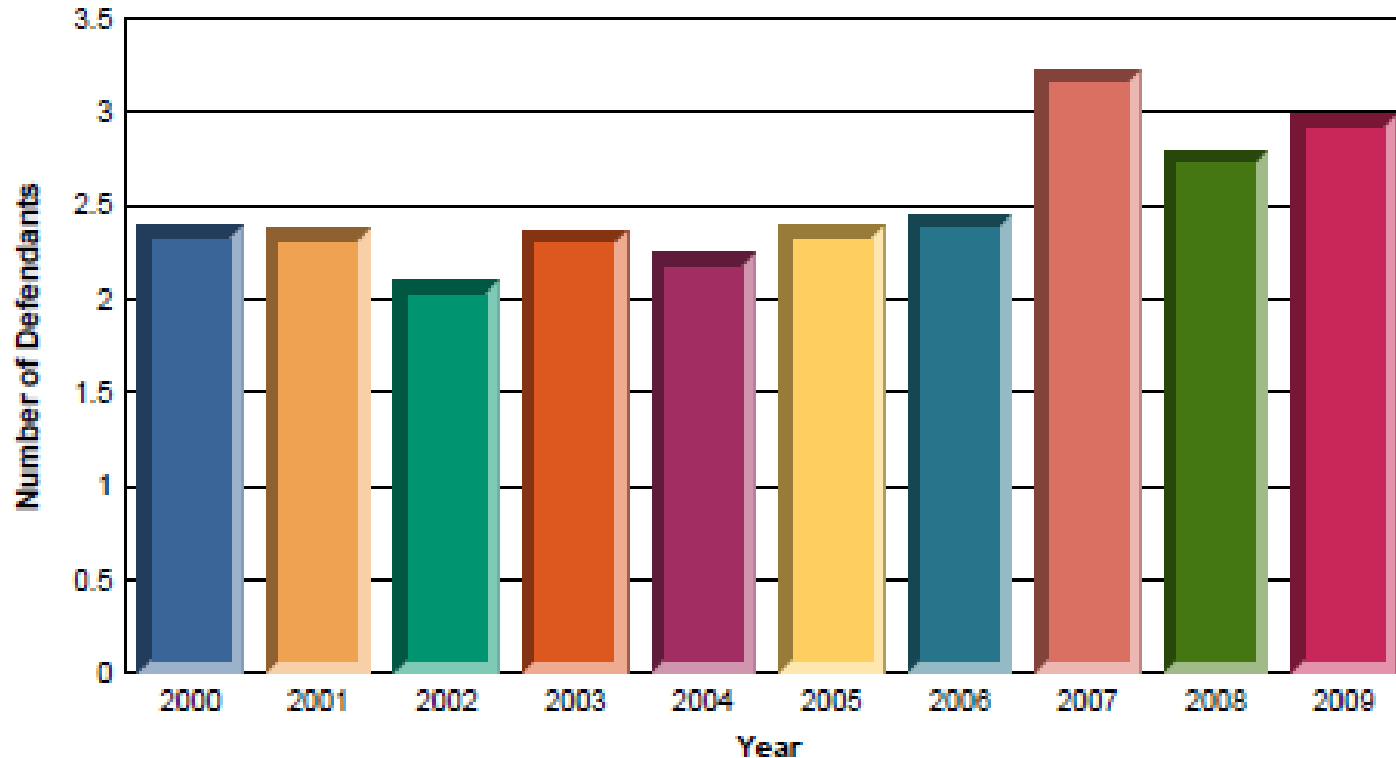# *Legal*Metric ®

Multiple Defendants in Patent Cases

By Greg Upchurch

LegalMetric Director of Research

J.D.-Yale Law School

Adjunct Professor-Washington University School of Law

Nationwide: Average Number of Defendants

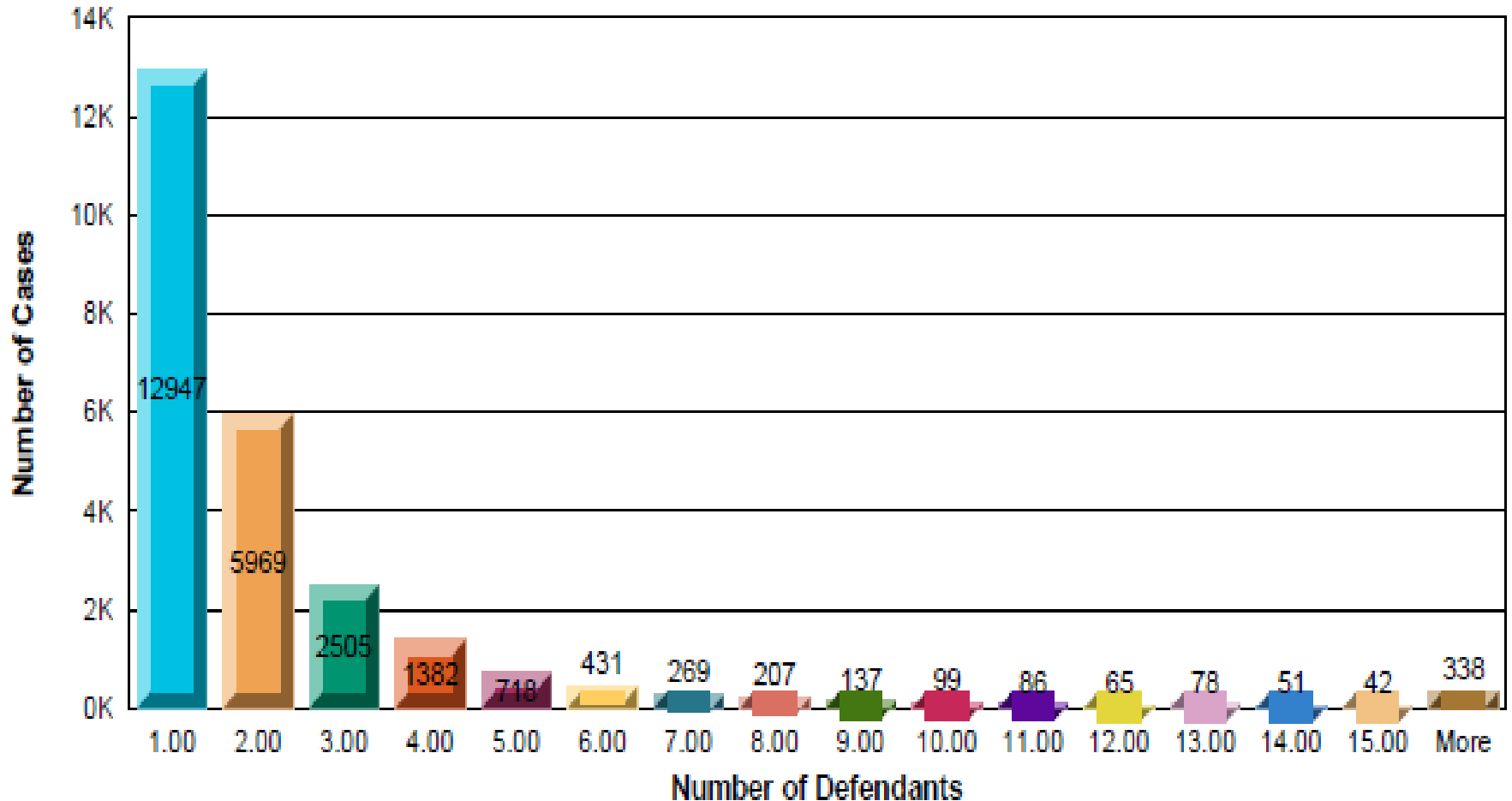Average Number of Defendants, by Year

Nationwide: Average Number of Defendants

- From 2000 through 2009, the average number of defendants in patent cases, as filed was 2.6

- For the entire period, the average varied from just over 2 (2002) to just over 3 (2007)

- There seems to a slight upward trend nationwide in number of defendants per case

Nationwide: Number of Defendants

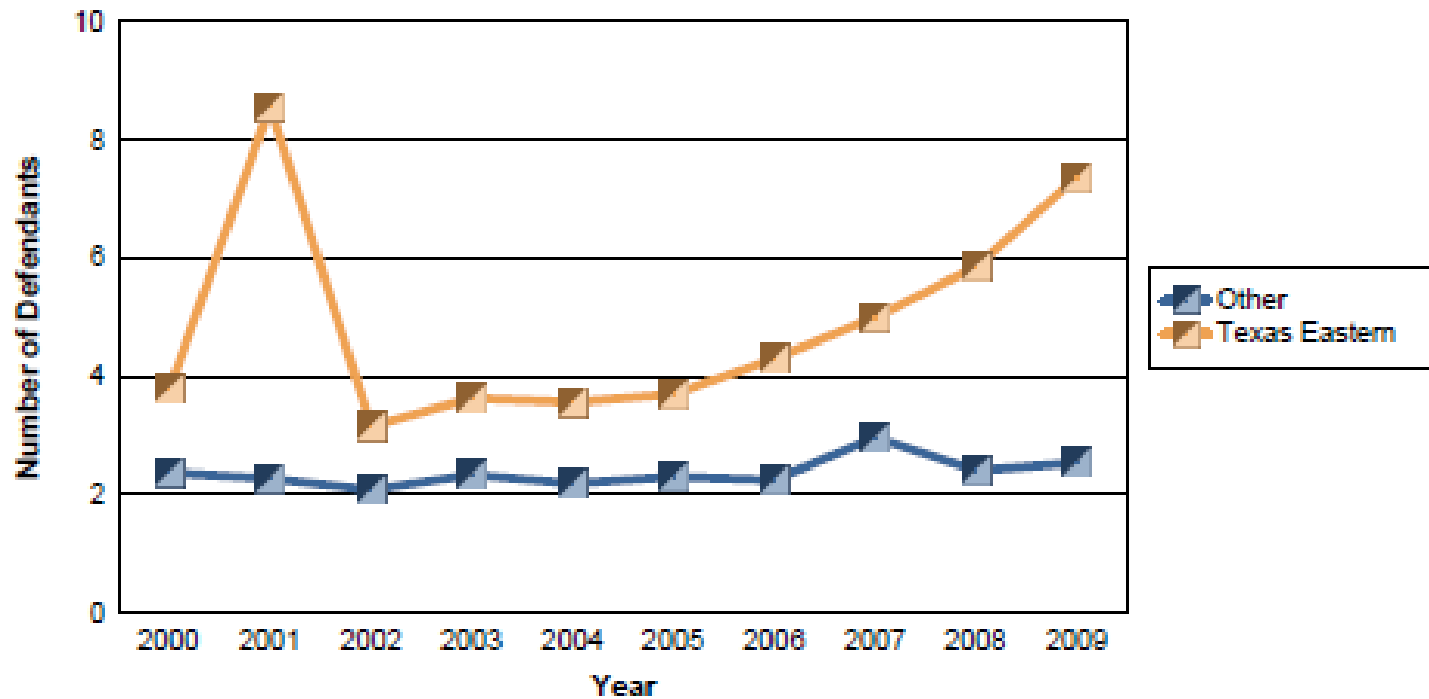## Number of Cases with Specified Number of Defendants

Nationwide: Number of Defendants

- For the entire period, the largest number of cases involved just one defendant

- The number of cases with 2 defendants was roughly ½ the number with 1 defendant

- A significant number of cases had more than 15 defendants

Number of Defendants in Texas Eastern District

Average Number of Defendants
Texas Eastern v. All Other Districts

Legend:
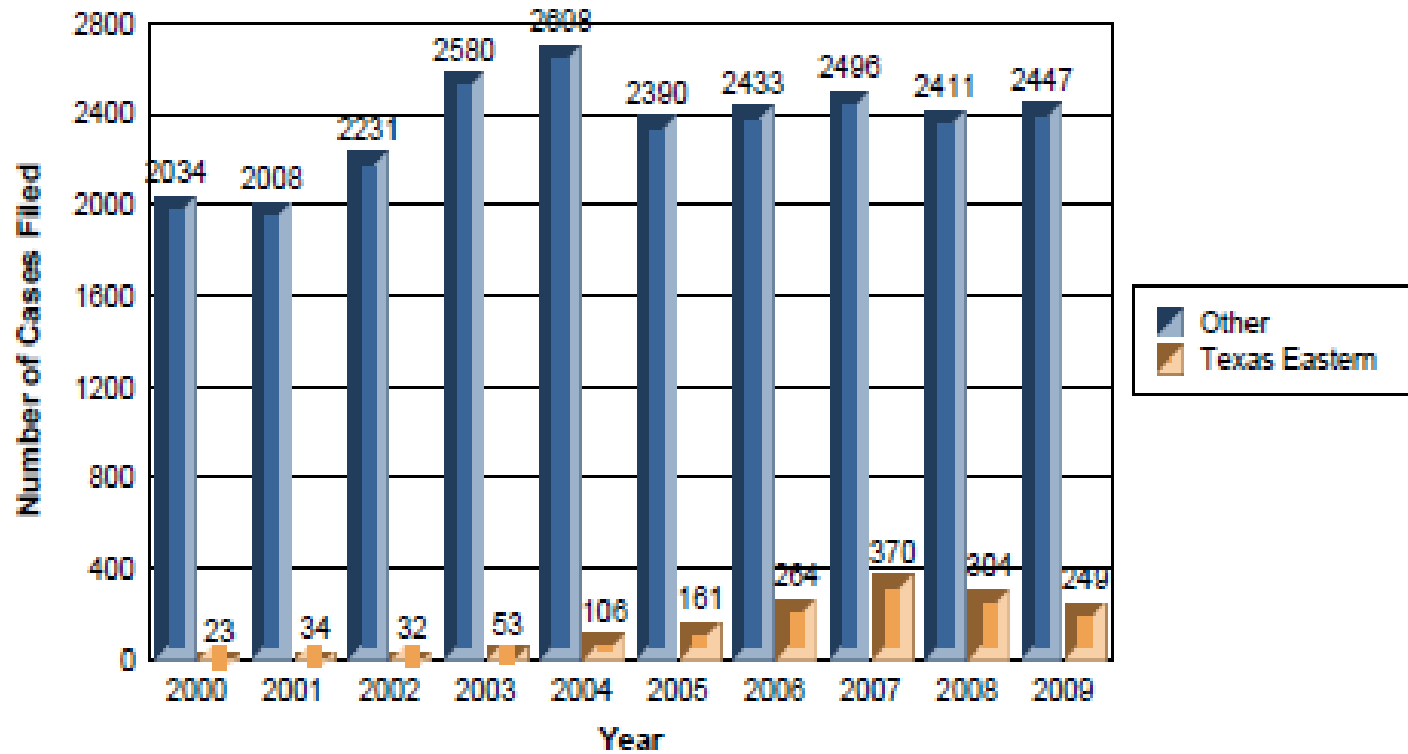- Other
- Texas Eastern

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Number of Defendants in Texas Eastern District

- The average number of defendants in the Eastern District of Texas exceeds the average number in all the other districts consistently from 2000 through 2009.

- Since 2004, the average number of defendants in the Eastern District of Texas has shown a gradual increase.

- The figure for 2001 may in part be a result of the relatively small number of cases filed in that year, compared to other years (see below)

Number of Defendants in Texas Eastern District

Number of Cases Filed, by Year

Texas Eastern v. All Others

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Source

- Data Extracted from LegalMetric Multiple Defendants Report for 2010.