

LegalMetric

LegalMetric Nationwide Summary Report Metrics in Patent Cases

January 1991-January 2013

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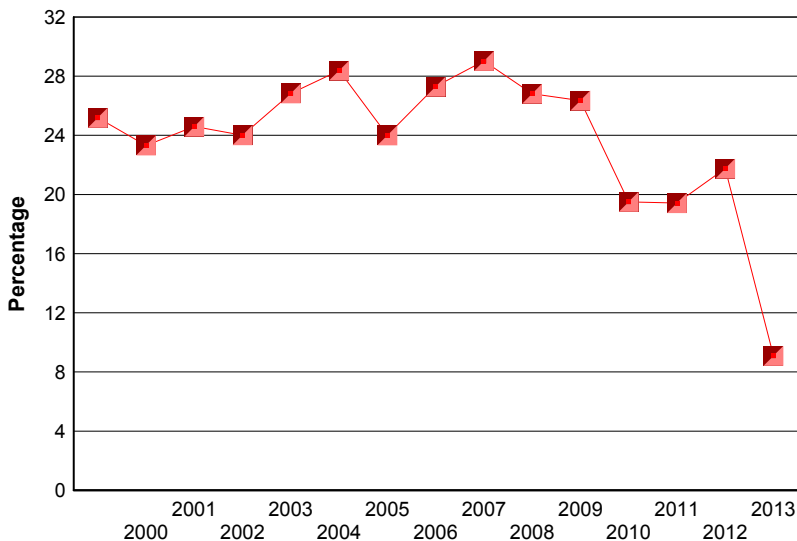
The number of cases, judgments, contested judgments, and trials nationwide are shown below.

| | Number |
|---------------------------|--------|
| Total Cases | 50581 |
| Open Cases | 11145 |
| Closed Cases | 39437 |
| Judgments | 7746 |
| Contested Judgmts. | 3862 |
| Trials | 1108 |
| Bench | 383 |
| Jury | 725 |

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

| | Pltf. Win Rate |
|------------------|----------------|
| Overall | 60.9 |
| Contested | 24.7 |
| Trial | 60.2 |
| Bench | 47.7 |
| Jury | 66.8 |

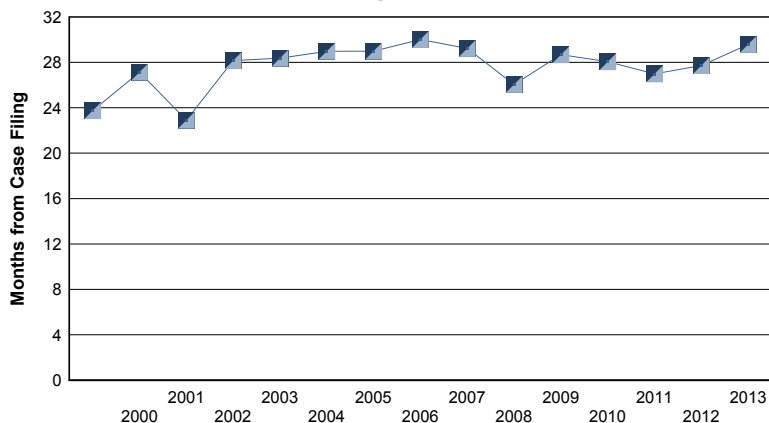
Patentee Contested Win Rate by Year



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 | 13.1 |
| Judgments | 20.2 |
| Contested | 26.9 |
| Trial | 36.4 |
| Bench | 38.9 |
| Jury | 35.0 |

Average Time to Termination by Contested Judgment



Larger Version in Body of Report

The average and median award amounts nationwide are:

Average: \$12,211,970
 Median: \$312,081

Appeals:

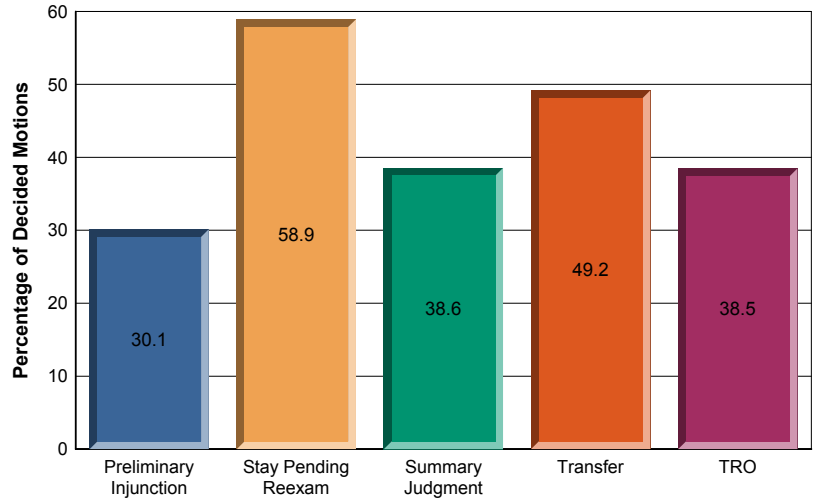
| | Number of Appeals | Complete Affirmance Rate |
|--------------|-------------------|--------------------------|
| Total | 3,405 | 59.0 |

Motions:

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

| | Win Rate |
|------------------------|----------|
| Preliminary Injunction | 30.1 |
| Stay Pending Reexam | 58.9 |
| Summary Judgment | 38.6 |
| Transfer | 49.2 |
| TRO | 38.5 |

Win Rates on Contested Motions



| | Number of Decisions |
|------------------------|---------------------|
| Preliminary Injunction | 1481 |
| Stay Pending Reexam | 1366 |
| Summary Judgment | 13208 |
| Transfer | 3380 |
| TRO | 516 |

Number of Decisions

