

LegalMetric

LegalMetric Nationwide Summary Report Metrics in Trademark Cases

January 1991-January 2013

This report contains confidential and proprietary information of LegalMetric, Inc. Use of this information by anyone other than the purchaser or, if the purchaser is a law firm, the purchaser's client, or disclosure of this information to persons other than the purchaser or, if the purchaser is a law firm, the purchaser's client, without the consent of LegalMetric, Inc. is prohibited.

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.

LegalMetric, Inc. is not a law firm, does not provide legal advice, and is not engaged in the practice of law. No attorney-client relationship exists between LegalMetric, Inc. and any user of its products. LegalMetric provides statistical and analytical information to anyone who desires to purchase that information. Any purchaser of LegalMetric products who wants legal advice should hire an attorney.

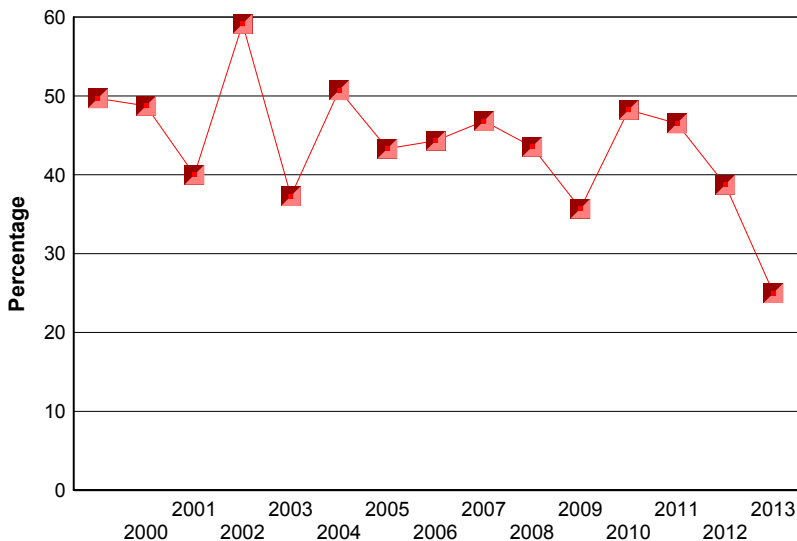
The number of cases, judgments, contested judgments, and trials nationwide are shown below.

	Number
Total Cases	53105
Open Cases	2190
Closed Cases	50918
Judgments	16236
Contested Judgmts.	2406
Trials	685
Bench	383
Jury	302

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	91.6
Contested	45.9
Trial	61.4
Bench	59.7
Jury	63.6

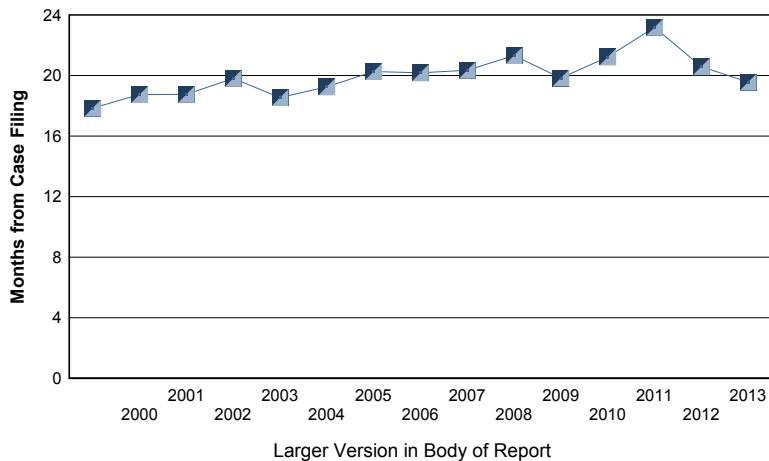
Plaintiff Contested Win Rate by Year



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	9.2
Judgments	10.2
Contested	19.6
Trial	26.8
Bench	25.4
Jury	28.5

Average Time to Termination by Contested Judgment



The average and median award amounts nationwide are:

Average: \$1,686,819
 Median: \$93,817

Appeals:

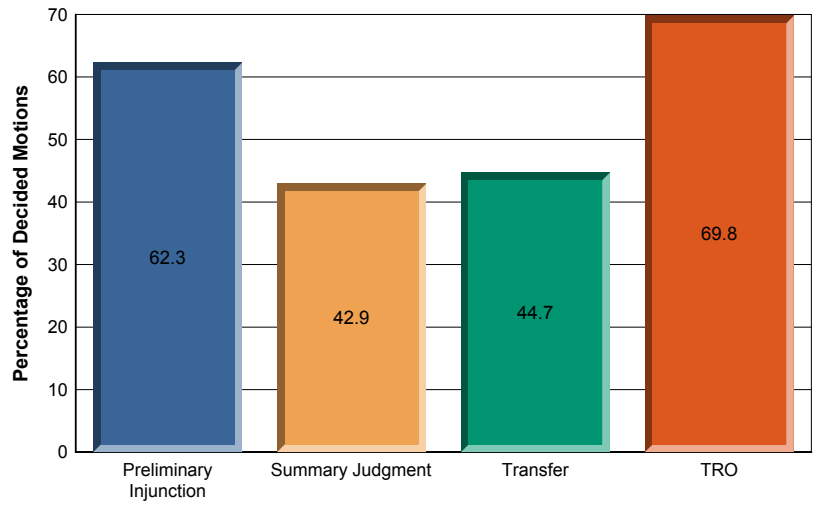
	Number of Appeals	Complete Affirmance Rate
Total	1,973	68.6

Motions:

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

	Win Rate
Preliminary Injunction	62.3
Summary Judgment	42.9
Transfer	44.7
TRO	69.8

Win Rates on Contested Motions



	Number of Decisions
Preliminary Injunction	5681
Summary Judgment	5575
Transfer	1543
TRO	3863

Number of Decisions

