

LegalMetric

LegalMetric Time to Trial Report August, 2010 Patent Cases

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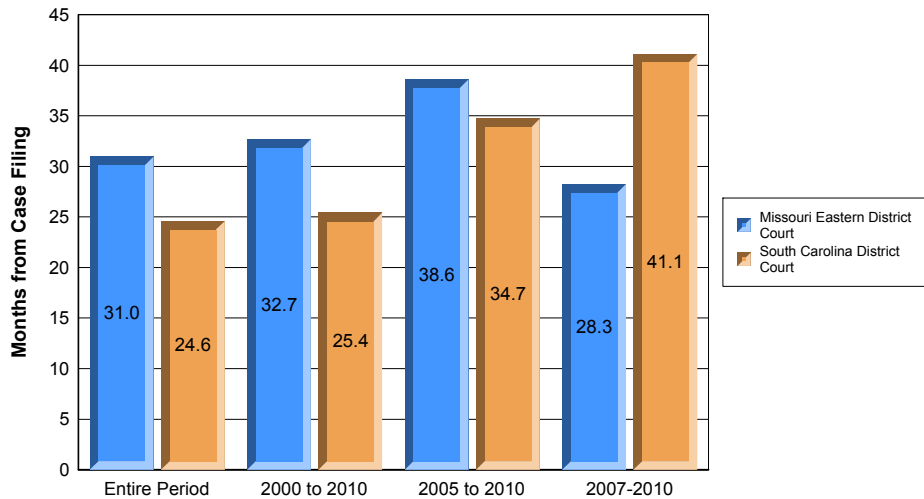
The information contained in this report is obtained from the official docket records of the federal courts. No attempt has been made to correct that data. For example, cases may be misclassified in the official docket records. In addition, cases are classified only by the primary cause of action. Cases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

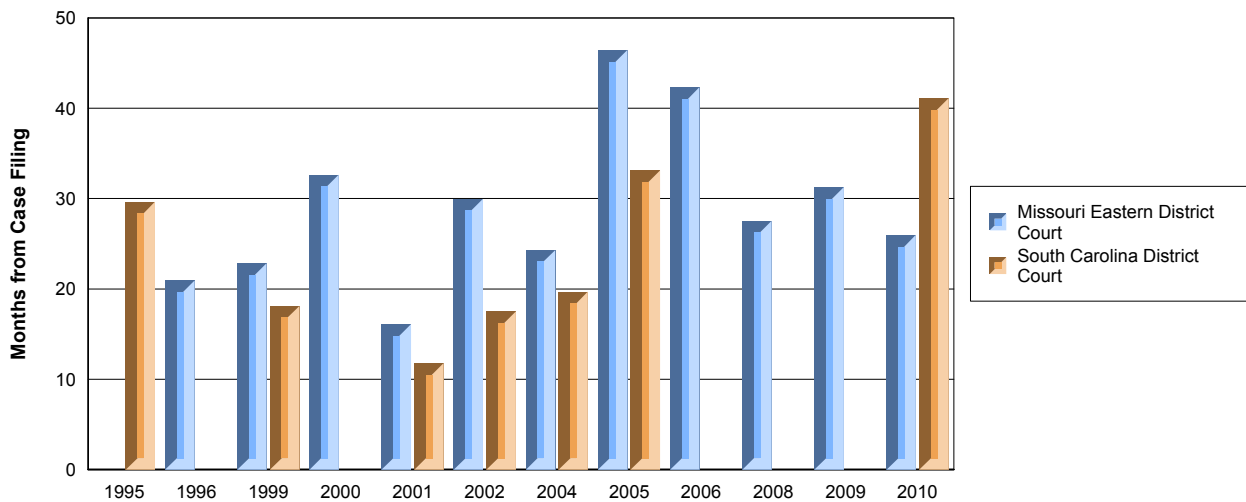
The times from case filing to trial (in months) for the districts identified below were determined by examining the dockets of patent cases in those districts. All trials in these districts that were begun are included in the figures in this report whether or not the trial resulted in a verdict. Other hearings, such as Markman hearings, are not included. For comparison purposes, the average time to trial for the period from the earliest trial found to 2010 is shown below, along with the average time to trial from 2000 to 2010, the average time to trial from 2005 to 2010, and the average time to trial from 2007 to 2010.

Average Time to Trial, by District



The variation in average time to trial for each year in which a trial was started is shown below.

Average Time to Trial by Year



The average time to trial and number of trials for each court are shown in the following table:

	Missouri Eastern District Court		South Carolina District Court	
Total	31.0	18	24.6	13
1995	0.0	0	29.7	1
1996	20.9	1	0.0	0
1999	22.9	2	18.1	2
2000	32.7	1	0.0	0
2001	16.1	1	11.8	2
2002	30.0	2	17.5	1
2004	24.3	3	19.7	2
2005	46.5	3	33.1	4
2006	42.3	2	0.0	0
2008	27.5	1	0.0	0
2009	31.3	1	0.0	0
2010	26.0	1	41.1	1

The identifying information for each of these trials is shown below.

<u>Court</u>	<u>Case Number</u>	<u>Case Name</u>	<u>Start of Trial</u>
Missouri Eastern District Court	4:00cv00070	Bancorp Services LLC v. Hartford Life Ins., et al	3/4/2002
Missouri Eastern District Court	4:00cv00084	Monsanto Company v. McFarling	4/25/2005
Missouri Eastern District Court	4:00cv00135	Monsanto Company v. Ralph	12/9/2002
Missouri Eastern District Court	4:00cv00435	Monsanto Company v. Eaton	7/16/2001
Missouri Eastern District Court	4:00cv01915	Monsanto Company v. Bayer BioScience, et al.	10/31/2005
Missouri Eastern District Court	4:00cv01915	Monsanto Company v. Bayer BioScience, et al.	2/21/2006
Missouri Eastern District Court	4:01cv01668	On Demand Machine v. Ingram Industries, et al	2/9/2004
Missouri Eastern District Court	4:01cv01955	Meridian Enterprises v. Carlson Marketing, et al	2/2/2004
Missouri Eastern District Court	4:02cv00886	Collins v. Platts, et al	2/2/2004
Missouri Eastern District Court	4:04cv00425	Monsanto Company et al v. David	2/13/2006
Missouri Eastern District Court	4:04cv00485	Litecubes, L.L.C., et al. v. Northern Light Products	10/3/2005

<u>Court</u>	<u>Case Number</u>	<u>Case Name</u>	<u>Start of Trial</u>
Missouri Eastern District Court	4:06cv00730	Orthoarm, Inc. v. Forestadent USA, Inc. et al	8/18/2008
Missouri Eastern District Court	4:06cv00978	Avante International Technology, Inc. v. Premier Election Solutions, Inc., et al	2/2/2009
Missouri Eastern District Court	4:07cv01947	World Wide Stationery Manufacturing Co., LTD. v. U. S. Ring Binder, L.P.	1/19/2010
Missouri Eastern District Court	4:94cv01038	Emerson Electric Co. v. General Electric Co.	2/20/1996
Missouri Eastern District Court	4:97cv01047	Sinclair & Rush v. Steere Enterprises	7/26/1999
Missouri Eastern District Court	4:97cv01475	Husky Corporation v. Catlow, Inc.	2/22/1999
Missouri Eastern District Court	4:97cv01969	Specialty Equipment, et al v. True Manufacturing	6/14/2000
South Carolina District Court	0:93cv01633	Sequa Chemicals, Inc v. C.H. Patrick Company	12/26/1995
South Carolina District Court	2:96cv03830	Hill-Rom Company Inc v. Kinetic Concepts Inc, et al	1/5/1999
South Carolina District Court	3:03cv00441	Chem-Nuclear Systems, et al v. Braun, et al	10/11/2005
South Carolina District Court	3:03cv00441	Chem-Nuclear Systems, et al v. Braun, et al	10/25/2005
South Carolina District Court	4:02cv02951	Brown Mfg Corp v. Alpha Lawn & Garden, et al	4/27/2005
South Carolina District Court	6:00cv02764	BBA Nowovens, et al v. Superior Nonwovens, et al	8/20/2001
South Carolina District Court	6:00cv02764	BBA Nowovens, et al v. Superior Nonwovens, et al	2/21/2002
South Carolina District Court	6:02cv02946	Dystar Textilfarben v. CH Patrick Co Inc, et al	9/7/2005
South Carolina District Court	6:06cv02867	Van Romer v. Interstate Products Inc	3/15/2010
South Carolina District Court	6:98cv01135	Shockley v. Arcan Inc, et al	4/19/1999
South Carolina District Court	7:00cv00800	Welding Services Inc v. Thermal Engineering	3/19/2001
South Carolina District Court	7:02cv03631	Milliken & Company v. Mohawk Industries, et al	5/4/2004
South Carolina District Court	7:02cv03631	Milliken & Company v. Mohawk Industries, et al	7/26/2004