

# ***LegalMetric***

## **LegalMetric Custom Comparison Selected Districts Patent Cases**

**January 1991-January 2012**

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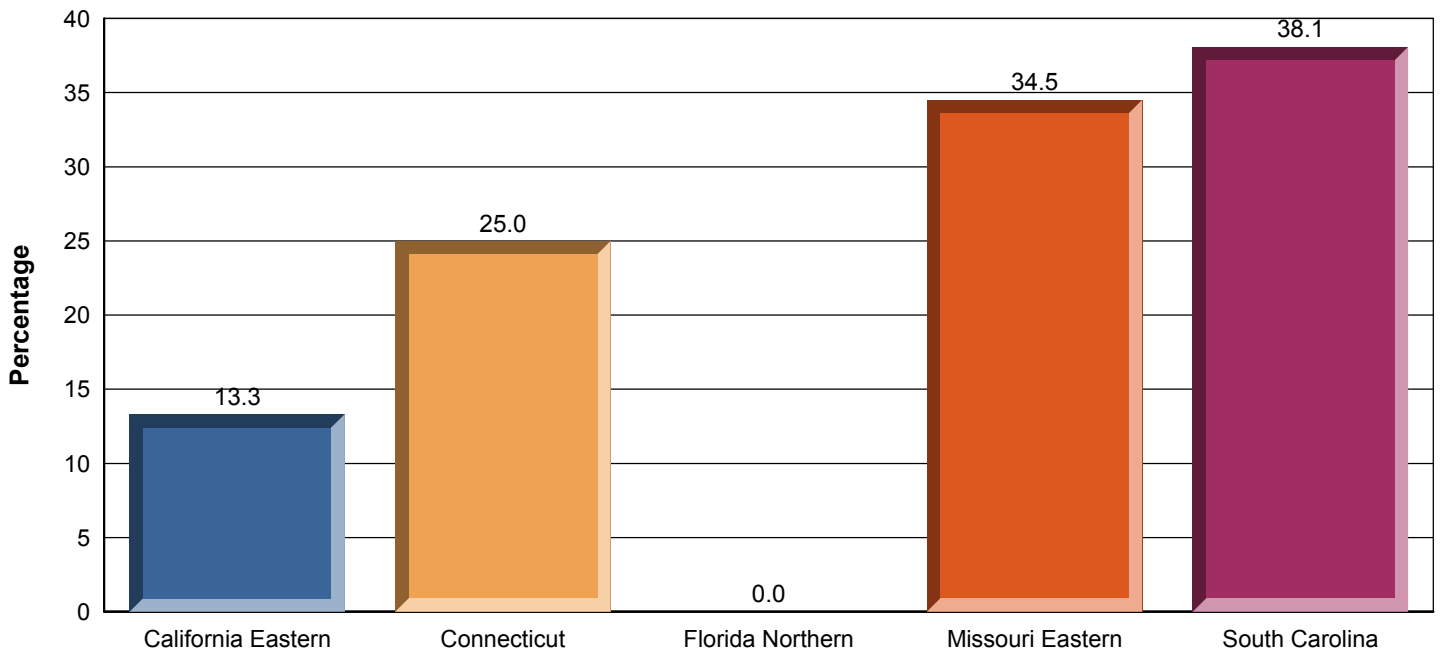
The information contained in this report is obtained from the official docket records of the federal courts. No attempt has been made to correct that data. For example, cases may be misclassified in the official docket records. In addition, cases are classified only by the primary cause of action. Cases having multiple causes of action are analyzed only under the primary cause of action identified on the official court docket.

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## Overview

Dockets for patent cases in the districts identified below were examined to determine various win rates, times to decision, and experience levels. The districts and their contested patentee win rates are shown in the chart below. Contested win rates include all judgments in favor of the patent owner, except for consent judgments and default judgments. Outcomes in which no enforceable judgment in favor of a party is entered, such as voluntary dismissals and dismissals for lack of jurisdiction, are not included in contested win rates.

### Contested Patentee Win Rates

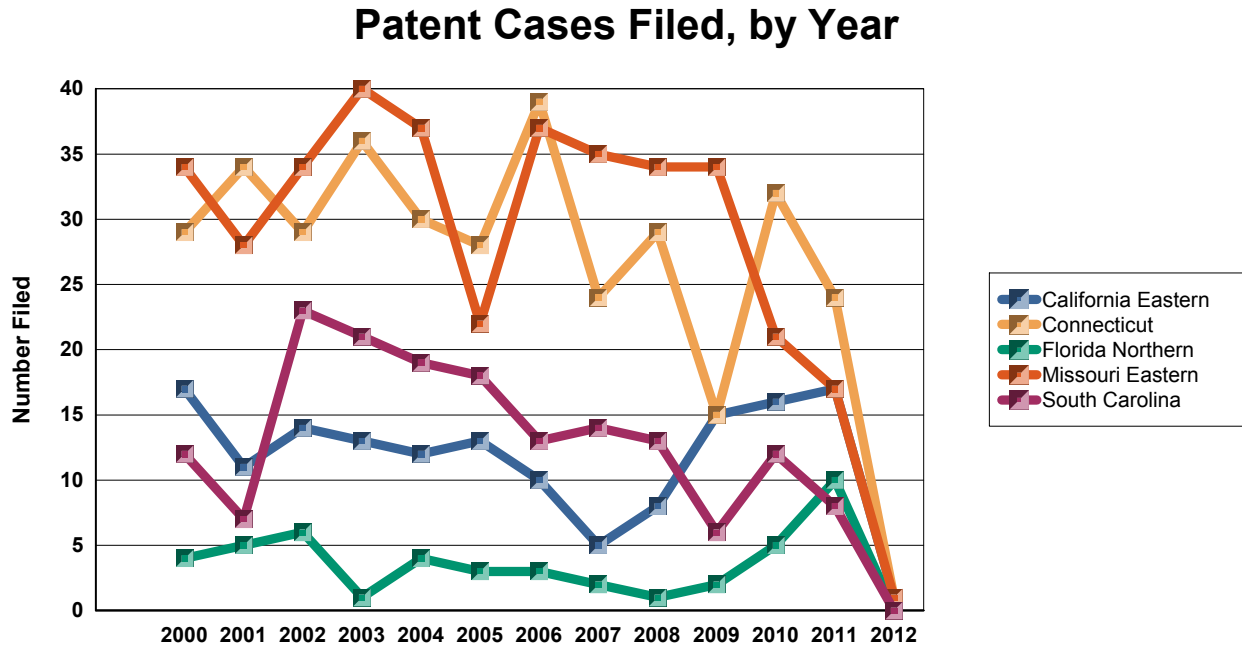


	Contested Win Rate	No. of Contested Judgments
California Eastern	13.33	30
Connecticut	25.00	36
Florida Northern	0.00	6
Missouri Eastern	34.52	42
South Carolina	38.10	21

These districts are compared in various ways in the sections which follow.

## Comparison of Number of Patent Cases Filed

The number of patent cases filed in each district are shown below, broken out by year from 2000 on.



		Total
<b>Total</b>		1088
<b>California Eastern</b>	<b>Total</b>	152
	<b>2000</b>	17
	<b>2001</b>	11
	<b>2002</b>	14
	<b>2003</b>	13
	<b>2004</b>	12
	<b>2005</b>	13
	<b>2006</b>	10
	<b>2007</b>	5
	<b>2008</b>	8
	<b>2009</b>	15
	<b>2010</b>	16
<b>2011</b>	17	

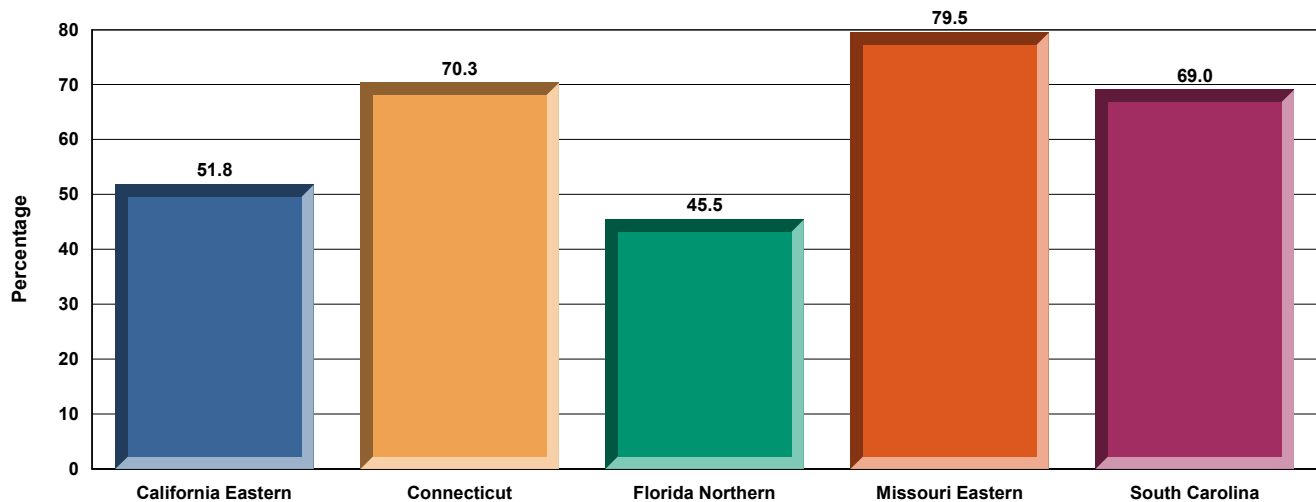
		Total
<b>California</b>	<b>2012</b>	1
<b>Connecticut</b>	<b>Total</b>	350
	<b>2000</b>	29
	<b>2001</b>	34
	<b>2002</b>	29
	<b>2003</b>	36
	<b>2004</b>	30
	<b>2005</b>	28
	<b>2006</b>	39
	<b>2007</b>	24
	<b>2008</b>	29
	<b>2009</b>	15
	<b>2010</b>	32
	<b>2011</b>	24
	<b>2012</b>	1
<b>Florida Northern</b>	<b>Total</b>	46
	<b>2000</b>	4
	<b>2001</b>	5
	<b>2002</b>	6
	<b>2003</b>	1
	<b>2004</b>	4
	<b>2005</b>	3
	<b>2006</b>	3
	<b>2007</b>	2
	<b>2008</b>	1
	<b>2009</b>	2
	<b>2010</b>	5
	<b>2011</b>	10
<b>Missouri Eastern</b>	<b>Total</b>	374
	<b>2000</b>	34
	<b>2001</b>	28
	<b>2002</b>	34
	<b>2003</b>	40

		Total
<b>Missouri Eastern</b>	<b>2004</b>	37
	<b>2005</b>	22
	<b>2006</b>	37
	<b>2007</b>	35
	<b>2008</b>	34
	<b>2009</b>	34
	<b>2010</b>	21
	<b>2011</b>	17
	<b>2012</b>	1
<b>South Carolina</b>	<b>Total</b>	166
	<b>2000</b>	12
	<b>2001</b>	7
	<b>2002</b>	23
	<b>2003</b>	21
	<b>2004</b>	19
	<b>2005</b>	18
	<b>2006</b>	13
	<b>2007</b>	14
	<b>2008</b>	13
	<b>2009</b>	6
	<b>2010</b>	12
	<b>2011</b>	8

## Comparison of Overall Case Win Rates

The overall patentee win rate in patent cases for these courts varied as shown below. (The overall win rate includes all cases in which a judgment is entered in favor of a party, including consent and default judgments.)

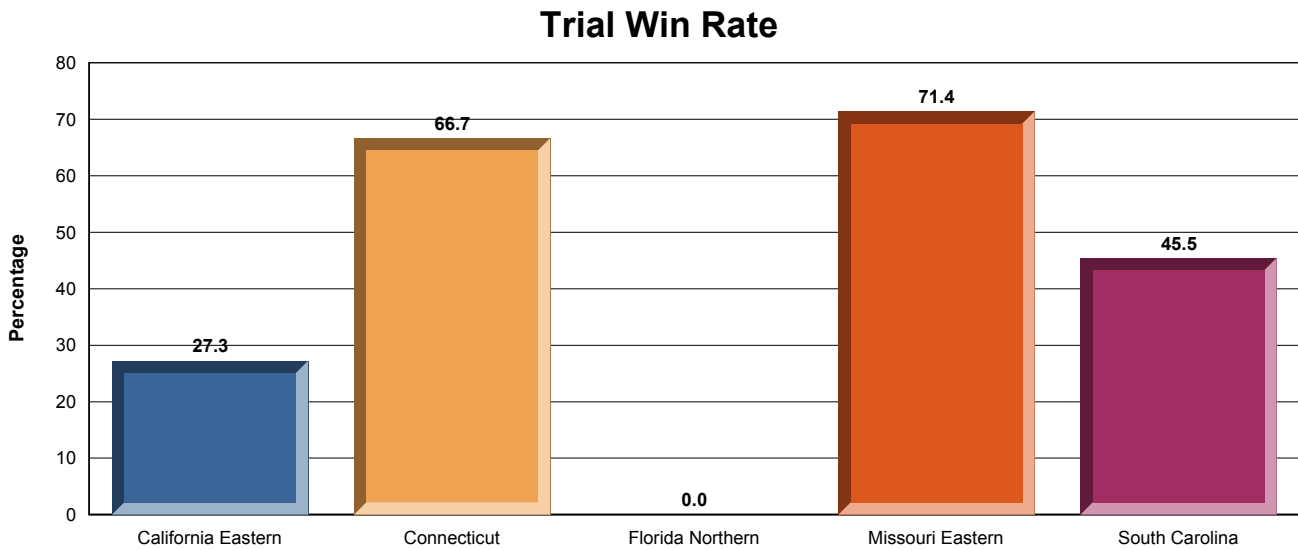
### Overall Patentee Win Rates



	Overall Win Rate	No. of Judgments
California Eastern	51.8	56
Connecticut	70.3	91
Florida Northern	45.5	11
Missouri Eastern	79.5	134
South Carolina	69.0	42

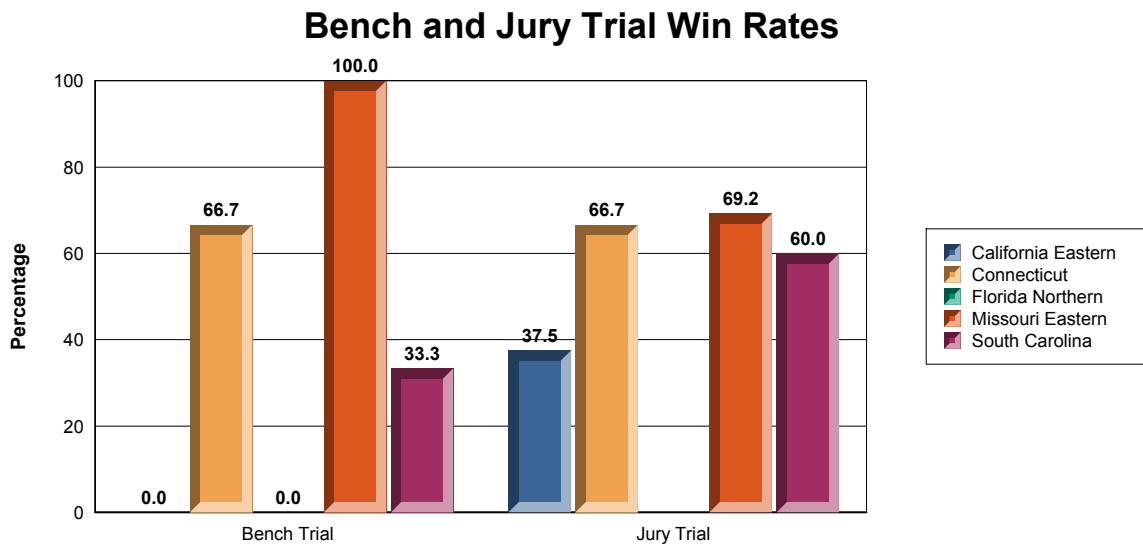
## Comparison of Trial Win Rates

The average patentee win rate at trial (both bench and jury) for these courts varied as shown below.



## Comparison of Bench and Jury Trial Win Rates

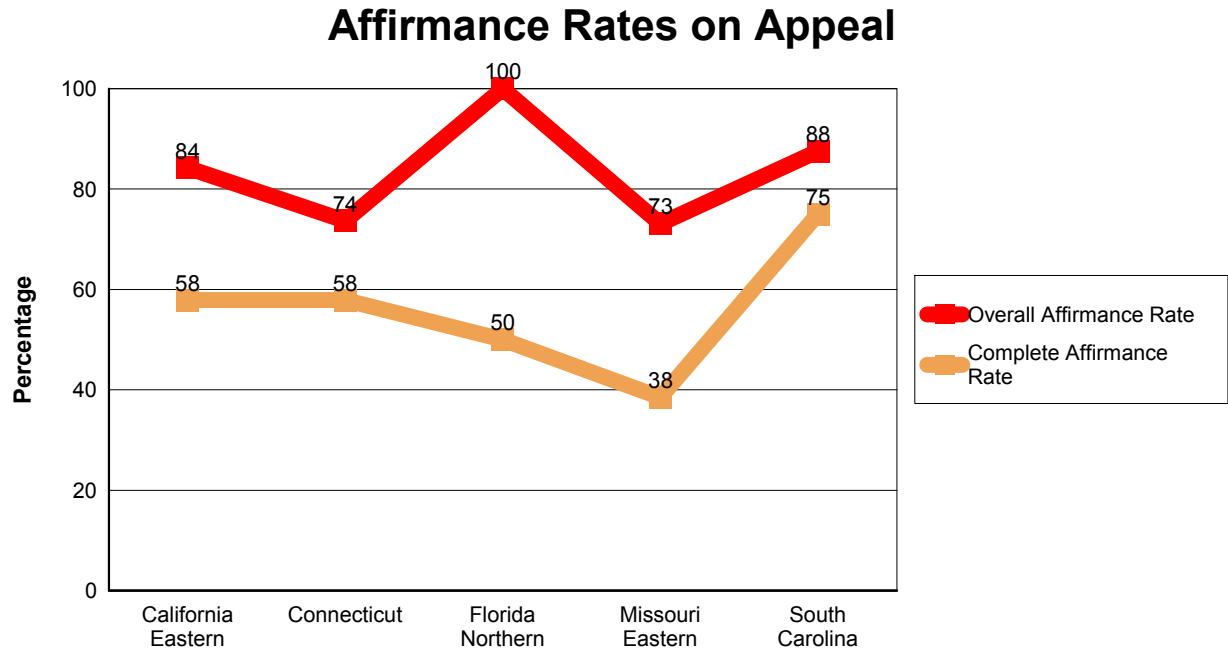
The average patentee win rate by bench trial and by jury trial for these courts is shown below.



	Bench Win Rate	No. of Bench Trials	Jury Win Rate	No. of Jury Verdicts
<b>California Eastern</b>	0.0	3	37.50	8
<b>Connecticut</b>	66.7	3	66.67	6
<b>Florida Northern</b>	0.0	1	0	0
<b>Missouri Eastern</b>	100.0	1	69.23	13
<b>South Carolina</b>	33.3	6	60.00	5

## Affirmance Rates

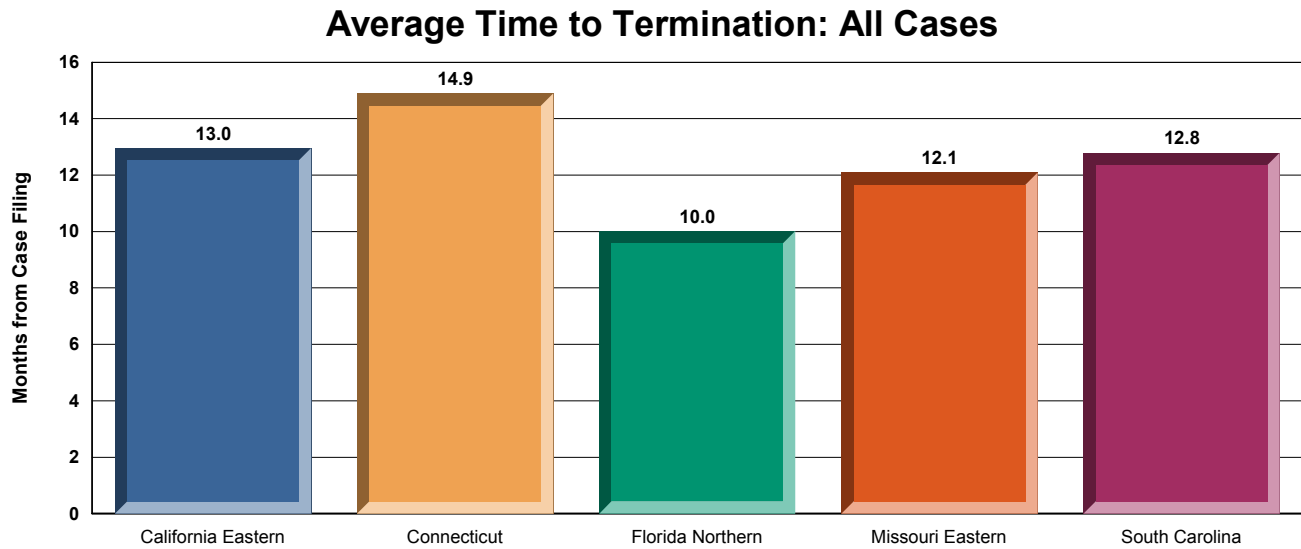
The average affirmance rate and average complete affirmance rate in patent cases for these districts are shown below. The affirmance rate is calculated from the number of appeals decisions affirming the lower court, at least in part, divided by the total number of appellate decisions. Dismissed appeals are not included in the computation. The complete affirmance rate only uses decisions which completely affirmed the lower court, with no other outcome, such as affirmed in part, remanded in part.





## Time to Termination: All Cases

The average time from case filing to case termination, in months, for all patent cases in these districts is shown below. All terminated cases (including voluntary dismissals, settlements, etc. are included).



The average time from case filing to case termination, in months, by outcome and number of outcomes for each type of outcome are shown below.

		Total	
<b>Total</b>		13.2	1,463
<b>Bankruptcy Stay</b>	<b>Total</b>	9.3	5
	<b>California Eastern</b>	3.1	1
	<b>Connecticut</b>	15.9	1
	<b>Missouri Eastern</b>	6.2	2
	<b>South Carolina</b>	14.9	1
<b>Bench Trial</b>	<b>Total</b>	52.4	14
	<b>California Eastern</b>	41.7	3
	<b>Connecticut</b>	126.7	3
	<b>Florida Northern</b>	31.0	1
	<b>Missouri Eastern</b>	2.1	1
	<b>South Carolina</b>	32.4	6

		<b>Total</b>	
<b>Confirmation of Arbitration Award</b>	<b>Total</b>	34.2	2
	<b>California Eastern</b>	46.7	1
	<b>Connecticut</b>	21.7	1
<b>Consent Judgment</b>	<b>Total</b>	13.4	179
	<b>California Eastern</b>	14.2	19
	<b>Connecticut</b>	14.6	53
	<b>Florida Northern</b>	17.9	4
	<b>Missouri Eastern</b>	11.9	86
	<b>South Carolina</b>	14.6	17
<b>Consolidated</b>	<b>Total</b>	5.1	38
	<b>California Eastern</b>	8.2	5
	<b>Connecticut</b>	6.1	14
	<b>Florida Northern</b>	2.3	2
	<b>Missouri Eastern</b>	3.6	17
<b>Default Judgment</b>	<b>Total</b>	14.9	20
	<b>California Eastern</b>	19.1	7
	<b>Connecticut</b>	8.3	2
	<b>Florida Northern</b>	18.6	1
	<b>Missouri Eastern</b>	12.8	6
	<b>South Carolina</b>	12.9	4
<b>Frivolous</b>	<b>Total</b>	0.0	1
	<b>California Eastern</b>	0.0	1
<b>Intra-District Transfer</b>	<b>Total</b>	4.2	1
	<b>Missouri Eastern</b>	4.2	1
<b>Involuntary Dismissal</b>	<b>Total</b>	13.4	20
	<b>California Eastern</b>	15.1	4
	<b>Connecticut</b>	11.4	6
	<b>Florida Northern</b>	6.3	3

		<b>Total</b>	
<b>Involuntary Dismissal</b>	<b>Missouri Eastern</b>	21.7	5
	<b>South Carolina</b>	5.7	2
<b>Judgment as a Matter of Law</b>	<b>Total</b>	39.1	1
	<b>Connecticut</b>	39.1	1
<b>Jury Verdict</b>	<b>Total</b>	36.2	32
	<b>California Eastern</b>	31.2	8
	<b>Connecticut</b>	64.1	6
	<b>Missouri Eastern</b>	31.2	13
	<b>South Carolina</b>	23.6	5
<b>Lack of Jurisdiction</b>	<b>Total</b>	11.0	23
	<b>California Eastern</b>	16.6	9
	<b>Connecticut</b>	13.6	1
	<b>Florida Northern</b>	3.5	1
	<b>Missouri Eastern</b>	6.3	8
	<b>South Carolina</b>	9.0	4
<b>MDL Transfer</b>	<b>Total</b>	4.8	8
	<b>California Eastern</b>	4.5	1
	<b>Connecticut</b>	6.5	4
	<b>Missouri Eastern</b>	2.4	2
	<b>South Carolina</b>	2.6	1
<b>Other Settlement</b>	<b>Total</b>	17.0	85
	<b>California Eastern</b>	21.4	7
	<b>Connecticut</b>	18.1	32
	<b>Florida Northern</b>	6.3	1
	<b>Missouri Eastern</b>	11.3	9
	<b>South Carolina</b>	16.8	36
<b>Other Termination</b>	<b>Total</b>	8.3	38
	<b>California Eastern</b>	2.6	11
	<b>Connecticut</b>	23.8	7

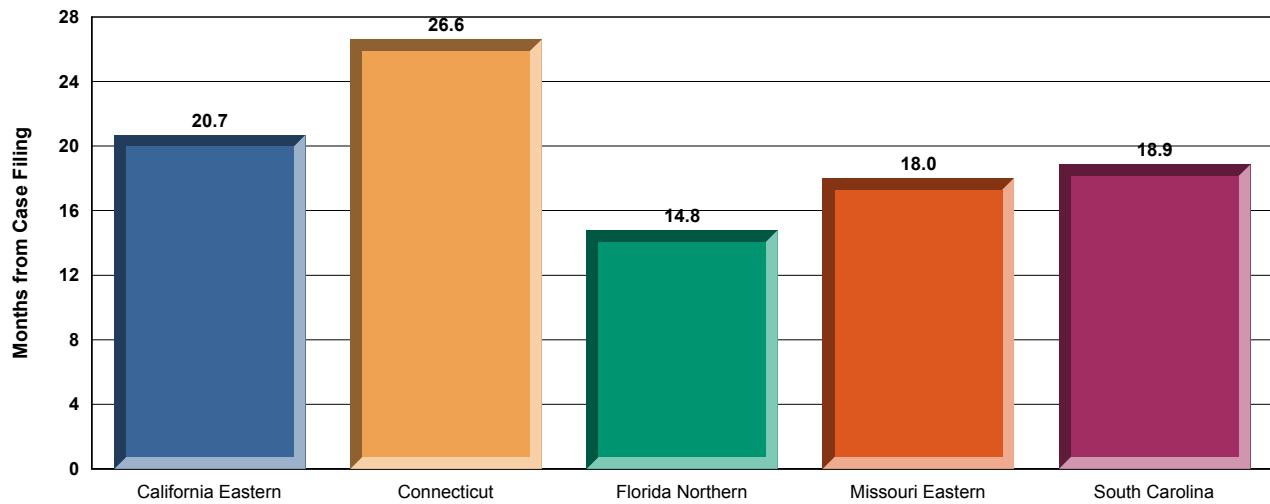
		<b>Total</b>	
<b>Other Termination</b>	<b>Florida Northern</b>	13.6	2
	<b>Missouri Eastern</b>	1.8	4
	<b>South Carolina</b>	6.2	14
<b>Referral to Arbitration</b>	<b>Total</b>	7.5	1
	<b>Missouri Eastern</b>	7.5	1
<b>Remand to State Court</b>	<b>Total</b>	3.5	10
	<b>California Eastern</b>	2.6	3
	<b>Connecticut</b>	8.7	2
	<b>Missouri Eastern</b>	1.9	5
<b>Remand to U.S. Agency</b>	<b>Total</b>	18.6	1
	<b>California Eastern</b>	18.6	1
<b>Stay</b>	<b>Total</b>	8.5	12
	<b>Connecticut</b>	14.5	3
	<b>Missouri Eastern</b>	4.8	4
	<b>South Carolina</b>	7.9	5
<b>Summary Judgment</b>	<b>Total</b>	30.9	64
	<b>California Eastern</b>	19.5	14
	<b>Connecticut</b>	40.3	18
	<b>Florida Northern</b>	14.2	1
	<b>Missouri Eastern</b>	34.7	23
	<b>South Carolina</b>	21.0	8
<b>Transfer</b>	<b>Total</b>	6.9	81
	<b>California Eastern</b>	3.5	11
	<b>Connecticut</b>	7.3	26
	<b>Florida Northern</b>	4.4	3
	<b>Missouri Eastern</b>	8.4	29
	<b>South Carolina</b>	6.1	12
<b>Voluntary Dismissal</b>	<b>Total</b>	11.4	806

		Total	
<b>Voluntary Dismissal</b>	<b>California Eastern</b>	11.0	110
	<b>Connecticut</b>	12.4	317
	<b>Florida Northern</b>	9.5	37
	<b>Missouri Eastern</b>	10.9	252
	<b>South Carolina</b>	10.8	90
<b>Want of Prosecution</b>	<b>Total</b>	8.4	21
	<b>California Eastern</b>	4.8	1
	<b>Connecticut</b>	9.6	15
	<b>Missouri Eastern</b>	5.7	5

## Time to Termination: All Cases with Judgments

The average time from case filing to case termination, in months, for all patent cases terminated by judgment in these districts is shown below. This includes cases terminated by consent and default judgments.

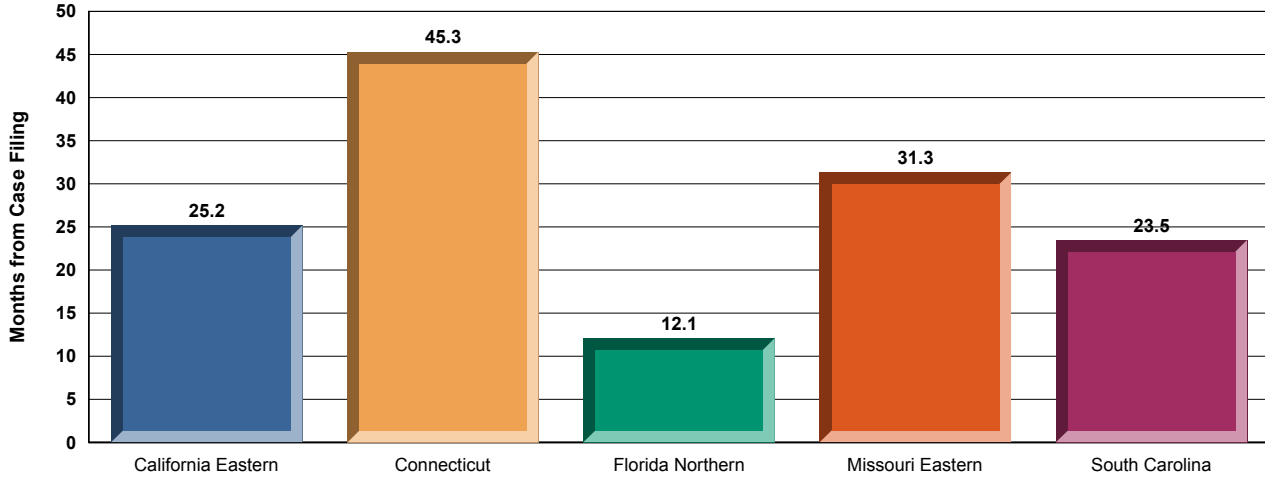
**Average Time to Termination: Cases with Judgments**



## Time to Termination: All Cases with Contested Judgments

The average time from case filing to case termination, in months, for all patent cases terminated by contested judgment in these districts is shown below. This does NOT include cases terminated by consent and default judgments.

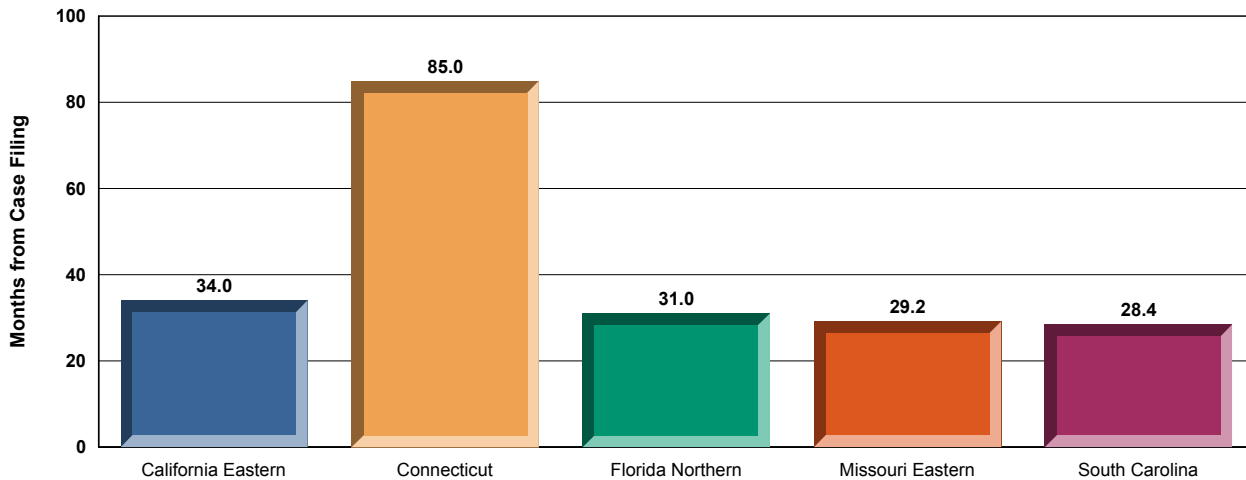
### Average Time to Termination: Contested Judgments



## Time to Termination: Trials

The average time from case filing to case termination, in months, for all patent cases terminated by trials in these districts is shown below. This includes both bench and jury trials.

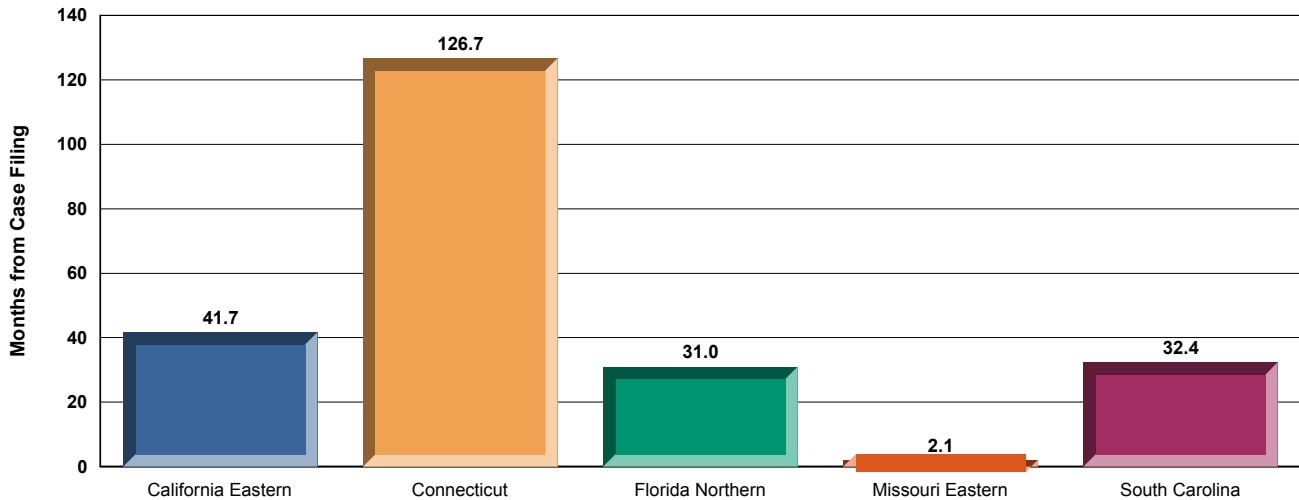
### Average Time to Termination by Trial



## Time to Termination: Bench Trials

The average time from case filing to case termination, in months, for all patent cases terminated by bench trials in these districts is shown below.

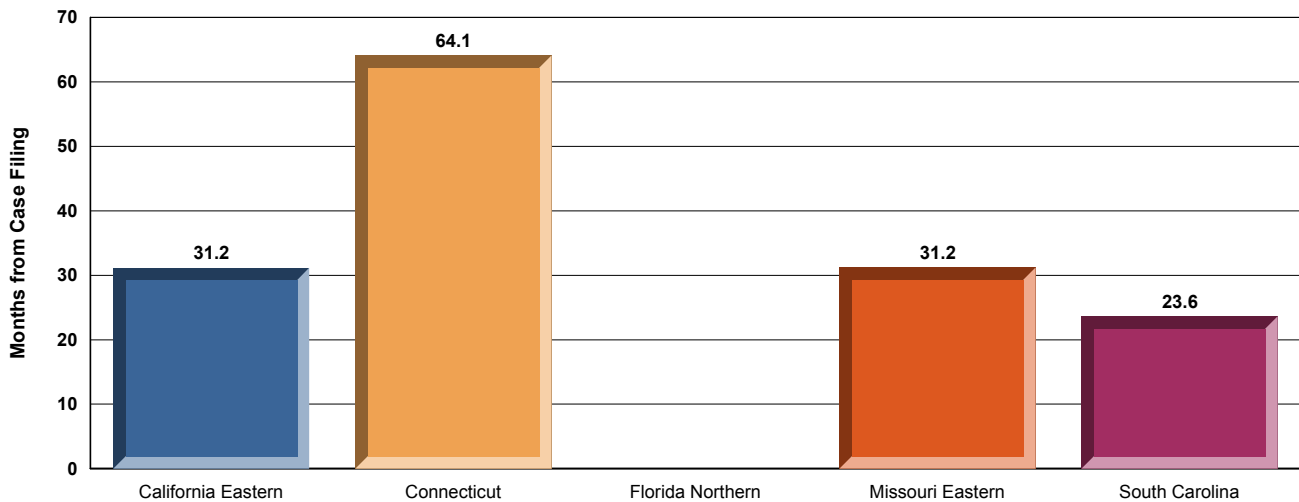
### Average Time to Termination by Bench Trial



## Time to Termination: Jury Trials

The average time from case filing to case termination, in months, for all patent cases terminated by jury trials in these districts is shown below.

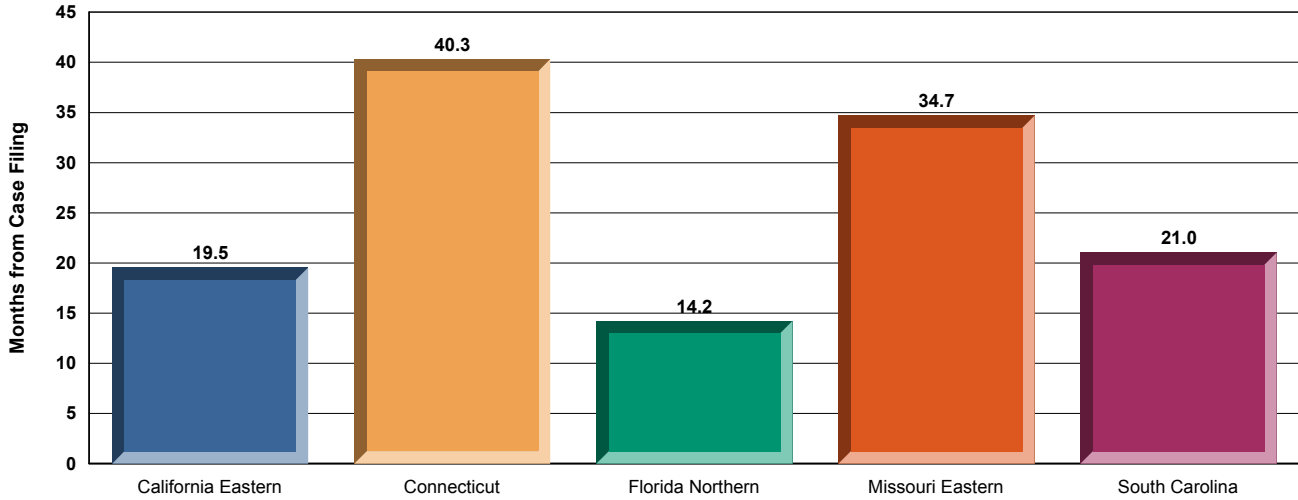
### Average Time to Termination by Jury Trial



## Time to Termination: Summary Judgment

The average time from case filing to case termination, in months, for all patent cases terminated by summary judgment in these districts is shown below. Note that the time to decision on summary judgment motions is a different metric and is considered below in the motions section of the report.

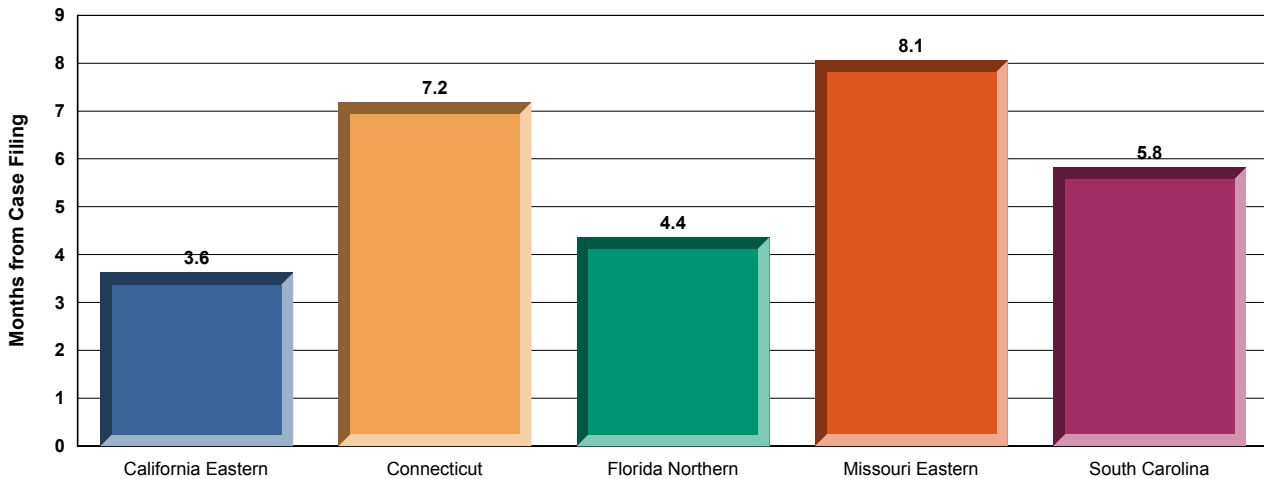
### Average Time to Termination by Summary Judgment



## Time to Termination: Transfer

The average time from case filing to case termination, in months, for all patent cases terminated by transfer in these districts is shown below. Note that the time to decision on transfer motions is a different metric and is considered below in the motions section of the report. The average time to termination by transfer include terminations by MDL transfer.

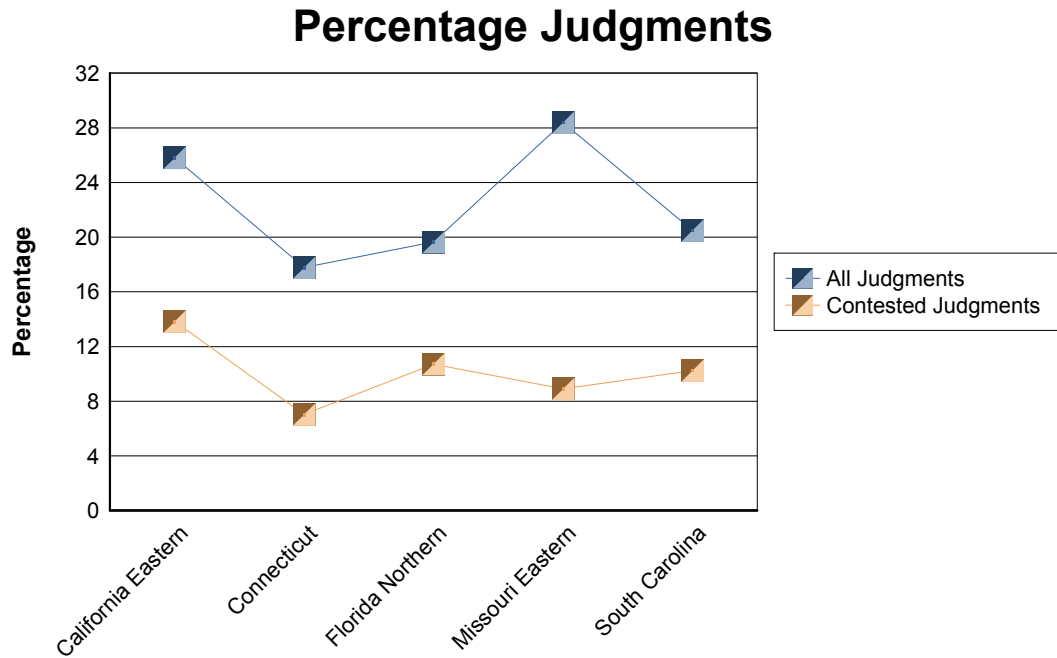
### Average Time to Termination by Transfer





## Percentage of Cases Terminated by Judgment and by Contested Judgment

The percentage of patent cases terminated by judgments in favor of a party (includes consent and default judgments) and by contested judgments in these districts varied as shown below. These percentages are the fraction of all closed cases.

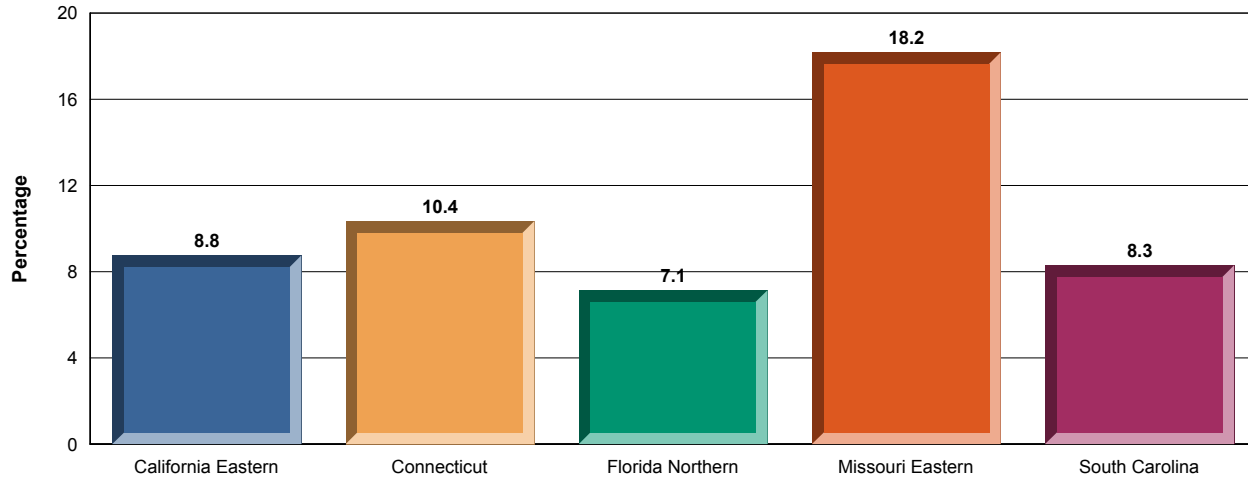


	All Judgments	Contested
<b>Total</b>	22.8	9.2
<b>California Eastern</b>	25.8	13.8
<b>Connecticut</b>	17.8	7.0
<b>Florida Northern</b>	19.6	10.7
<b>Missouri Eastern</b>	28.4	8.9
<b>South Carolina</b>	20.5	10.2

## Terminations by Consent Judgment

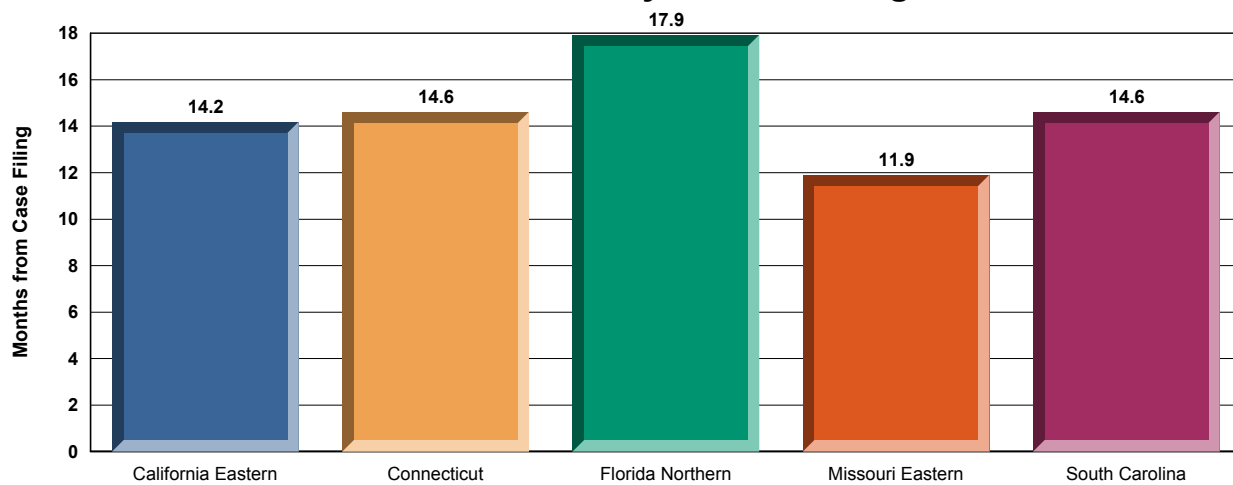
The percentage of patent cases terminated by consent judgment in these districts varied as shown below. This percentage is the fraction of all closed cases terminated by consent judgment.

### Percentage Terminations by Consent Judgment



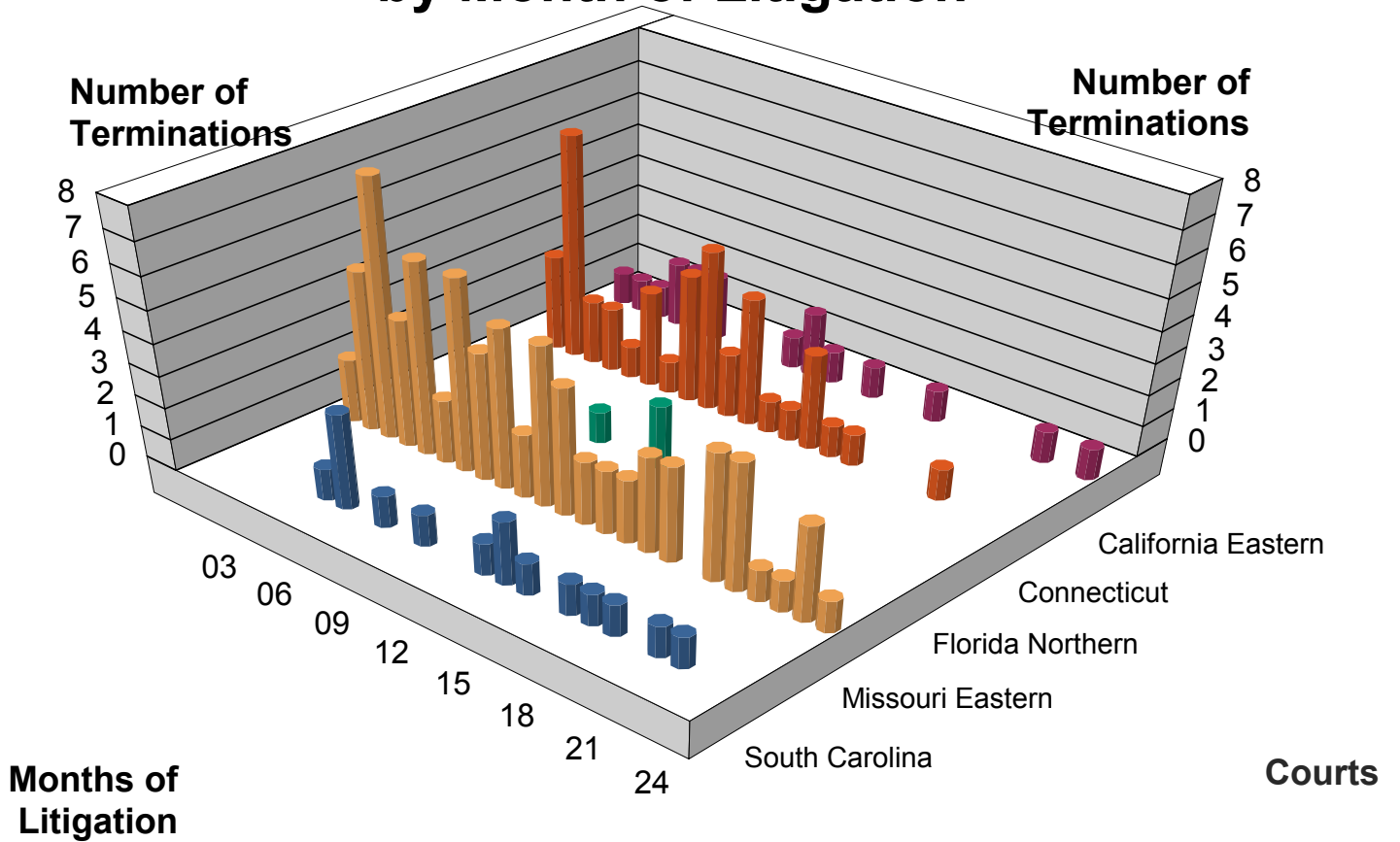
The average time (in months) from case filing to termination of these cases by consent judgment is shown below, by district.

### Time to Termination by Consent Judgment



The distribution of terminations, by month of litigation, for cases terminated by consent judgment is illustrated below.

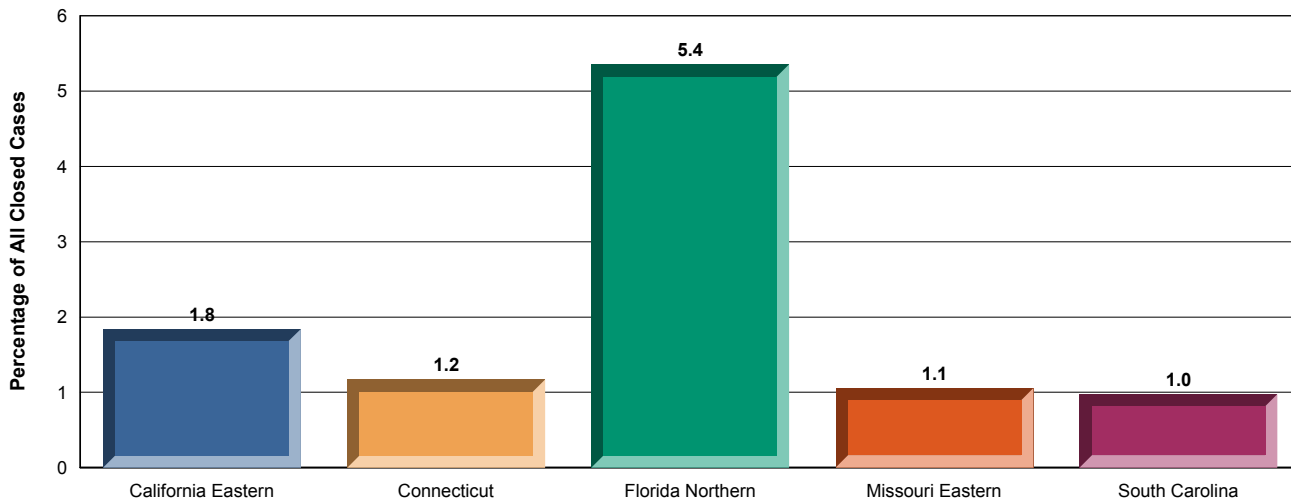
## Distribution of Consent Judgment Terminations, by Month of Litigation



## Terminations by Involuntary Dismissal

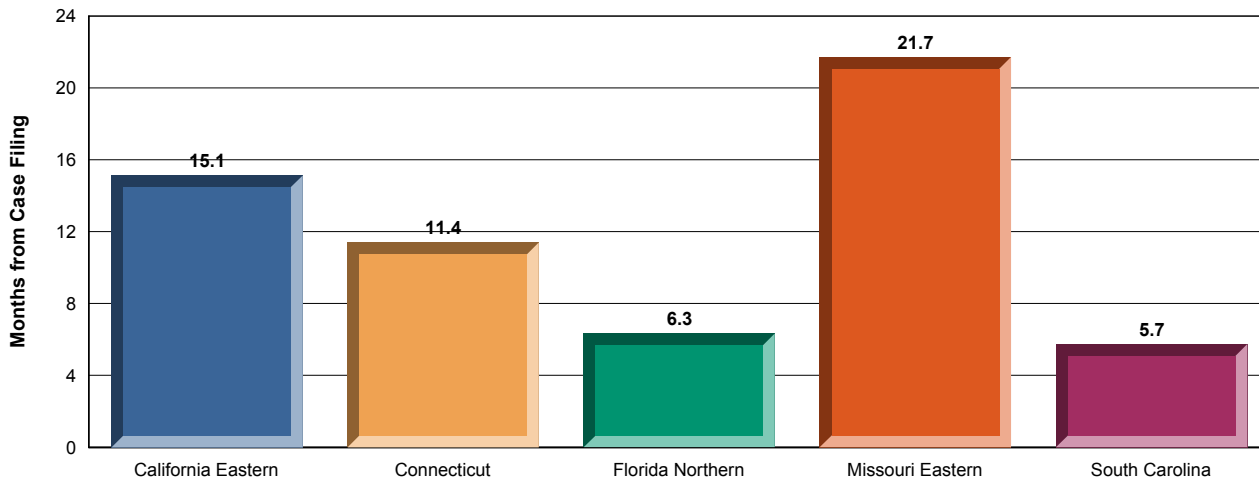
The percentage of patent cases terminated by involuntary dismissal in these districts varied as shown below. This percentage is the fraction of all closed cases terminated by involuntary dismissal, and does not include terminations for lack of jurisdiction.

### Percentage Terminations by Involuntary Dismissal



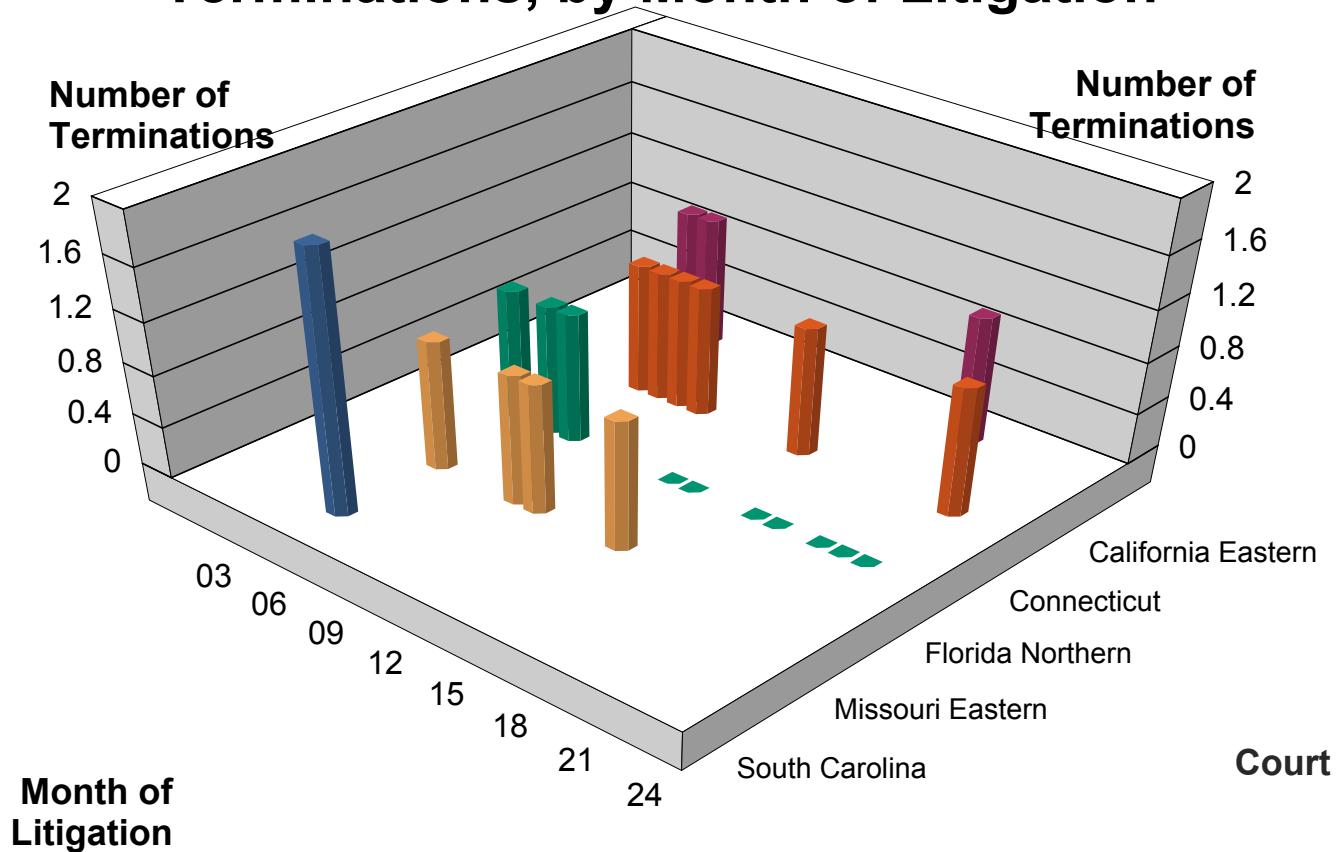
The average time (in months) from case filing to termination of these cases by involuntary dismissal is shown below, by district.

### Average Time to Disposition by Involuntary Dismissal



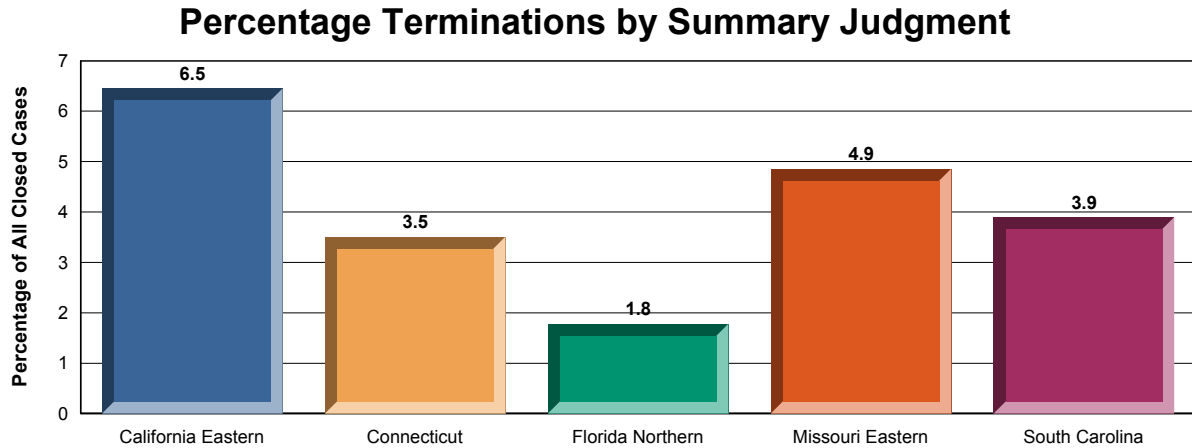
The distribution of terminations, by month of litigation, for cases terminated by involuntary dismissal is illustrated below.

## Distribution of Involuntary Dismissal Terminations, by Month of Litigation

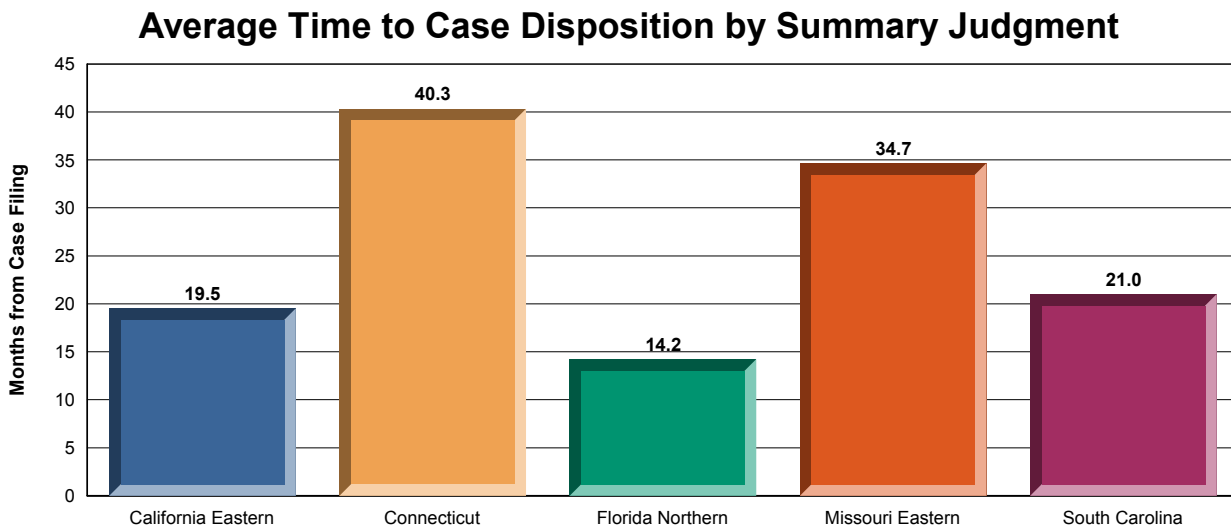


## Terminations by Summary Judgment

The percentage of patent cases terminated by summary judgment in these districts varied as shown below. This percentage is the fraction of all closed cases terminated by summary judgment, and does not include non-dispositive summary judgment motions. For the latter, see the summary judgment motion section below.

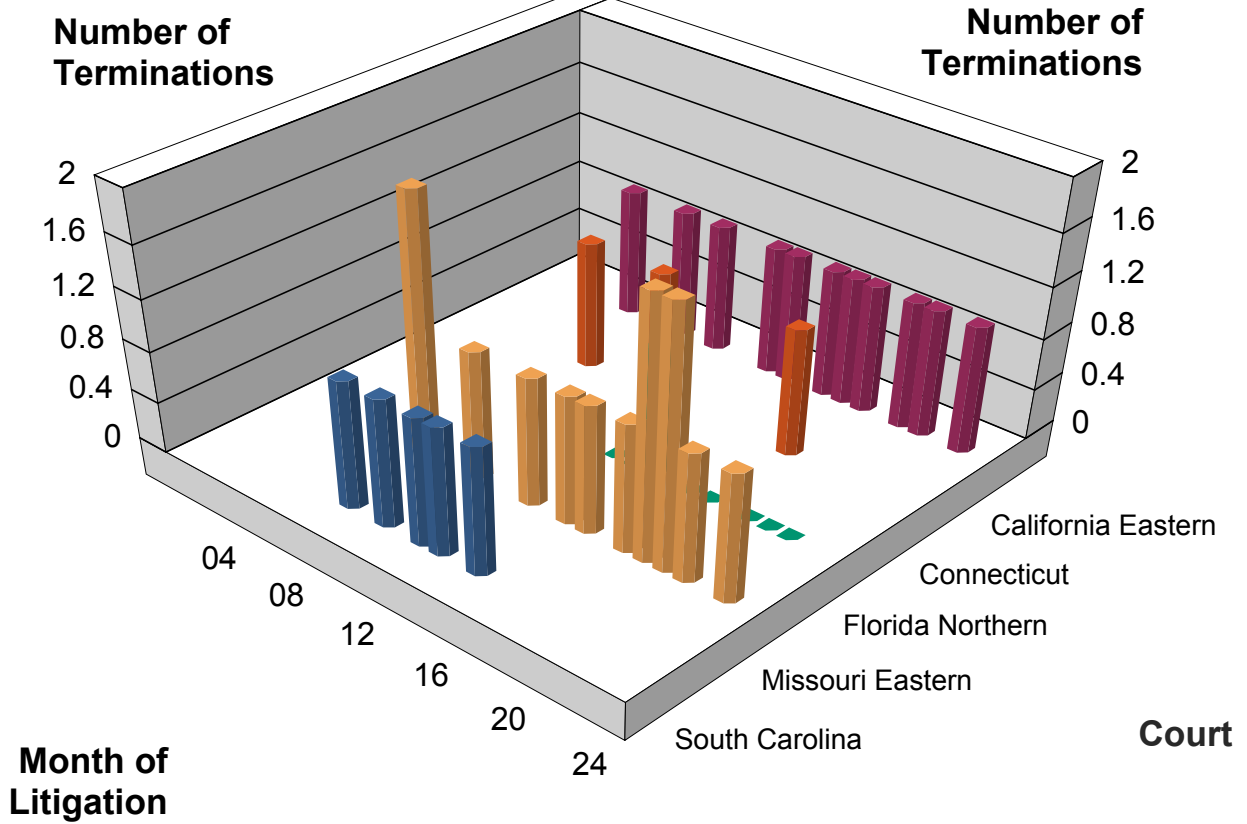


The average time (in months) from case filing to termination of these cases by summary judgment is shown below, by district.



The distribution of terminations, by month of litigation, for cases terminated by summary judgment is illustrated below.

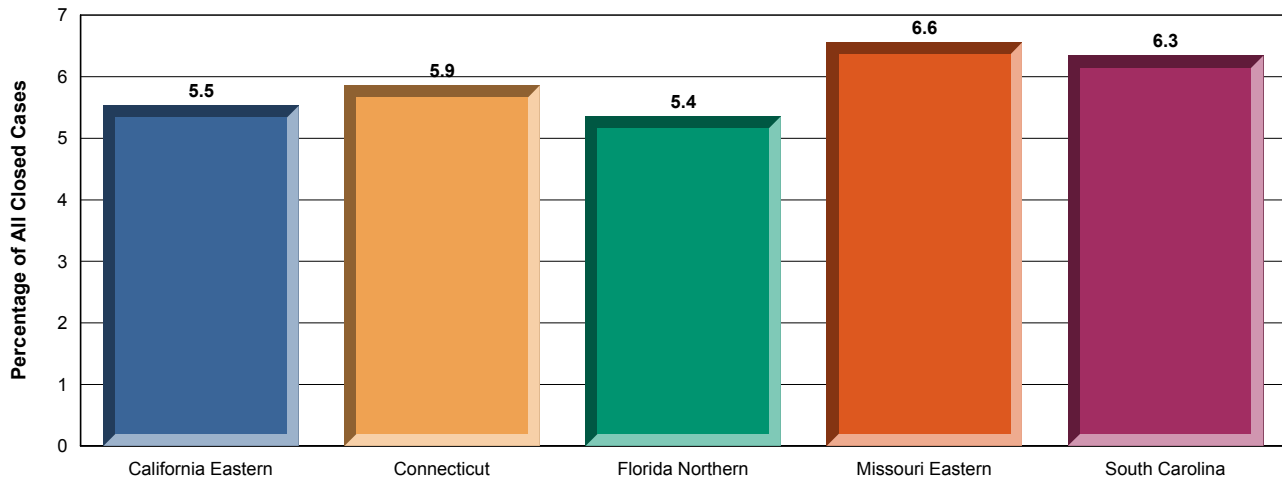
## Distribution of Summary Judgment Terminations by Month of Litigation



## Terminations by Transfer

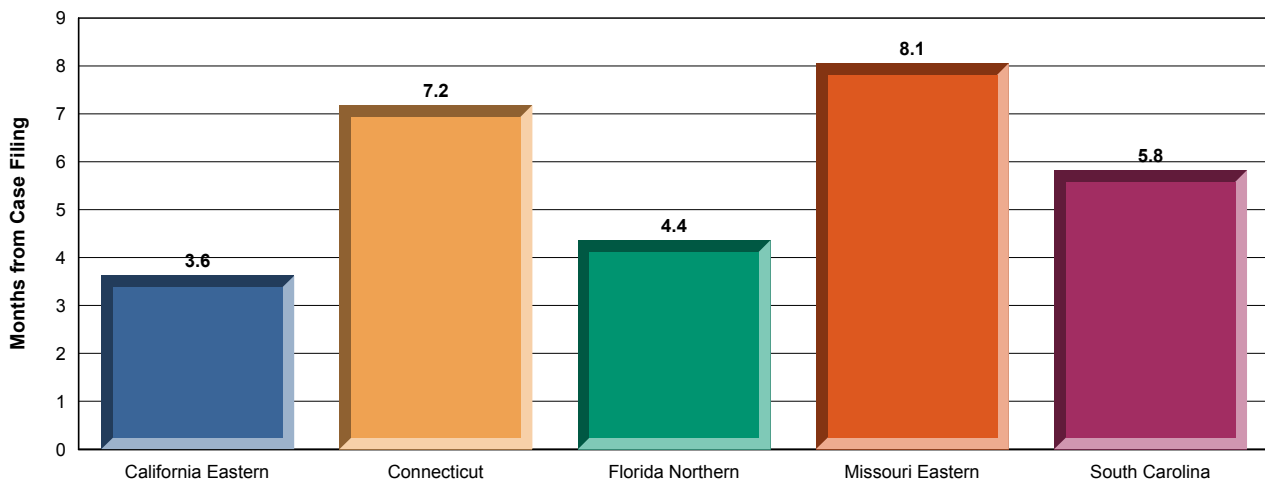
The percentage of patent cases terminated by transfer in these districts varied as shown below. This percentage is the fraction of all closed cases terminated by transfer, and does not include non-dispositive transfer motions. For the latter, see the transfer motion section below. This section includes terminations by MDL transfer.

### Percentage of Cases Terminated by Transfer



The average time (in months) from case filing to termination of these cases by transfer is shown below, by district.

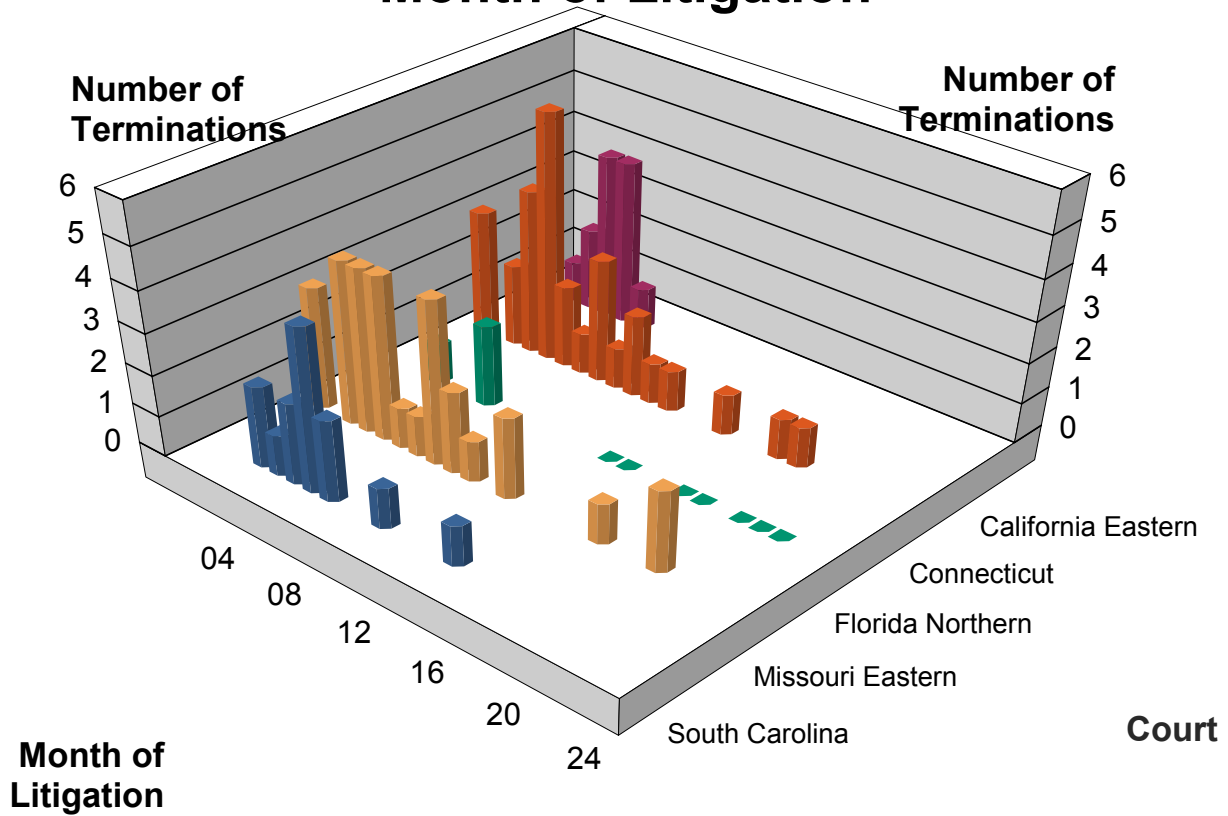
### Average Time to Disposition by Transfer





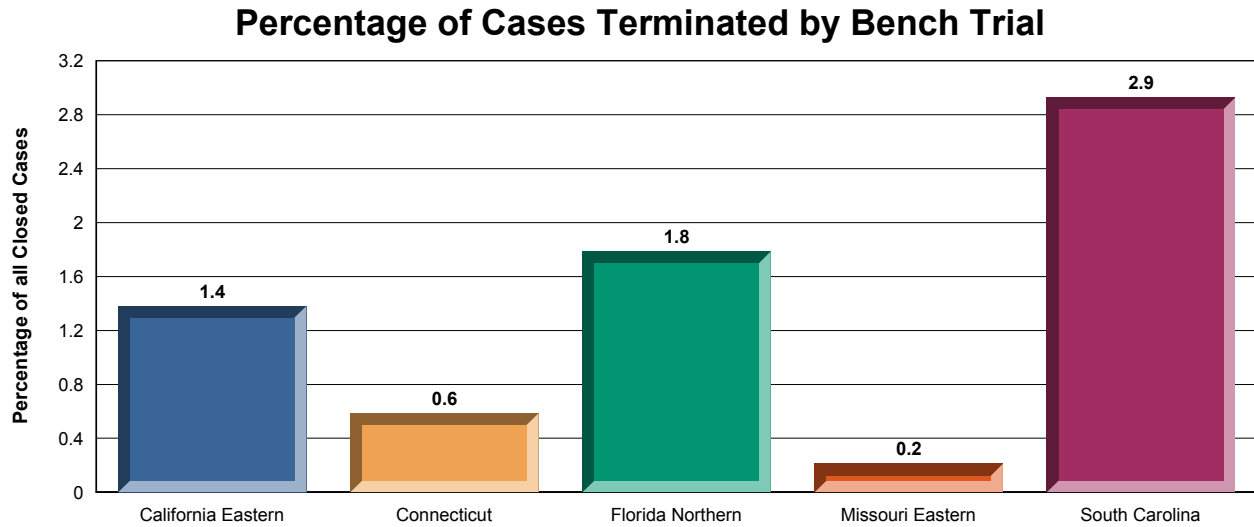
The distribution of terminations, by month of litigation, for cases terminated by transfer is illustrated below.

## Distribution of Transfer Dispositions by Month of Litigation

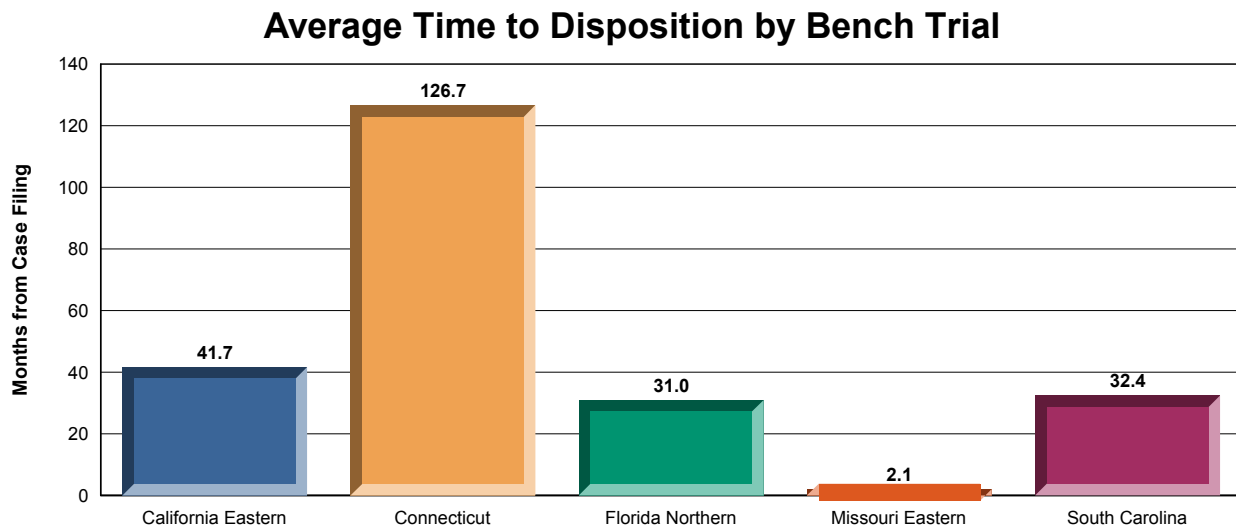


## Terminations by Bench Trial

The percentage of patent cases terminated by bench trial in these districts varied as shown below. This percentage is the fraction of all closed cases terminated by bench trial. Terminations by jury trial are the topic of the following section.

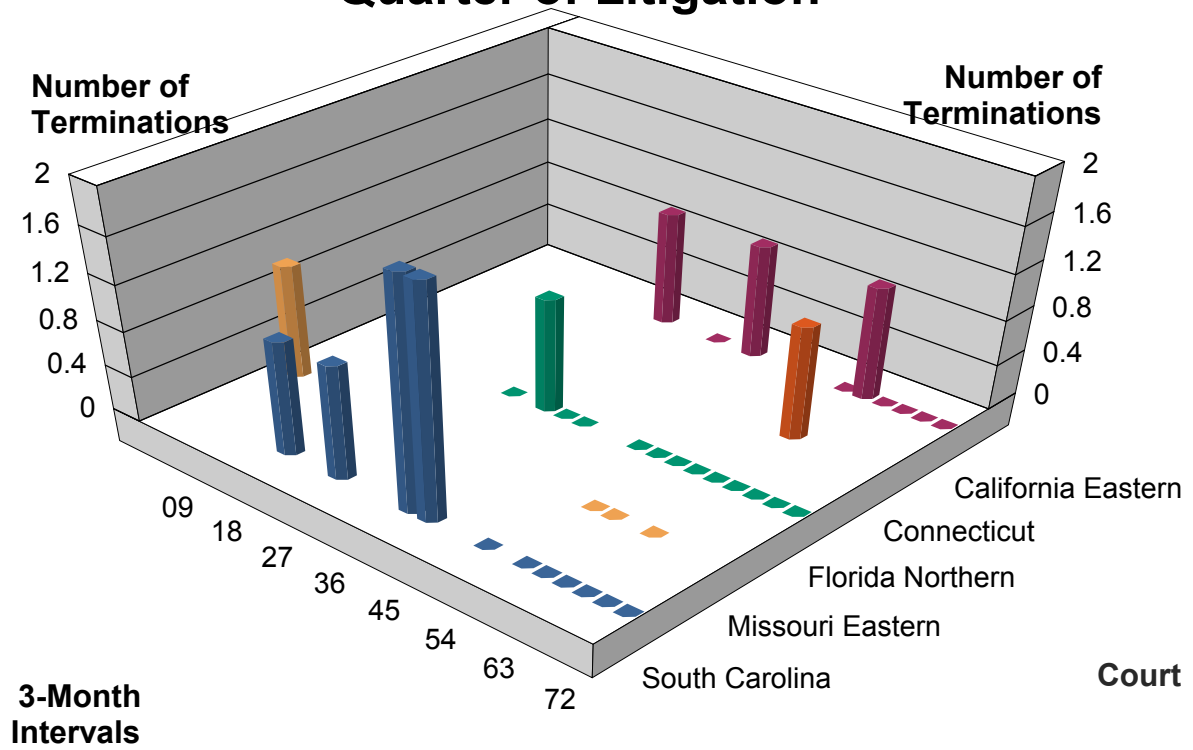


The average time (in months) from case filing to termination of these cases by bench trial is shown below, by district.



The distribution of terminations, by month of litigation, for cases terminated by bench trial is illustrated below. Note the scale on this chart: the distribution is measured in 3-month intervals.

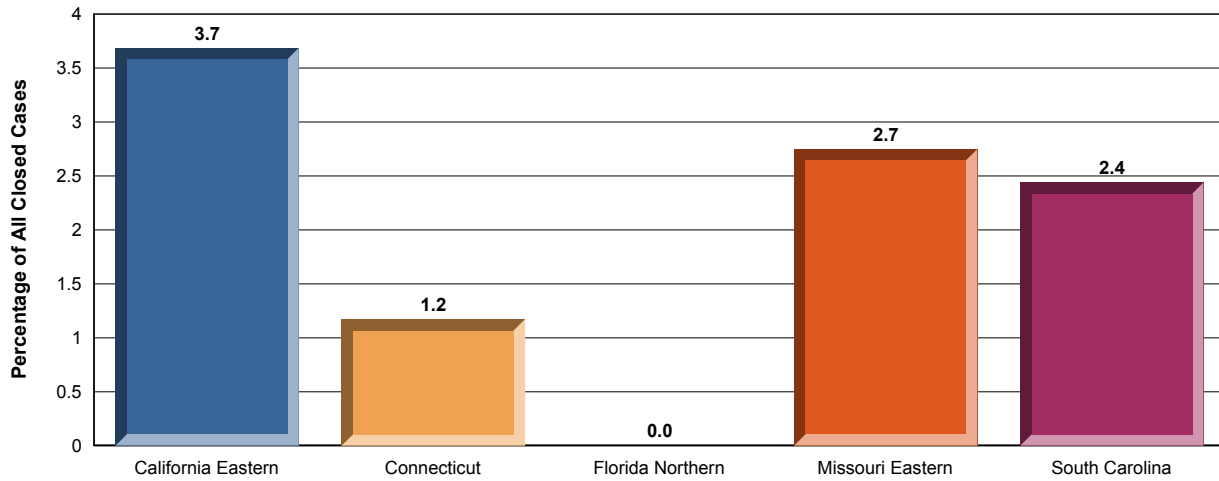
## Distribution of Bench Trial Terminations, by Quarter of Litigation



## Terminations by Jury Trial

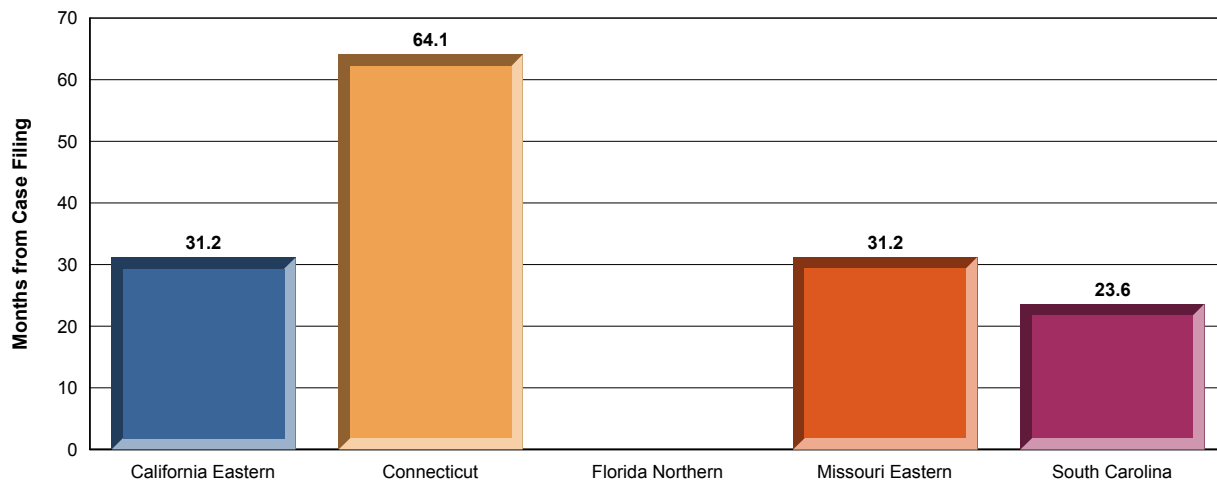
The percentage of patent cases terminated by jury trial in these districts varied as shown below. This percentage is the fraction of all closed cases terminated by jury trial. For bench trials, see the preceding section.

### Percentage of Dispositions by Jury Trial



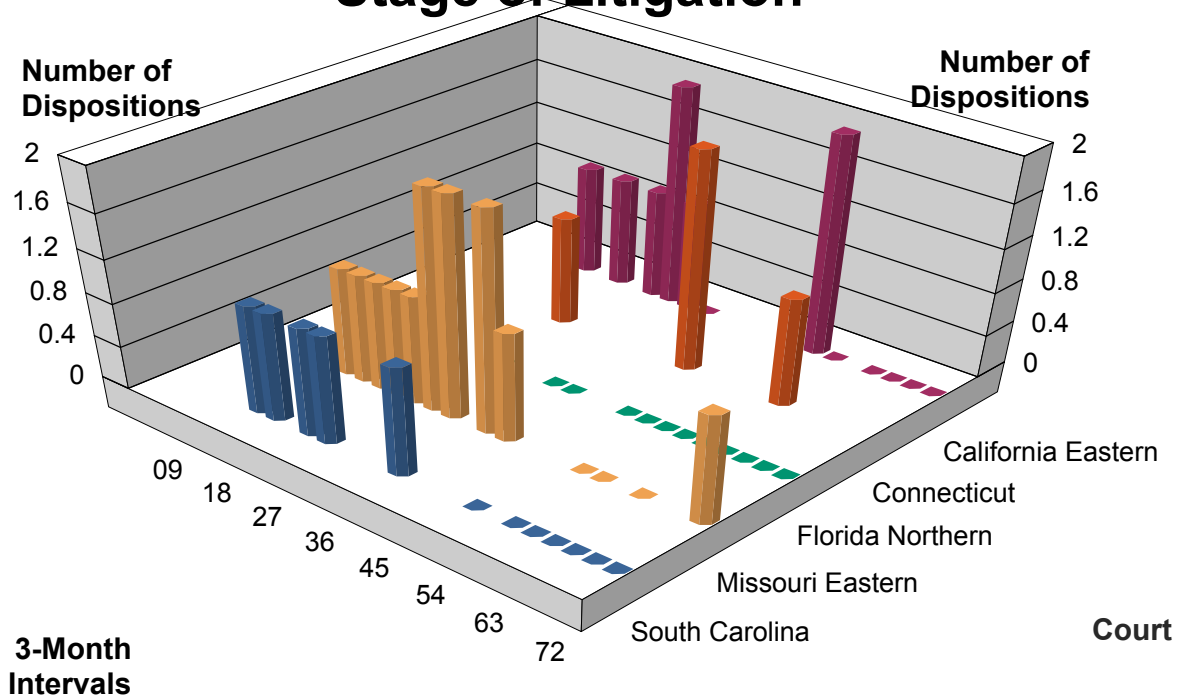
The average time (in months) from case filing to termination of these cases by jury trial is shown below, by district.

### Average Time to Disposition by Jury Trial



The distribution of terminations, by month of litigation, for cases terminated by jury trial is illustrated below. Note the scale on this chart: the distribution is measured in 3-month intervals.

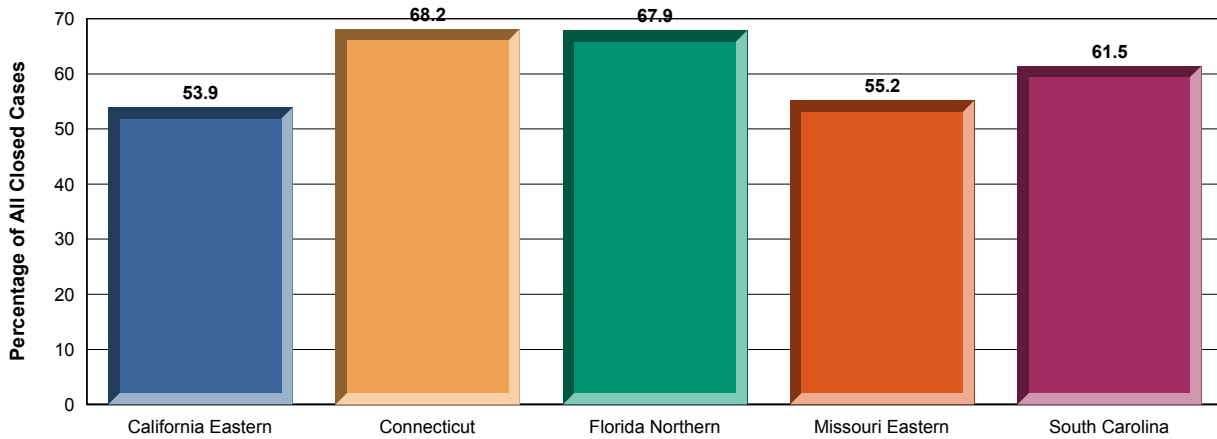
## Distribution of Dispositions by Jury Trial by Stage of Litigation



## Terminations by Voluntary Dismissals and Other Settlements

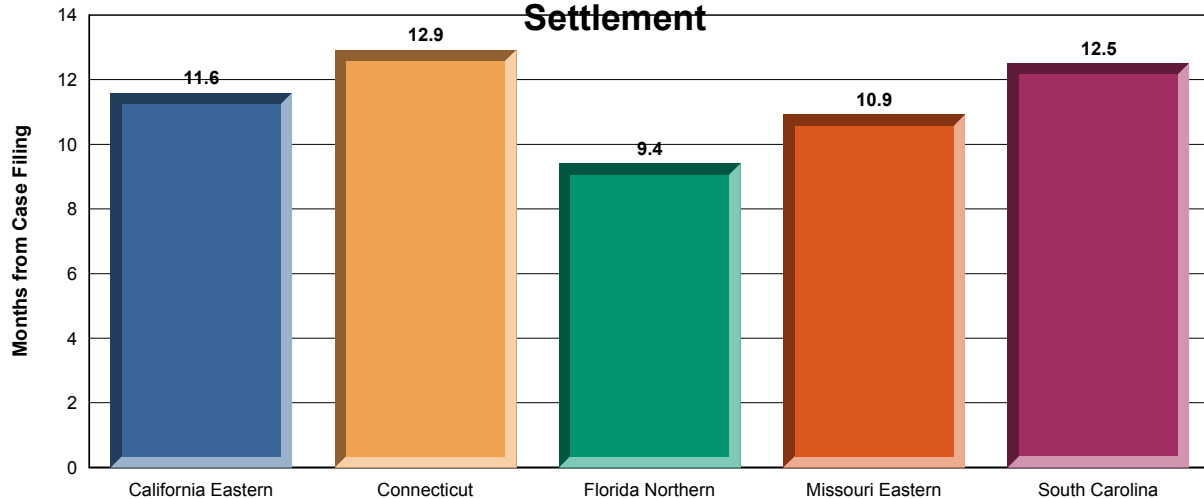
The percentage of patent cases terminated by voluntary dismissals and other settlements in these districts varied as shown below. This percentage is the fraction of all closed cases terminated by voluntary dismissals and other settlements. For consent judgments, see above.

### Percentage of Cases Terminated by Voluntary Dismissal or Other Settlement

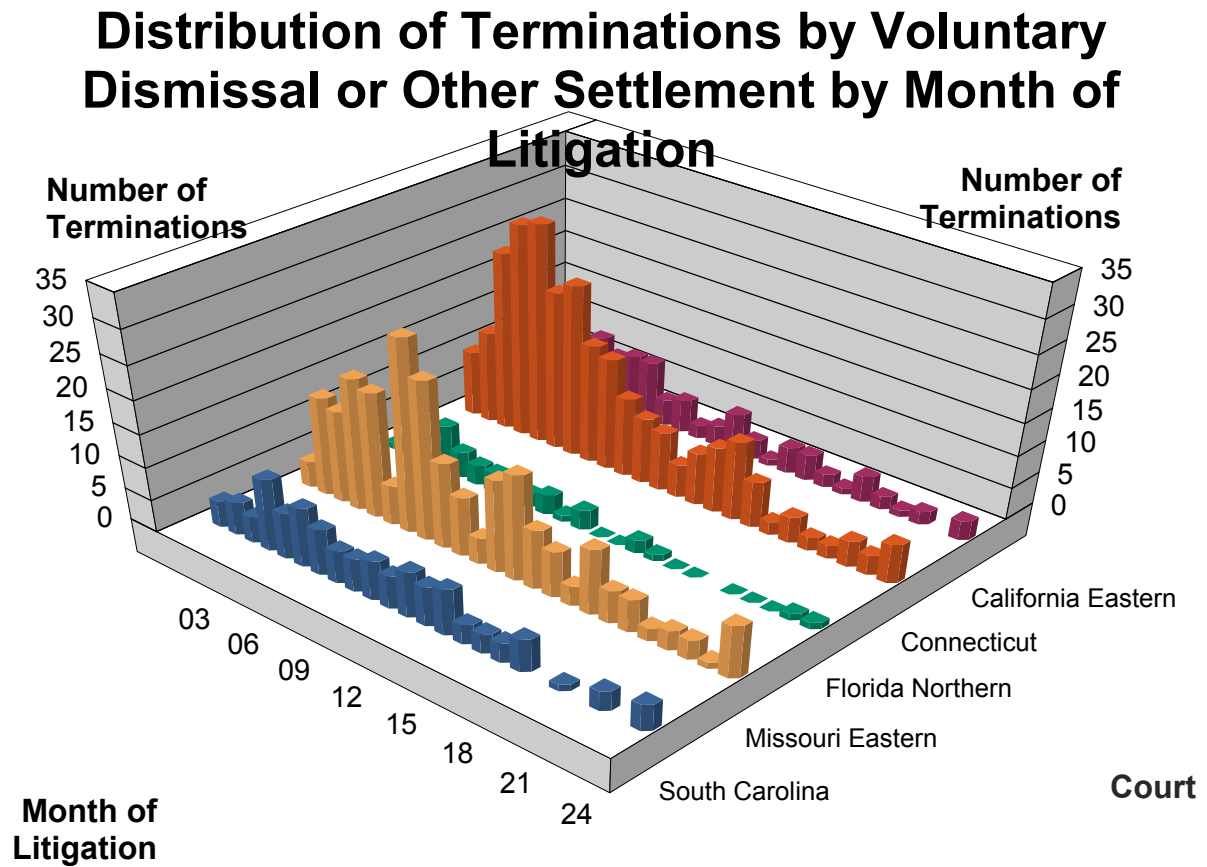


The average time (in months) from case filing to termination of these cases by voluntary dismissal or other settlement is shown below, by district.

### Average Time to Disposition by Voluntary Dismissal or Other Settlement

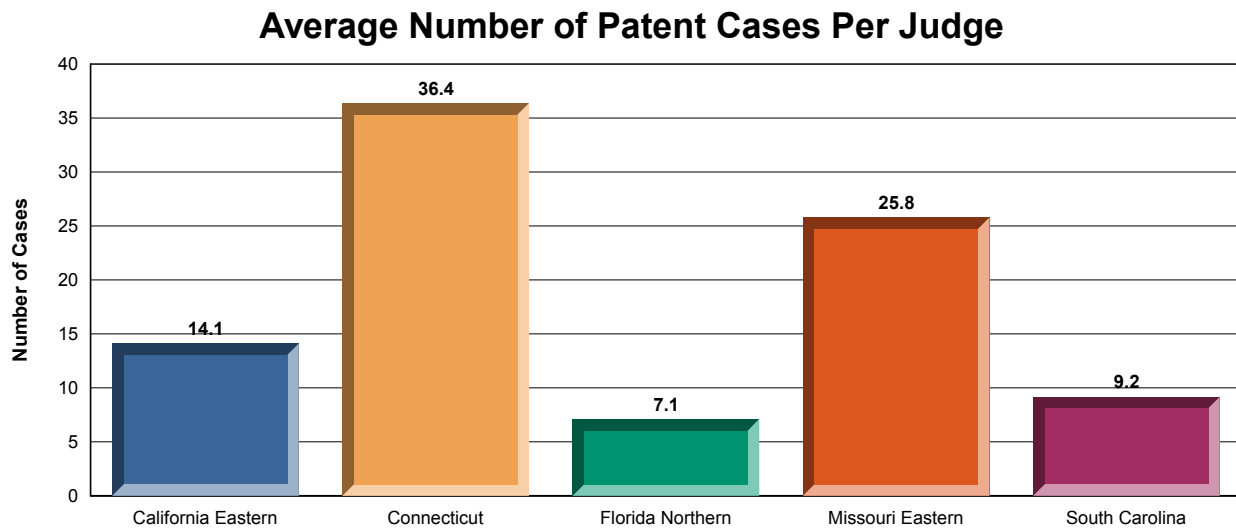


The distribution of terminations, by month of litigation, for cases terminated by voluntary dismissal or other settlement is illustrated below.



## Comparison of Average Number of Patent Cases Per Judge

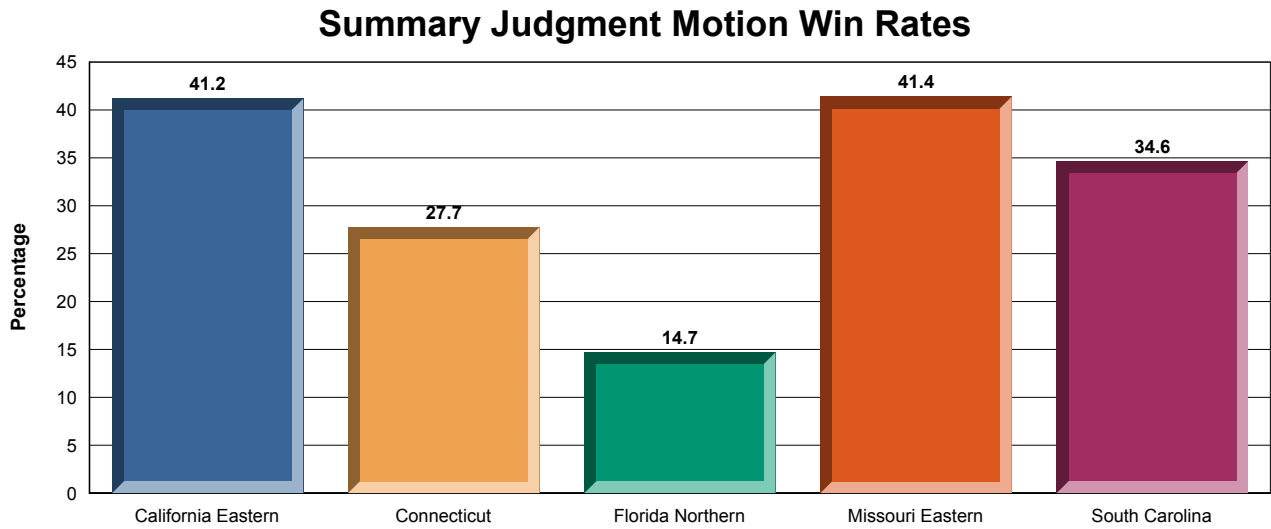
The variation in the average number of patent cases per judge in these districts is shown below. Note that these figures include cases assigned to magistrate judges in those districts where that occurs.



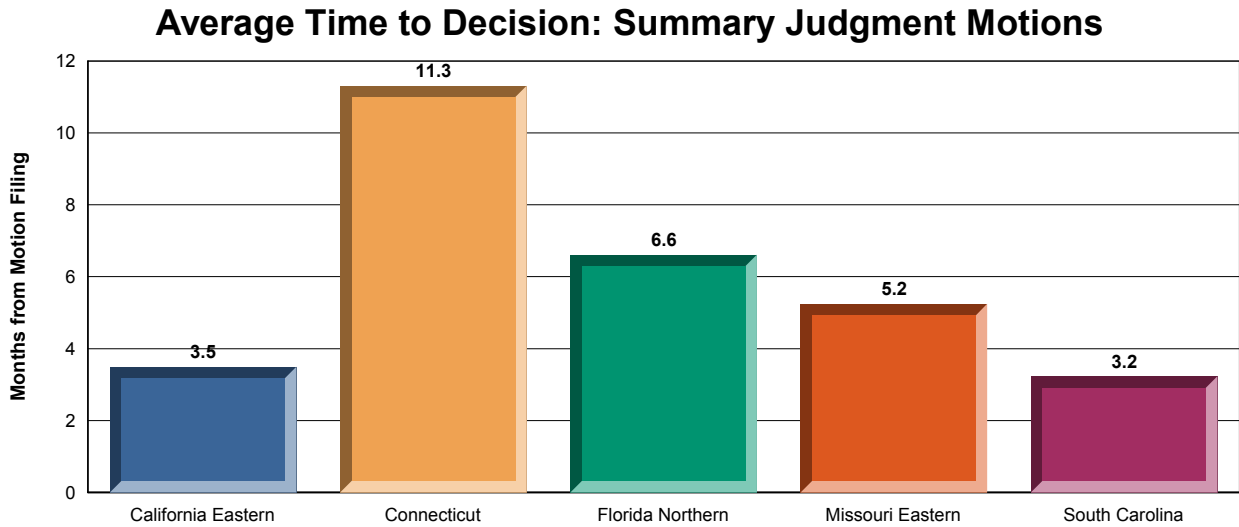


## Summary Judgment Motions (Dispositive and Non-Dispositive)

The contested win rate on summary judgment motions in these districts is shown below. In computing win rates, a decision granting a motion in part and denying the motion in part is treated as 1/2 a "win".



The average time from motion filing to decision on summary judgment motions in these districts is shown below.

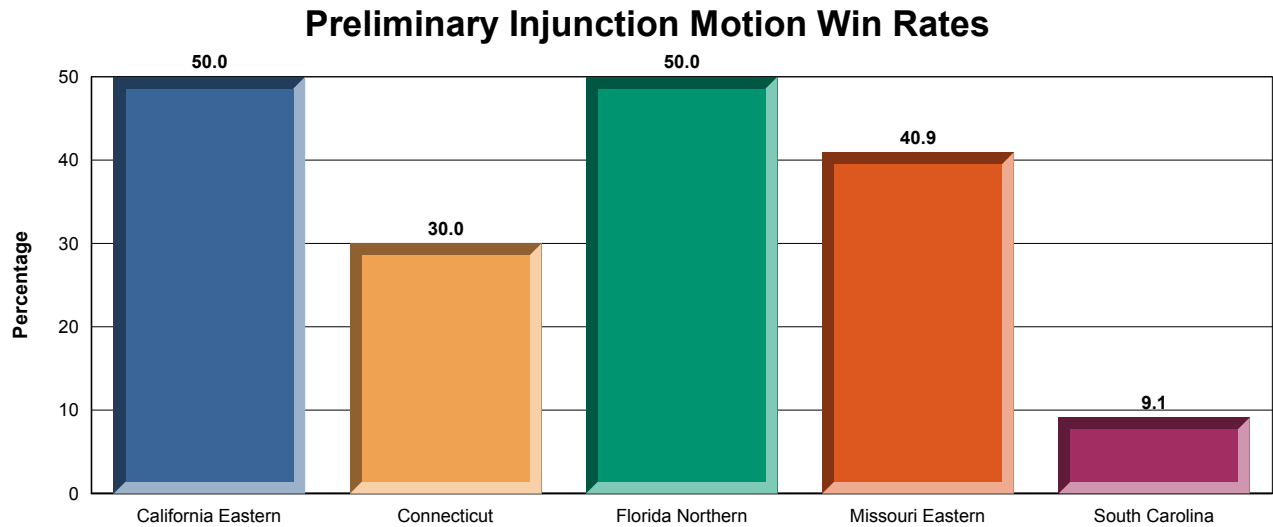


The number of contested decisions on summary judgment motions in these districts is shown below.

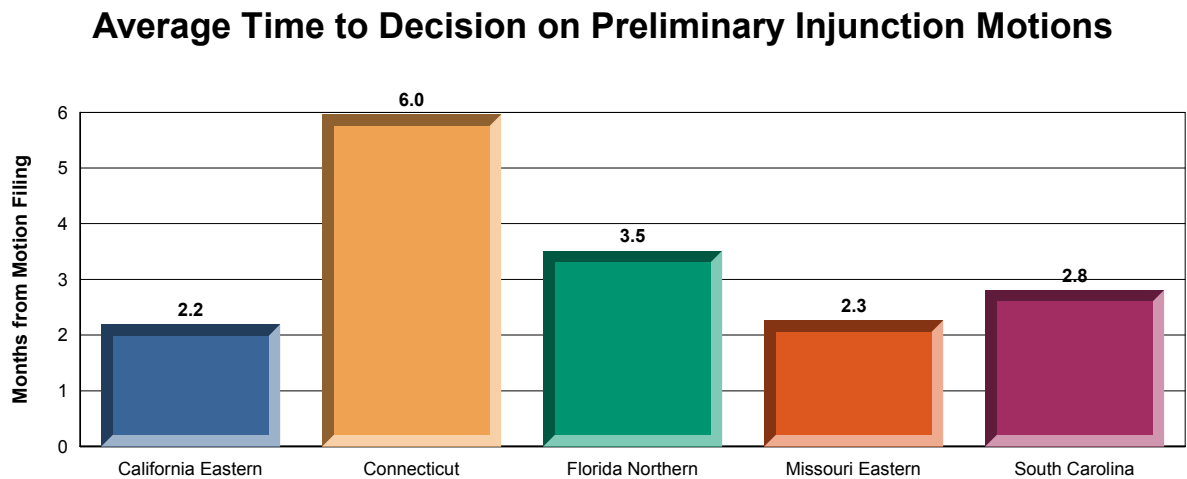
	<b>Total</b>
<b>California Eastern</b>	85
<b>Connecticut</b>	191
<b>Florida Northern</b>	17
<b>Missouri Eastern</b>	174
<b>South Carolina</b>	91

## Preliminary Injunction Motions

The contested win rate on preliminary injunction motions in these districts is shown below. In computing win rates, a decision granting a motion in part and denying the motion in part is treated as 1/2 a "win".



The average time from motion filing to decision on preliminary injunction motions in these districts is shown below.

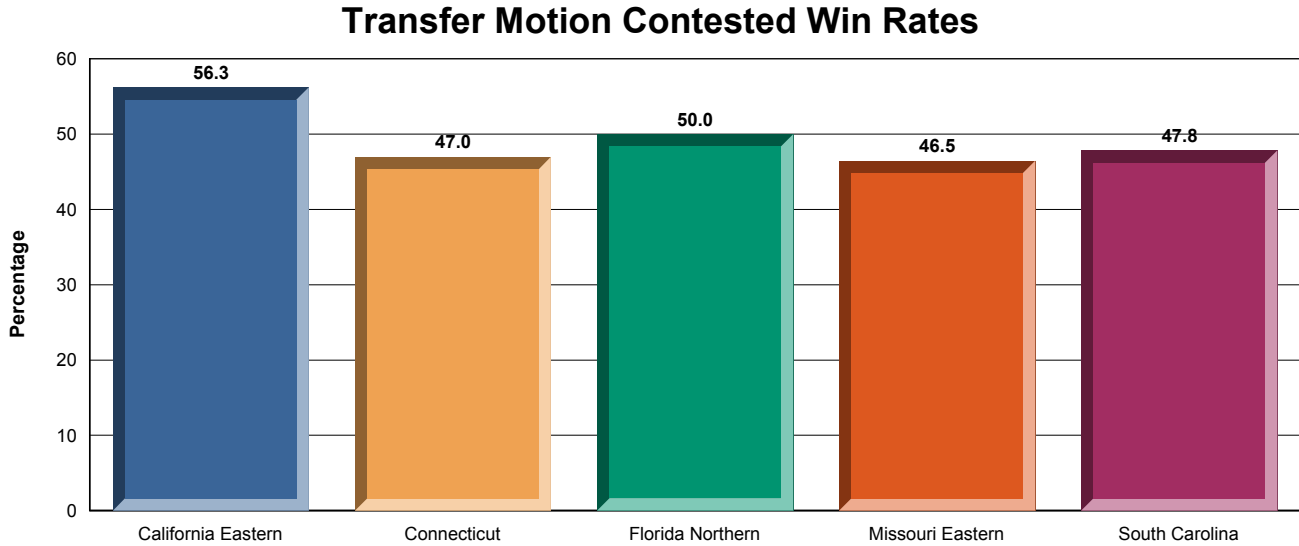


The number of contested decisions on preliminary injunction motions in these districts is shown below.

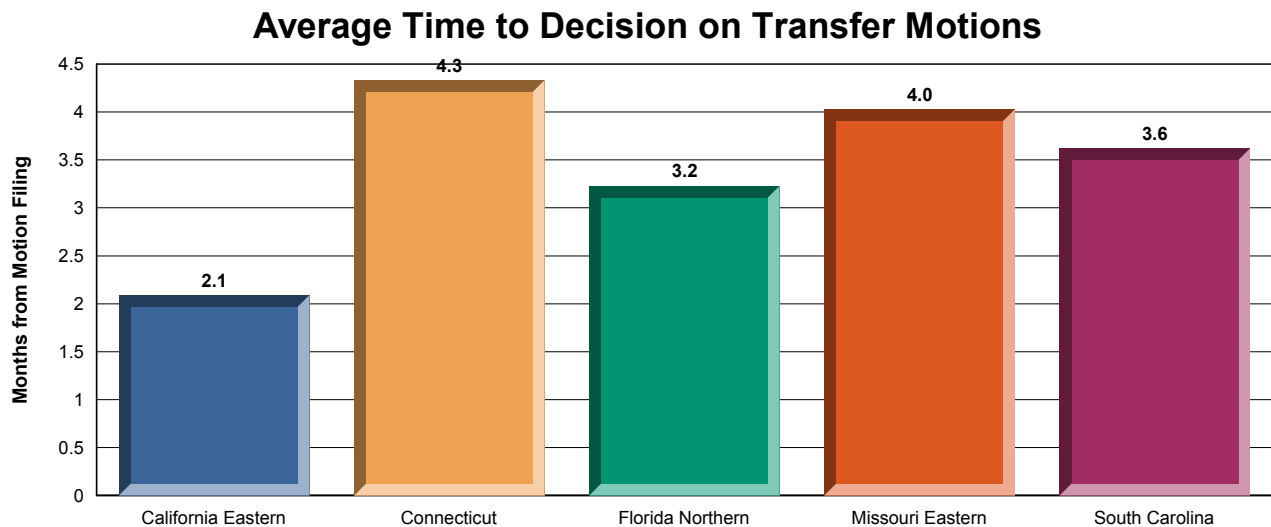
	<b>Total</b>
<b>California Eastern</b>	10
<b>Connecticut</b>	20
<b>Florida Northern</b>	2
<b>Missouri Eastern</b>	11
<b>South Carolina</b>	11

## Transfer Motions

The contested win rate on transfer motions in these districts is shown below. In computing win rates, a decision granting a motion in part and denying the motion in part is treated as 1/2 a "win". For cases



The average time from motion filing to decision on contested transfer motions in these districts is shown below.

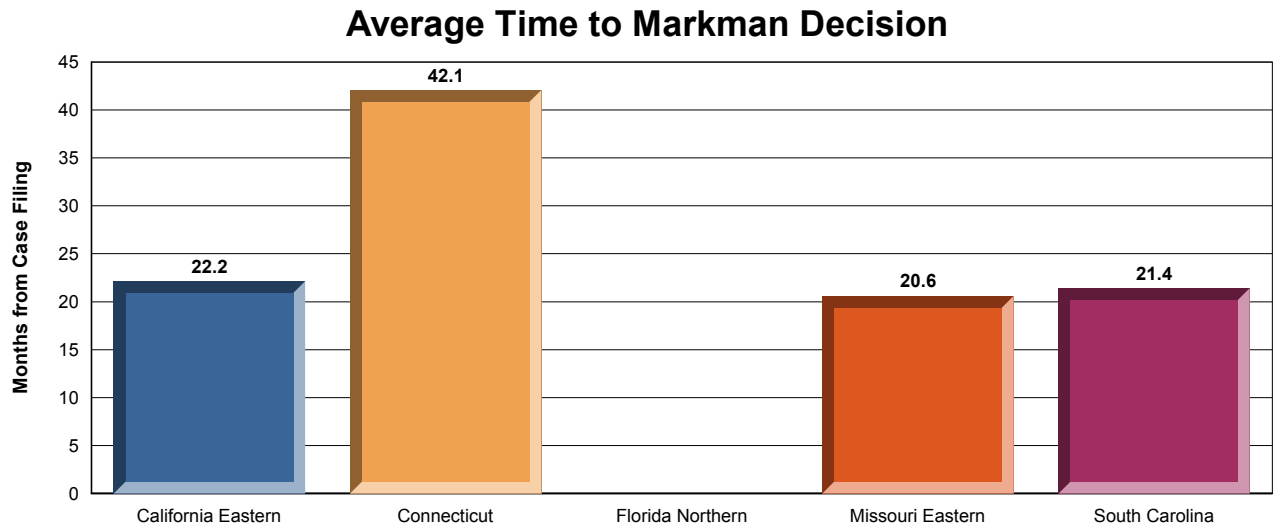


The number of contested decisions on transfer motions in these districts is shown below.

	<b>Total</b>
<b>California Eastern</b>	16
<b>Connecticut</b>	50
<b>Florida Northern</b>	6
<b>Missouri Eastern</b>	57
<b>South Carolina</b>	23

## Claim Construction/Markman Rulings

The average time from case filing to claim construction/Markman ruling for these districts is shown below. These figures do not include claim construction rulings made in connection with summary judgment

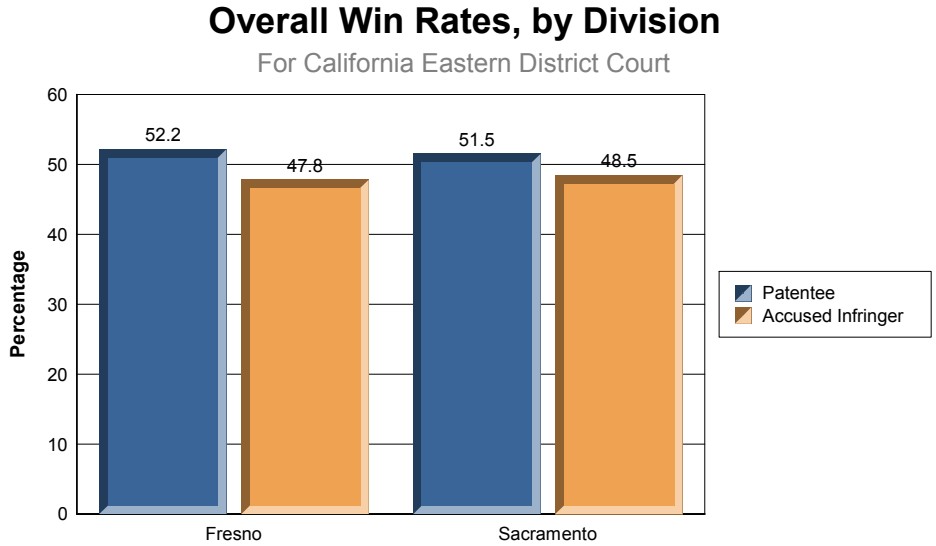


The number of claim construction decisions in these districts is shown below.

	Total
<b>California Eastern</b>	18
<b>Connecticut</b>	22
<b>Florida Northern</b>	
<b>Missouri Eastern</b>	32
<b>South Carolina</b>	15

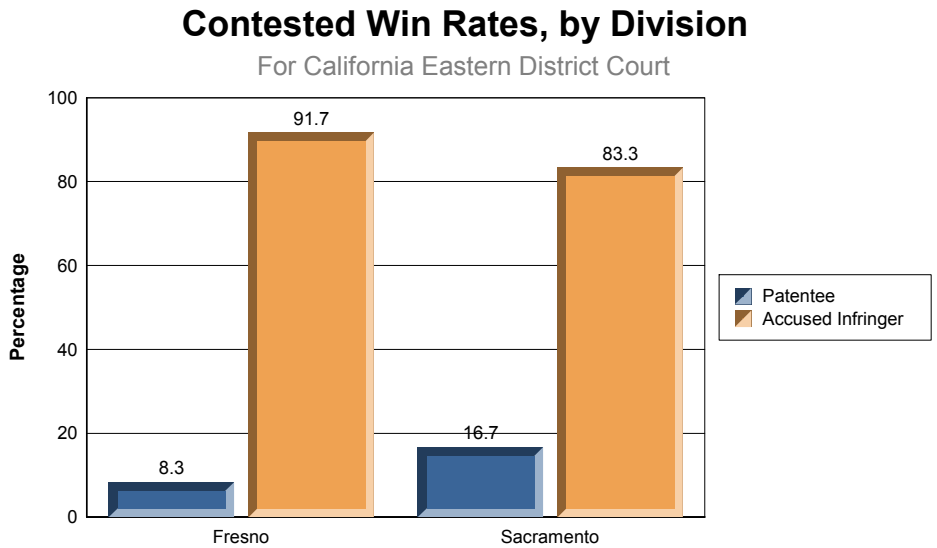
### Divisional Breakdown: Overall Win Rates

The overall win rates in these cases, by division, if any, are shown below for these districts. These overall win rates include consent and default judgments.



### Divisional Breakdown: Contested Win Rates

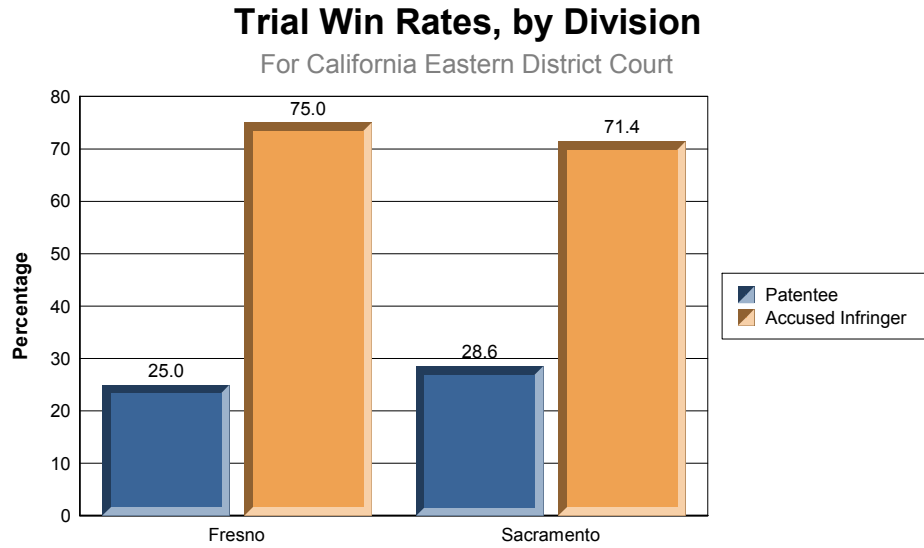
The contested win rates in these cases are shown below, by division, if any. These contested win rates do NOT include consent and default judgments.





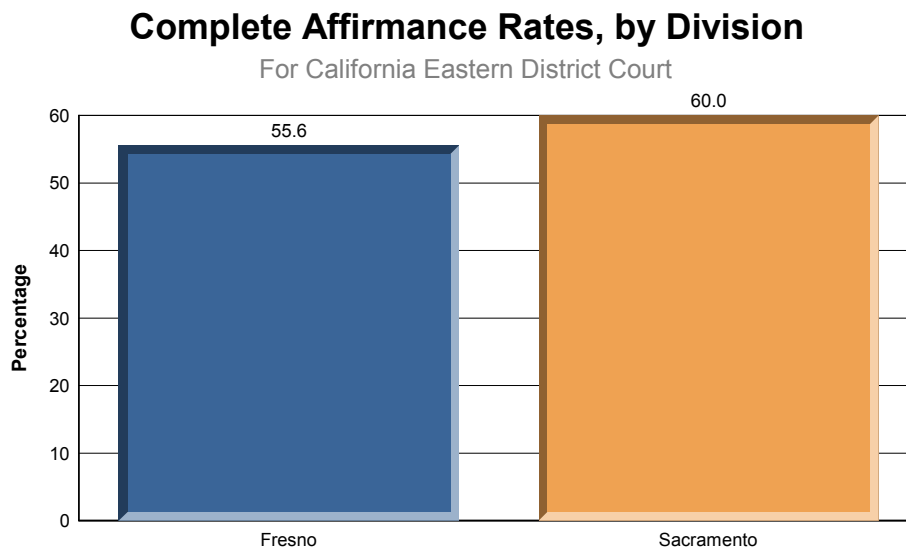
## Divisional Breakdown: Trial Win Rate

The win rates in these cases which were terminated by trials are shown below, by division, if any. These trial win rates include both bench and jury trials.



## Divisional Breakdown: Complete Affirmance Rate

The complete affirmance rates in these cases are shown below for the divisions, if any, of these districts. Complete affirmance rates count only those cases in which the court of appeals affirmed with no other action (e.g., affirmed in part, vacated in part decisions are excluded from this computation).

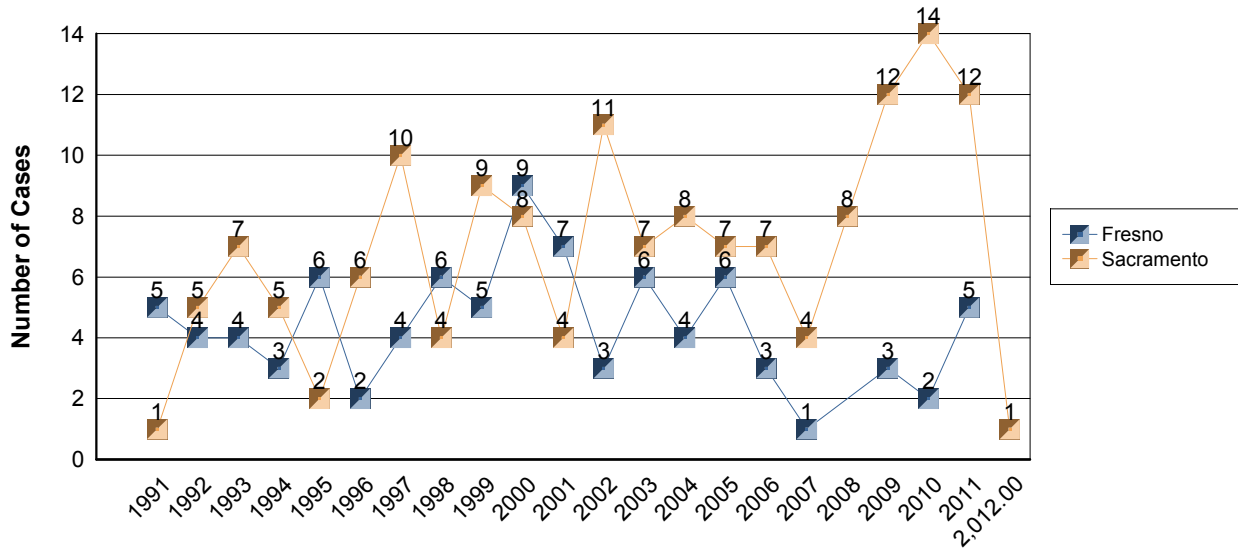


## Divisional Breakdown: Cases Filed

The numbers of cases filed are shown below for the divisions, if any, of these districts, broken out by year.

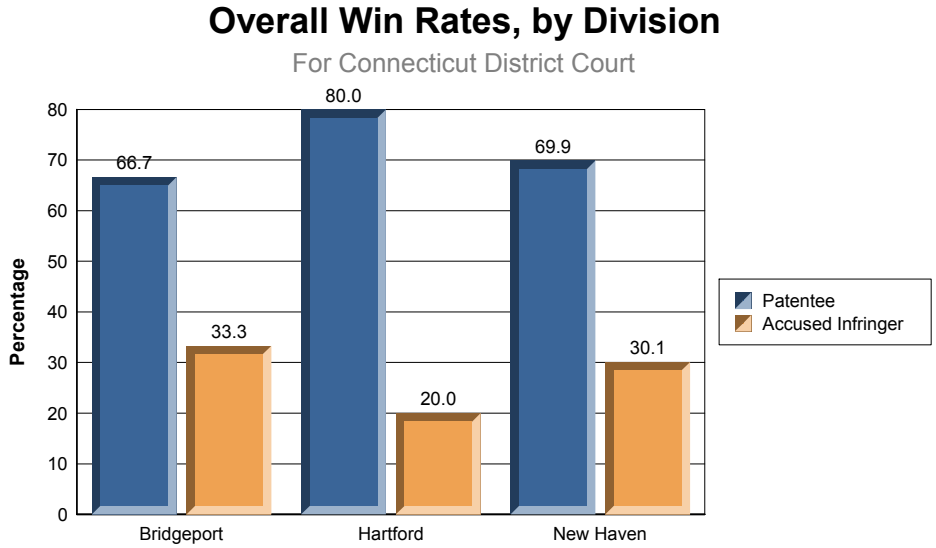
### Cases Filed Each Year, by Division

For California Eastern District Court



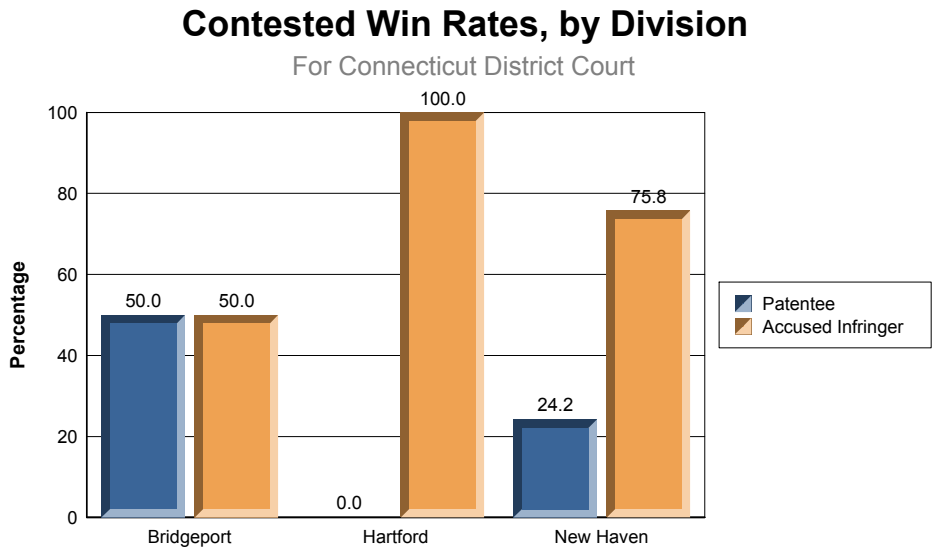
### Divisional Breakdown: Overall Win Rates

The overall win rates in these cases, by division, if any, are shown below for these districts. These overall win rates include consent and default judgments.



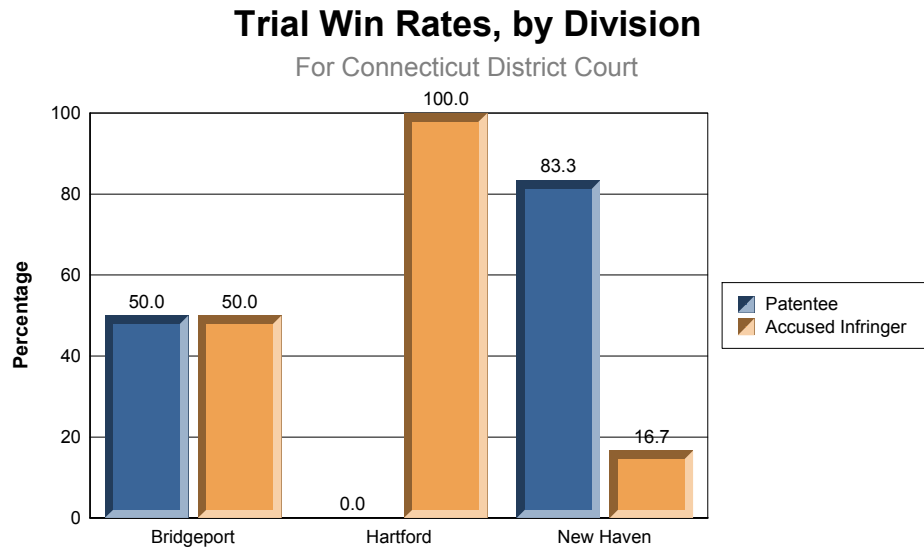
### Divisional Breakdown: Contested Win Rates

The contested win rates in these cases are shown below, by division, if any. These contested win rates do NOT include consent and default judgments.



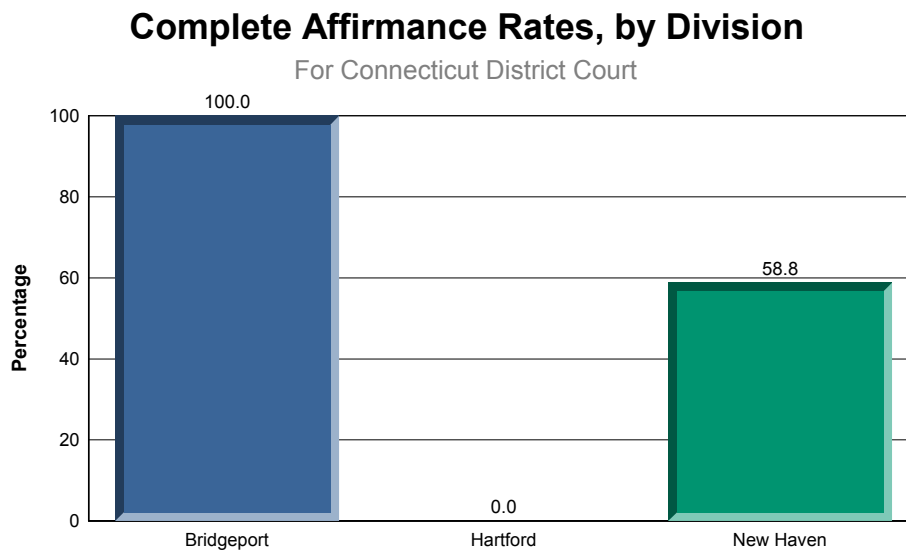
## Divisional Breakdown: Trial Win Rate

The win rates in these cases which were terminated by trials are shown below, by division, if any. These trial win rates include both bench and jury trials.



## Divisional Breakdown: Complete Affirmance Rate

The complete affirmance rates in these cases are shown below for the divisions, if any, of these districts. Complete affirmance rates count only those cases in which the court of appeals affirmed with no other action (e.g., affirmed in part, vacated in part decisions are excluded from this computation).

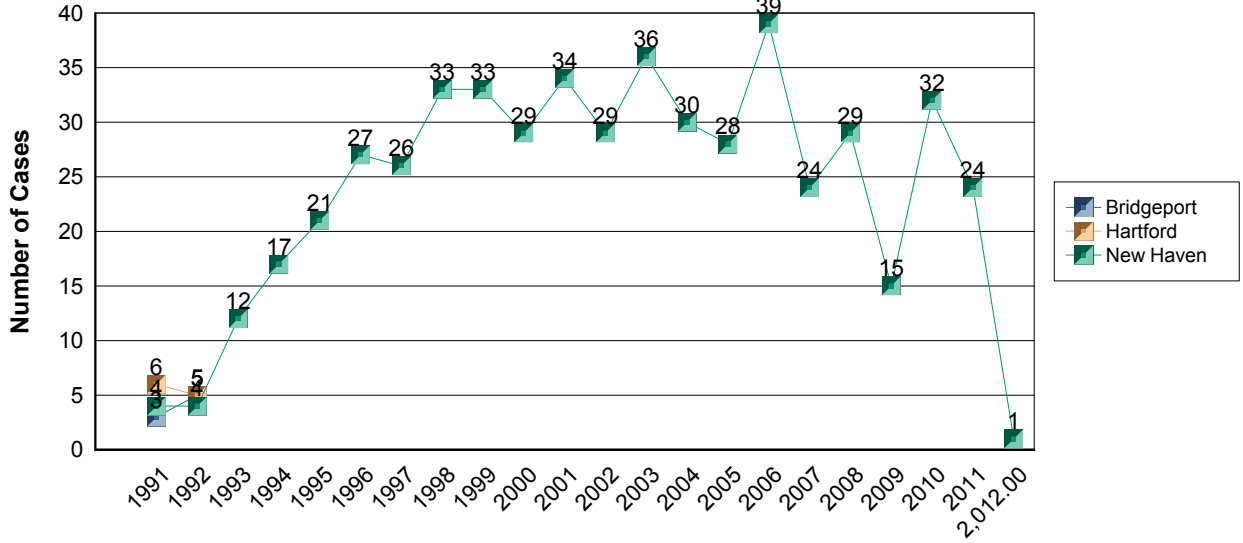


# Divisional Breakdown: Cases Filed

The numbers of cases filed are shown below for the divisions, if any, of these districts, broken out by year.

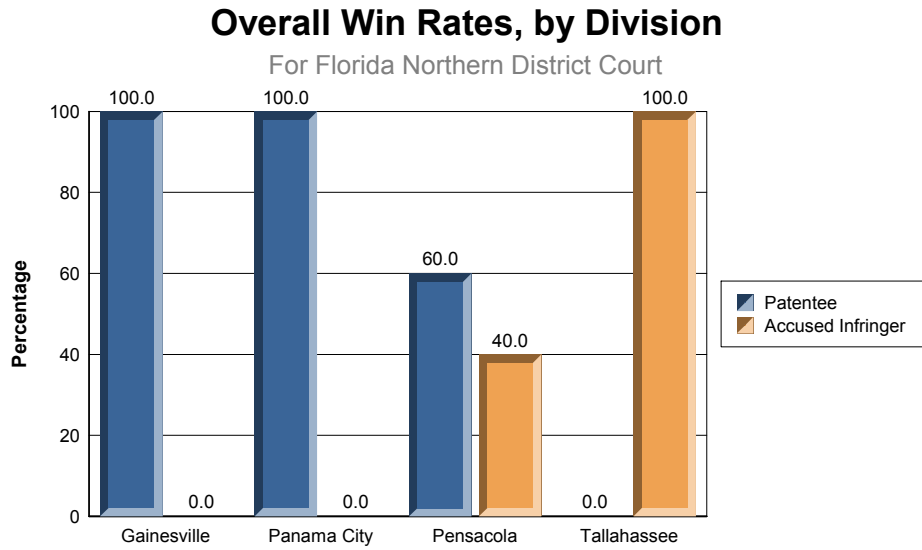
## Cases Filed Each Year, by Division

For Connecticut District Court



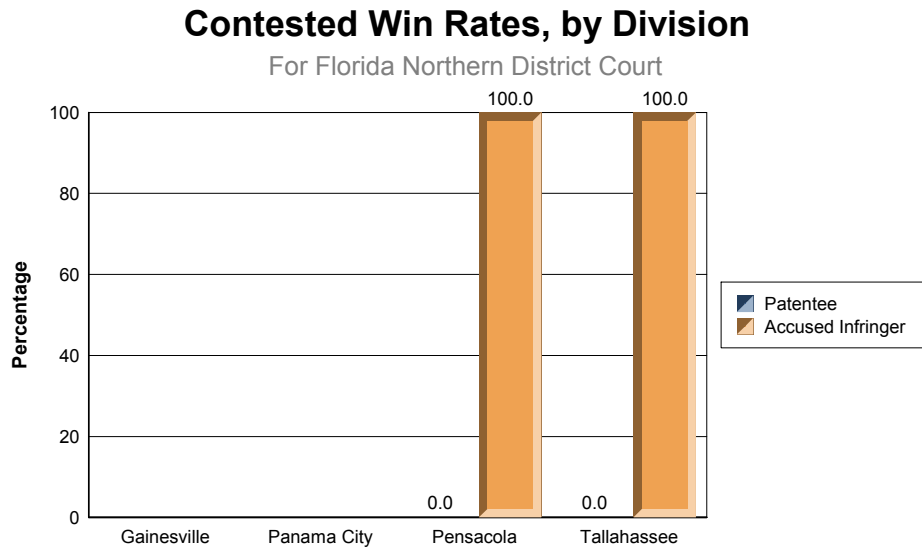
### Divisional Breakdown: Overall Win Rates

The overall win rates in these cases, by division, if any, are shown below for these districts. These overall win rates include consent and default judgments.



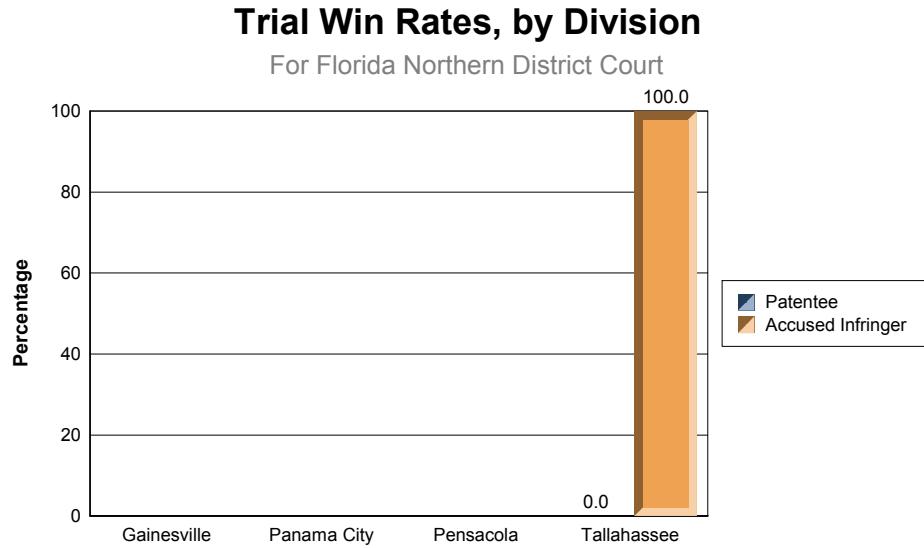
### Divisional Breakdown: Contested Win Rates

The contested win rates in these cases are shown below, by division, if any. These contested win rates do NOT include consent and default judgments.



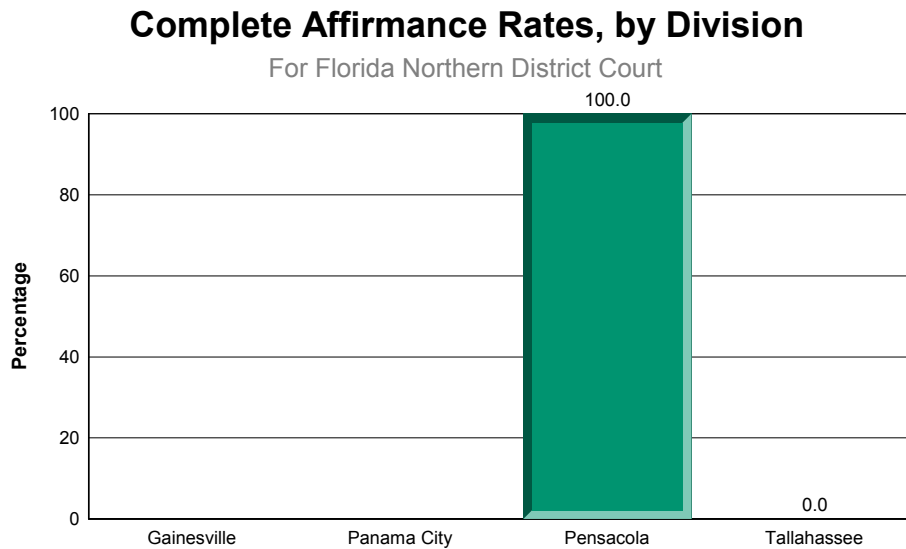
## Divisional Breakdown: Trial Win Rate

The win rates in these cases which were terminated by trials are shown below, by division, if any. These trial win rates include both bench and jury trials.



## Divisional Breakdown: Complete Affirmance Rate

The complete affirmance rates in these cases are shown below for the divisions, if any, of these districts. Complete affirmance rates count only those cases in which the court of appeals affirmed with no other action (e.g., affirmed in part, vacated in part decisions are excluded from this computation).

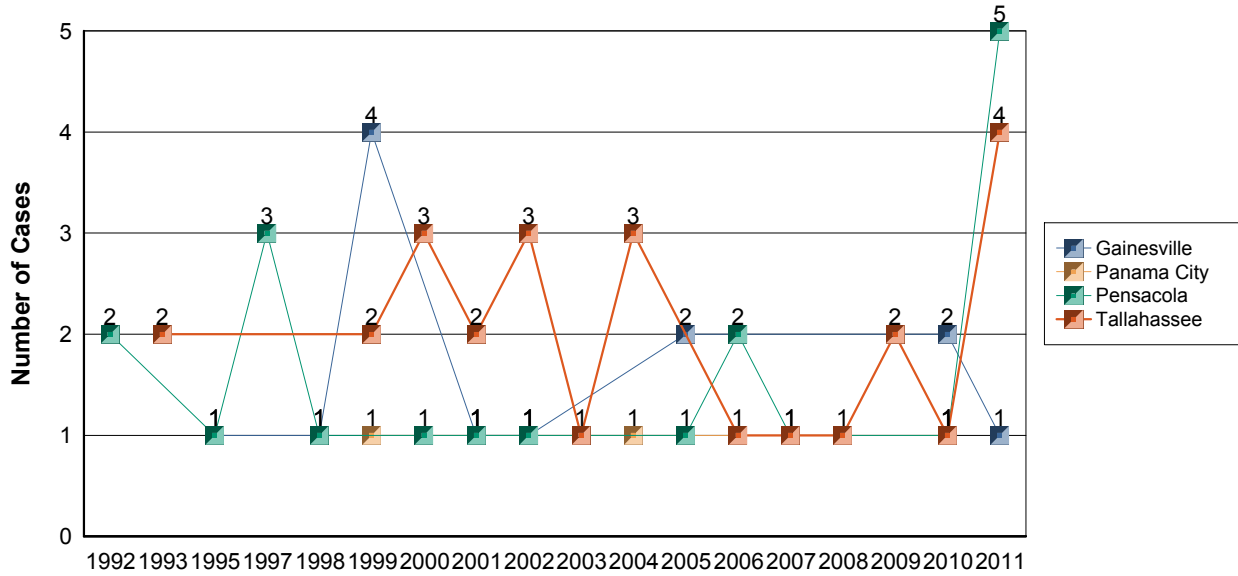


## Divisional Breakdown: Cases Filed

The numbers of cases filed are shown below for the divisions, if any, of these districts, broken out by year.

### Cases Filed Each Year, by Division

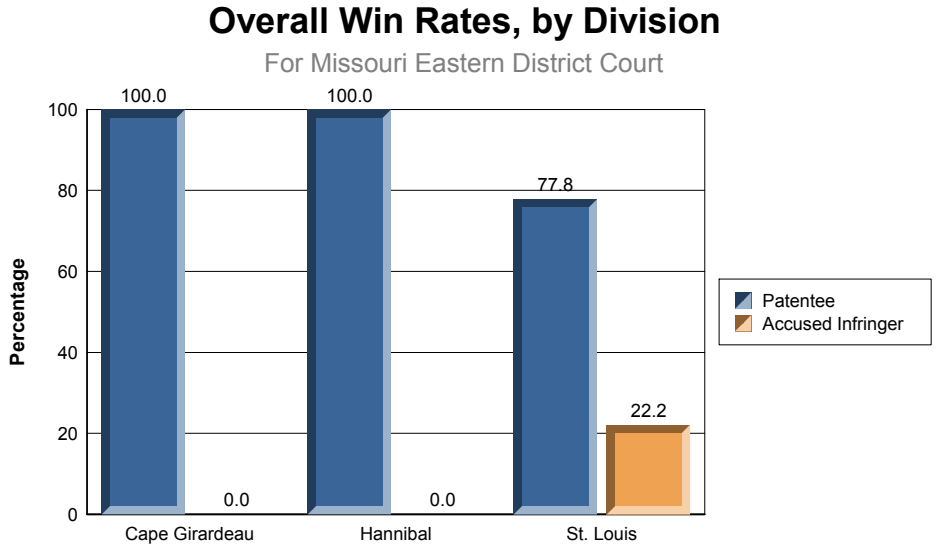
For Florida Northern District Court





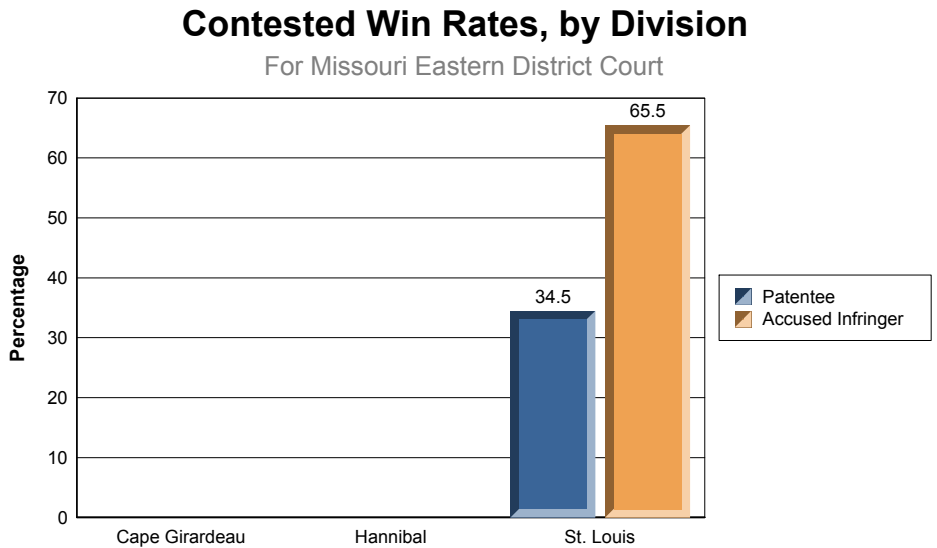
### Divisional Breakdown: Overall Win Rates

The overall win rates in these cases, by division, if any, are shown below for these districts. These overall win rates include consent and default judgments.



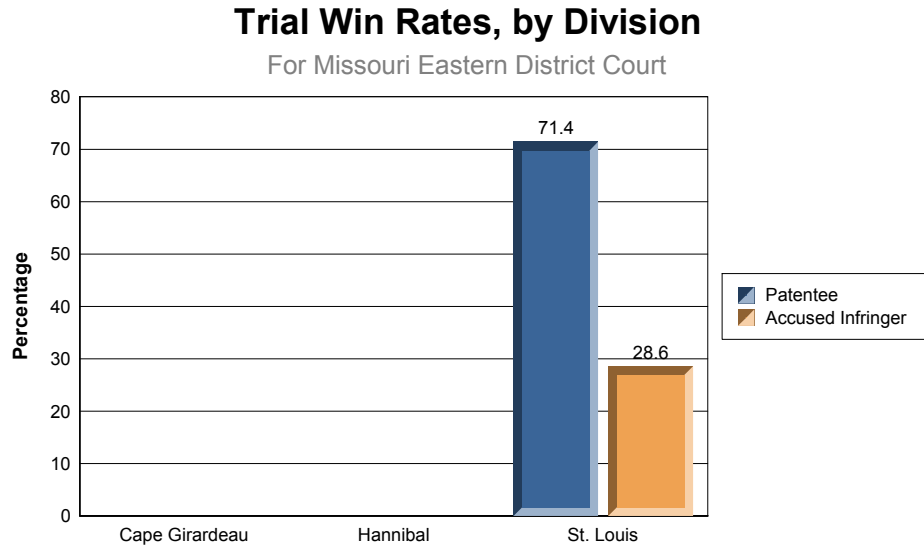
### Divisional Breakdown: Contested Win Rates

The contested win rates in these cases are shown below, by division, if any. These contested win rates do NOT include consent and default judgments.



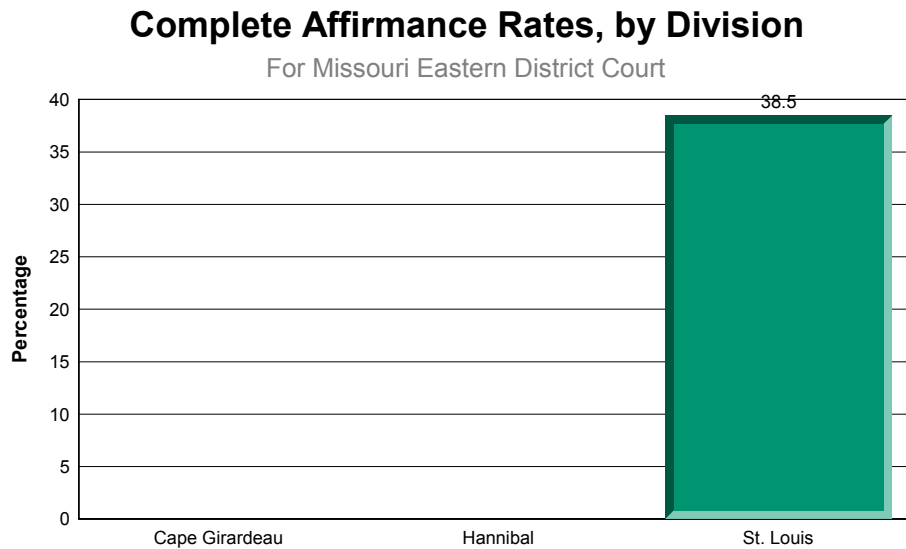
## Divisional Breakdown: Trial Win Rate

The win rates in these cases which were terminated by trials are shown below, by division, if any. These trial win rates include both bench and jury trials.



## Divisional Breakdown: Complete Affirmance Rate

The complete affirmance rates in these cases are shown below for the divisions, if any, of these districts. Complete affirmance rates count only those cases in which the court of appeals affirmed with no other action (e.g., affirmed in part, vacated in part decisions are excluded from this computation).

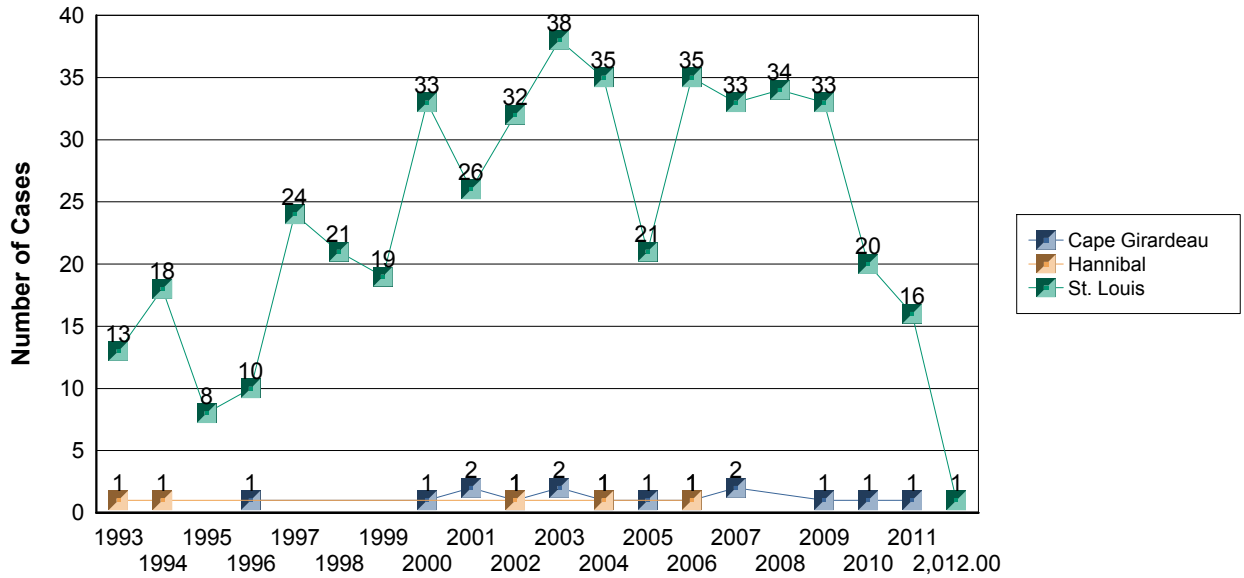


# Divisional Breakdown: Cases Filed

The numbers of cases filed are shown below for the divisions, if any, of these districts, broken out by year.

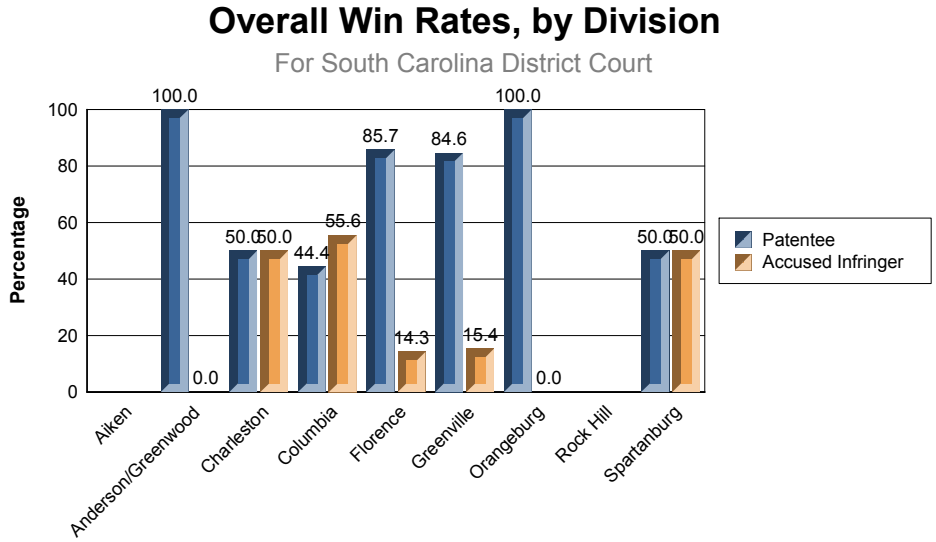
## Cases Filed Each Year, by Division

For Missouri Eastern District Court



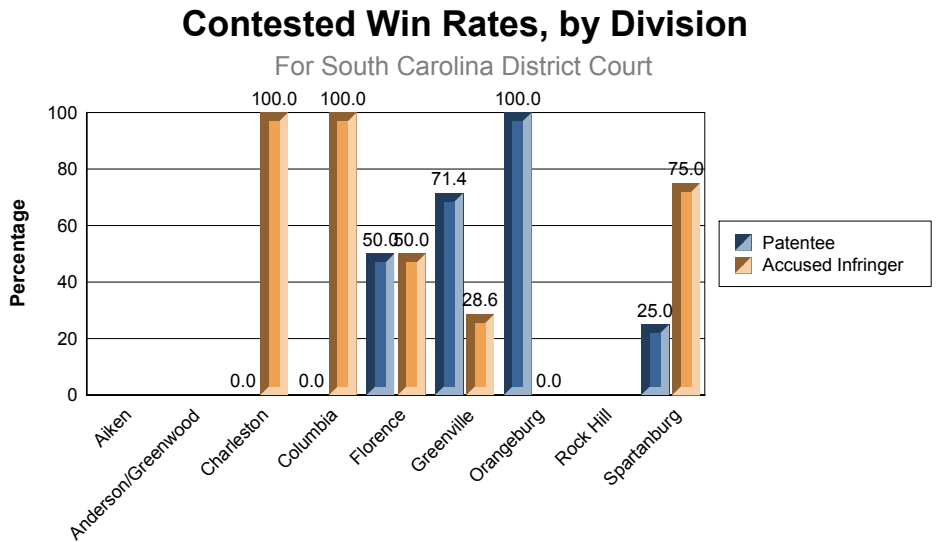
### Divisional Breakdown: Overall Win Rates

The overall win rates in these cases, by division, if any, are shown below for these districts. These overall win rates include consent and default judgments.



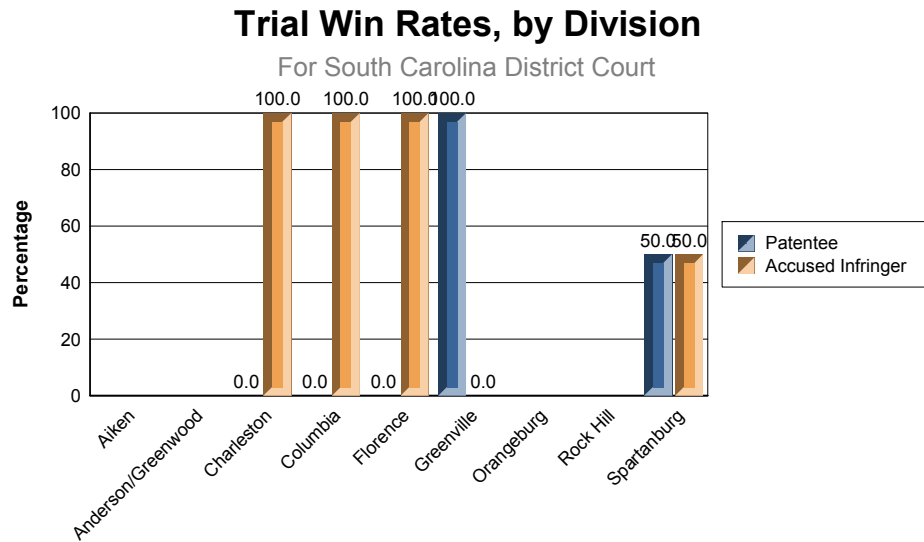
### Divisional Breakdown: Contested Win Rates

The contested win rates in these cases are shown below, by division, if any. These contested win rates do NOT include consent and default judgments.



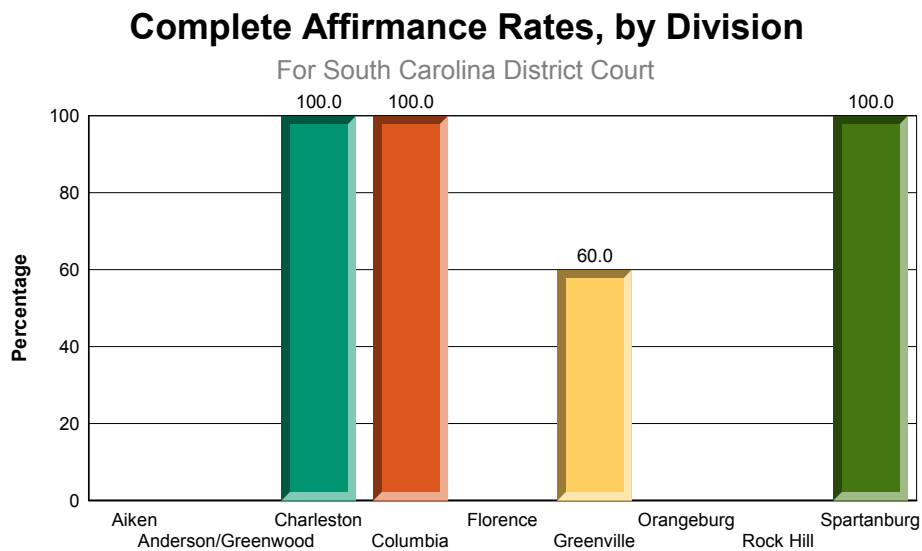
## Divisional Breakdown: Trial Win Rate

The win rates in these cases which were terminated by trials are shown below, by division, if any. These trial win rates include both bench and jury trials.



## Divisional Breakdown: Complete Affirmance Rate

The complete affirmance rates in these cases are shown below for the divisions, if any, of these districts. Complete affirmance rates count only those cases in which the court of appeals affirmed with no other action (e.g., affirmed in part, vacated in part decisions are excluded from this computation).

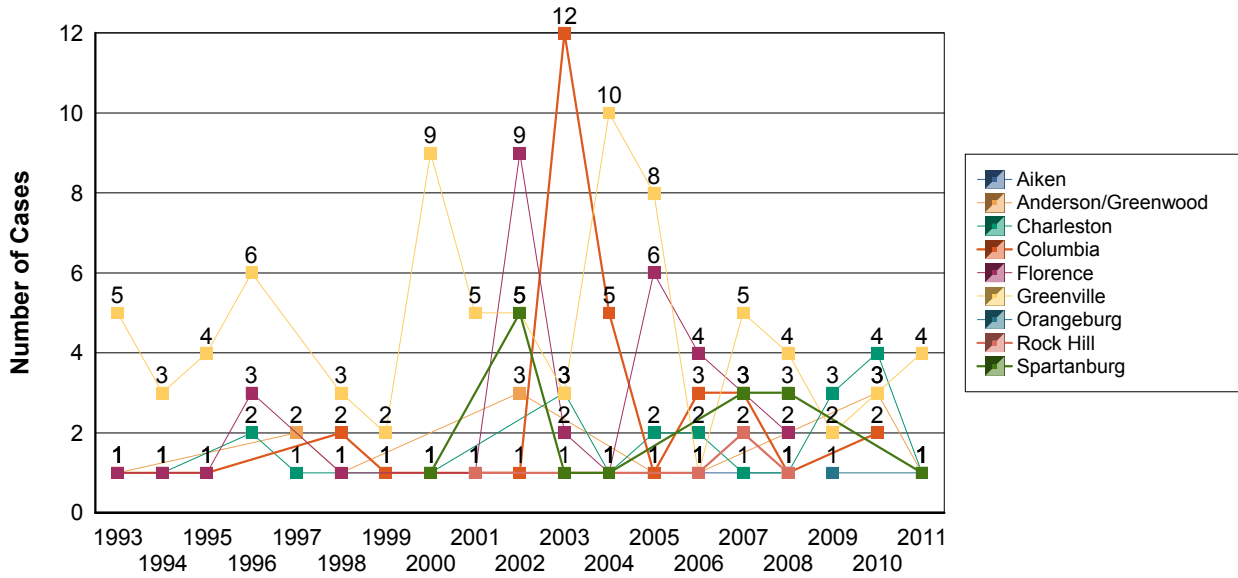


# Divisional Breakdown: Cases Filed

The numbers of cases filed are shown below for the divisions, if any, of these districts, broken out by year.

## Cases Filed Each Year, by Division

For South Carolina District Court



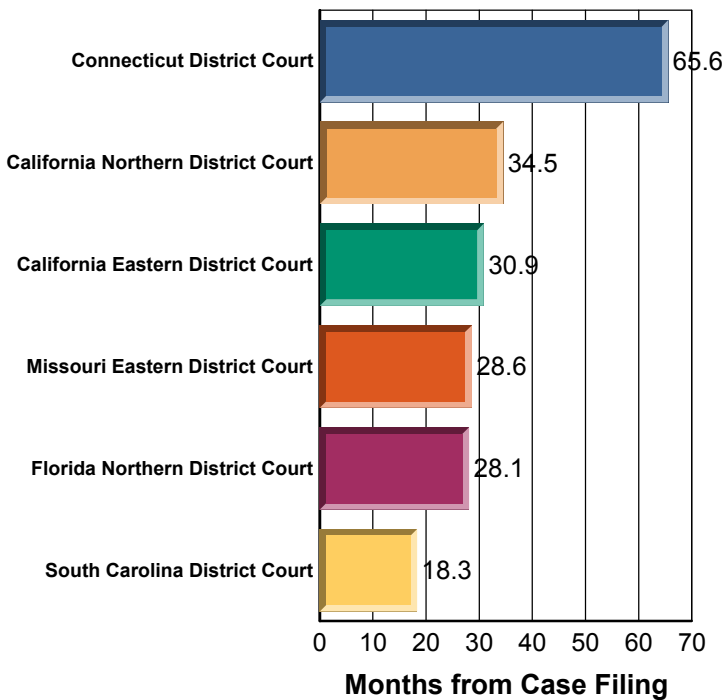
### Time to Trial (Whether or Not the Trial Resulted in a Judgment):

The dockets of patent cases in the districts were examined to identify cases in which a trial occurred, whether or not that trial resulted in a judgment. Trials in cases where settlement or mistrial occurred during the trial are, therefore, included in these figures. The time from case filing to the start of trial was then computed. The results are shown below.

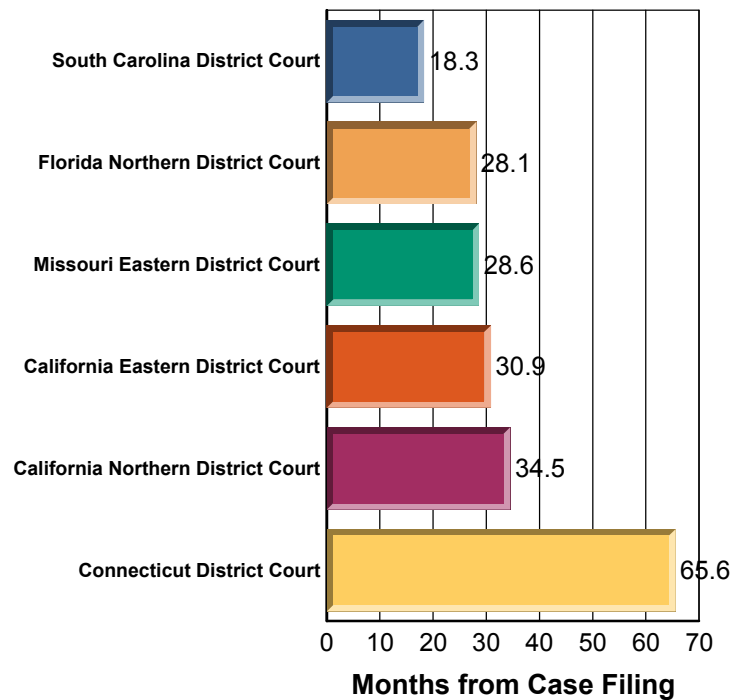
### Fastest and Slowest Districts:

The average time from case filing to start of trial was computed for these districts in which a trial occurred. The districts are shown below by slowest to fastest and by fastest to slowest.

#### Slowest Time to Trial Districts



#### Fastest Time to Trial Districts



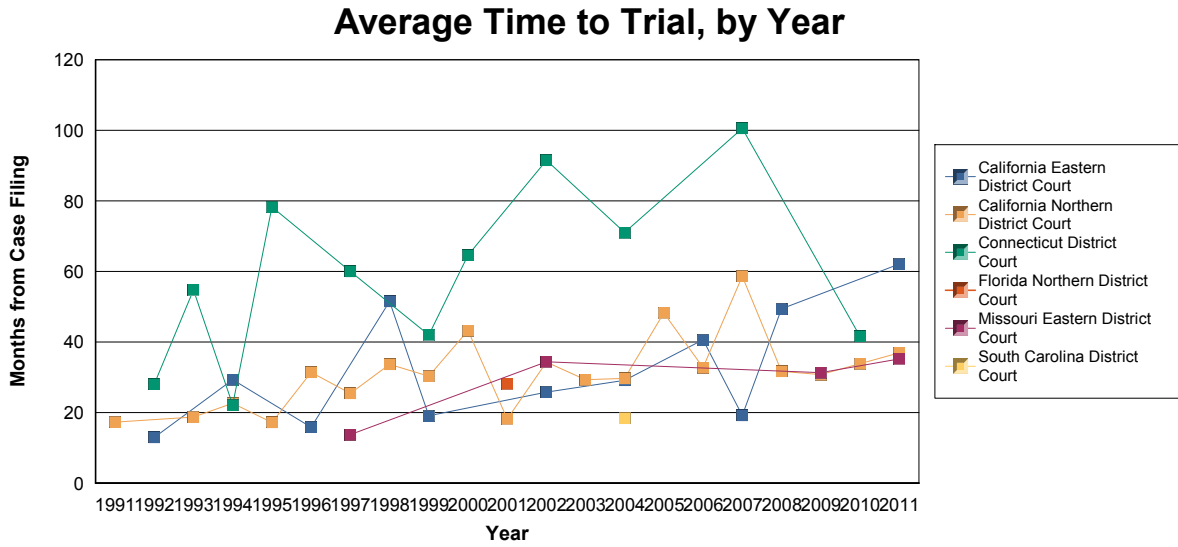
	<b>Time to Trial/Number of Trials</b>
<b>Connecticut District Court</b>	65.6 17
<b>California Northern District Court</b>	34.5 77
<b>California Eastern District Court</b>	30.9 14
<b>Missouri Eastern District Court</b>	28.6 4
<b>Florida Northern District Court</b>	28.1 1
<b>South Carolina District Court</b>	18.3 1

	<b>Time/Number</b>
<b>South Carolina District Court</b>	18.3 1
<b>Florida Northern District Court</b>	28.1 1
<b>Missouri Eastern District Court</b>	28.6 4
<b>California Eastern District Court</b>	30.9 14
<b>California Northern District Court</b>	34.5 77
<b>Connecticut District Court</b>	65.6 17



### Average Time to Trial, by Year:

The average time from case filing to start of trial by calendar year is shown below.



		Total
<b>Total</b>		38.3
<b>California Eastern District Court</b>	<b>Total</b>	30.9
	<b>1992</b>	12.9
	<b>1994</b>	29.3
	<b>1996</b>	15.8
	<b>1998</b>	51.5
	<b>1999</b>	19.1
	<b>2002</b>	25.8
	<b>2004</b>	29.1
	<b>2006</b>	40.6
	<b>2007</b>	19.2
	<b>2008</b>	49.4
<b>2011</b>	62.1	
<b>California Northern District Court</b>	<b>Total</b>	34.5
	<b>1991</b>	17.3
	<b>1993</b>	18.7
	<b>1994</b>	22.6
	<b>1995</b>	17.1
	<b>1996</b>	31.4
	<b>1997</b>	25.5
	<b>1998</b>	33.7

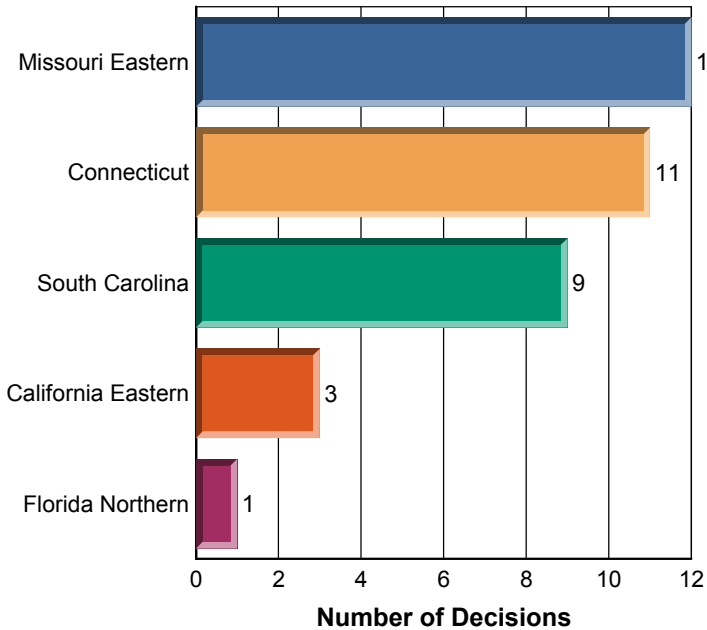
		Total
<b>California Northern District Court</b>	<b>1999</b>	30.3
	<b>2000</b>	43.3
	<b>2001</b>	18.2
	<b>2002</b>	34.3
	<b>2003</b>	29.4
	<b>2004</b>	29.7
	<b>2005</b>	48.3
	<b>2006</b>	32.8
	<b>2007</b>	58.7
	<b>2008</b>	31.7
	<b>2009</b>	30.8
	<b>2010</b>	33.9
	<b>2011</b>	37.0
<b>Connecticut District Court</b>	<b>Total</b>	65.6
	<b>1992</b>	28.0
	<b>1993</b>	54.8
	<b>1994</b>	22.1
	<b>1995</b>	78.3
	<b>1997</b>	60.0
	<b>1999</b>	42.0
	<b>2000</b>	64.6
	<b>2002</b>	91.5
	<b>2004</b>	71.0
	<b>2007</b>	100.6
	<b>2010</b>	41.6
<b>Florida Northern District Court</b>	<b>Total</b>	28.1
	<b>2001</b>	28.1
<b>Missouri Eastern District Court</b>	<b>Total</b>	28.6
	<b>1997</b>	13.7
	<b>2002</b>	34.4
	<b>2009</b>	31.3
	<b>2011</b>	35.2
<b>South Carolina District Court</b>	<b>Total</b>	18.3

		<b>Total</b>
<b>South Carolina District Court</b>	<b>2004</b>	18.3

## Stay Pending Reexamination Decisions:

The following section of this report contains decision information concerning each of these districts in which a decision on a contested stay pending reexam motion was found, as well as comparison information on these districts.

### Number of Contested Decisions

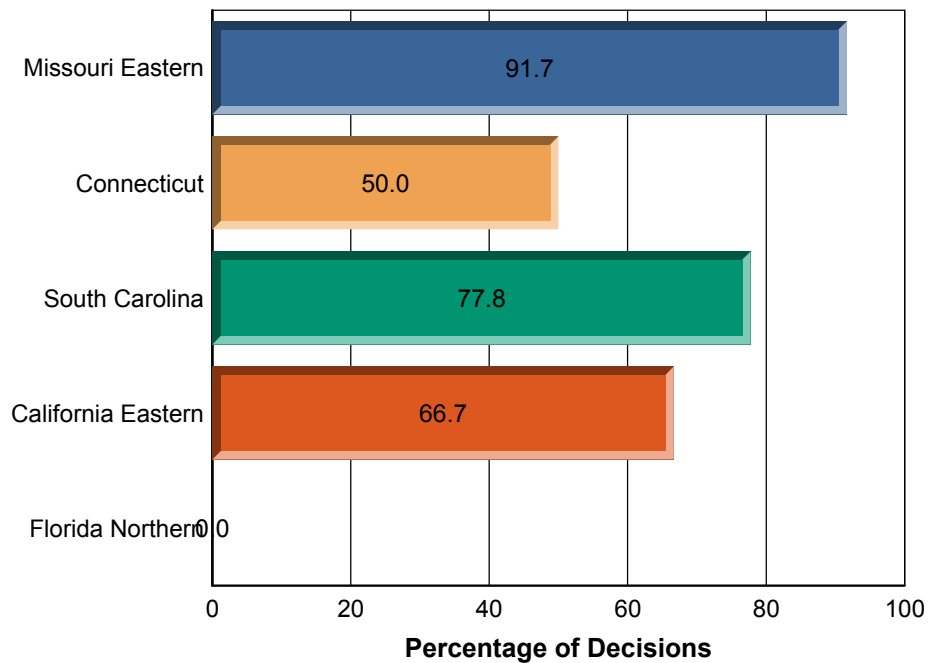


### Number of Decisions and Contested Decision Win Rates for these Districts:

The chart to the left shows the numbers of contested decisions in these districts.

The chart to the right shows the contested win rates, by districts, for these same districts.

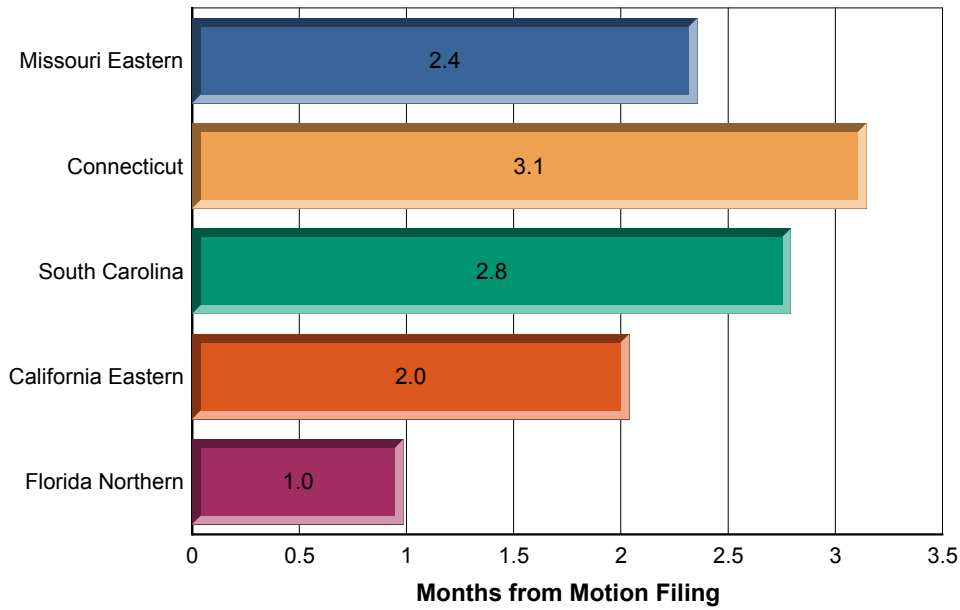
### Contested Win Rates



The total number of decisions found on contested motions is shown below for each district in the left-hand table, while the contested win rate on these motions is shown in the table to the right.

	<b>Number of Decisions</b>		<b>Win Rate</b>
<b>California Eastern</b>	3	<b>California Eastern</b>	66.7
<b>Connecticut</b>	11	<b>Connecticut</b>	50.0
<b>Florida Northern</b>	1	<b>Florida Northern</b>	0.0
<b>Missouri Eastern</b>	12	<b>Missouri Eastern</b>	91.7
<b>South Carolina</b>	9	<b>South Carolina</b>	77.8

## Average Time to Decision



## Time to Decision in These Districts:

The average time from motion filing to decision for these districts is shown in the chart to the left.

The time to decision and number of decisions for each district are shown in the tables below.

	Number of Decisions		Time to Decision (months from filing)
California Eastern	3	California Eastern	2.0
Connecticut	11	Connecticut	3.1
Florida Northern	1	Florida Northern	1.0
Missouri Eastern	12	Missouri Eastern	2.4
South Carolina	9	South Carolina	2.8