

LegalMetric

LegalMetric District Report South Carolina District Court in Trademark Cases

January 1991-January 2013

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Overview

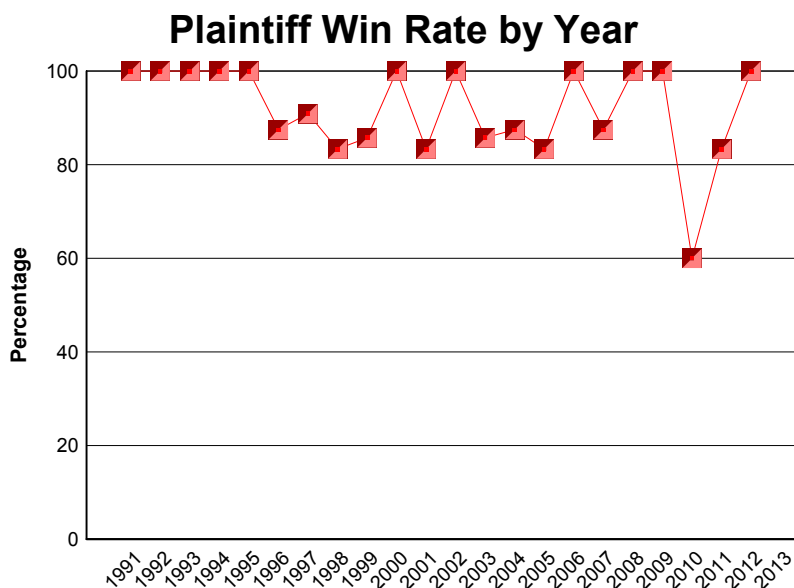
This report covers the trademark cases of the active judges in the South Carolina District Court as of January 2013 (the date of the most recent LegalMetric docket download for this court). Cases of inactive judges are not included.

The number of cases, judgments, contested judgments, and trials for this court are shown below.

	Number
Total Cases	379
Open Cases	9
Closed Cases	370
Judgments	126
Contested Judgmts.	23
Trials	10
Bench	3
Jury	7

The overall win rate, contested win rate, and trial win rate for the plaintiff are shown below. Note that contested win rate does not include consent and default judgments.

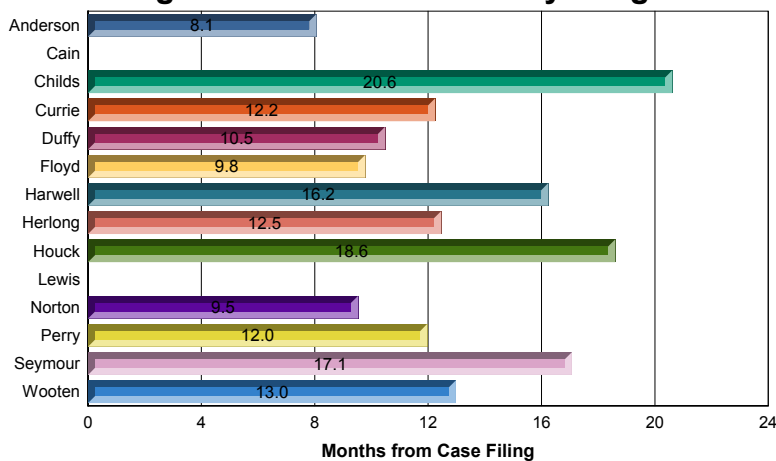
	Pltf. Win Rate
Overall	90.5
Contested	47.8
Trial	70.0
Bench	66.7
Jury	71.4



The average times to termination for all cases, for all cases terminated by judgment, for all contested judgments, and for all cases terminated by trials are shown below.

	Months
All Cases	10.0
Judgments	12.2
Contested	16.9
Trial	20.7
Bench	28.7
Jury	17.2

Average Time to Termination by Judgment



Larger Version in Body of Report

The average and median award amounts for this district are:

Average: \$224,963
Median: \$8,750

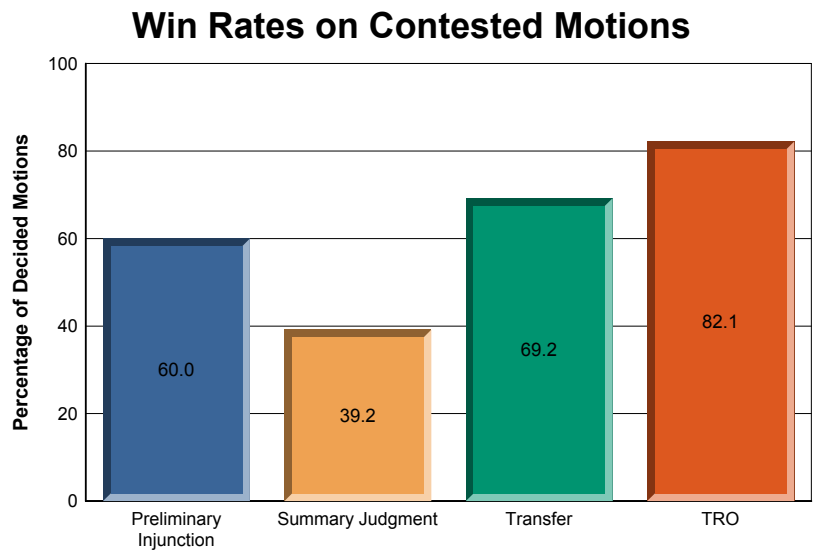
Appeals:

	Number of Appeals	Complete Affirmance Rate
Total	13	100.0

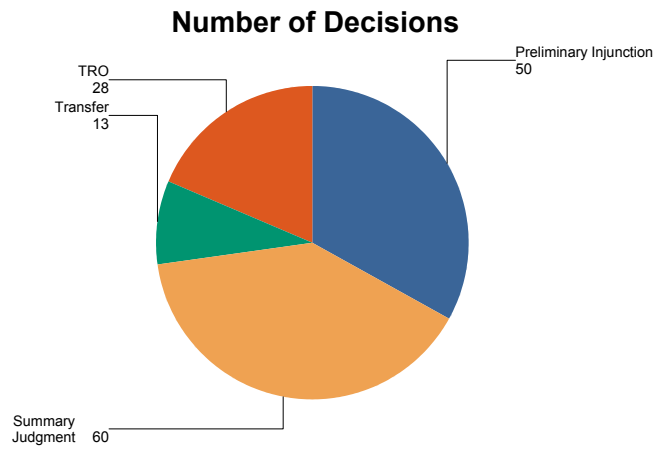
Motions:

The win rates on various motions for the district, along with the number of decisions are shown below.

	Win Rate
Preliminary Injunction	60.0
Summary Judgment	39.2
Transfer	69.2
TRO	82.1



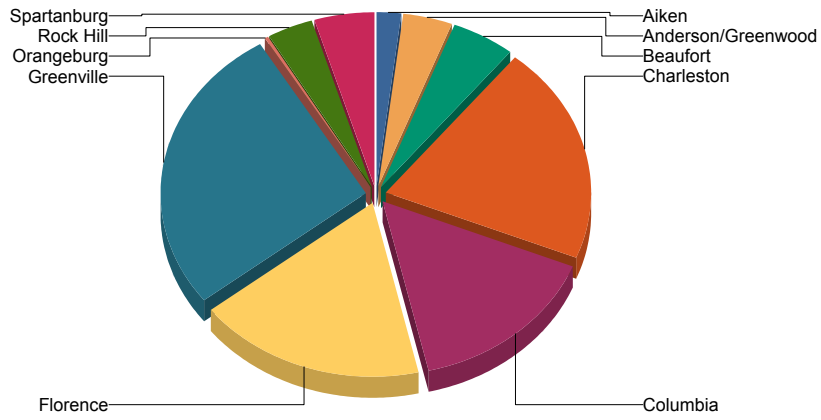
	Number of Decisions
Preliminary Injunction	50
Summary Judgment	60
Transfer	13
TRO	28



Breakdown by Division

The breakdown of trademark cases by division is illustrated in the following chart:

Total Trademark Cases, by Division

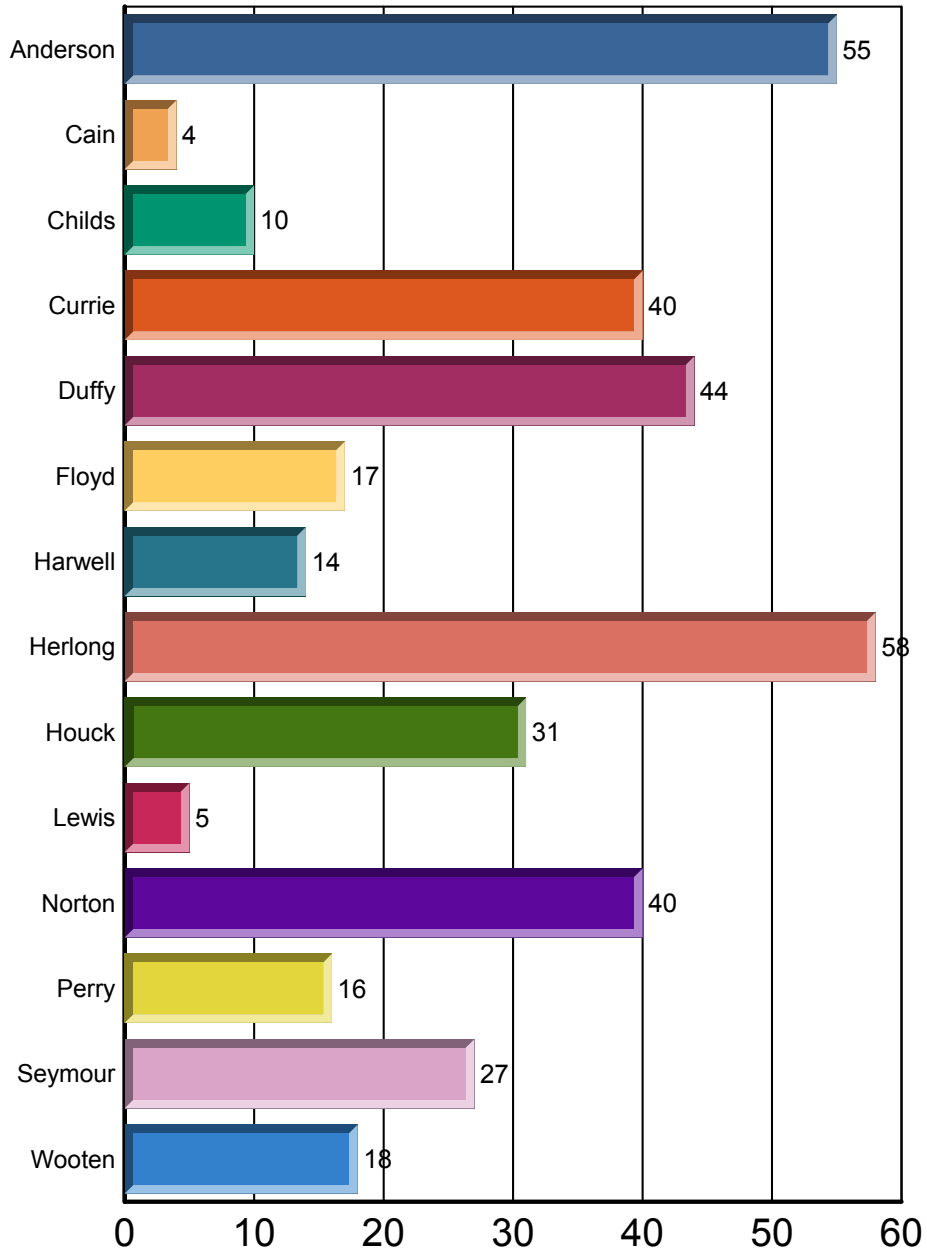


	Total
Aiken	7
Anderson/Greenwood	15
Beaufort	19
Charleston	77
Columbia	58
Florence	68
Greenville	102
Orangeburg	1
Rock Hill	14
Spartanburg	18

Breakdown by Judge

The chart below illustrates the total number of trademark cases by active judges in the district.

Number of Cases, by Judge

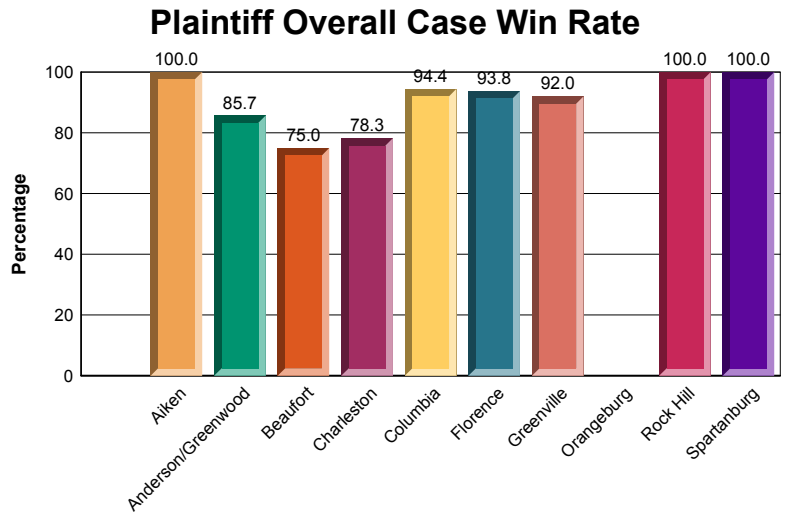


	Total
District	379
Anderson	55
Cain	4
Childs	10
Currie	40
Duffy	44
Floyd	17
Harwell	14
Herlong	58
Houck	31
Lewis	5
Norton	40
Perry	16
Seymour	27
Wooten	18

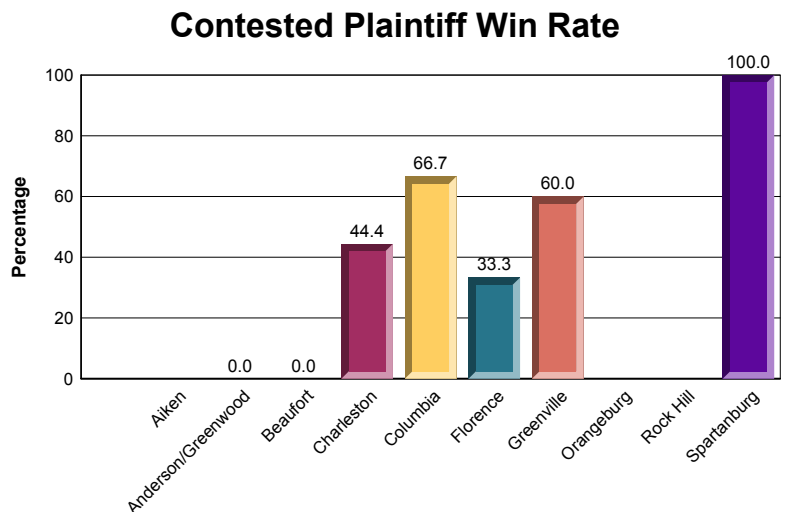
Divisional Comparisons

The overall plaintiff case win rate (includes consent and default judgments), contested win rate (does NOT include consent and default judgments), trial win rate, complete affirmance rate (appeals affirmed with no other action, divided by the total number of appeals except for dismissed and pending appeals), and average time to termination by judgment (includes consent and default judgments) are shown below for each division.

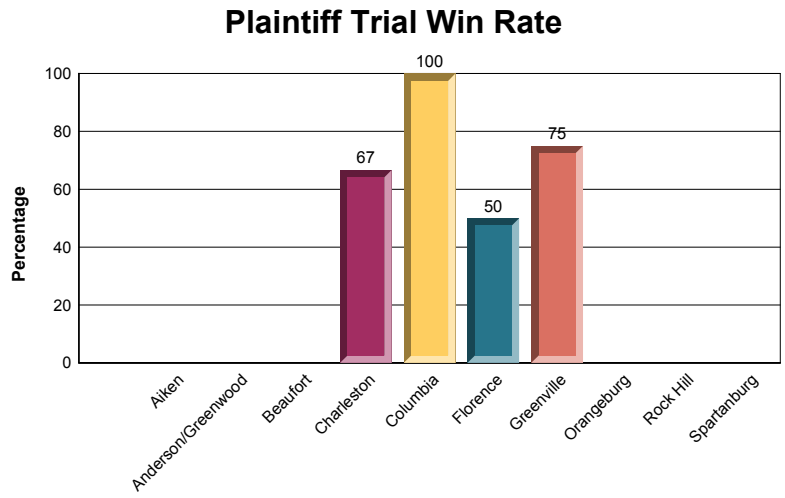
	Plaintiff Win Rate/ No. of Judgments	
District	90.5	126
Aiken	100.0	1
Anderson/Green	85.7	7
Beaufort	75.0	4
Charleston	78.3	23
Columbia	94.4	18
Florence	93.8	32
Greenville	92.0	25
Rock Hill	100.0	7
Spartanburg	100.0	9



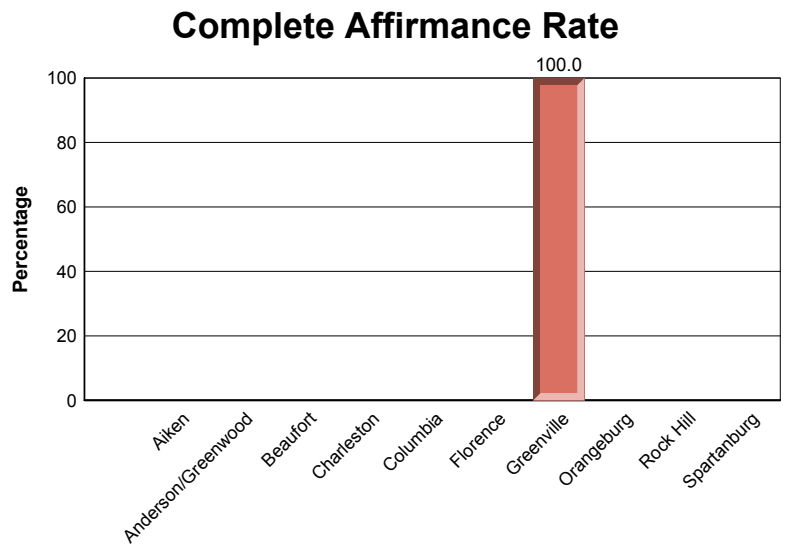
	Contested Win Rate/ Number Contested	
District	47.8	23
Anderson/Green	0.0	1
Beaufort	0.0	1
Charleston	44.4	9
Columbia	66.7	3
Florence	33.3	3
Greenville	60.0	5
Spartanburg	100.0	1



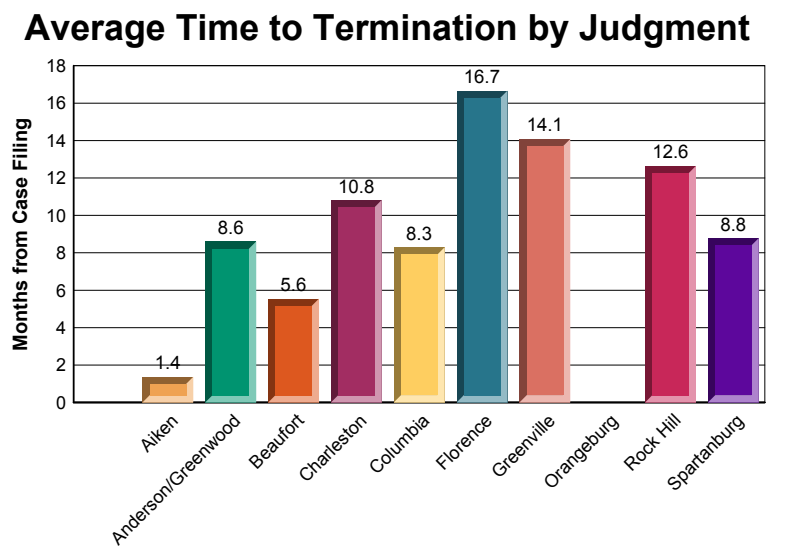
	Trial Win Rate/ Number of Trials	
District	70.0	10
Charleston	66.7	3
Columbia	100.0	1
Florence	50.0	2
Greenville	75.0	4



	Complete Aff. Rate/ Number of Appeals	
District	100.0	4
Greenville	100.0	4



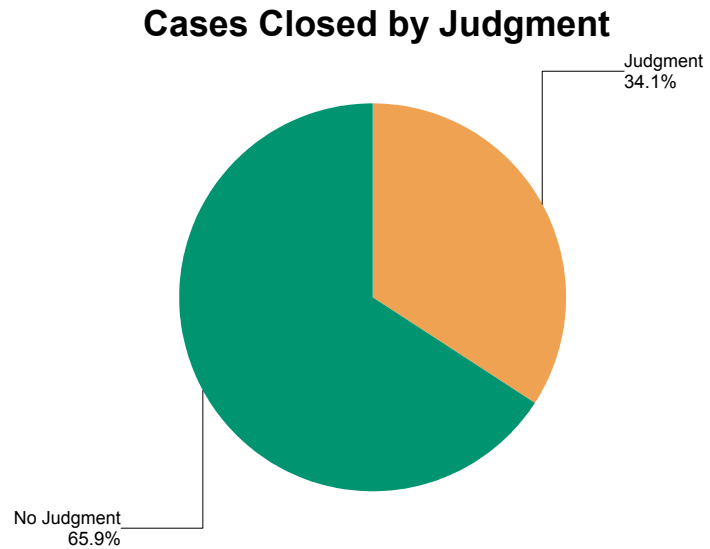
	Time to Term./ Number of Judgmts.	
District	12.2	126
Aiken	1.4	1
Anderson/Green	8.6	7
Beaufort	5.6	4
Charleston	10.8	23
Columbia	8.3	18
Florence	16.7	32
Greenville	14.1	25
Rock Hill	12.6	7
Spartanburg	8.8	9



What are the Odds: Termination by Judgment

The percentage of closed trademark cases terminated by judgment are shown in the chart to the right.

Terminations by judgments include terminations resulting from trials, from dispositive summary judgment motions, from involuntary dismissals, from consent judgments, and from default judgments.

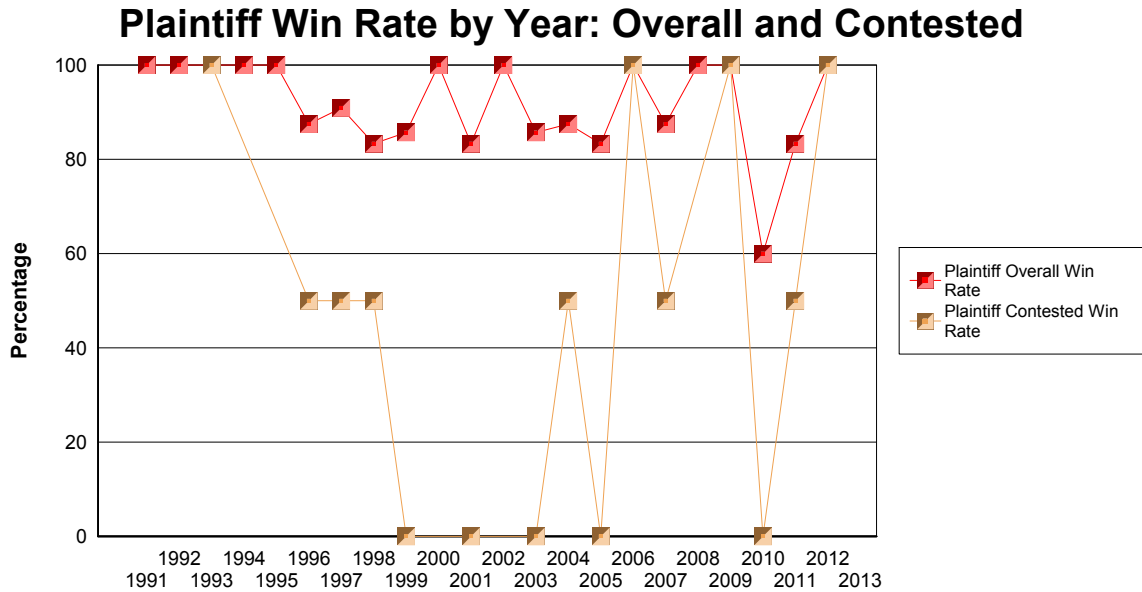


The number of judgments by each outcome, the overall plaintiff win rate, the contested plaintiff win rate, and the trial win rate for each outcome are shown below. Note that the overall win rate includes consent and default judgments, whereas the contested win rate does not include consent and default judgments.

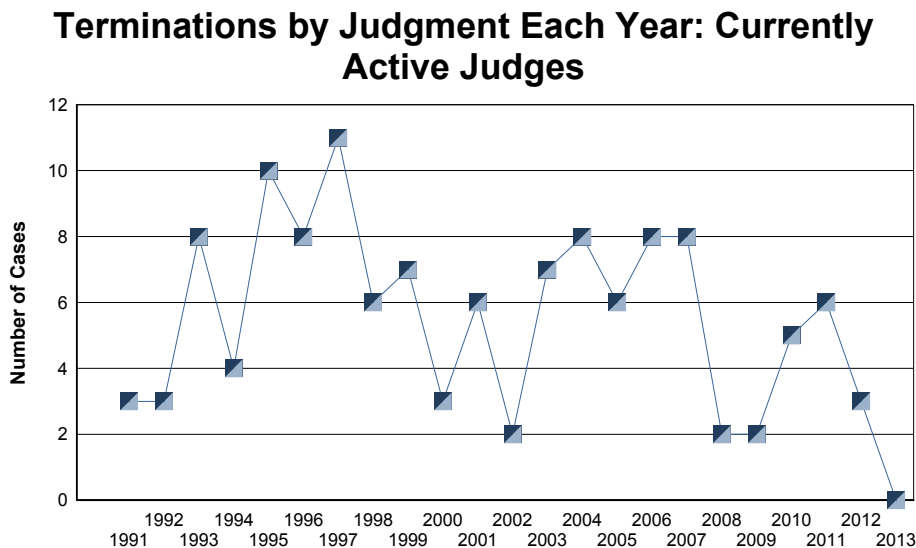
	Number of Judgments	Overall Win Rate	Contested Win Rate	Trial Win Rate
Bench Trial	3	66.7	66.7	66.7
Consent Judgment	74	100.0		
Default Judgment	29	100.0		
Involuntary Dismissal	4	0.0	0.0	
Jury Verdict	7	71.4	71.4	71.4
Other Termination	1	0.0	0.0	
Summary Judgment	8	50.0	50.0	

Win Rates by Year

The following chart shows the plaintiff overall win rate and contested win rate for the active judges in the South Carolina District Court by year. The overall win rate should be compared with the historical nationwide overall win rate of 92%, and the contested win rate should be compared with the historical nationwide contested win rate of 47.4%. A chart with a considerable amount of "jitter" reflects relatively few data points. Note that the contested win rates are usually much lower than the overall win rates since they exclude consent and default judgments.



The total number of terminations by judgment per year by the currently active judges during the same period in the South Carolina District Court is shown in the following chart:



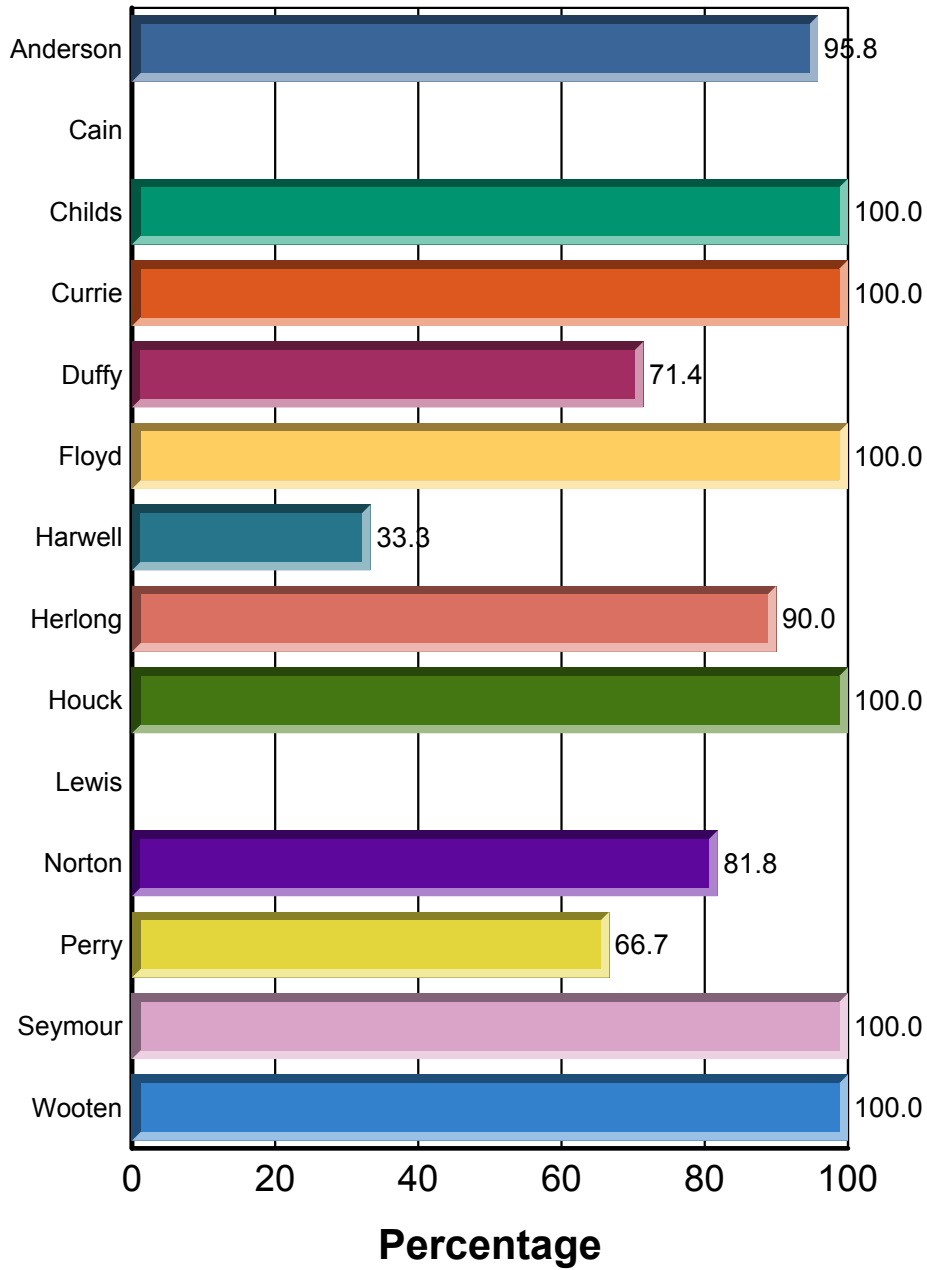
The actual number of judgments, number of plaintiff "wins", and the corresponding win rates are shown below. In this report, a judgment entered in favor of both the plaintiff and the defendant on their respective trademark claims is counted as "1/2" a win for each party. This could happen, for example, where the plaintiff files an infringement action, the defendant files an infringement counterclaim on its own trademarks, and both prevail on their respective claims.

	Plaintiff Wins	Total Decisions	Plaintiff Win Rate
1991	3	3	100.0
1992	3	3	100.0
1993	8	8	100.0
1994	4	4	100.0
1995	10	10	100.0
1996	7	8	87.5
1997	10	11	90.9
1998	5	6	83.3
1999	6	7	85.7
2000	3	3	100.0
2001	5	6	83.3
2002	2	2	100.0
2003	6	7	85.7
2004	7	8	87.5
2005	5	6	83.3
2006	8	8	100.0
2007	7	8	87.5
2008	2	2	100.0
2009	2	2	100.0
2010	3	5	60.0
2011	5	6	83.3
2012	3	3	100.0

Plaintiff Overall and Contested Win Rates: By Judge

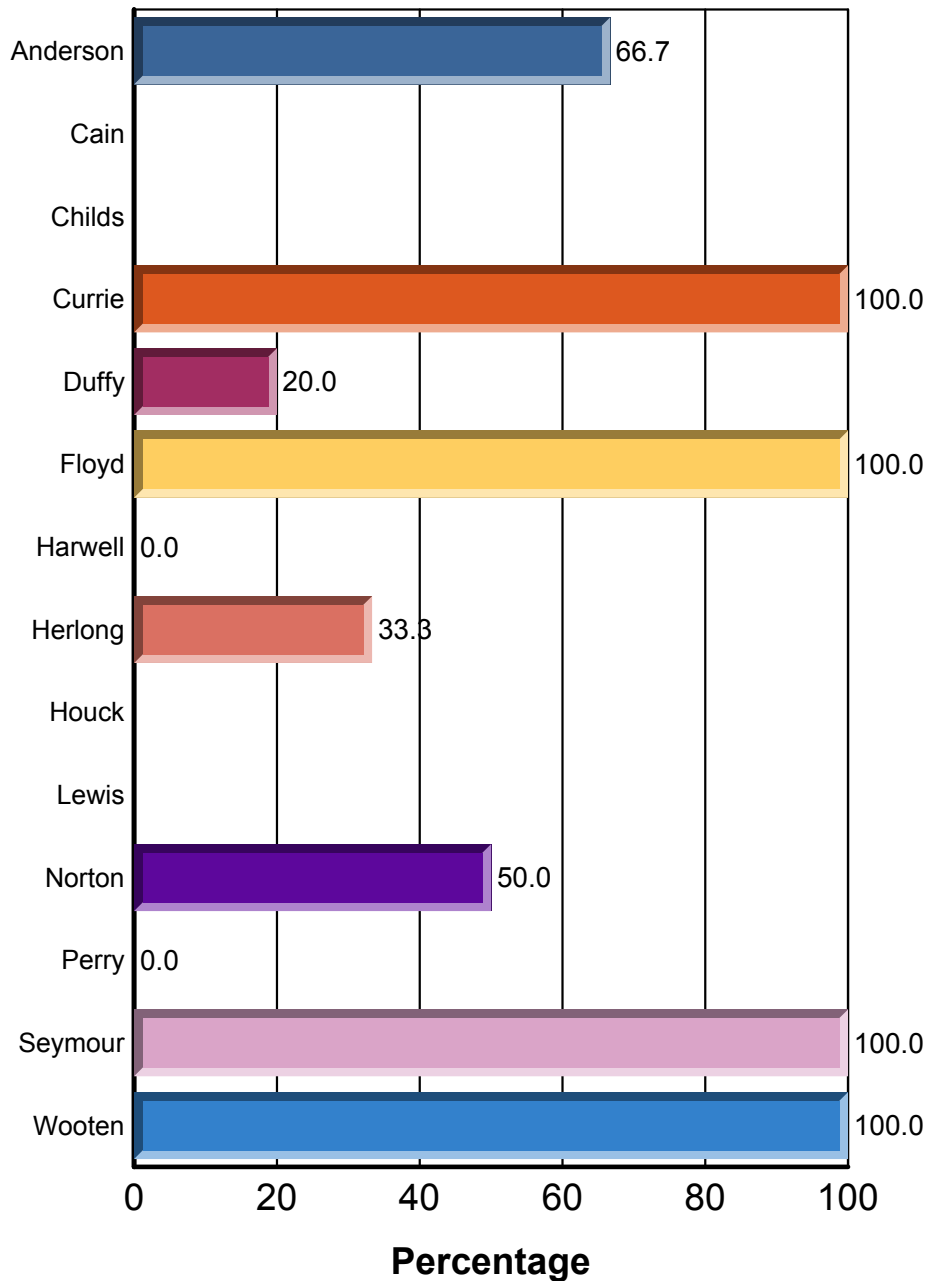
The overall plaintiff win rate varies significantly from judge to judge over the period covered by this report. The chart below illustrates these win rates for these judges. The win rate for judges with no terminations by judgment is left blank.

Plaintiff Overall Win Rate: By Judge



The plaintiff contested win rate for these judges is shown below. Note that contested win rates do not include consent and default judgments. The win rate for judges with no contested judgments is left blank.

Plaintiff Contested Win Rate: By Judge



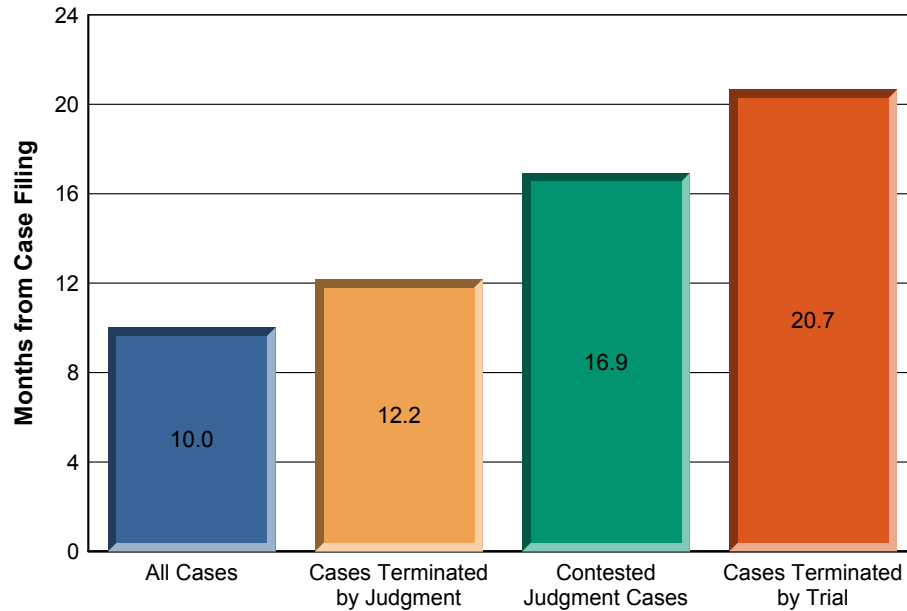
The table below includes the plaintiff overall and contested win rates for each active judge, along with the number of terminations by judgment and by contested judgment by that judge in trademark cases during the period covered by this report.

	Overall Win Rate	Number of Judgments	Contested Win Rate	Contested Judgments
Total	90.5	126	47.8	23
Anderson	95.8	24	66.7	3
Cain		0		0
Childs	100.0	2		0
Currie	100.0	19	100.0	1
Duffy	71.4	14	20.0	5
Floyd	100.0	4	100.0	1
Harwell	33.3	3	0.0	2
Herlong	90.0	20	33.3	3
Houck	100.0	13		0
Lewis		0		0
Norton	81.8	11	50.0	4
Perry	66.7	3	0.0	1
Seymour	100.0	8	100.0	2
Wooten	100.0	5	100.0	1

How Long? Time to Termination

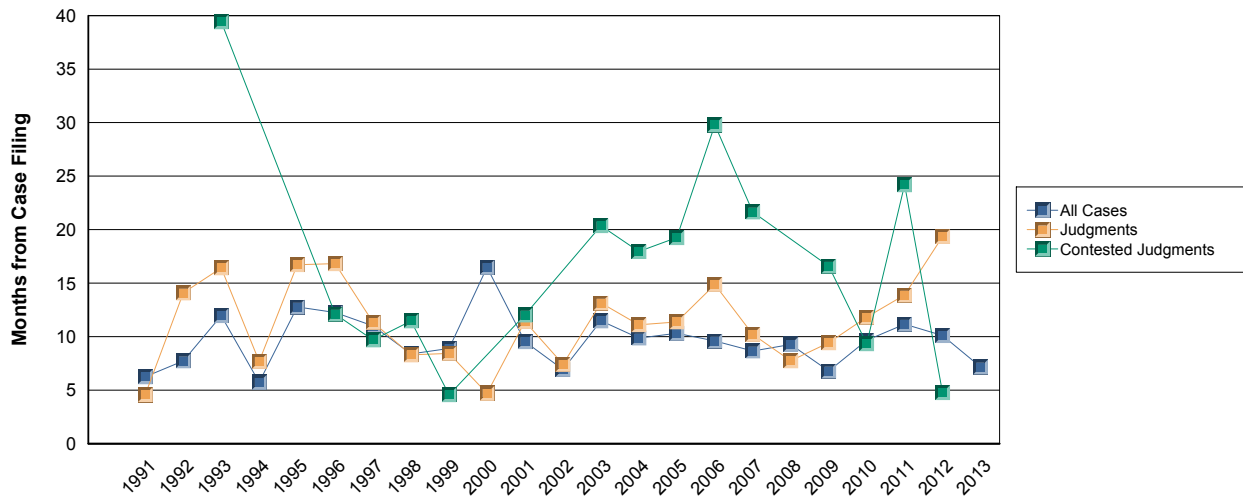
The average time from case filing to termination for all closed cases, for all cases terminated by judgment, for all cases terminated by contested judgment, and for all cases terminated by trial covered by this report are shown below.

Time to Termination



The average time from case filing to termination for all closed cases by year, for all cases terminated by judgment, for all cases terminated by contested judgment, and for all cases terminated by trial covered by this report are shown below.

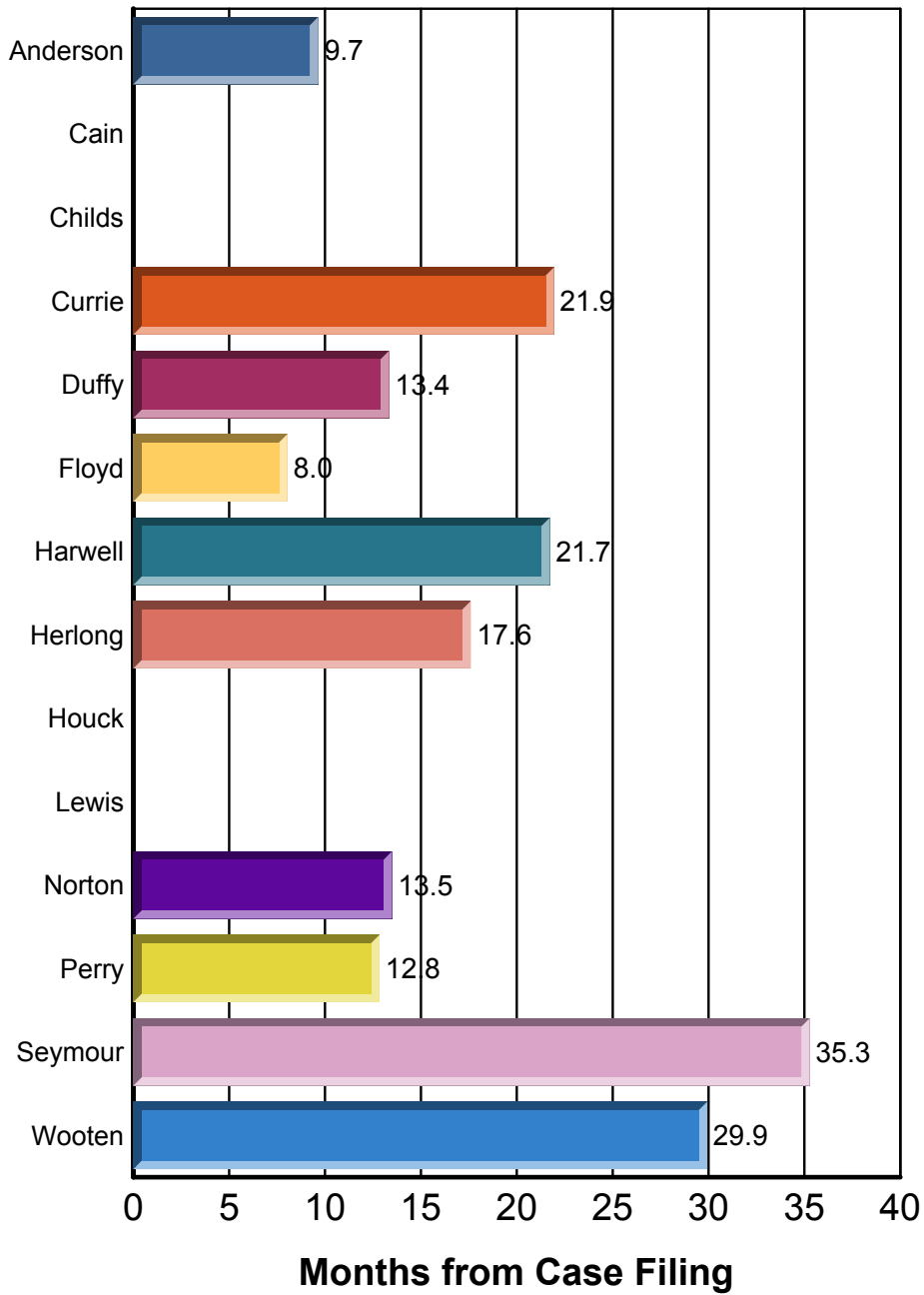
Time to Termination By Year



Time to Contested Judgment: By Judge

The average time from case filing to contested judgment for the active judges in this district is shown in the chart below.

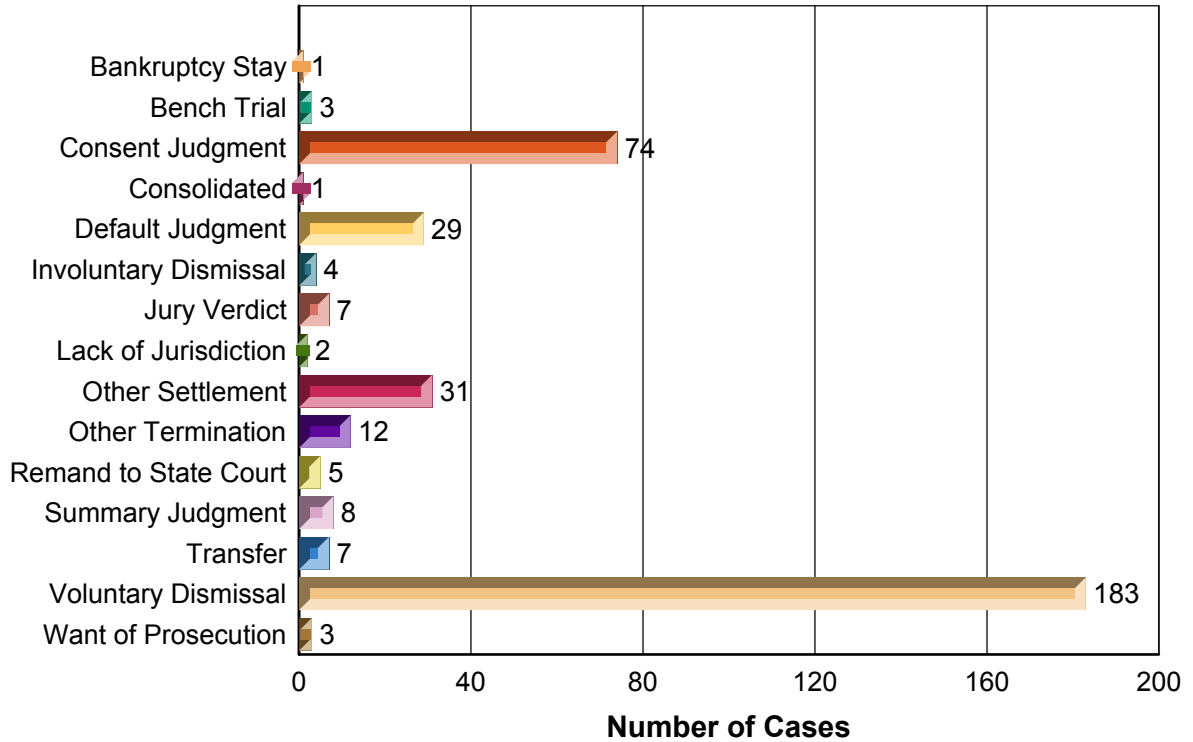
Average Time to Contested Judgment: By Judge



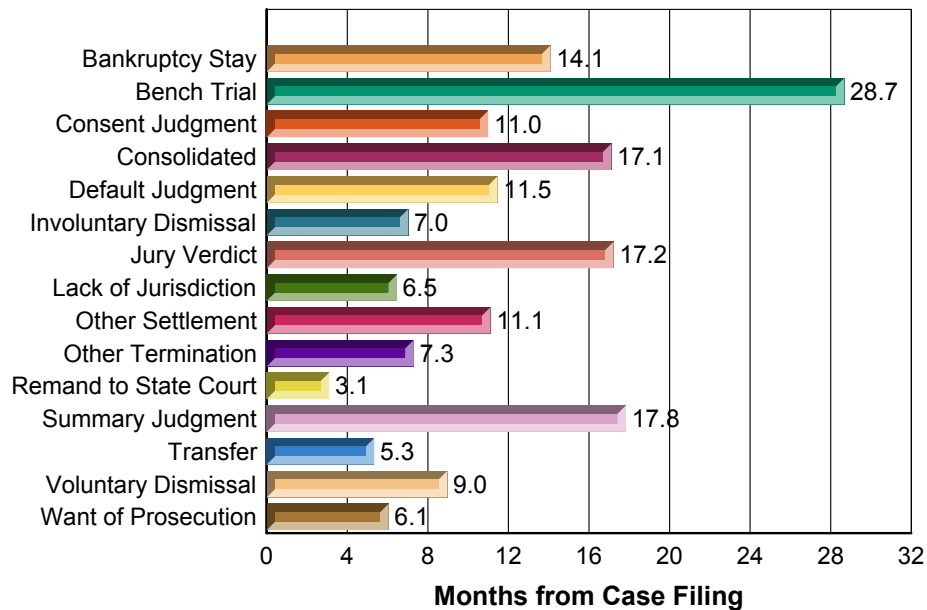
Average Time to Termination by Case Outcomes

The number of cases terminated by each outcome for the active judges in this district is shown in the chart below, and the average time to termination for each outcome is shown in the second chart below.

Case Outcomes



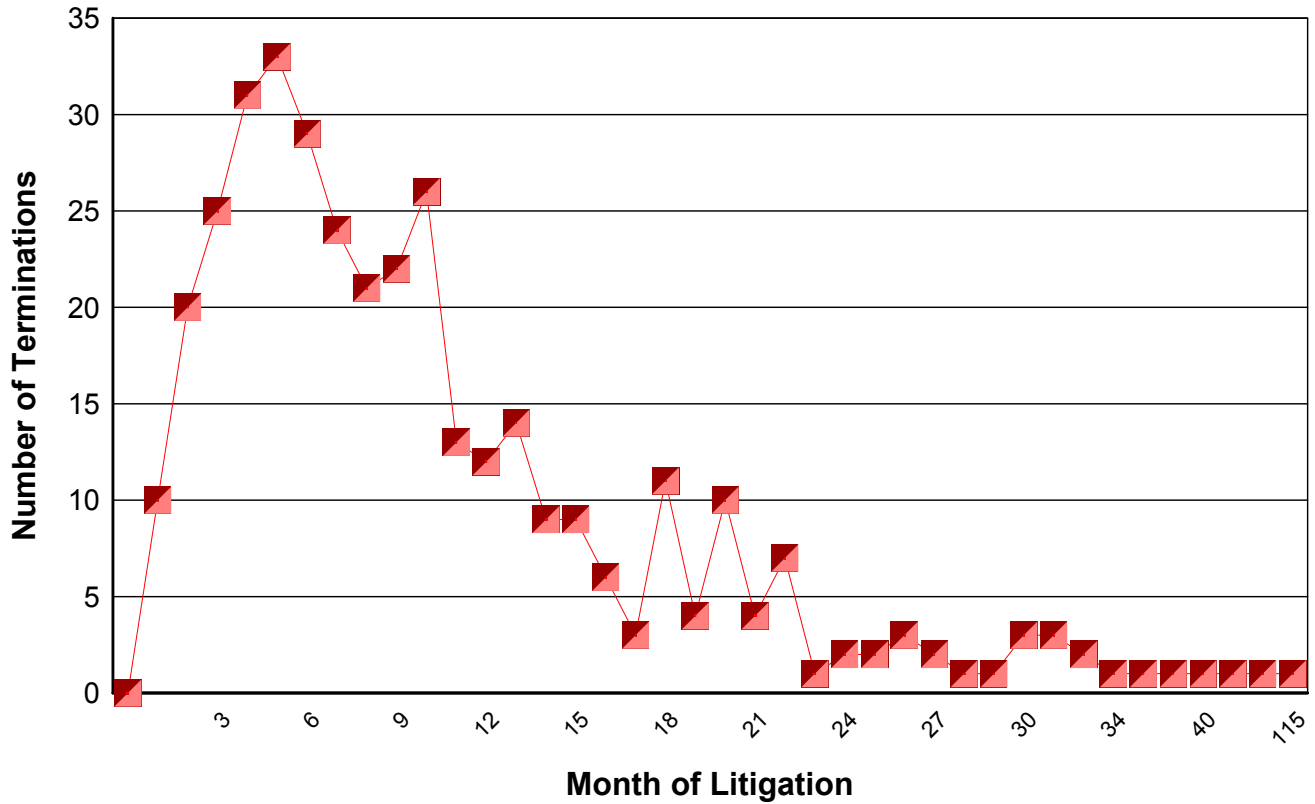
Average Time to Termination by Outcome



Termination by Month of Litigation

An overview of when terminations typically occur is found in the following chart, which shows the number of trademark cases in the South Carolina District Court that were terminated each month of litigation. The first month of litigation is labeled "1", etc. Months with no case terminations are omitted from the chart.

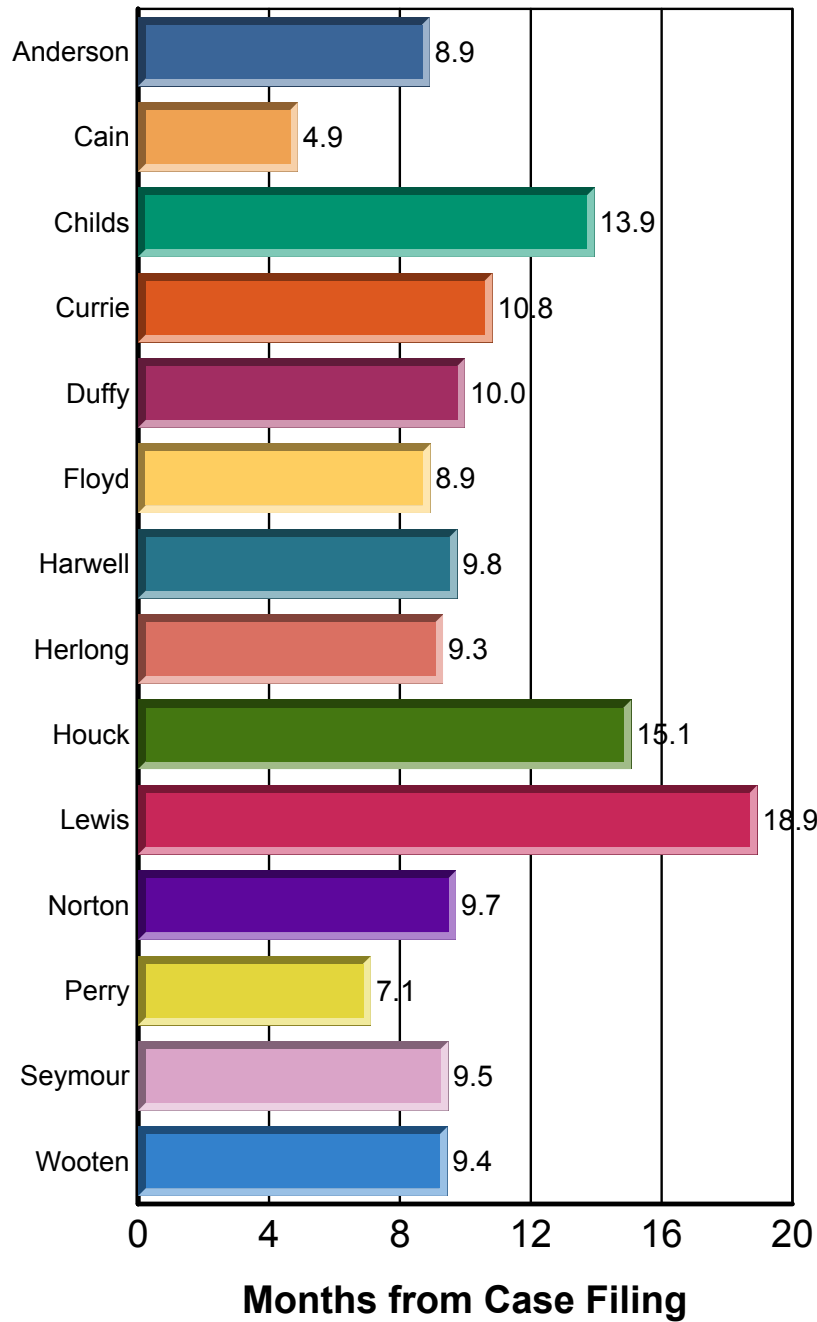
Closed Cases Each Month



Average Pendency for All Cases: By Judge

The variation in pendency for all closed cases is shown below.

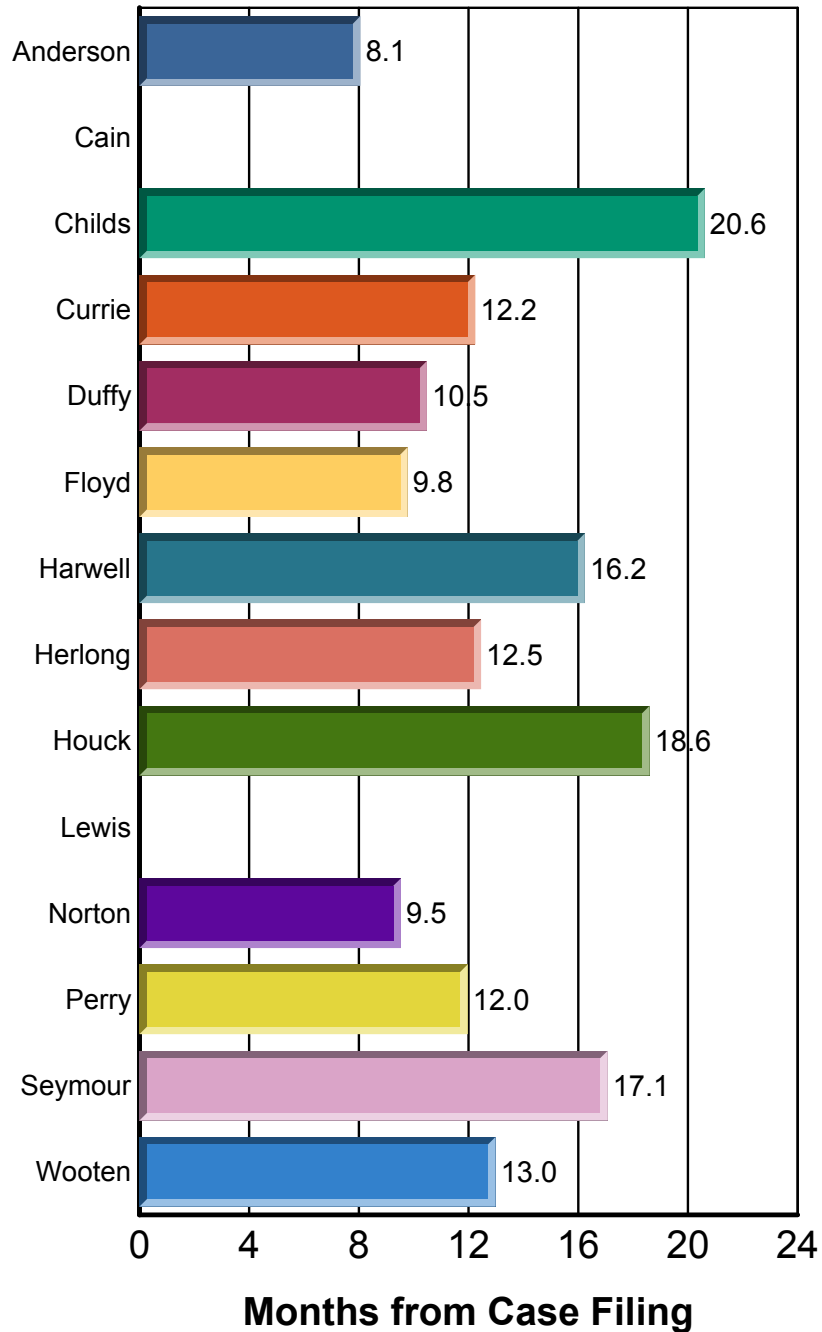
Average Time to Termination for All Cases



Average Pendency for Cases Terminated by Judgment: By Judge

The variation in pendency for all cases terminated by judgment is shown below.

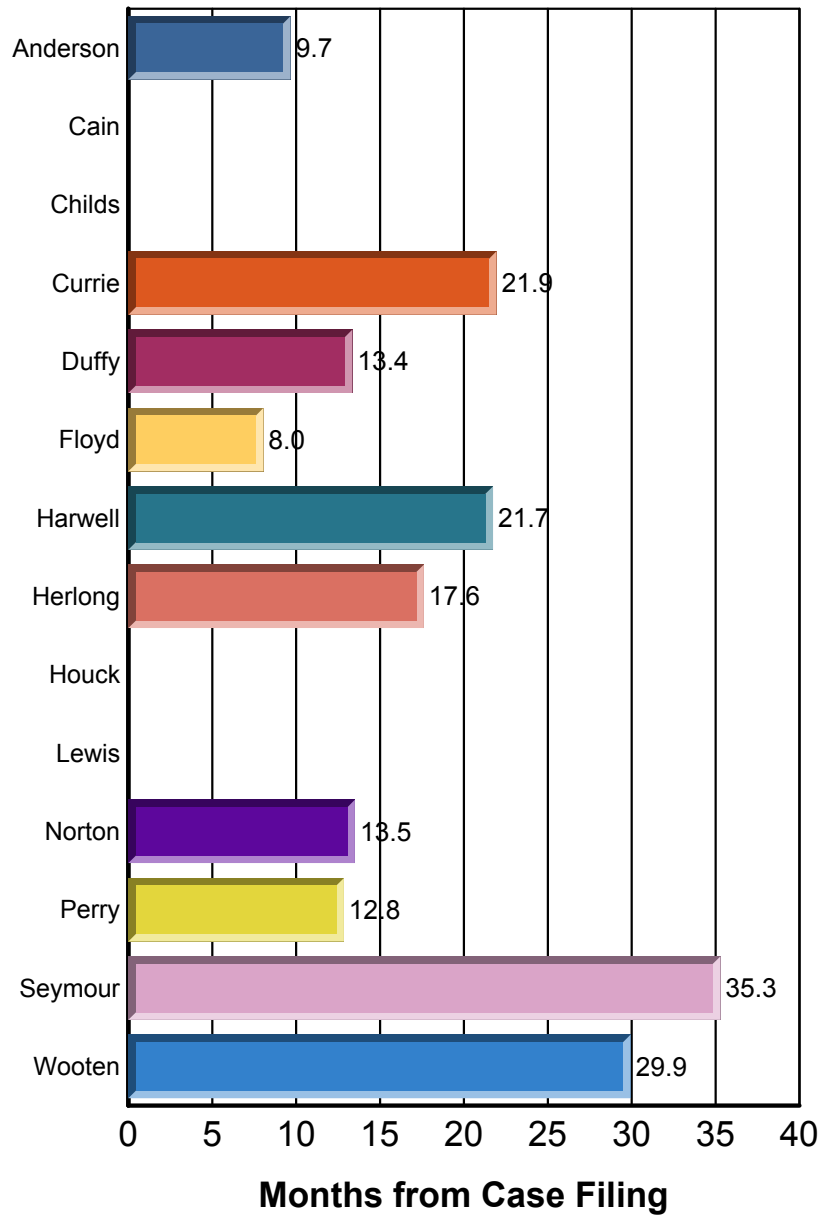
Average Time to Termination by Judgment



Average Pendency for Cases Terminated by Contested Judgment: By Judge

The variation in pendency for all cases terminated by contested judgment is shown below.

Average Time to Termination by Contested Judgment



Case and Judgment Outcomes

The number of outcomes by judgment, the plaintiff win rate for those outcomes, and the average time to termination for those outcomes for this court are shown below, broken out by type of outcome.

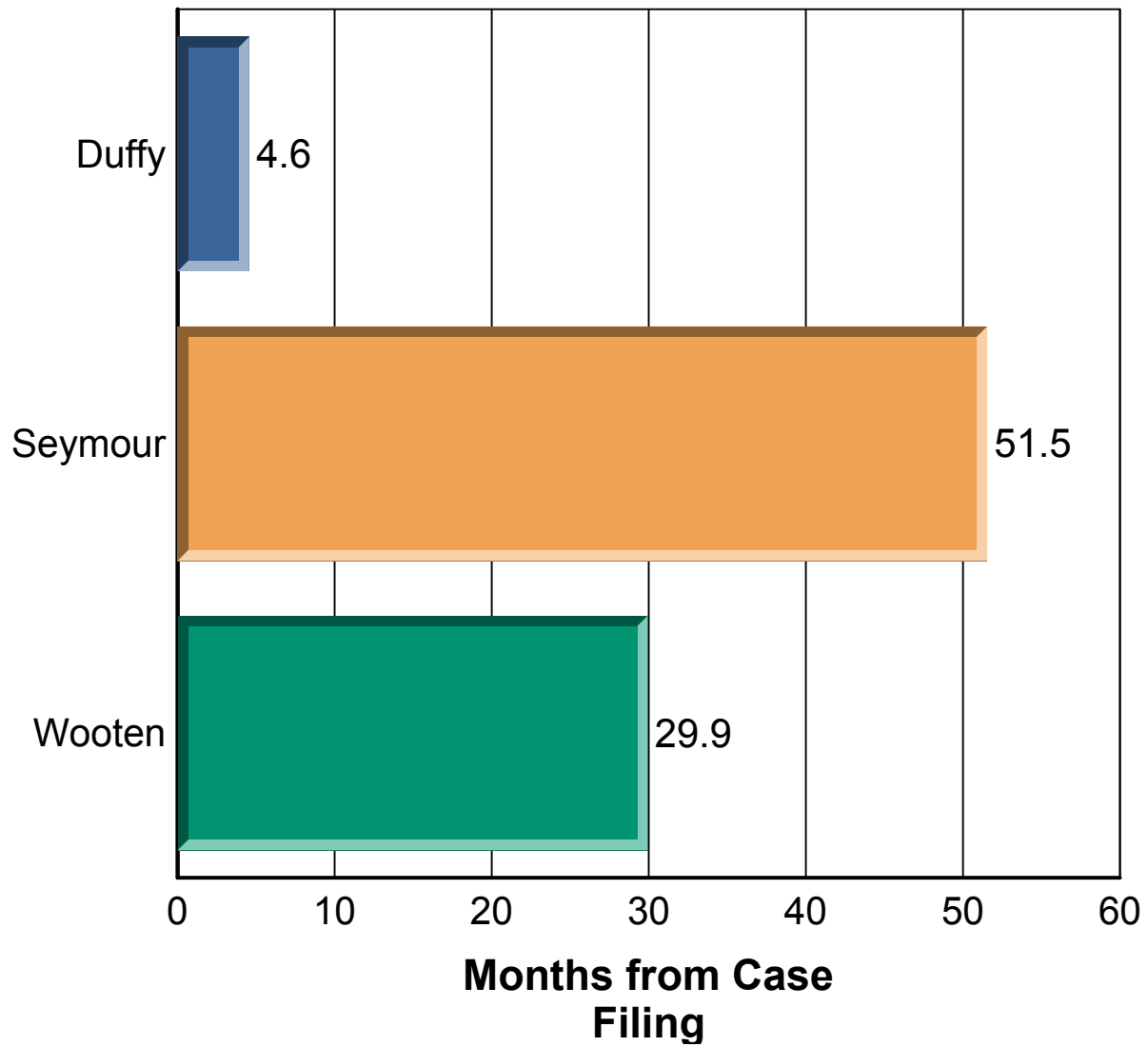
	Number of Judgments	Pltf. Win Rate	Average Time to Termination
Total	126	90.5	12.2
Bench Trial	3	66.7	28.7
Consent Judgment	74	100.0	11.0
Default Judgment	29	100.0	11.5
Involuntary Dismissal	4	0.0	7.0
Jury Verdict	7	71.4	17.2
Other Termination	1	0.0	12.0
Summary Judgment	8	50.0	17.8

Detailed information about these cases, broken out by type of outcome, is shown in the following sections.

Bench Trial

The number of Bench Trial outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

Average Time to Termination For Bench Trial

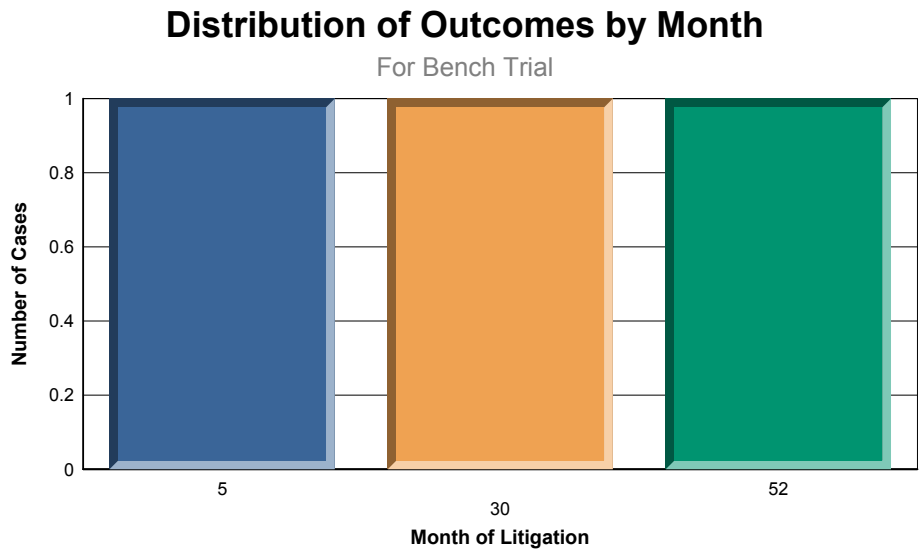


Bench Trial

	Average Time to Termination	Number of Cases
District	28.7	3
Duffy	4.6	1
Seymour	51.5	1
Wooten	29.9	1

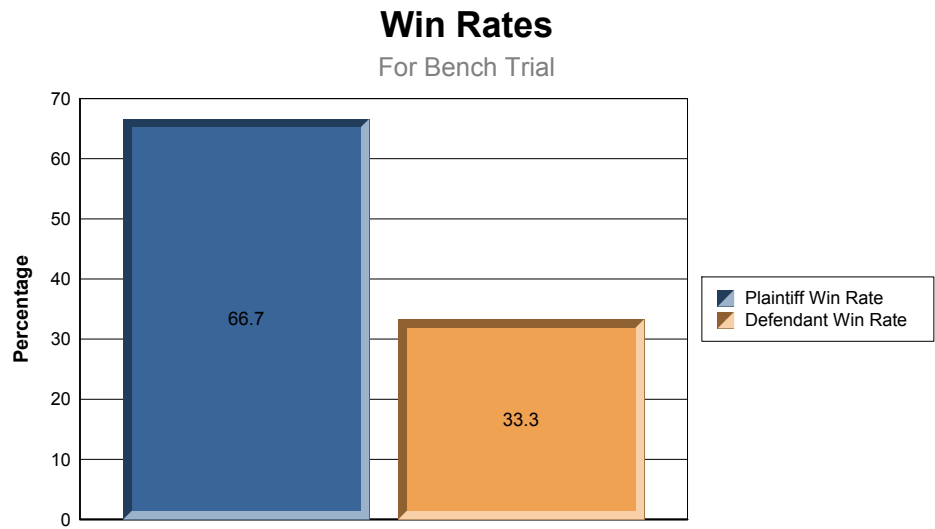
Bench Trial

The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



Bench Trial

The plaintiff and defendant win rates for cases with this outcome are shown below for the judges and the district as a whole.



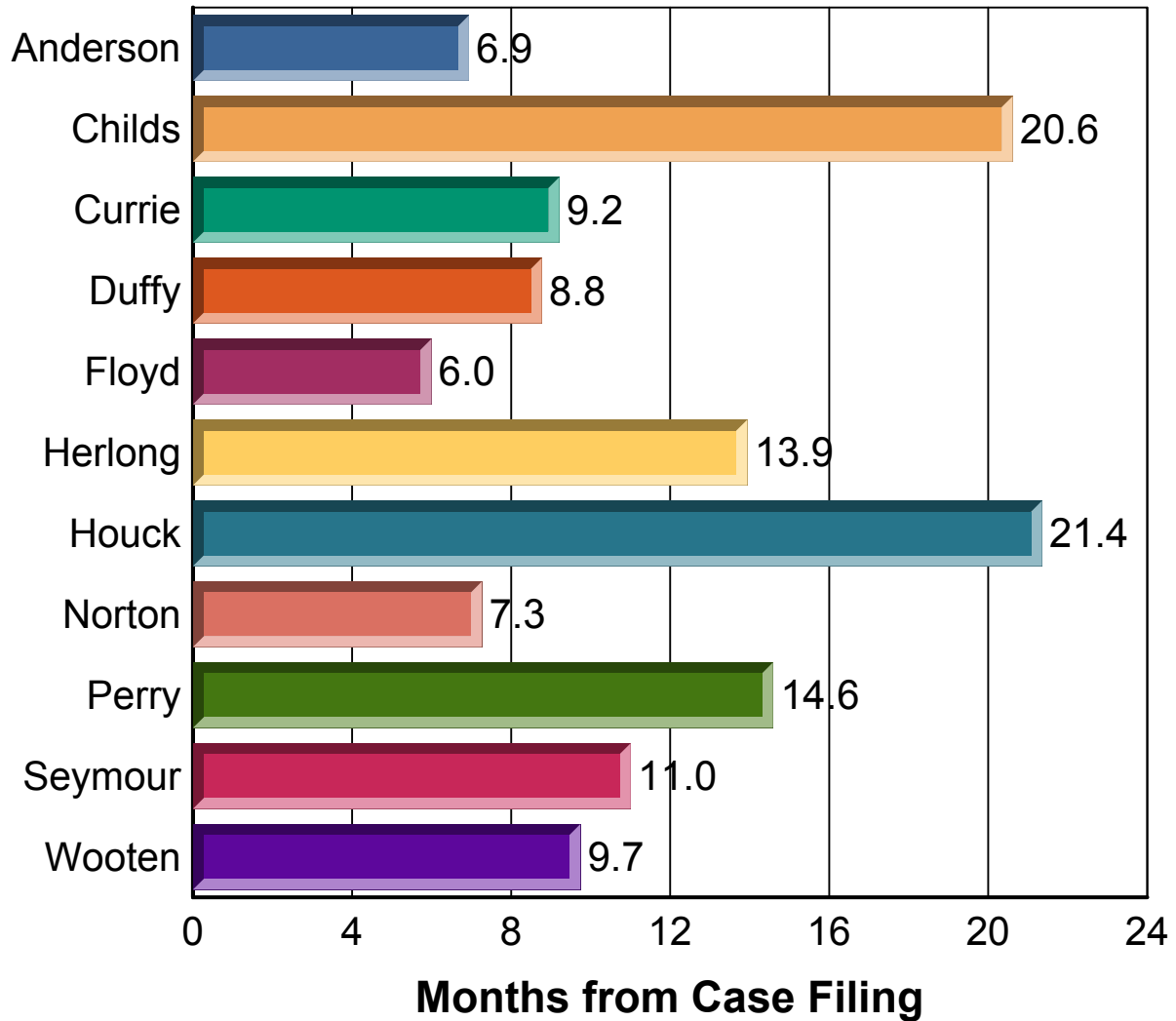
Bench Trial

<u>Case Number</u>	<u>Judge</u>	<u>Prevailing Party</u>	<u>Pendency</u>	<u>Case Name</u>
2:99cv00667	Duffy	Defendant	4.6	Palmetto Ford Inc. v. American TV & Appl
4:02cv00172	Wooten	Plaintiff	29.9	Six Continents v. Holiday Inn, et al
6:01cv04083	Seymour	Plaintiff	51.5	Marquis Marble v. Marquis Marble, et al

Consent Judgment

The number of Consent Judgment outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

Average Time to Termination For Consent Judgment

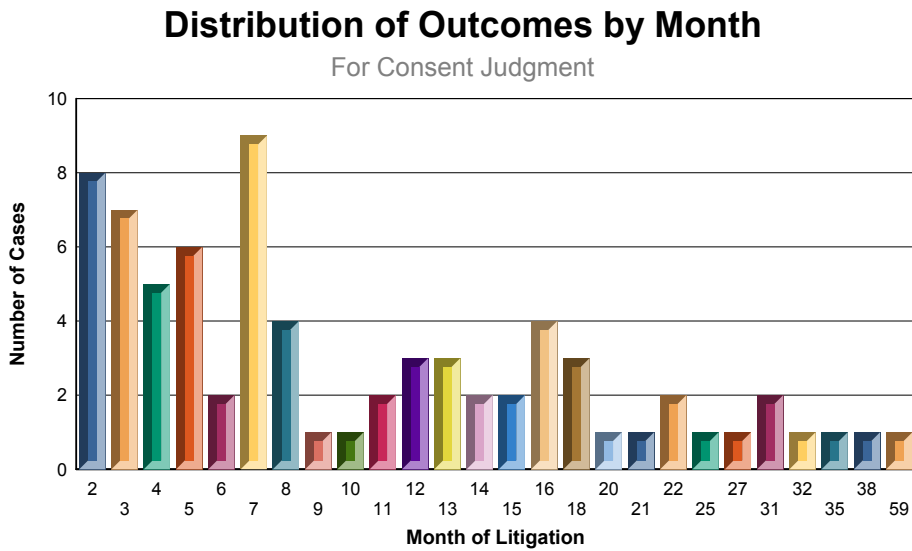


Consent Judgment

	Average Time to Termination	Number of Cases
District	11.0	74
Anderson	6.9	16
Childs	20.6	2
Currie	9.2	12
Duffy	8.8	8
Floyd	6.0	2
Herlong	13.9	9
Houck	21.4	9
Norton	7.3	7
Perry	14.6	1
Seymour	11.0	6
Wooten	9.7	2

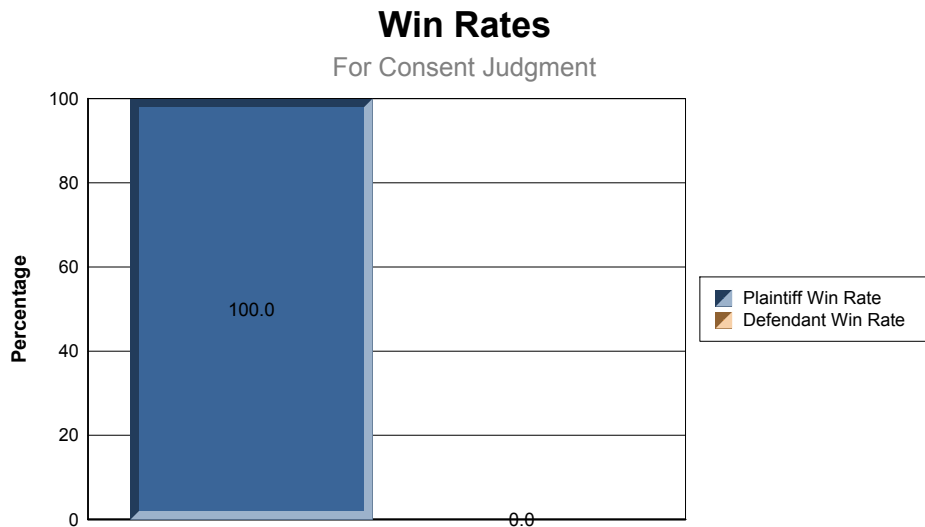
Consent Judgment

The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



Consent Judgment

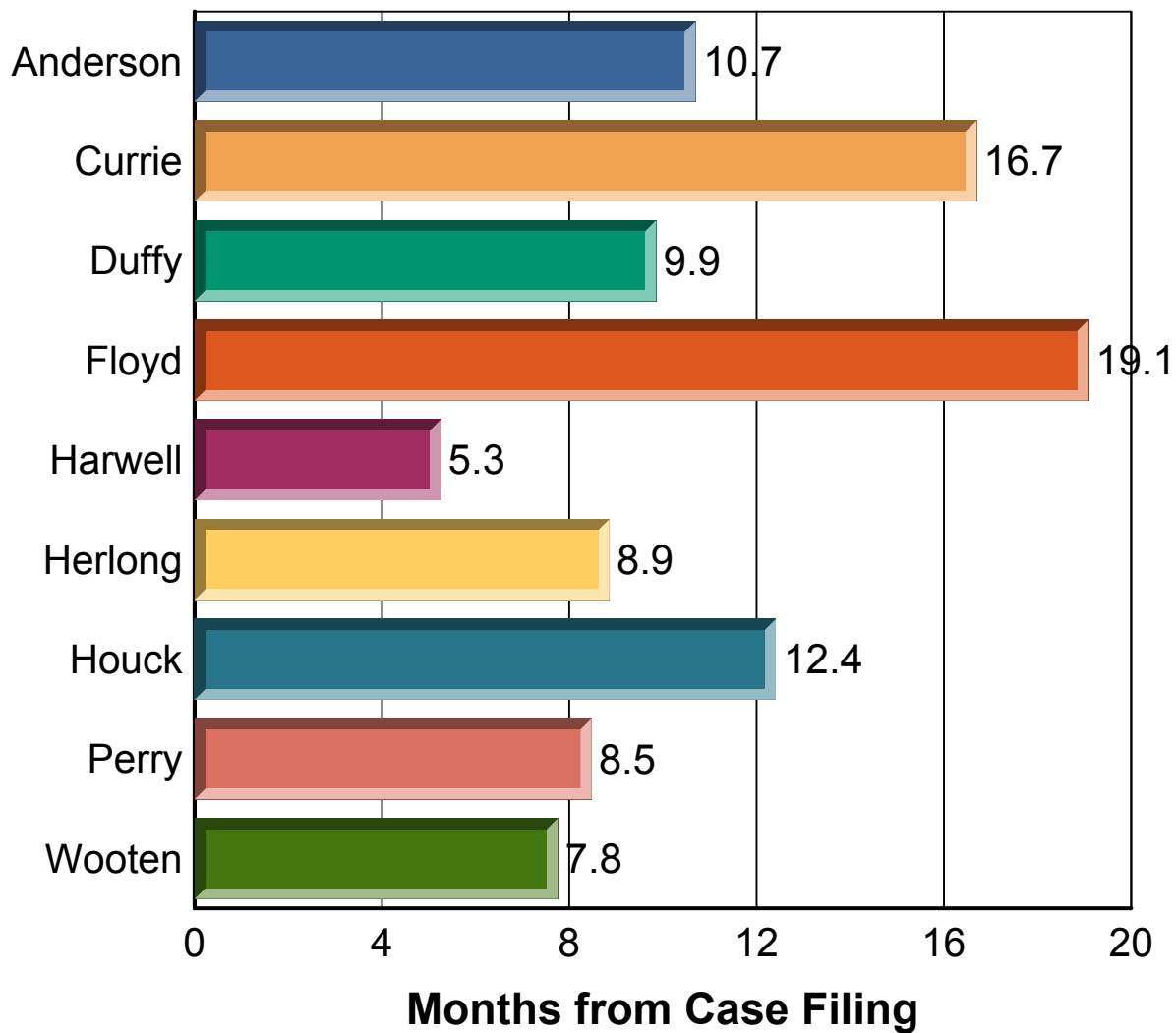
The plaintiff and defendant win rates for cases with this outcome are shown below for the judges and the district as a whole.



Default Judgment

The number of Default Judgment outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

Average Time to Termination For Default Judgment

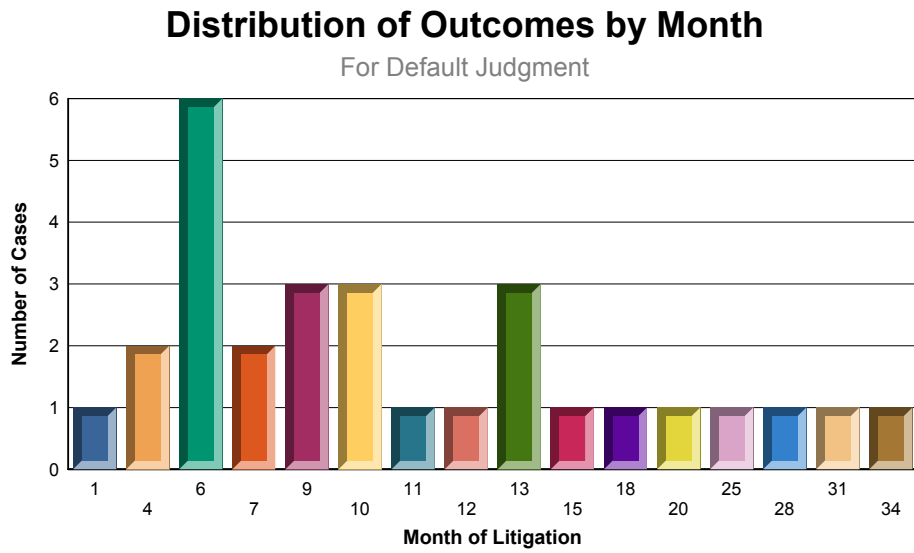


Default Judgment

	Average Time to Termination	Number of Cases
District	11.5	29
Anderson	10.7	5
Currie	16.7	6
Duffy	9.9	1
Floyd	19.1	1
Harwell	5.3	1
Herlong	8.9	8
Houck	12.4	4
Perry	8.5	1
Wooten	7.8	2

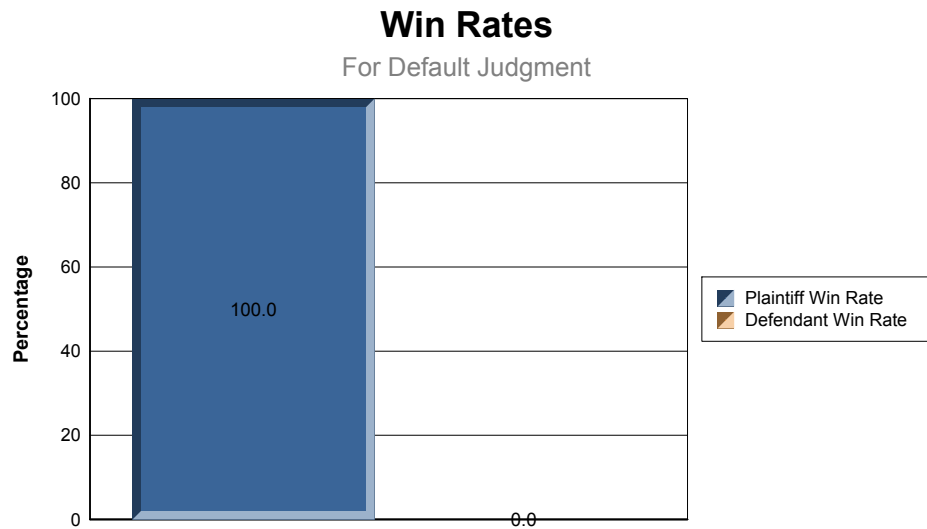
Default Judgment

The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



Default Judgment

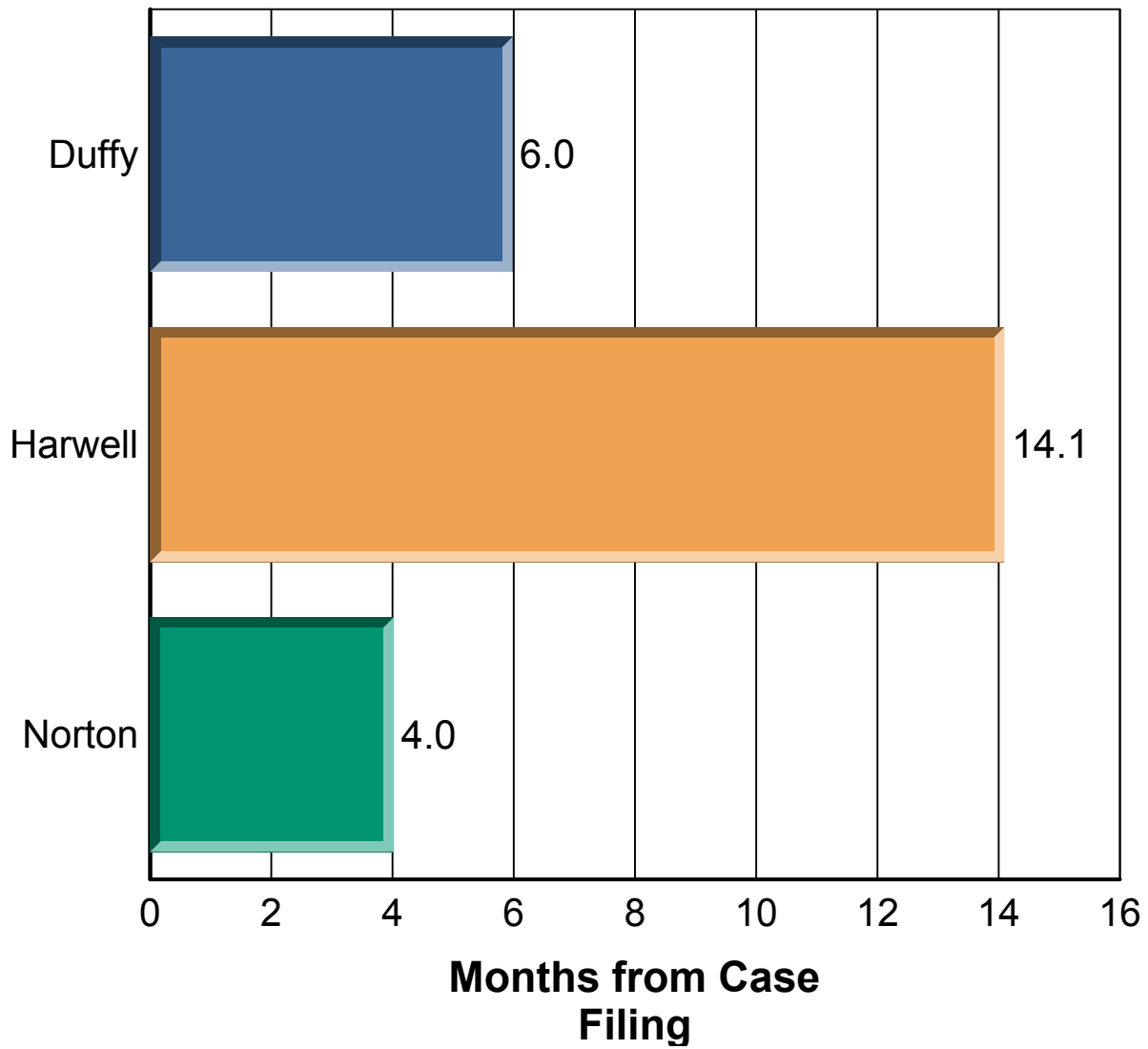
The plaintiff and defendant win rates for cases with this outcome are shown below for the judges and the district as a whole.



Involuntary Dismissal

The number of Involuntary Dismissal outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

Average Time to Termination For Involuntary Dismissal

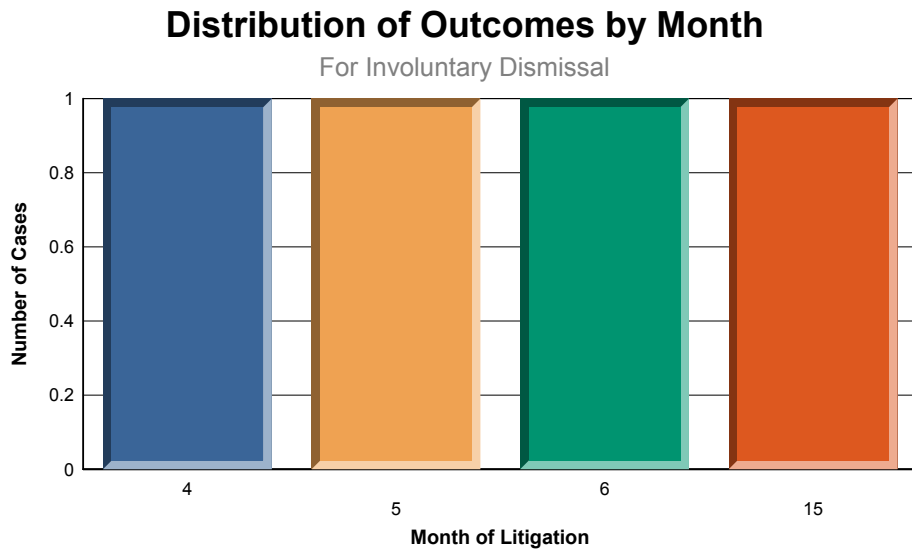


Involuntary Dismissal

	Average Time to Termination	Number of Cases
District	7.0	4
Duffy	6.0	1
Harwell	14.1	1
Norton	4.0	2

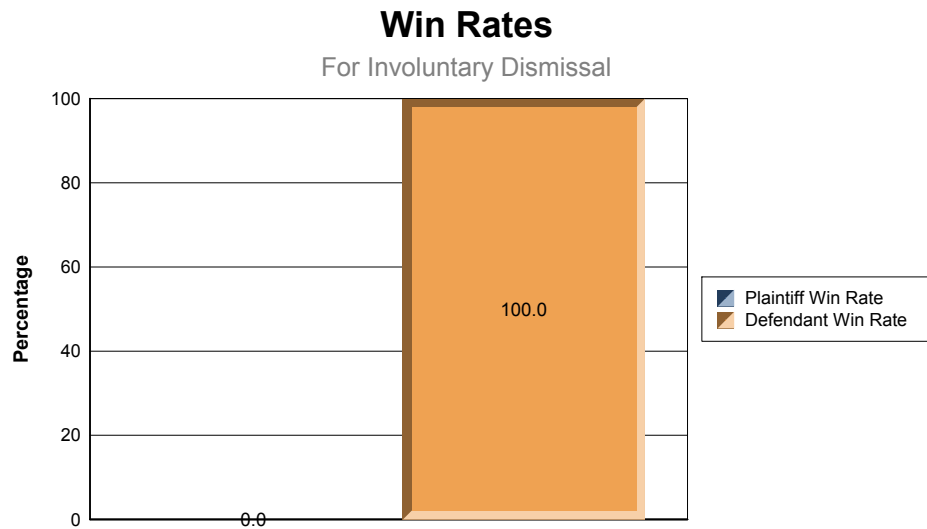
Involuntary Dismissal

The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



Involuntary Dismissal

The plaintiff and defendant win rates for cases with this outcome are shown below for the judges and the district as a whole.



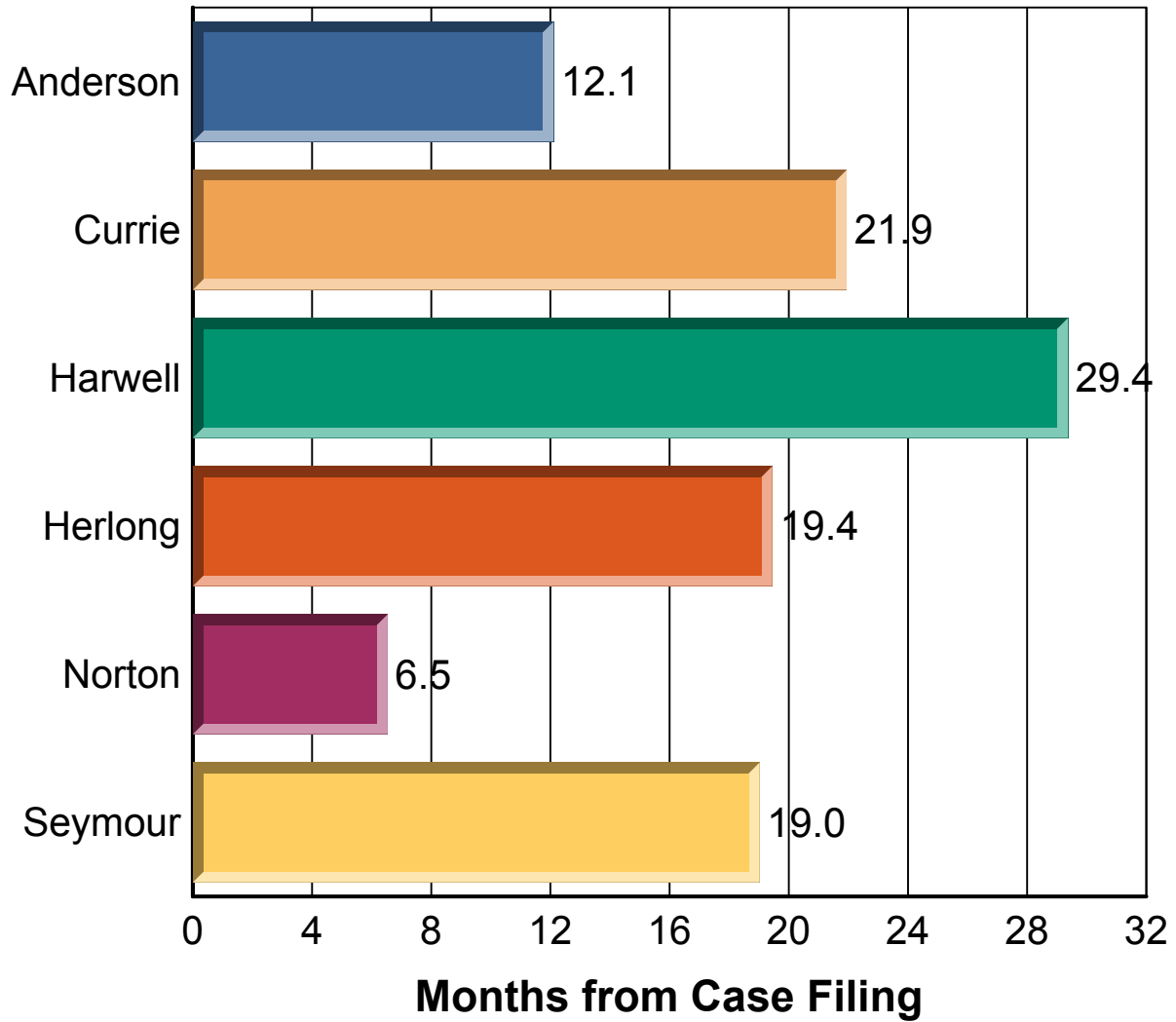
Involuntary Dismissal

<u>Case Number</u>	<u>Judge</u>	<u>Prevailing Party</u>	<u>Pendency</u>	<u>Case Name</u>
2:97cv03219	Norton	Defendant	3.5	Smith, et al v. Tekonsha Corp
2:09cv02384	Norton	Defendant	4.6	Wink NYC Inc v. Wink of Charleston LLC et al
9:04cv01270	Duffy	Defendant	6.0	Carsonite Intl Corp, et al v. Energy Absorption, et al
4:09cv00673	Harwell	Defendant	14.1	Firehouse Restaurant Group Inc et al v. Scurfield et al

Jury Verdict

The number of Jury Verdict outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

Average Time to Termination For Jury Verdict

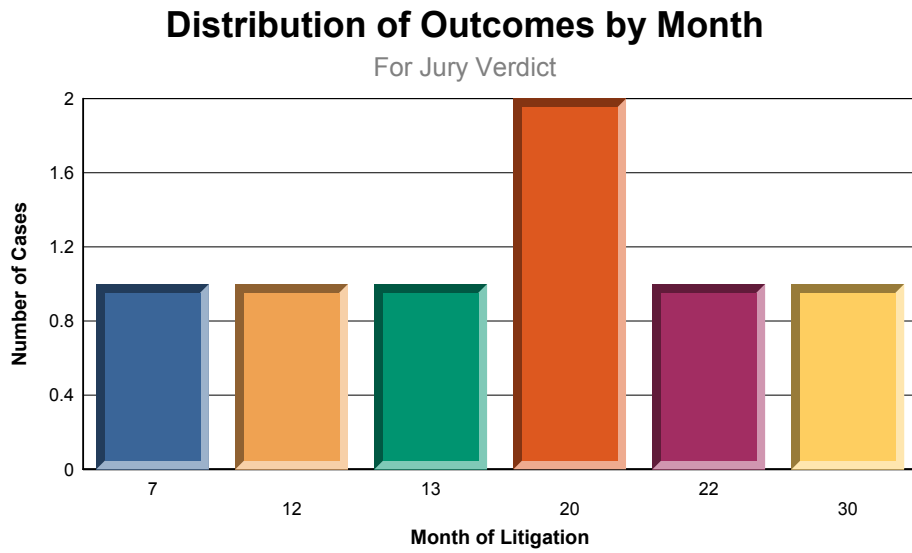


Jury Verdict

	Average Time to Termination	Number of Cases
District	17.2	7
Anderson	12.1	2
Currie	21.9	1
Harwell	29.4	1
Herlong	19.4	1
Norton	6.5	1
Seymour	19.0	1

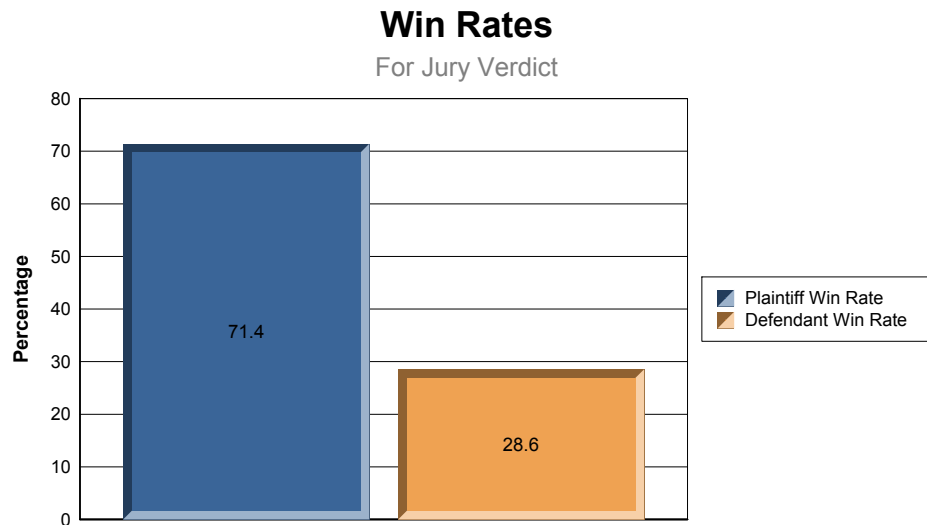
Jury Verdict

The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



Jury Verdict

The plaintiff and defendant win rates for cases with this outcome are shown below for the judges and the district as a whole.



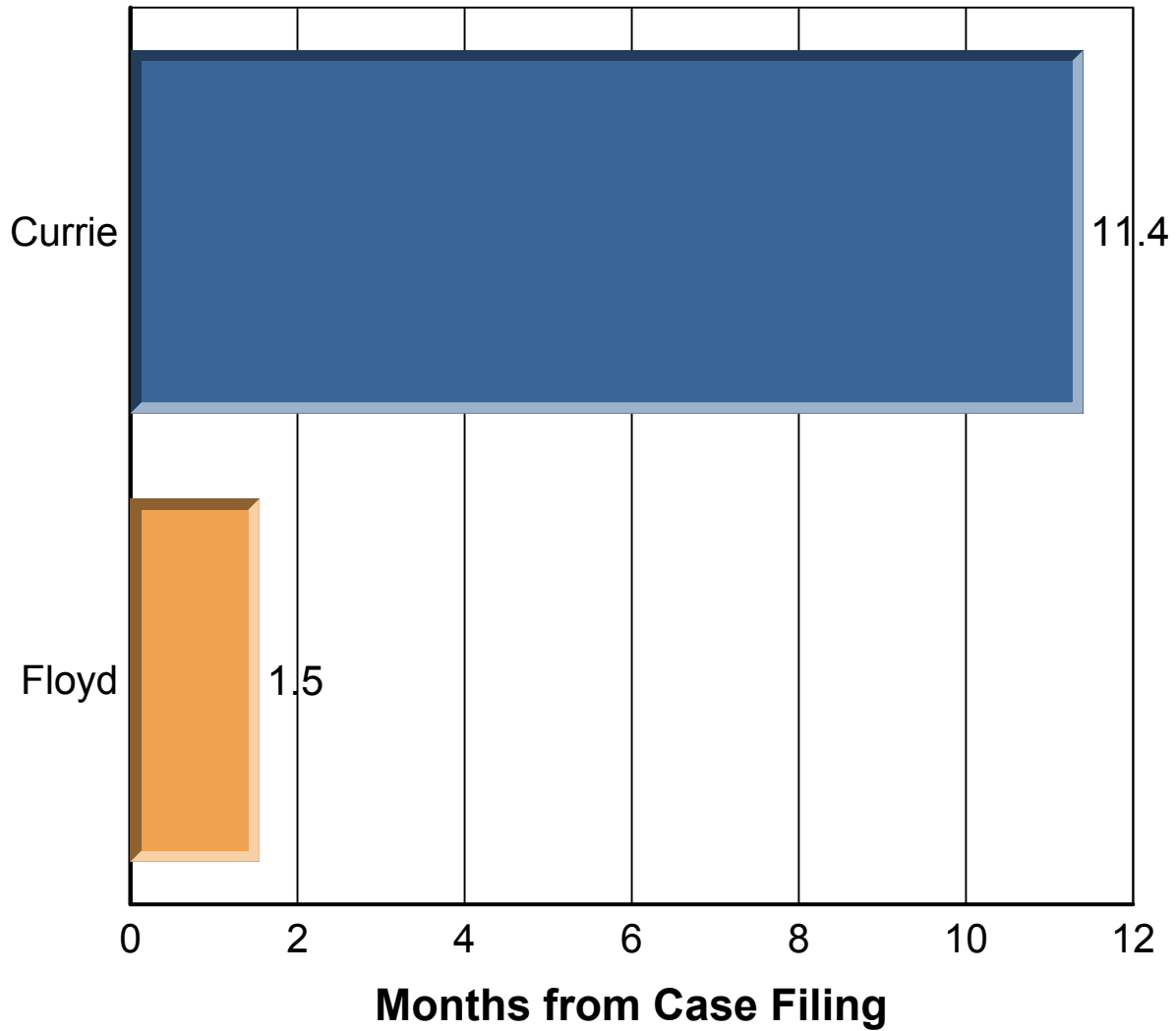
Jury Verdict

<u>Case Number</u>	<u>Judge</u>	<u>Prevailing Party</u>	<u>Pendency</u>	<u>Case Name</u>
2:96cv03583	Norton	Plaintiff	6.5	Island Preservation v. East Island Real Est, et al
6:95cv01349	Anderson	Defendant	11.6	Angel World Inc, et al v. Treasures & Trinkets
6:95cv01467	Anderson	Plaintiff	12.6	Burlington v. Palmetto Spinning, et al
2:09cv02119	Seymour	Plaintiff	19.0	Roger Cleveland Golf Company Inc v. Prince et al
6:96cv02239	Herlong	Plaintiff	19.4	Dooney & Bourke v. Lee, et al
3:05cv01280	Currie	Plaintiff	21.9	All American Title Loans Inc v. Title Cash of South Carolina Inc
4:09cv00618	Harwell	Defendant	29.4	Firehouse Restaurant Group Inc v. Scurmont LLC

Lack of Jurisdiction

The number of Lack of Jurisdiction outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

Average Time to Termination For Lack of Jurisdiction

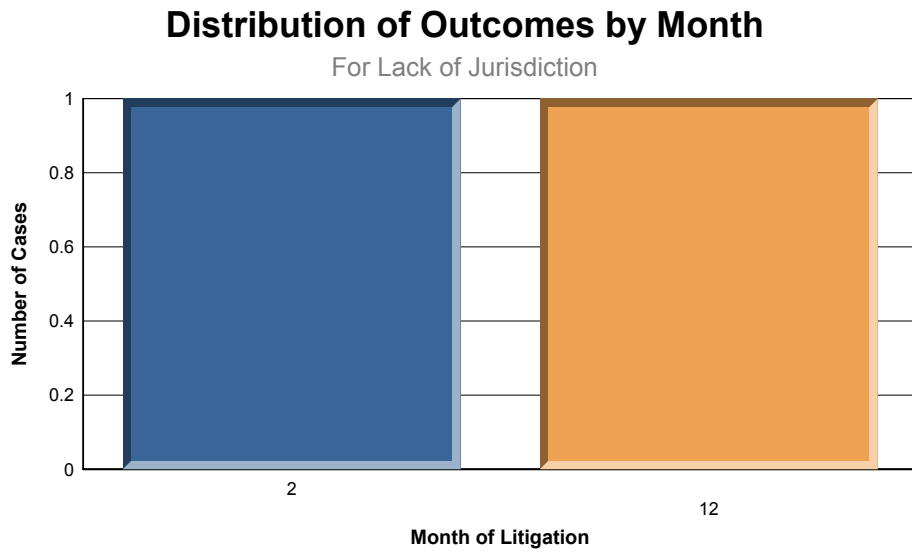


Lack of Jurisdiction

	Average Time to Termination	Number of Cases
District	6.5	2
Currie	11.4	1
Floyd	1.5	1

Lack of Jurisdiction

The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.

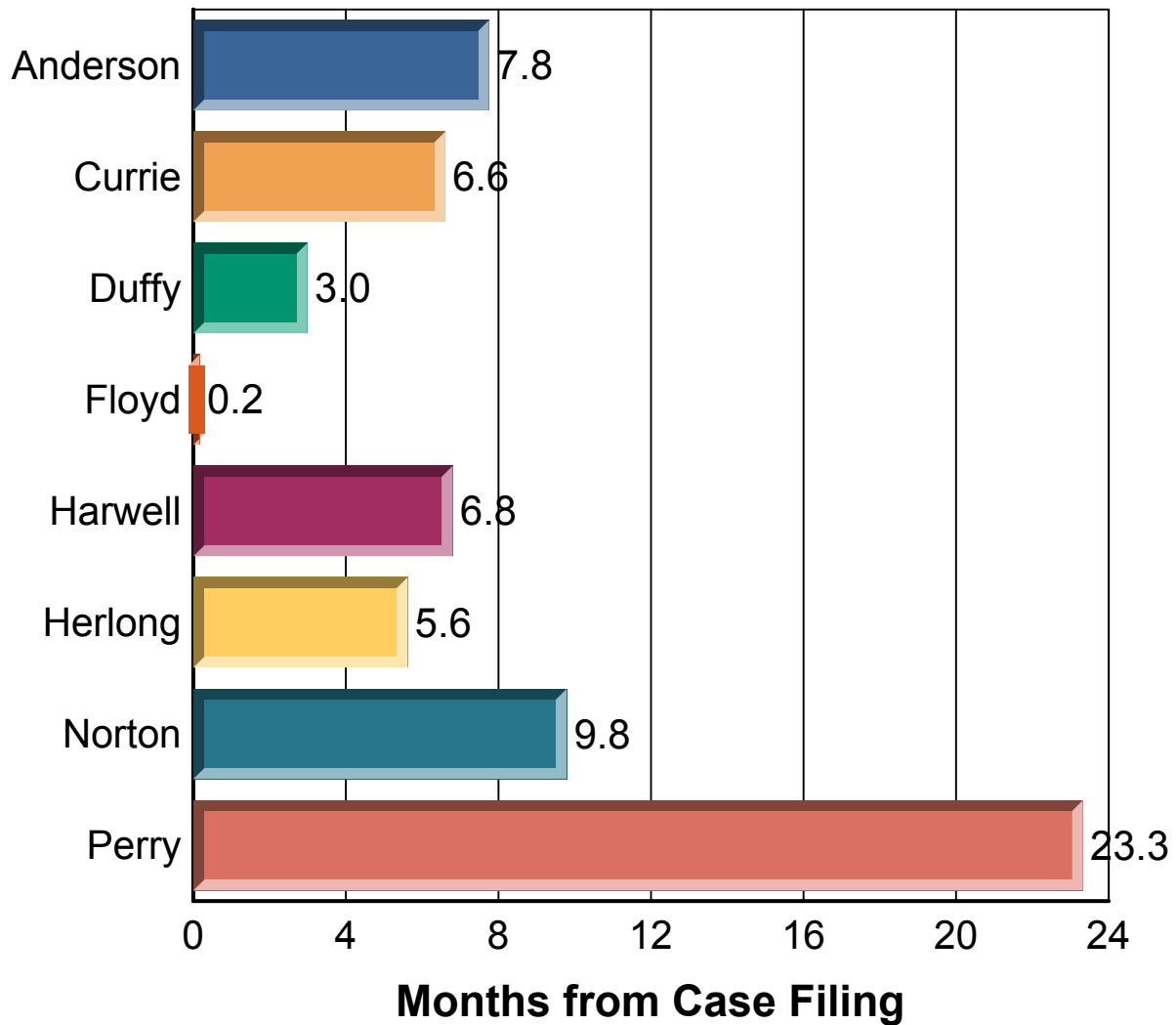


Other Termination

The number of Other Termination outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

Average Time to Termination

For Other Termination

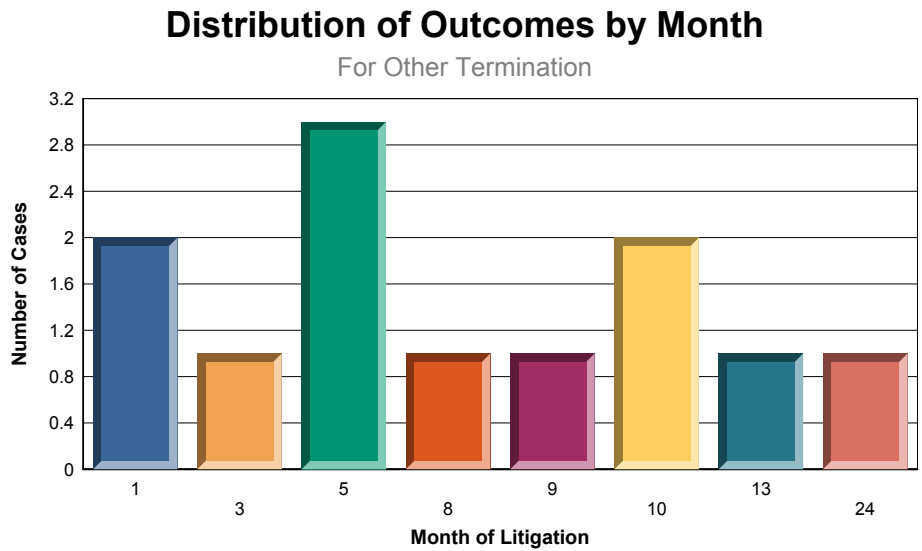


Other Termination

	Average Time to Termination	Number of Cases
District	7.3	12
Anderson	7.8	1
Currie	6.6	2
Duffy	3.0	1
Floyd	0.2	1
Harwell	6.8	2
Herlong	5.6	3
Norton	9.8	1
Perry	23.3	1

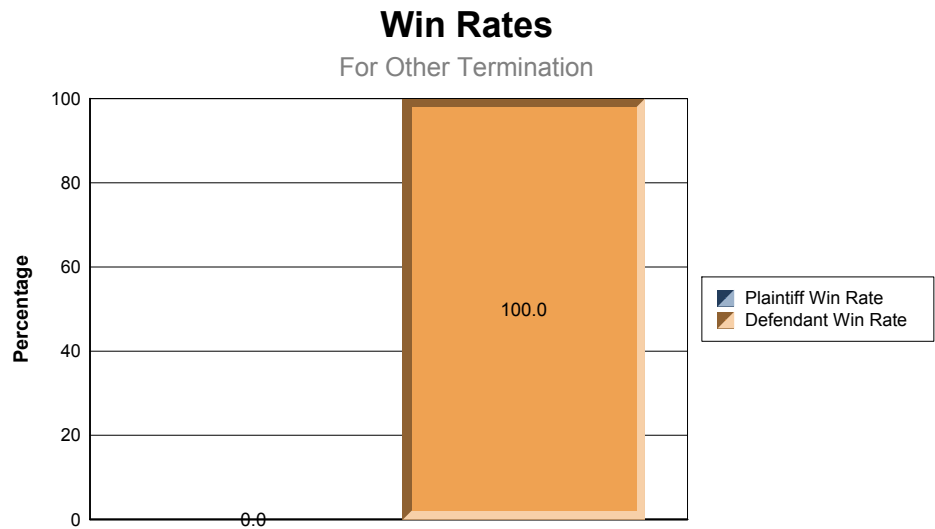
Other Termination

The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



Other Termination

The plaintiff and defendant win rates for cases with this outcome are shown below for the judges and the district as a whole.



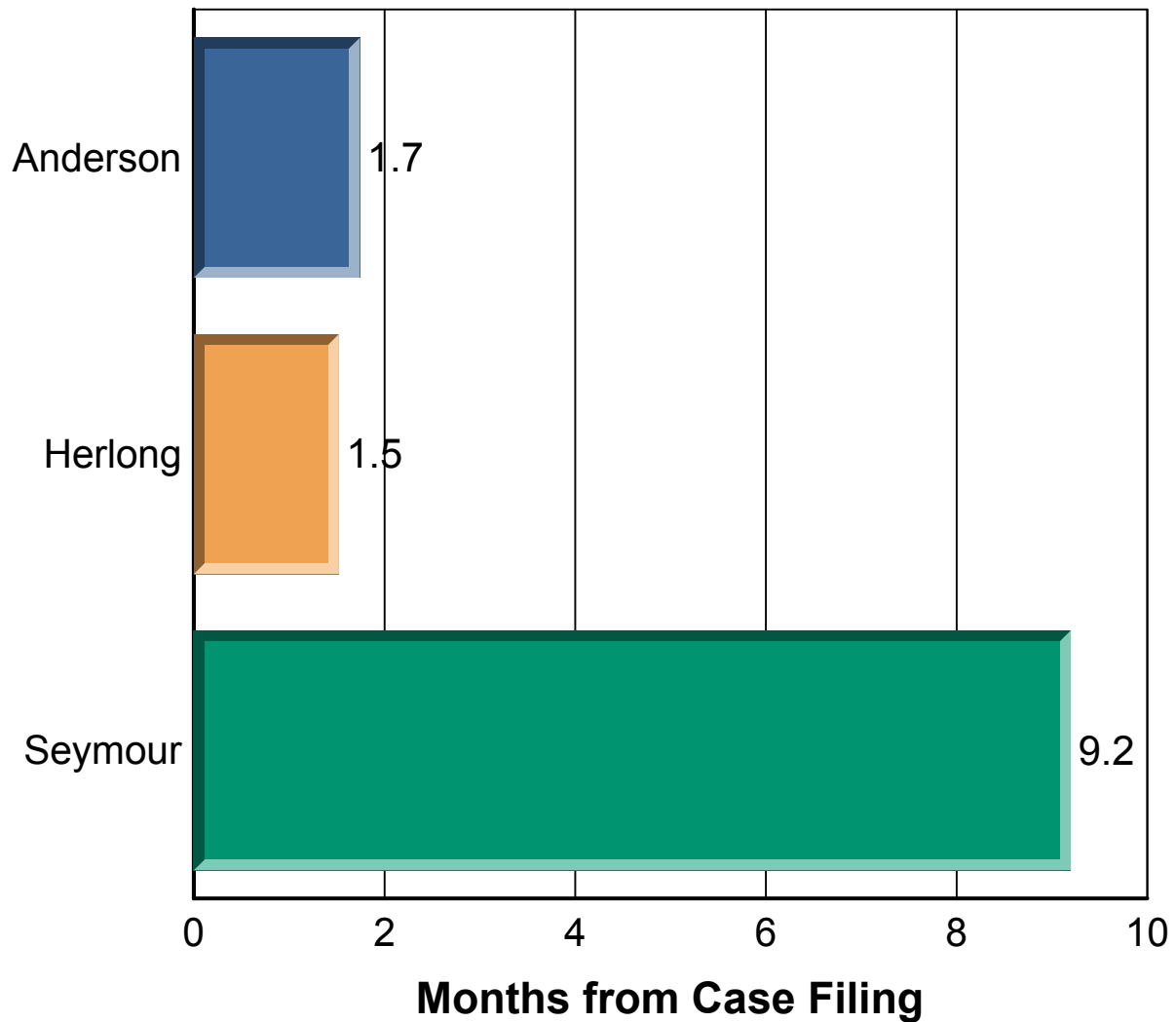
Other Termination

<u>Case Number</u>	<u>Judge</u>	<u>Prevailing Party</u>	<u>Pendency</u>	<u>Case Name</u>
8:00cv01420	Herlong	Defendant	12.0	Community Capital v. Doe, et al

Remand to State Court

The number of Remand to State Court outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

Average Time to Termination For Remand to State Court

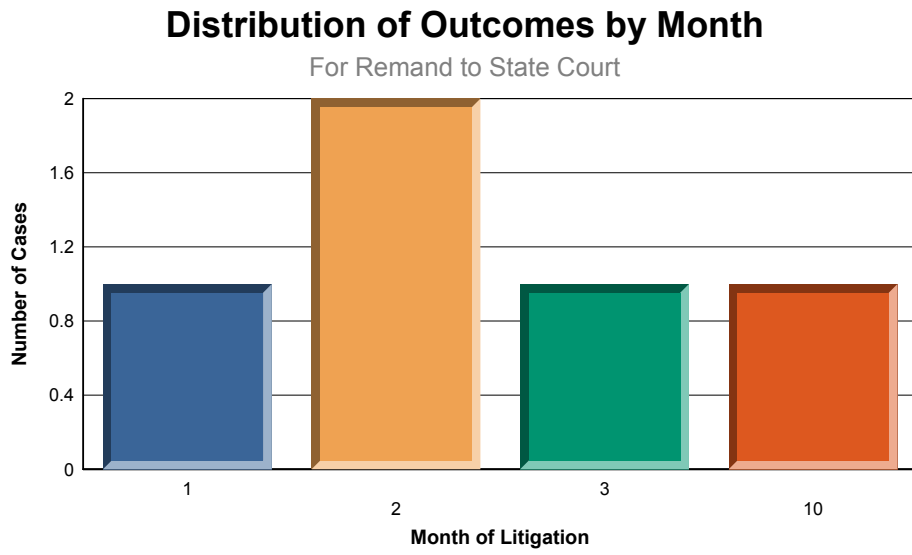


Remand to State Court

	Average Time to Termination	Number of Cases
District	3.1	5
Anderson	1.7	1
Herlong	1.5	3
Seymour	9.2	1

Remand to State Court

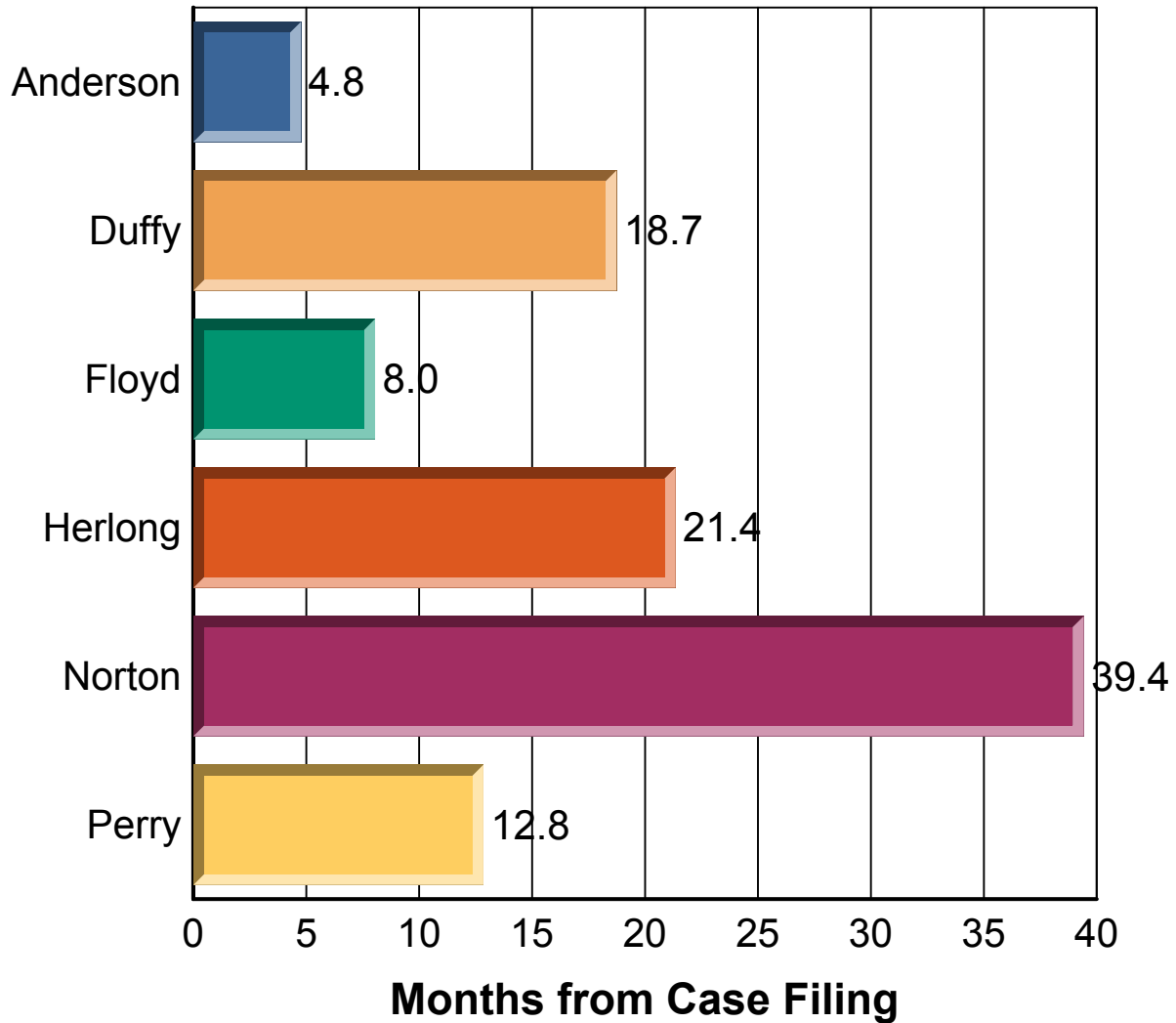
The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



Summary Judgment

The number of Summary Judgment outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

Average Time to Termination For Summary Judgment

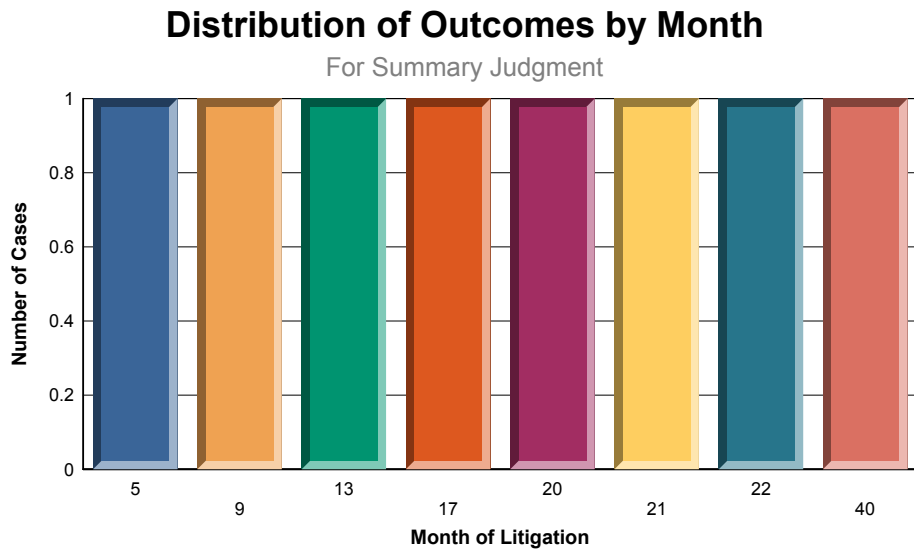


Summary Judgment

	Average Time to Termination	Number of Cases
District	17.8	8
Anderson	4.8	1
Duffy	18.7	3
Floyd	8.0	1
Herlong	21.4	1
Norton	39.4	1
Perry	12.8	1

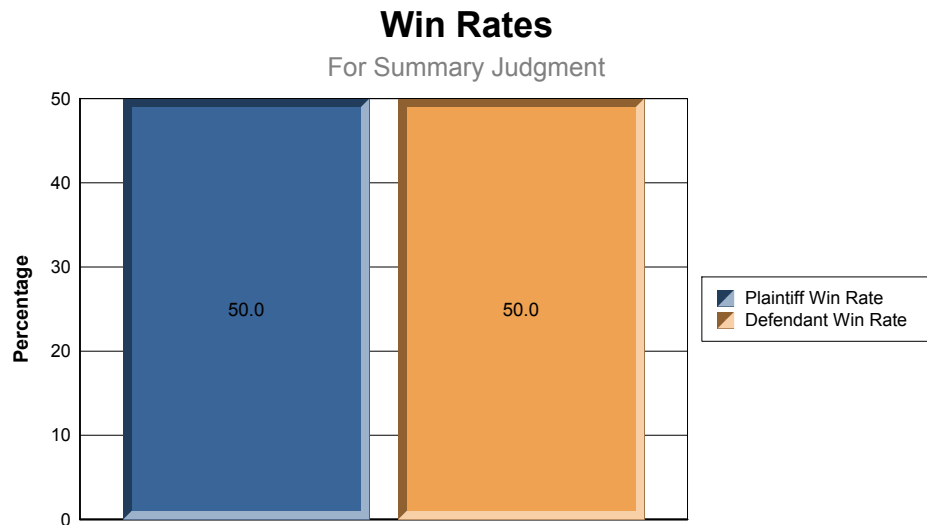
Summary Judgment

The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



Summary Judgment

The plaintiff and defendant win rates for cases with this outcome are shown below for the judges and the district as a whole.



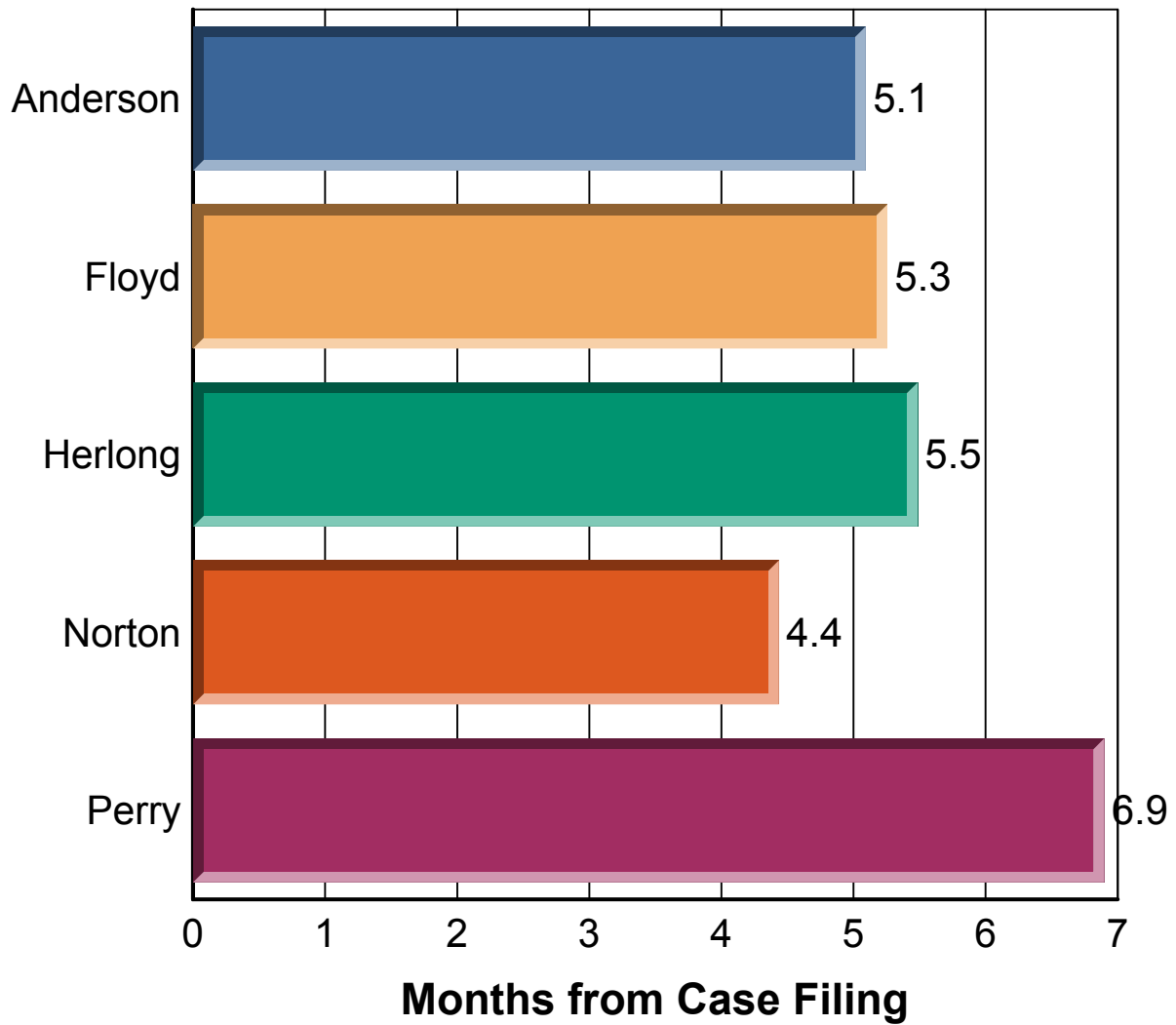
Summary Judgment

<u>Case Number</u>	<u>Judge</u>	<u>Prevailing Party</u>	<u>Pendency</u>	<u>Case Name</u>
3:11cv02856	Anderson	Plaintiff	4.8	Avlon Industries Inc v. Kim Enterprises et al
7:05cv01660	Floyd	Plaintiff	8.0	Media General Operations Inc et al v. Gregg
3:96cv00639	Perry	Defendant	12.8	Austin v. Hard Rock Cafe Inter, et al
2:08cv00404	Duffy	Plaintiff	16.6	Chanel Inc v. Powell et al
2:04cv00537	Duffy	Defendant	19.3	George A Z Johnson J v. Sosebee
2:02cv00621	Duffy	Defendant	20.4	Caparas, et al v. Kangaroo, et al
6:06cv00109	Herlong	Defendant	21.4	BidZirk LLC et al v. Smith
2:90cv01276	Norton	Plaintiff	39.4	THRIFTY RENT-A-CAR v. THRIFTY AUTO SALES

Transfer

The number of Transfer outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

Average Time to Termination For Transfer

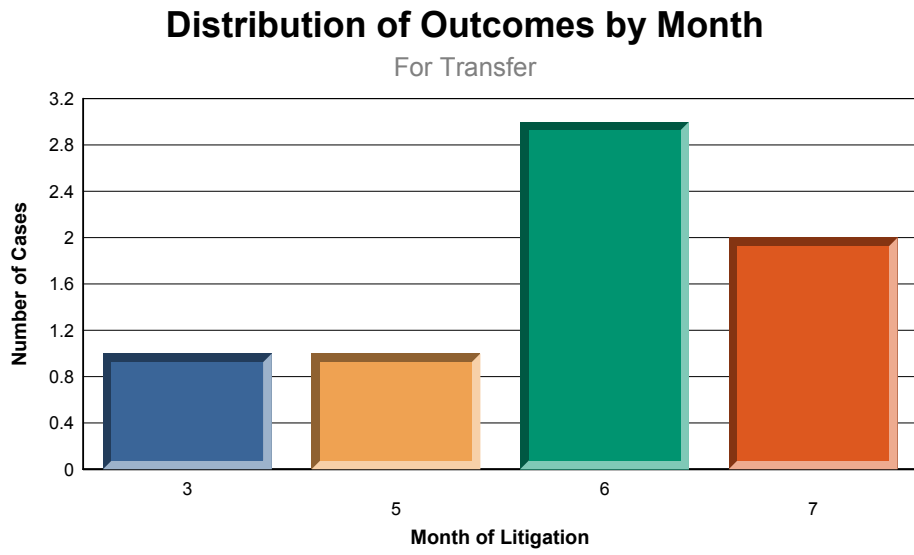


Transfer

	Average Time to Termination	Number of Cases
District	5.3	7
Anderson	5.1	3
Floyd	5.3	1
Herlong	5.5	1
Norton	4.4	1
Perry	6.9	1

Transfer

The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



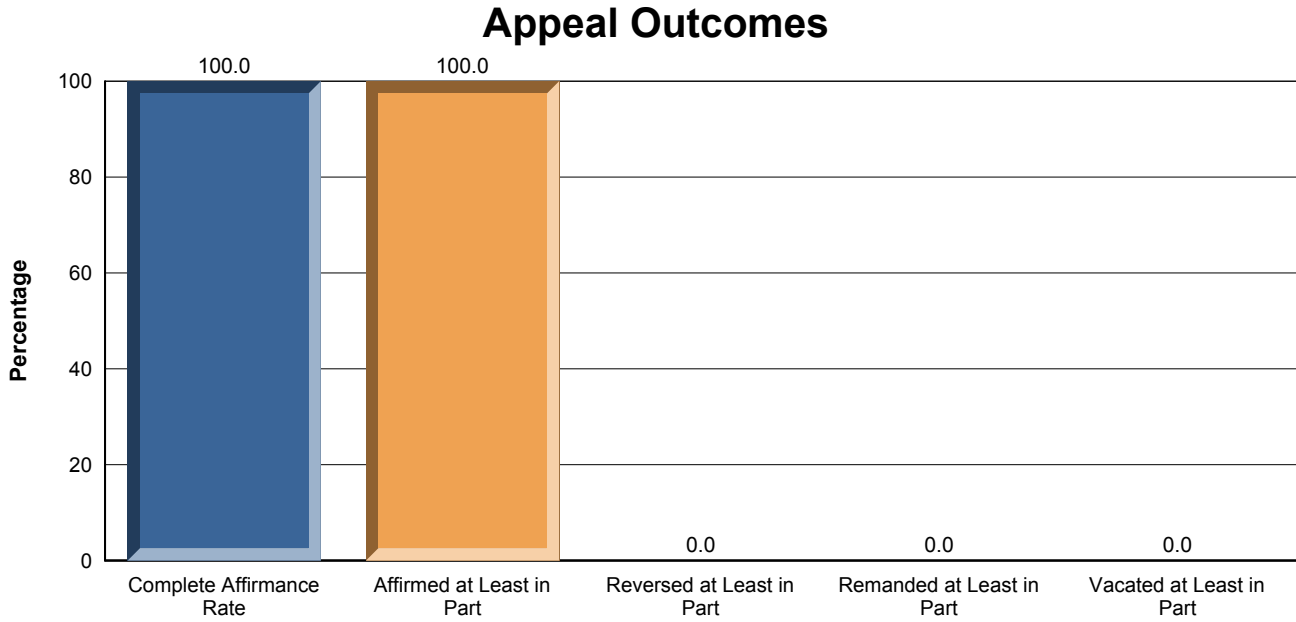
Awards and Settlement Amounts

The case names and judges for each award or settlement amount found (if any) are shown in the following table. Caution: Awards and settlement amounts not shown in the dockets are not included.

<u>Case Number</u>	<u>Case Name</u>	<u>Date of Award or Settlement</u>	<u>Judge</u>	<u>Case Outcomes</u>	<u>Award Amounts</u>
4:95cv01173	Callaway Golf Co v. Greene, et al	6/1/1995	Currie	Consent Judgment	7,500.00
2:02cv01255	Groucho's Franchise v. RP Inc	6/3/2002	Norton	Consent Judgment	2,000.00
9:04cv00586	Outdoor Resorts v. Billy-Bobs Marinas	5/20/2004	Duffy	Consent Judgment	8,750.00
6:96cv02377	A & M Cleaning v. National Products	12/24/1996	Anderson	Consent Judgment	5,236.00
3:00cv02882	American Registry v. Whorton	2/16/2001	Currie	Consent Judgment	20,000.00
3:96cv02993	Polo Ralph Lauren LP v. Pegram	5/2/1997	Anderson	Consent Judgment	7,500.00
2:05cv02172	Knight Transportation Inc v. Knight Transportation Inc	3/10/2006	Norton	Consent Judgment	4,000.00
0:03cv02777	Swiss Army Brands, et al v. Nassri, et al	5/6/2004	Anderson	Default Judgment	100,000.00
2:07cv00757	Hershey Company, The et al v. Herndon	12/3/2007	Anderson	Consent Judgment	20,000.00
6:93cv02769	Dooney & Bourke, Inc, et al v. Zattam, et al	8/15/1994	Herlong	Default Judgment	43,572.00
4:00cv01155	Triton PCS Operating v. Howell, et al	2/7/2001	Duffy	Default Judgment	133,542.00
0:05cv03470	Close Family Real Estate Partnership No 1 v. Hall	10/20/2006	Currie	Default Judgment	1,000.00
6:07cv00969	Advantage Inspection Inc et al v. 1st Advantage of the Piedmont LLC et al	4/17/2008	Anderson	Default Judgment	30,000.00
4:01cv03273	Groucho's Ltd v. Calcutt	9/16/2002	Duffy	Consent Judgment	2,000.00
2:95cv03726	Hard Rock Cafe v. Sports Rock Cafe Inc	3/7/1997	Norton	Consent Judgment	25,000.00
3:04cv22935	Rolex Watch USA Inc v. Cantrell, et al	4/18/2006	Currie	Consent Judgment	350,000.00
4:96cv00227	Taylor Made Golf Co v. A Sporting Chance, et al	9/18/1997	Currie	Consent Judgment	80,000.00
0:08cv02274	Capital One Bank USA NA v. Carefree Debt Inc et al	9/24/2010	Anderson	Default Judgment	3,870,632.00
4:91cv01744	Anheuser-Busch Inc v. Pacific Beachwear, et al	12/23/1993	Houck	Consent Judgment	5,000.00
6:92cv01700	Umbro International, et al v. USA Beachwear, et al	5/11/1995	Herlong	Consent Judgment	1,000.00
4:91cv01742	Anheuser-Busch Inc v. USA Beachwear, et al	4/24/1996	Houck	Consent Judgment	7,500.00

Appeals

The number of rulings on appeal in these cases and the rulings themselves are found in the table below. The Complete Affirmance Rate (the number of appeals which were affirmed with no other ruling, divided by the total number of appeals decision-not counting dismissed and pending appeals), the percentage of appeal rulings which affirmed the lower court at least in part, the percentage which reversed this court at least in part, the percentage which remanded this court at least in part, and the percentage which vacated this court at least in part are shown in the chart immediately below.

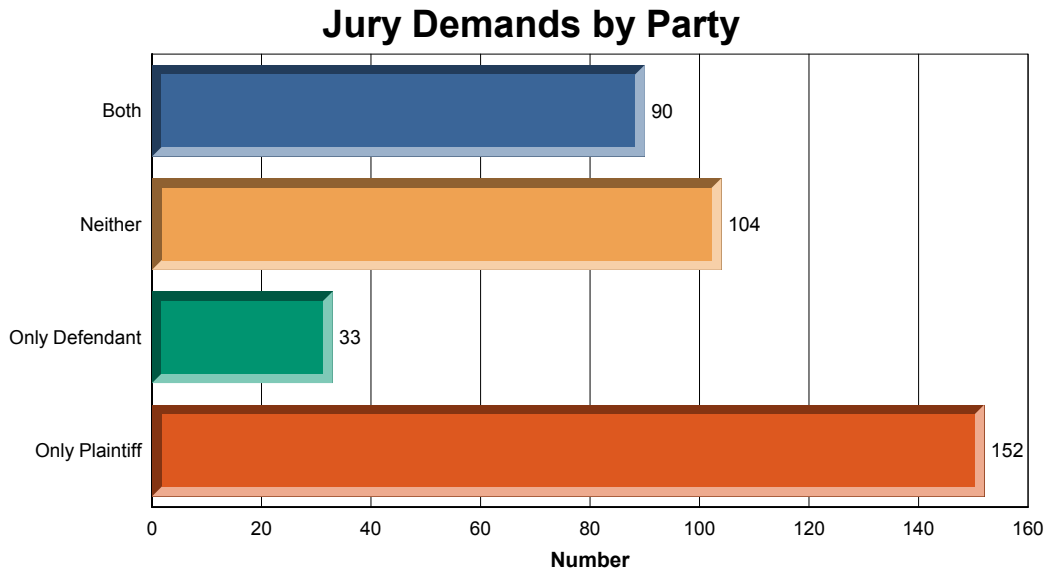


	Total
Affirmed	4
Dismissed	7
Pending	1
Unknown	1

<u>Case Name</u>	<u>Case Number</u>	<u>Judge</u>	<u>Result of Appeal</u>
Angel World Inc, et al v. Treasures & Trinkets	6:95cv01349	Anderson	Affirmed
Dooney & Bourke v. Lee, et al	6:96cv02239	Herlong	Affirmed
Dooney & Bourke Inc v. D B Trading Corp, et al	6:96cv02918	Herlong	Affirmed
BidZirk LLC et al v. Smith	6:06cv00109	Herlong	Affirmed
Integrated Bus Sys v. Doe 1, et al	3:03cv01755	Anderson	Dismissed
All American Title Loans Inc v. Title Cash of South Carolina Inc	3:05cv01280	Currie	Dismissed
Gr Entertainment Mer, et al v. Eagles Beachwear #2, et al	4:92cv02354	Currie	Dismissed
Carsonite Intl Corp, et al v. Energy Absorption, et al	9:04cv01270	Duffy	Dismissed
SFX Broadcasting v. Crenshaw, et al	6:94cv03400	Herlong	Dismissed
SFX Broadcasting v. Crenshaw, et al	6:94cv03491	Herlong	Dismissed
Six Continents v. Holiday Inn, et al	4:02cv00172	Wooten	Dismissed
Firehouse Restaurant Group Inc v. Scurmont LLC	4:09cv00618	Harwell	Pending
Kale Chiropractic, et al v. Kale, et al	6:04cv22044	Anderson	Unknown

Jury Demands

The number of jury demands by party type is shown below.



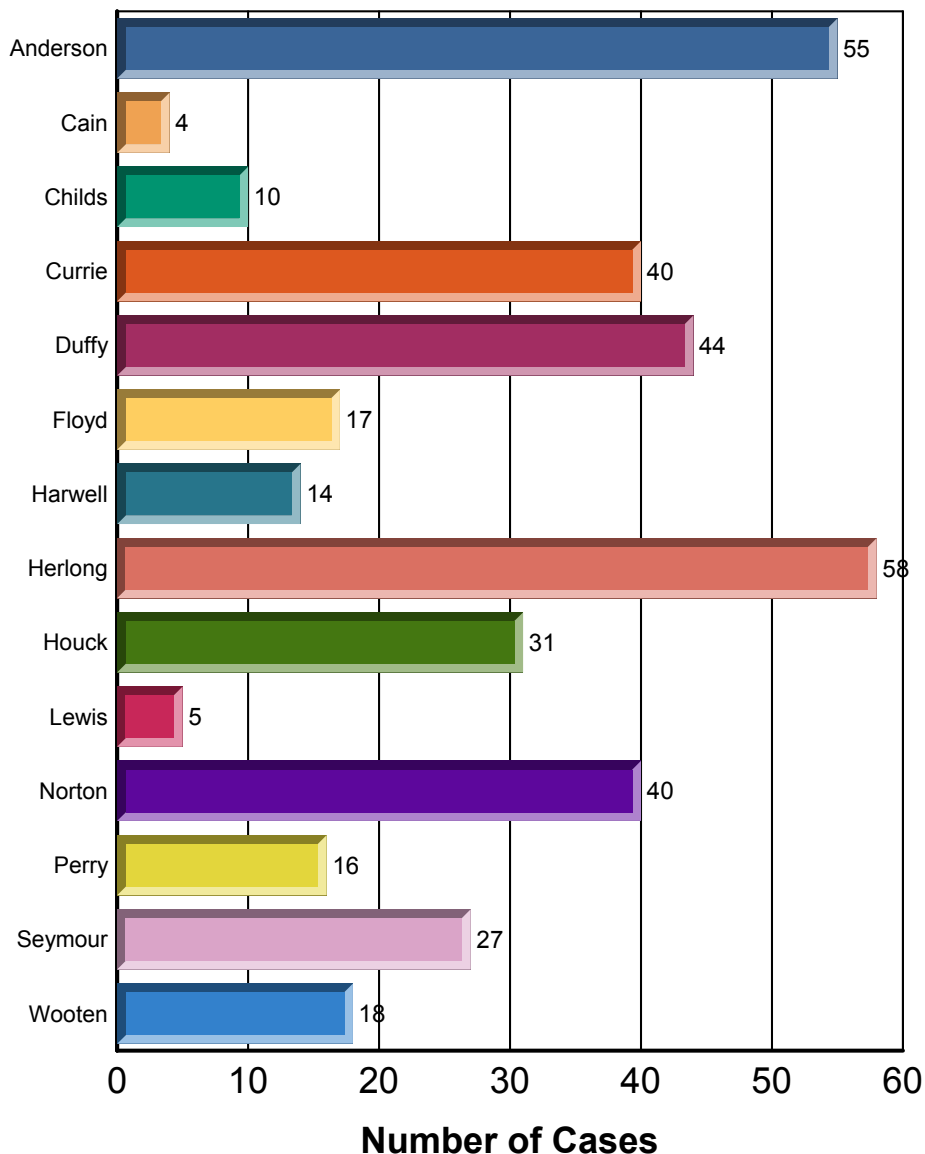
Experience

The active judges in the South Carolina District Court vary considerably in their exposure to trademark cases in general and to significant motions in those cases.

Total Number of Trademark Cases: By Judge

The total number of trademark cases per judge is shown below, followed by a table listing the judge, total number of trademark cases, total number of closed trademark cases and total number of open trademark cases.

Total Trademark Cases: By Judge



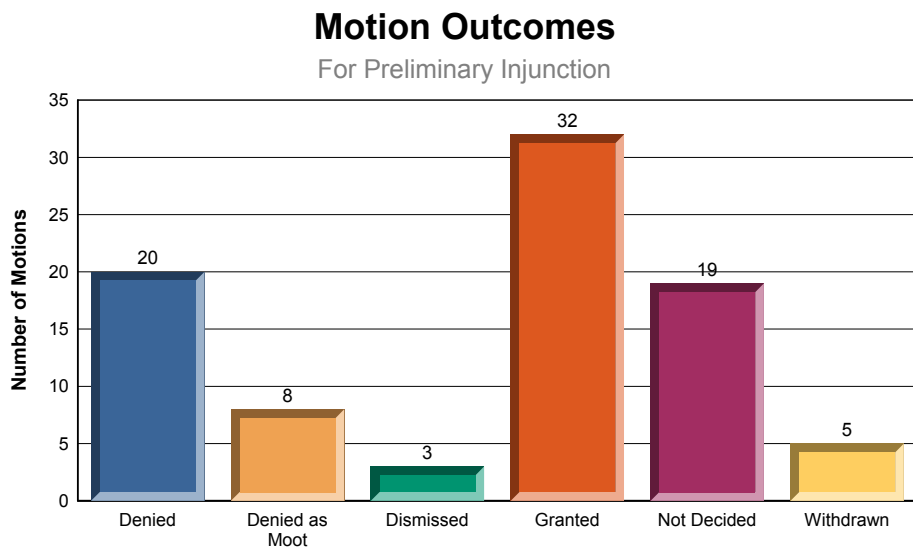
	Total Number of Cases	Number of Closed Cases	Number of Open Cases
Total	379	370	9
Anderson	55	55	0
Cain	4	4	0
Childs	10	10	0
Currie	40	40	0
Duffy	44	44	0
Floyd	17	17	0
Harwell	14	12	2
Herlong	58	58	0
Houck	31	30	1
Lewis	5	1	4
Norton	40	40	0
Perry	16	16	0
Seymour	27	26	1
Wooten	18	17	1

Motion Outcomes

The win rates and times to decision on contested preliminary injunction, summary judgment, and transfer motions are shown below. A motion that is granted in part and denied in part is treated as "1/2" granted, and "1/2" denied.

Preliminary Injunction

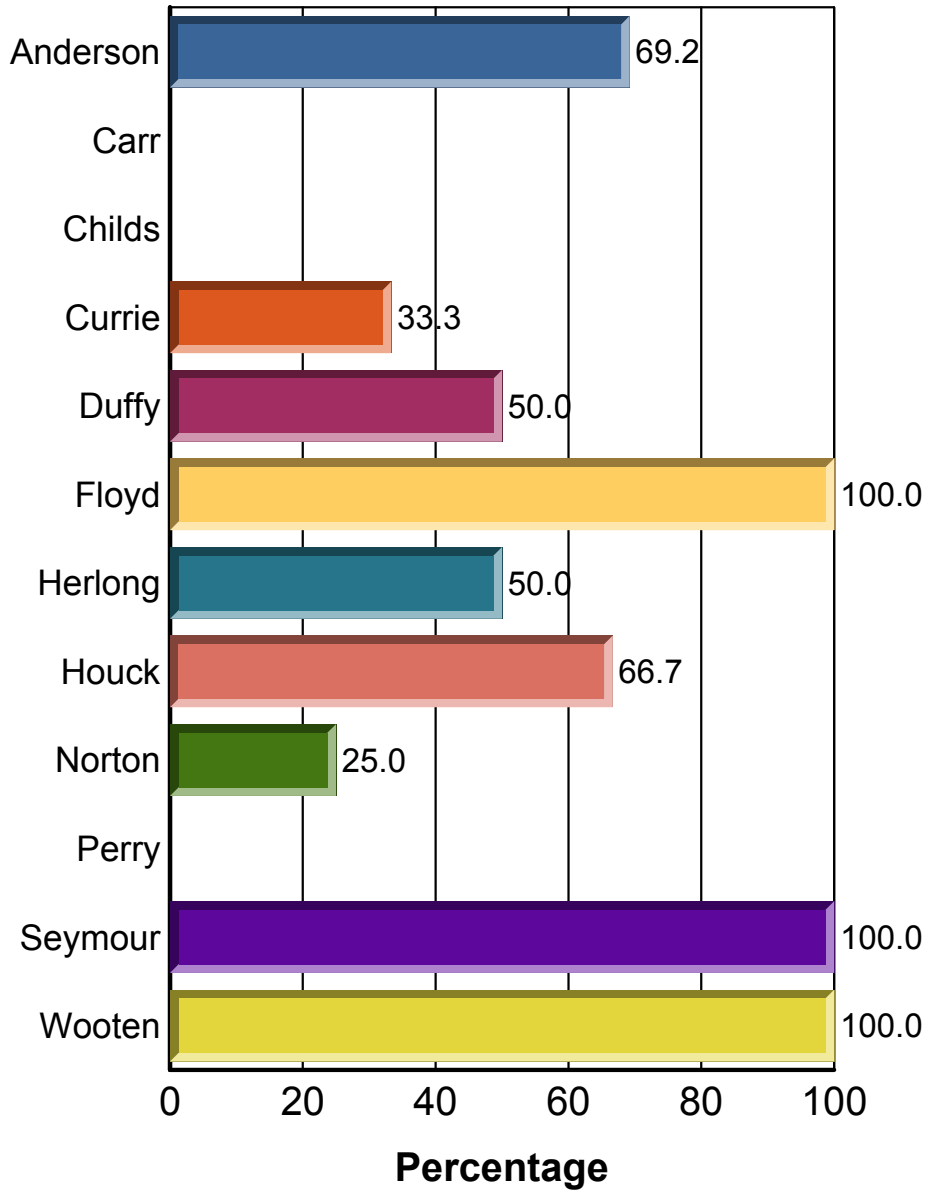
The number of Preliminary Injunction motions by outcome are shown below.



	Total
Total	87
Denied	20
Denied as Moot	8
Dismissed	3
Granted	32
Not Decided	19
Withdrawn	5

The win rates, by judge, on contested Preliminary Injunction motions are shown below. The win rate for judges with no contested decisions (if any) is left blank.

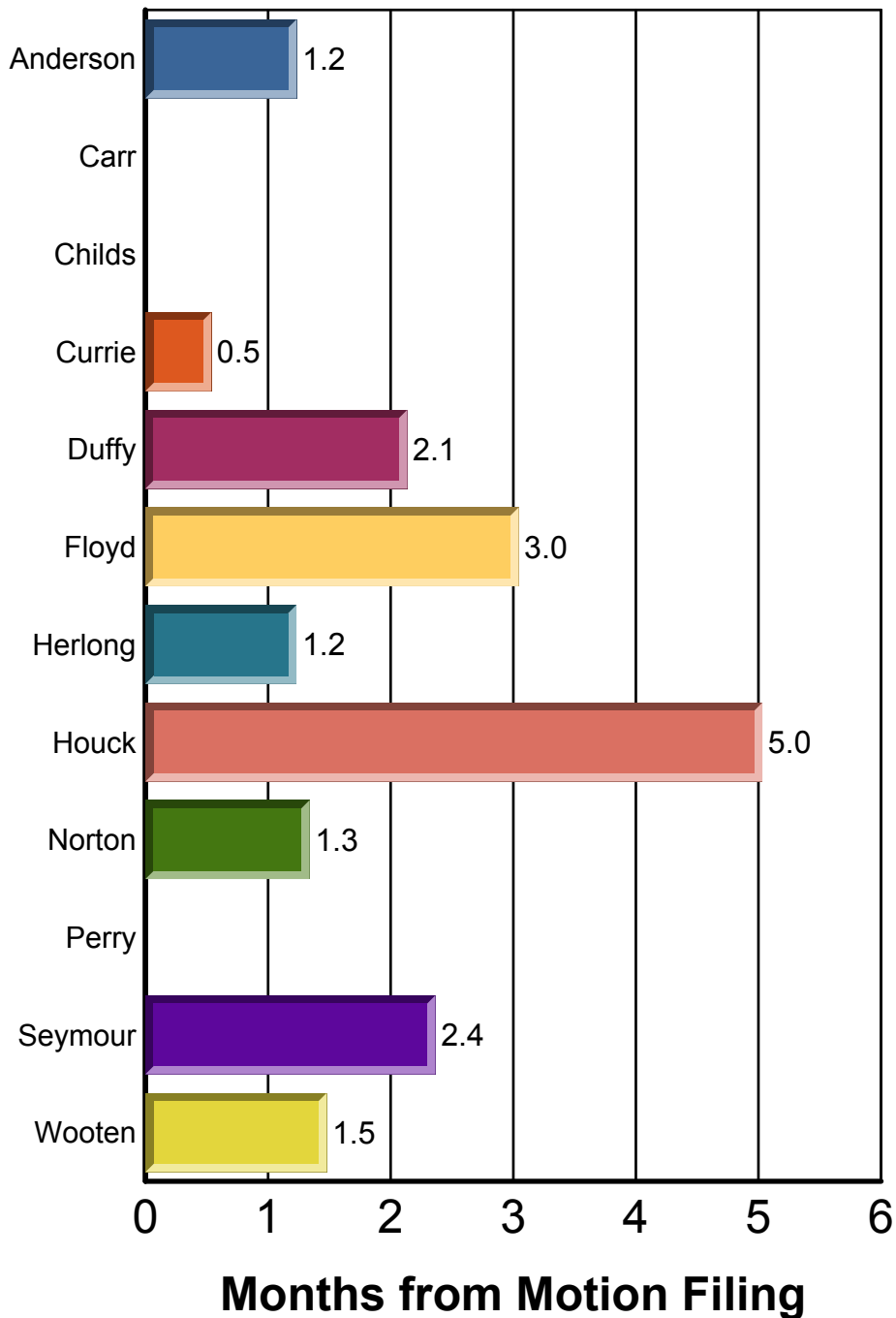
Contested Win Rate For Preliminary Injunction



The average times from motion filing to decision, by judge, on contested Preliminary Injunction motions are shown below. The time for judges with no contested decisions (if any) is left blank.

Average Time to Decision, by Judge

For Preliminary Injunction



The supporting data for Preliminary Injunction motions is found in the following table:

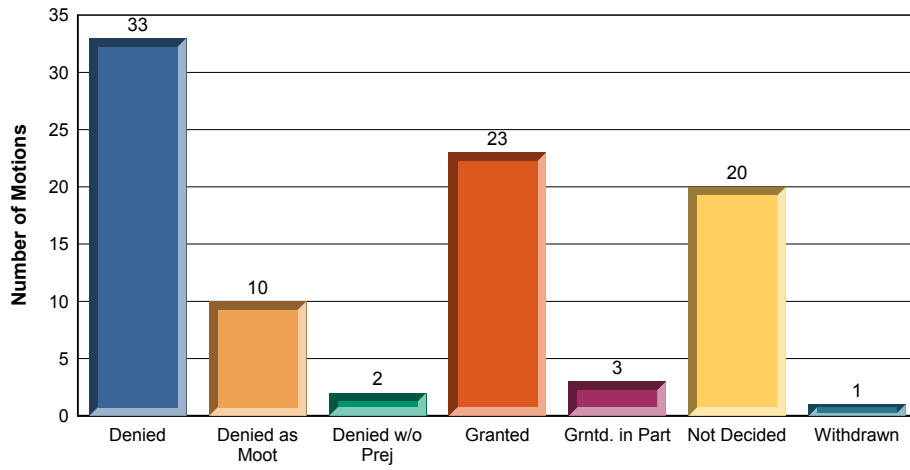
	Total Motions	Contested Decisions	Win Rate	Time to Decision
District	87	50	60.0	1.9
Anderson	16	13	69.2	1.2
Carr	1	0		
Childs	1	0		
Currie	9	3	33.3	0.5
Duffy	8	4	50.0	2.1
Floyd	5	3	100.0	3.0
Herlong	20	14	50.0	1.2
Houck	10	6	66.7	5.0
Norton	7	4	25.0	1.3
Perry	1	0		
Seymour	4	2	100.0	2.4
Wooten	5	1	100.0	1.5

Summary Judgment

The number of Summary Judgment motions by outcome are shown below.

Motion Outcomes

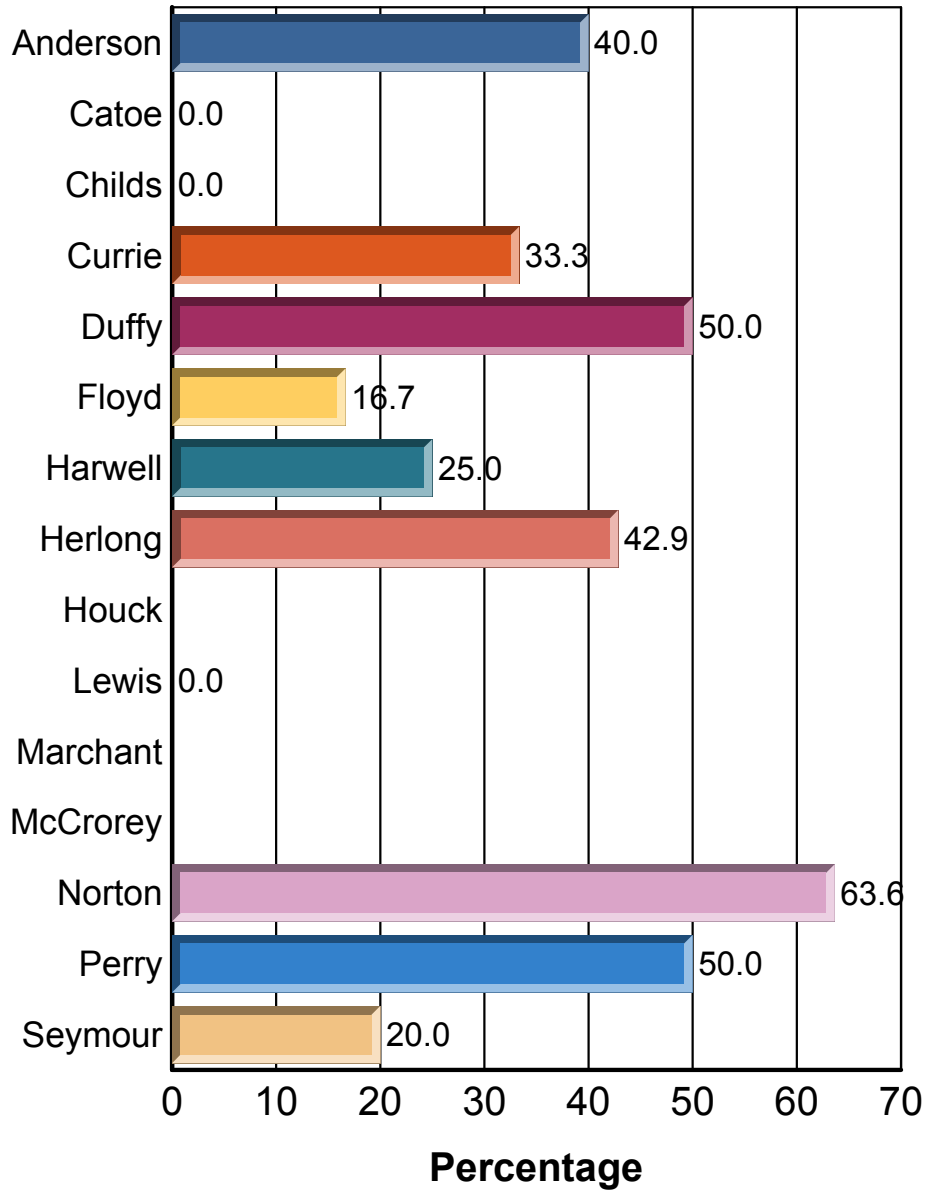
For Summary Judgment



	Total
Total	92
Denied	33
Denied as Moot	10
Denied w/o Prej	2
Granted	23
Grntd. in Part	3
Not Decided	20
Withdrawn	1

The win rates, by judge, on contested Summary Judgment motions are shown below. The win rate for judges with no contested decisions (if any) is left blank.

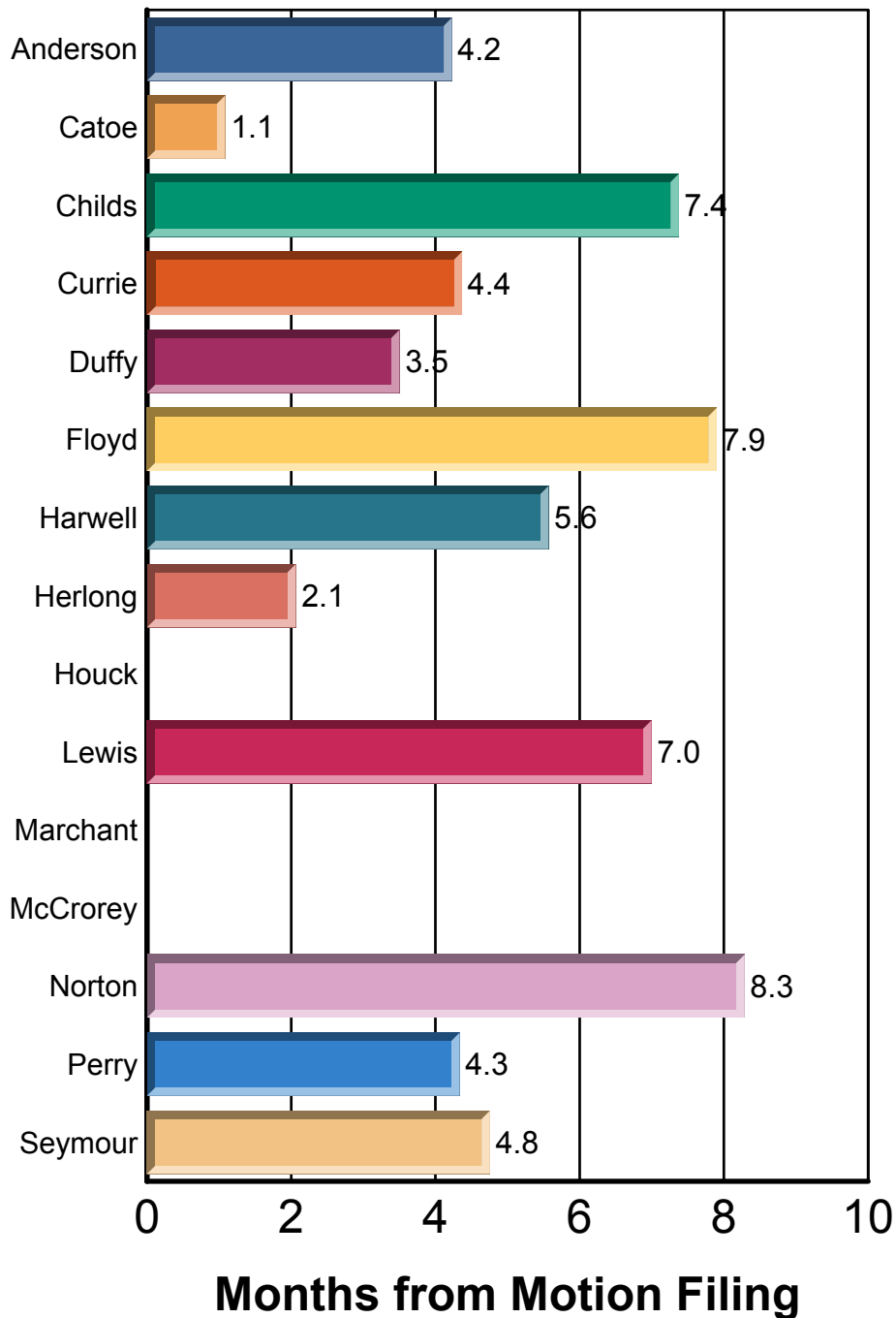
Contested Win Rate For Summary Judgment



The average times from motion filing to decision, by judge, on contested Summary Judgment motions are shown below. The time for judges with no contested decisions (if any) is left blank.

Average Time to Decision, by Judge

For Summary Judgment

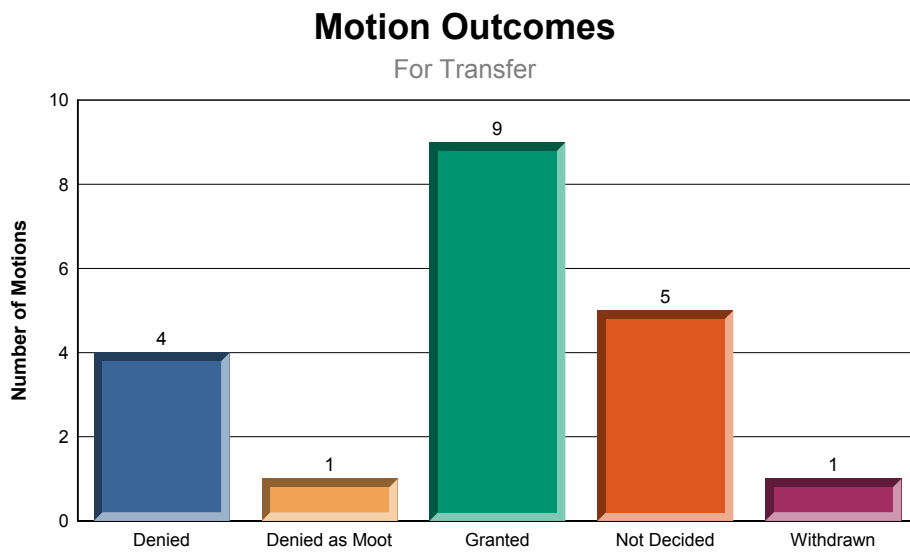


The supporting data for Summary Judgment motions is found in the following table:

	Total Motions	Contested Decisions	Win Rate	Time to Decision
District	92	60	39.2	4.9
Anderson	10	5	40.0	4.2
Catoe	1	1	0.0	1.1
Childs	2	2	0.0	7.4
Currie	6	3	33.3	4.4
Duffy	11	8	50.0	3.5
Floyd	6	6	16.7	7.9
Harwell	2	2	25.0	5.6
Herlong	19	14	42.9	2.1
Houck	4	0		
Lewis	3	1	0.0	7.0
Marchant	1	0		
McCrorey	2	0		
Norton	16	11	63.6	8.3
Perry	2	2	50.0	4.3
Seymour	7	5	20.0	4.8

Transfer

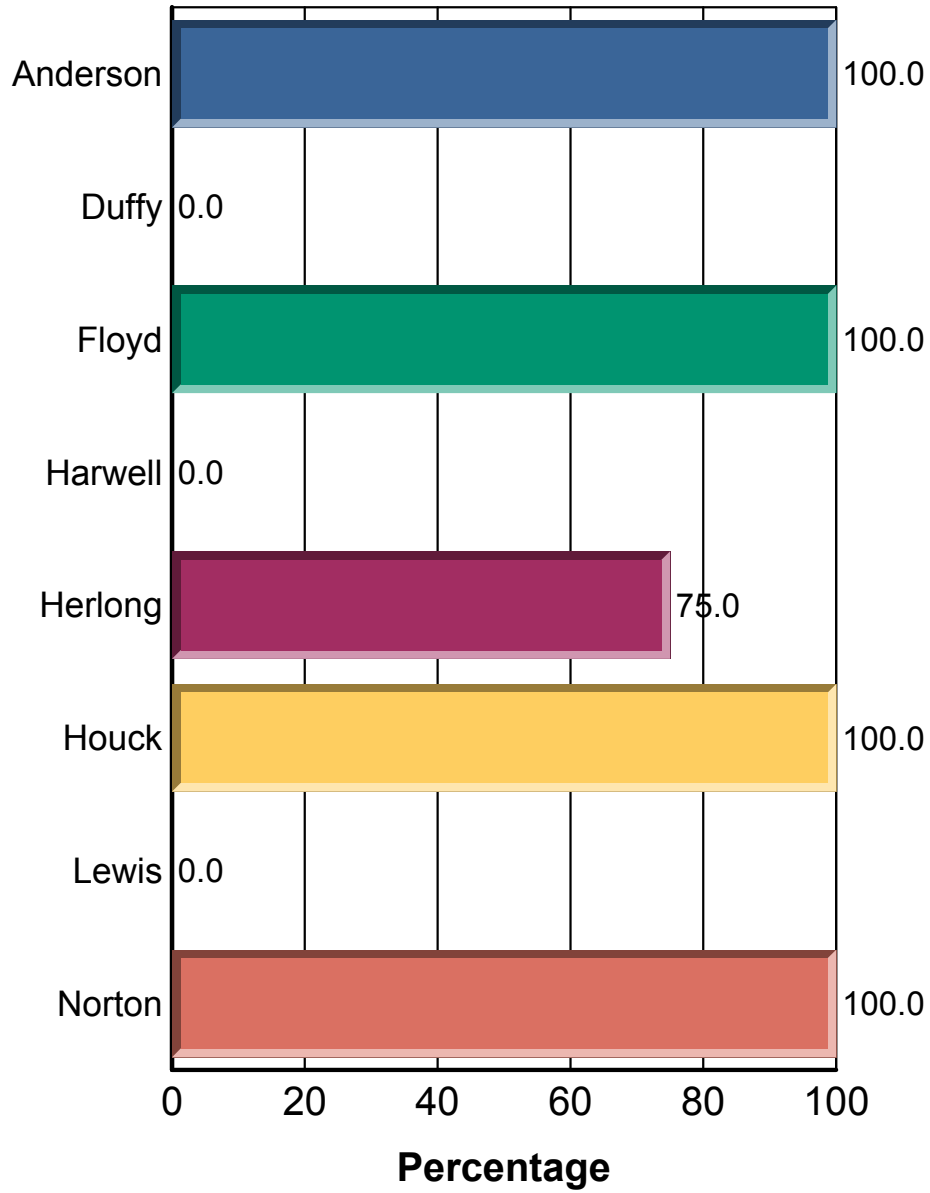
The number of Transfer motions by outcome are shown below.



	Total
Total	20
Denied	4
Denied as Moot	1
Granted	9
Not Decided	5
Withdrawn	1

The win rates, by judge, on contested Transfer motions are shown below. The win rate for judges with no contested decisions (if any) is left blank.

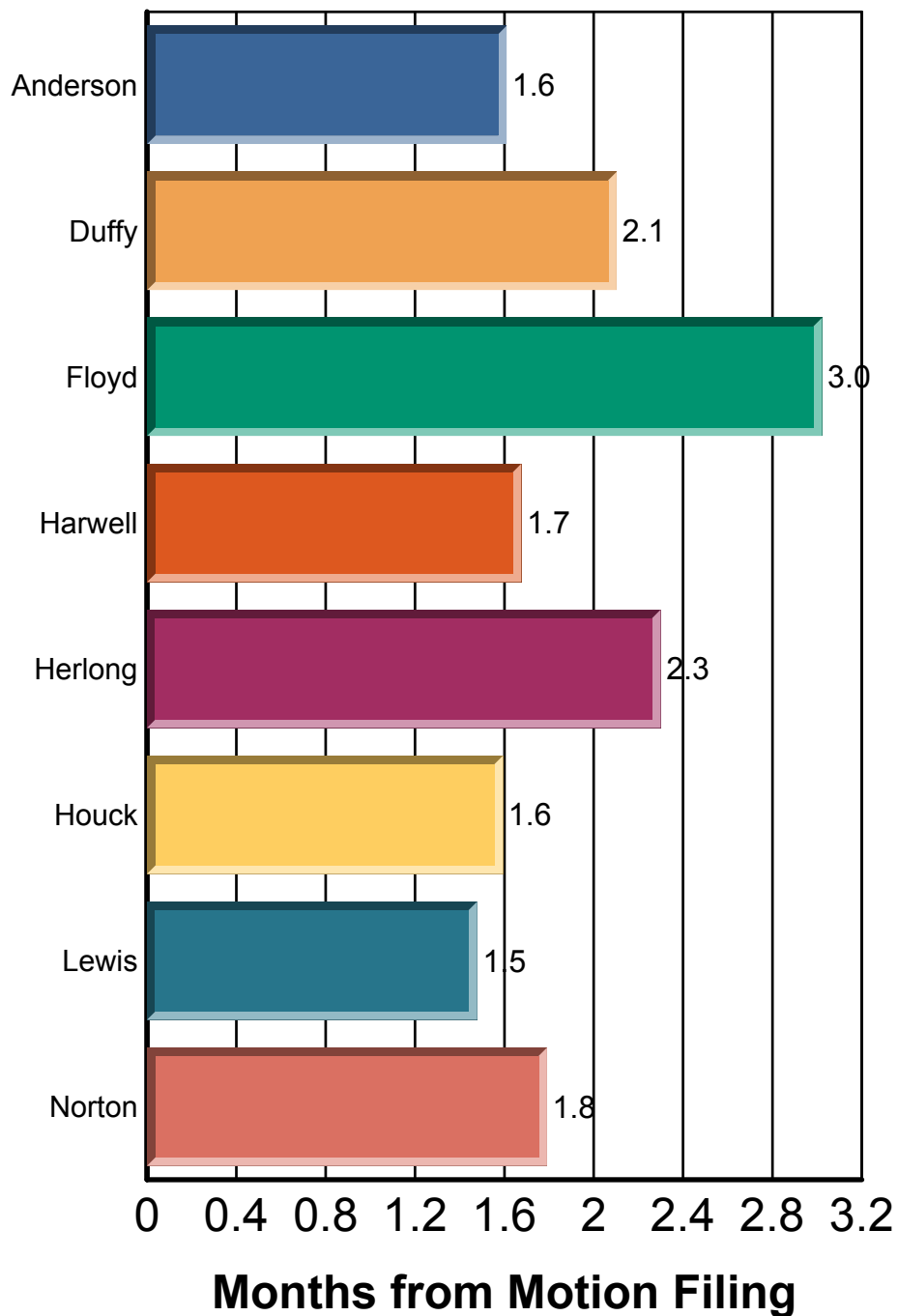
Contested Win Rate For Transfer



The average times from motion filing to decision, by judge, on contested Transfer motions are shown below. The time for judges with no contested decisions (if any) is left blank.

Average Time to Decision, by Judge

For Transfer

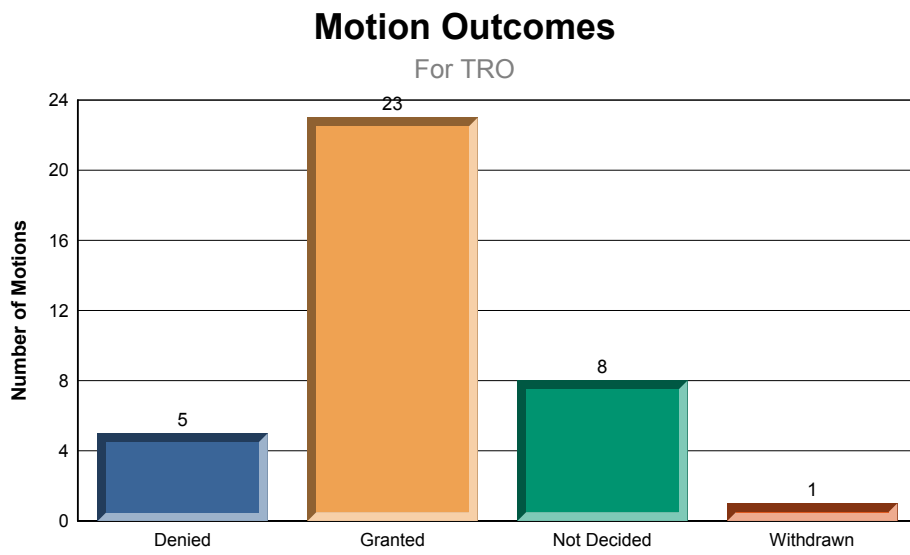


The supporting data for Transfer motions is found in the following table:

	Total Motions	Contested Decisions	Win Rate	Time to Decision
District	20	13	69.2	2.0
Anderson	4	1	100.0	1.6
Duffy	2	1	0.0	2.1
Floyd	1	1	100.0	3.0
Harwell	1	1	0.0	1.7
Herlong	6	4	75.0	2.3
Houck	2	2	100.0	1.6
Lewis	1	1	0.0	1.5
Norton	3	2	100.0	1.8

TRO

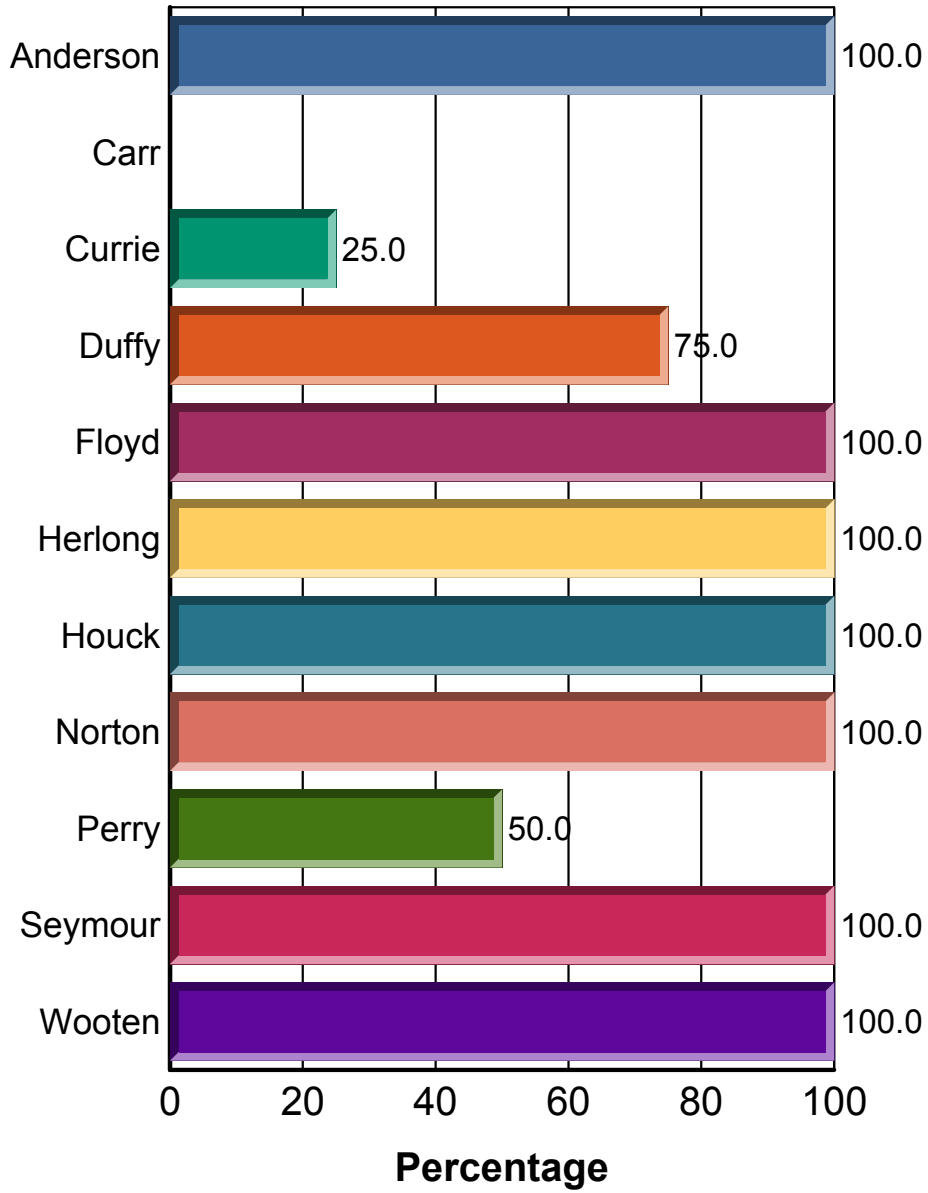
The number of TRO motions by outcome are shown below.



	Total
Total	37
Denied	5
Granted	23
Not Decided	8
Withdrawn	1

The win rates, by judge, on contested TRO motions are shown below. The win rate for judges with no contested decisions (if any) is left blank.

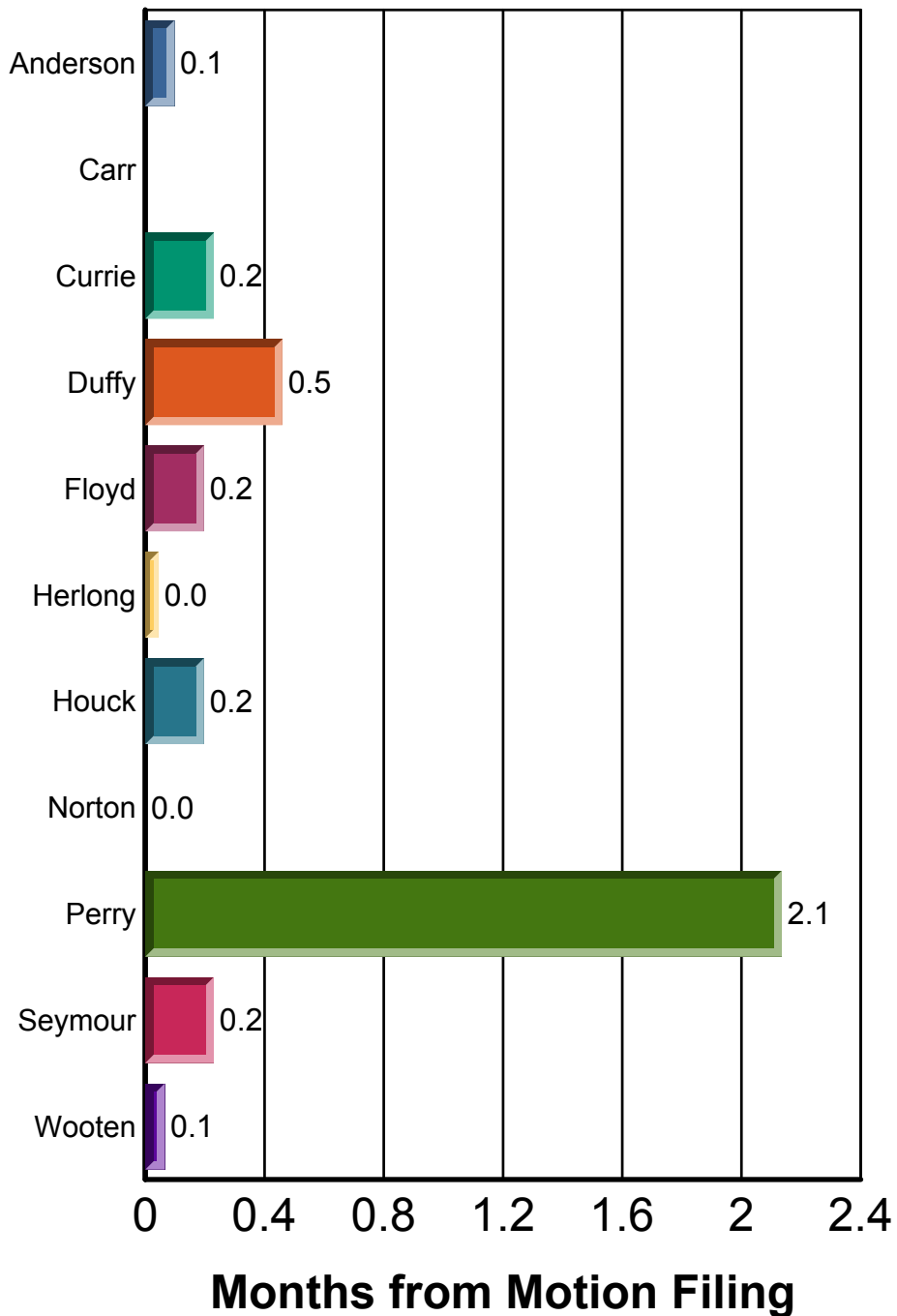
Contested Win Rate For TRO



The average times from motion filing to decision, by judge, on contested TRO motions are shown below. The time for judges with no contested decisions (if any) is left blank.

Average Time to Decision, by Judge

For TRO



The supporting data for TRO motions is found in the following table:

	Total Motions	Contested Decisions	Win Rate	Time to Decision
District	37	28	82.1	0.3
Anderson	4	2	100.0	0.1
Carr	1	0		
Currie	5	4	25.0	0.2
Duffy	4	4	75.0	0.5
Floyd	1	1	100.0	0.2
Herlong	14	11	100.0	0.0
Houck	2	1	100.0	0.2
Norton	1	1	100.0	0.0
Perry	2	2	50.0	2.1
Seymour	1	1	100.0	0.2
Wooten	2	1	100.0	0.1