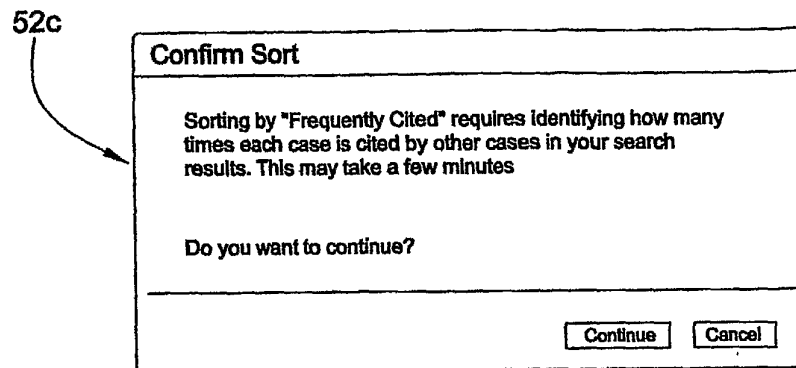


FIG. 7

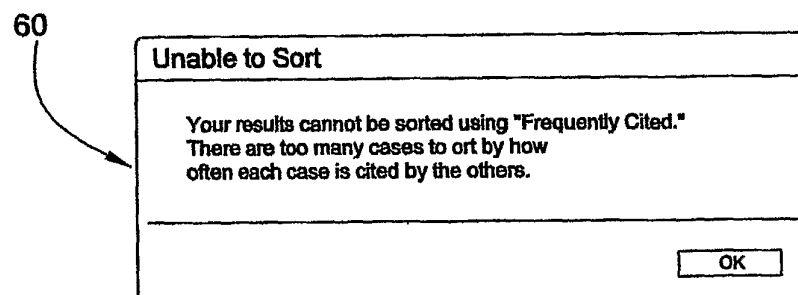


FIG. 8

Terms Search Within All Documents

Sort By: Court Data 50a In-Depth Discussions

Topic: All Topics > Labor & Employment Law > Discrimination > Remedies ☐ - Labor & Employment Cases, Federal ☐
 Request Retrieve all headnotes and additional cases on Remedies (Edit Request)

☐ Select for FOCUS or Delivery

☐ 1. Commissioner v. Schleier 515 U.S. 323, 1995 U.S. LEXIS 4044 (U.S., June 14, 1995, Decided)

OVERVIEW : A taxpayer's award under the ADEA was not excludable from gross income. No part of the award was attributable to personal injuries or sickness nor was it received through prosecution or settlement of an action based upon tort or tort type rights.

HN1 - The Age Discrimination in Employment Act of 1967 (ADEA) broadly prohibits arbitrary discrimination in the workplace based on age. ADEA § 4, 32, codified at 29 U.S.C.S. § 622(a)(1), 631(e), make it unlawful for an employer, inter alia, to discharge any individual between the ages of 40 and 70 because of such individual's age. The ADEA incorporates many of the enforcement and remedial mechanisms of the Fair Labor Standards Act of 1938 (FLSA). Like the FLSA, the ADEA provides for such legal or equitable relief as may be appropriate to effectuate the purposes of this chapter. 29 U.S.C.S. § 626(b). That relief may include without limitation judgement compelling employment, reinstatement or promotion. The ADEA incorporates FLSA provisions that permit the recovery of wages lost and an additional equal amount as liquidated damages. 29 U.S.C.S. § 216(b). More Like This Headnote

HN2 - The Age Discrimination in Employment Act of 1967 specifically provides that liquidated damages shall be payable only in cases of willful violations of the chapter, 29 U.S.C.S. § 626(b). The ADEA does not permit a separate recovery of compensatory damages for pain and suffering or emotional distress. More Like This Headnote

HN9 - Liquidated damages under the Age Discrimination in Employment Act of 1967 (ADEA), like wages under ADEA, are not received on account of personal injury or sickness. More Like This Headnote

HN11 - The Age Discrimination in Employment Act of 1967 (ADEA) provides no compensation for any of the other traditional harms associated with personal injury. Monetary remedies under the ADEA are limited to back wages, which are clearly of an economic character and liquidated damages, which serve to compensatory function. Thus, a recovery under the ADEA is not one that is based upon tort or tort type rights. More Like This Headnote

☐ 2. McKennon v. Nashville Banner Publ. Co. 513 U.S. 352, 1005 U.S. LEXIS 600 (U.S. January 23, 1995, Decided)

OVERVIEW : Where employer discovered misconduct only after discharging employee in violation of the Age Discrimination in Employment Act, that misconduct was not a defense to the violation and the employee was not barred from relief.

FIG. 9A

	Sort By: <input type="text"/> Court Data <input type="button" value="v"/>	Terms <input type="text"/>	Search Within <input type="text"/> All Documents <input type="button" value="v"/>	FAST Print <input type="button" value="v"/>	Print Download Fax Email Text Only
<input type="button" value="Research Task"/> <input type="button" value="Search Advisor"/> <input type="button" value="Get a Document"/> <input type="button" value="Shepard's"/>					
Topic: All Topics > Labor & Employment Law > Discrimination > Remedies <input type="checkbox"/> - Labor & Employment Cases, Federal <input type="checkbox"/> Request Retrieve all headlines and additional cases on Remedies (Edit Request)					
<p>HM14 - If an employer incorrectly but in good faith and non-recklessly believes that the Age Discrimination in Employment Act of 1967, 29 U.S.C.S. § 621 et seq., permits a particular age-based decision, then liquidated damages should not be imposed. More Like This Headnote</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> 4. Stevens v. Department of Treasury, 500 U.S. 1, 1991 U.S. LEXIS 2998 (U.S. April 24, 1991, Decided) OVERVIEW : An employee timely notified the Equal Employment Opportunity Commission within 180 days of an alleged discriminatory action and properly waited to file suit on this age discrimination claim until more than 30 days after the notice was given.</p> <p>DISSENT: [***] 5-7. Unlike Title VII, however, the Age Discrimination in Employment Act (ADEA) contains no express requirement that a federal employee complainant seek administrative relief. There is therefore no basis from which to infer that a complainant who has voluntarily sought administrative relief must exhaust all administrative remedies before proceeding to court. The Equal Employment Opportunity Commission, charged with interpretation of the ADEA, does not read the statute to require exhaustion.....</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> 5. Lorillard Div. of Loew's Theatres, Inc. v. Parris, 494 U.S. 575 1979 U.S. LEXIS 61 (U.S. February 22, 1979) OVERVIEW : A former employee had a right to a jury trial in her private civil action against her former employer for lost wages under the Age Discrimination in Employment Act.</p> <p>HN6 - See 29 U7 S.C.S. § 626(c).</p> <p>HN11 - Section 7(b) (29 U.S.C.S. § 626(b)) of the Age Discrimination in Employment Act of 1967 (ADEA), 29 U.S.C.S. § 621 et seq. empowers a court to grant legal or equitable relief and 29 U.S.C.S. § 626(c) authorizes individuals to bring action for legal or equitable relief. The work "legal" is a term of art. In cases in which legal relief is available and legal rights are determined, U.S. Const. amend. VII provides a right to jury trial. Where words are employed in a statute which had at the time a well-known meaning at common law or in the law of this country they are presumed to have been used in that sense unless the context compels to the contrary. By providing specifically for "legal relief," Congress knows the significance of the term "legal" and intends that there would be a jury trial on demand to enforce liability for amounts deemed to be unpaid minimum wages or unpaid overtime compensation under 29 U.S.C.S. § 626(b). More Like This Headnote</p> <p>HN12 - Section 7(b) (29 U.S.C.S. § 626(b)) of the Age Discrimination in Employment Act of 1967 (ADEA), 29 U.S.C.S. § 621 et seq. does not specify which of the listed categories of relief are legal and which are equitable. However, since it is clear that judgment</p>					

FIG. 9B

SUBSTITUTE SHEET (RULE 26)

FIG. 10A

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☐ Home ☐ Back ☐ Forward ☐ Stop ☐ Reload ☐ Print ☐ Email ☐ Text Only

Search | Research Task | Search Advisor | Get a Document | Shepards

Terms: Search Within: All Documents

FAST Print Print | Download | Fax | Email | Text Only

Show Headnotes Only | In-Depth Discussions

Sort By: Court Data

Topic: All Topics > Labor & Employment Law > Discrimination > Remedies ☐ - Labor & Employment Cases, Federal ☐
 Request Retrieve all headnotes and additional cases on Remedies (Edit Request)

☐ ☐ 22. Naton v. Bank of California, 649 F. 2d 591, 1081 U.S. App. LEXIS 13040 (Den Cir., May 4, 1981, Decided) (Cited in 45 of 1420 View)

OVERVIEW : Though an officer did not file an intent to sue letter within the limitations period in his ADEA action, the court remanded the case for a determination of whether the limitations period should be equitably modified.

HN13 - See 29 U.S.C.S. § 626(b).

HN14 - All circuit courts that have addressed the question have concluded that the Age Discrimination in Employment Act of 1967, 29 U.S.C.S. §§ 621-634, does not authorize an award of damages for pain and suffering. More Like This Headnote

HN16 - The Age Discrimination in Employment Act of 1967 (ADEA), 29 U.S.C.S. §§ 621-634 authorizes a district court to exercise its discretion to grant such legal or equitable relief as may be appropriate to effectuate the purposes of ADEA 29 U.S.C.S. § 626(b). More Like This Headnote

☐ ☐ 23. Lindsey v. American Cast Iron Pipe Co., 810 F. 2d 1094, 1997 U.S. App. LEXIS 2442 (11th Cir., February 24, 1997) (Cited in 44 of 1450 View)

OVERVIEW : Where the jury concluded that employer's refusal to promote its employee was based upon age discrimination and where the employer knew that its policies violated federal age discrimination law, its refusal to promote the employee was willful.

OPINION: "[1090] Lindsey sued ACIPCO for violating the Age Discrimination in Employment Act (ADEA). 29 U.S.C.S. 621-34. He alleged that ACIPCO had refused to promote him to assistant manager of its data processing department because of his age. The jury returned a verdict for Lindsey, but the district court granted ACIPCO's motion for judgment not withstanding the verdict. On the initial appeal, this court reversed the district court, reinstated the jury....

☐ ☐ 24. Combes v. Griffin Television, Inc., 421 F. Supp. 841, 1976 U.S. Dist. LEXIS 12842 (D. Okla, October 6, 1976) (Cited in 43 of 1450 View)

OVERVIEW: An employee wrongfully discharged from his position as a television achorman because of his age was entitled to back wages, liquidated damages, compensatory damages, and his attorney's fees and costs, but was not entitled to reinstatement.

HN1 - 29 U.S.C.S. § 626(b) provides in part that the provisions of this chapter shall be enforced in accordance with the powers, remedies, and procedures provided in sections 211(b), 216 (except for subsection (a) thereof), and 217 of this title, and subsection (c) of this section. Any act prohibited under section 623 of this title shall be deemed to be a prohibited act under

FIG. 10B

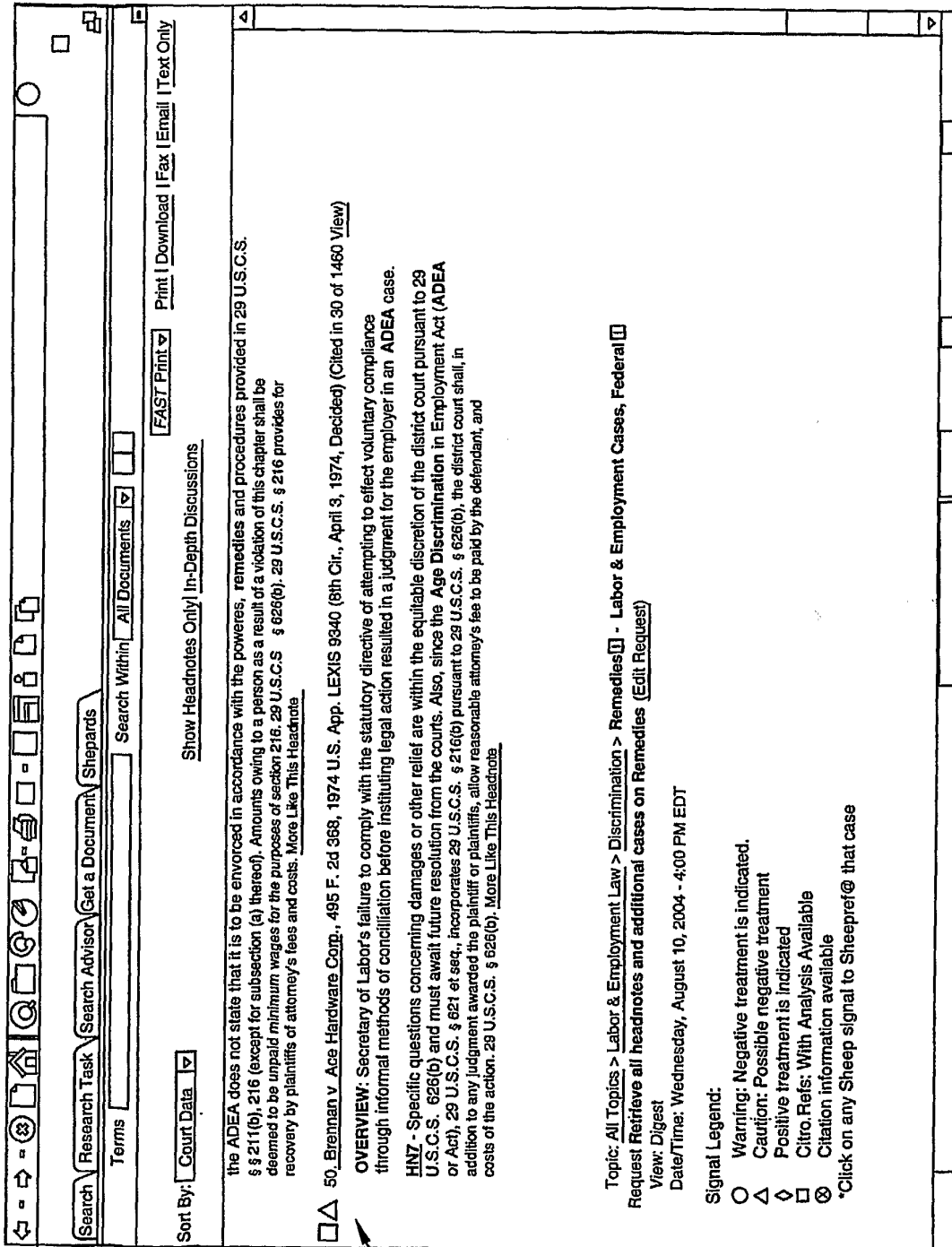


FIG. 10C

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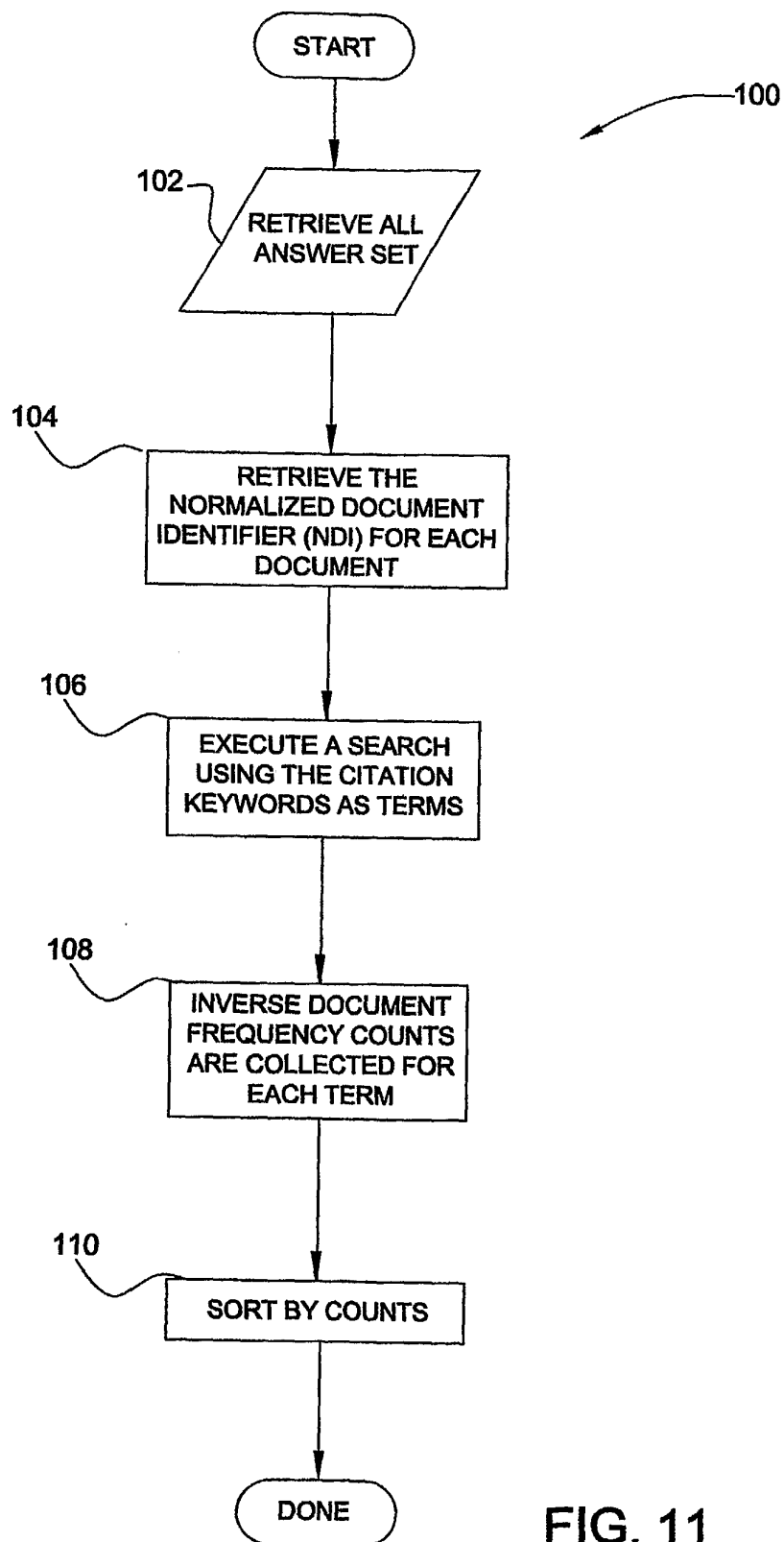
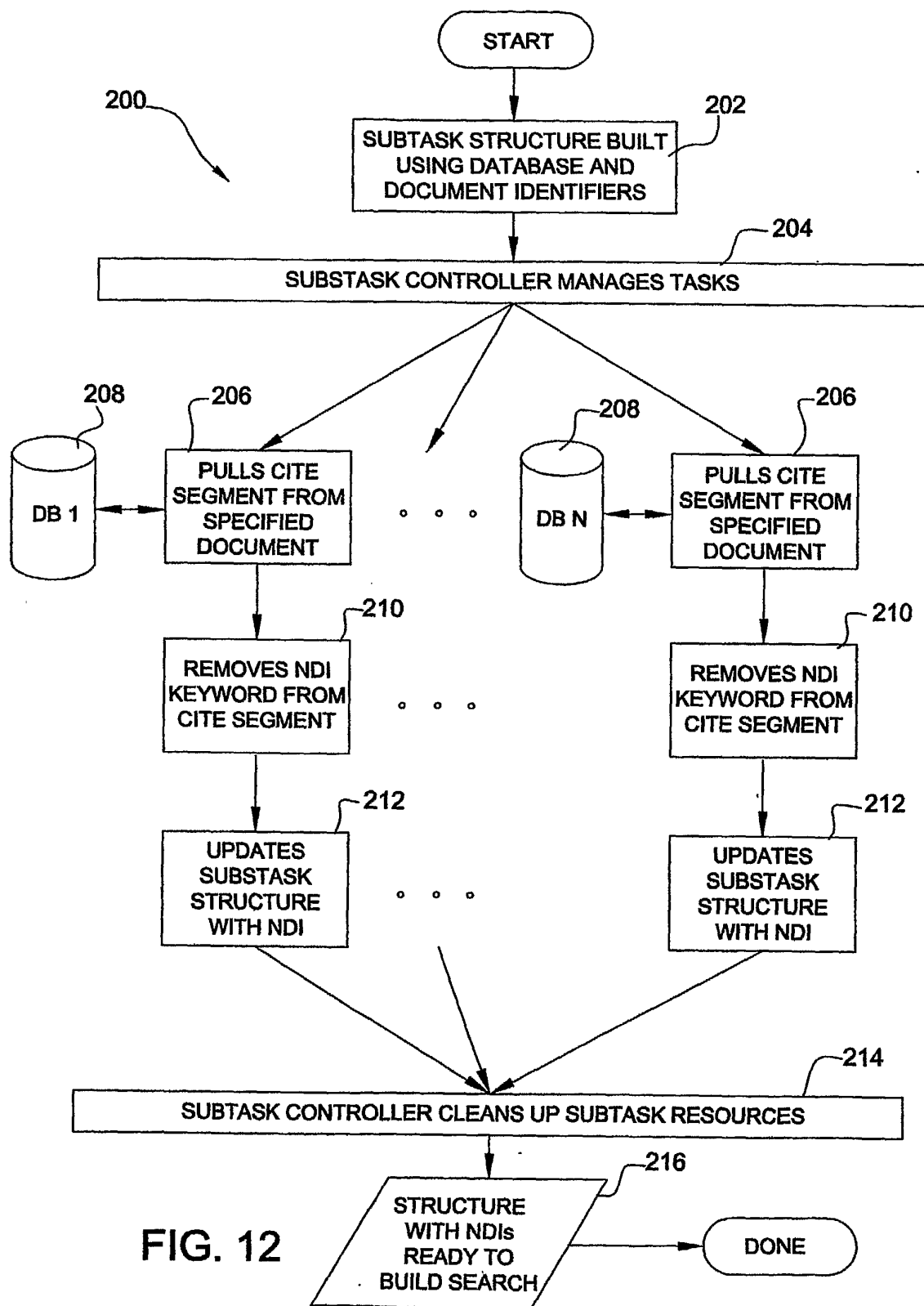
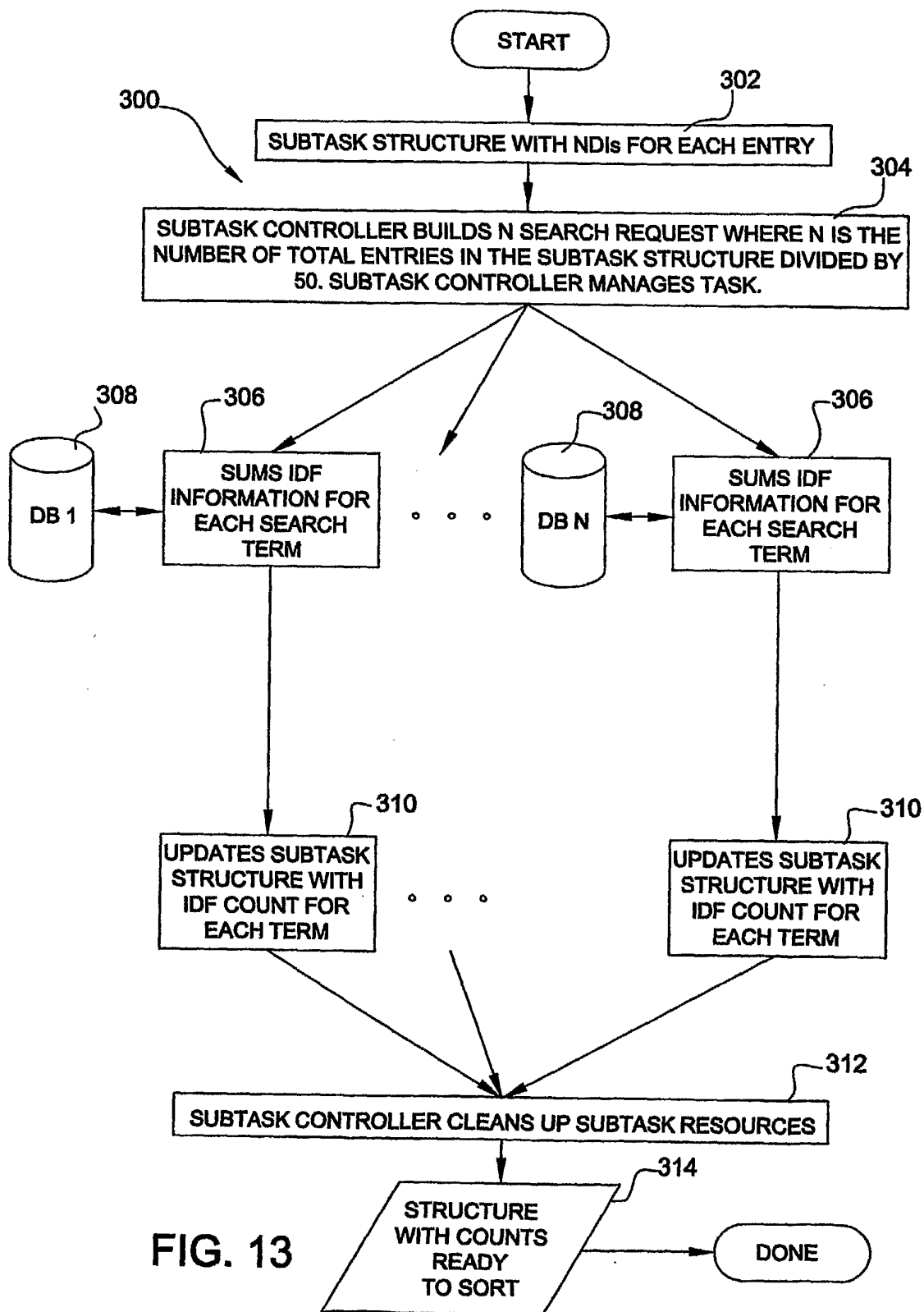


FIG. 11

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