Trial Statistics
IPR, PGR, CBM
Patent Trial and Appeal Board
May 2017
Petitions by Trial Type
(All Time: 9/16/12 to 5/31/17)

Trial types include Inter Partes Review (IPR), Post Grant Review (PGR), and Covered Business Method (CBM).
Petitions Filed by Technology in FY17
(FY17 to date: 10/1/16 to 5/31/17)

- Electrical/Computer: 772 (59%)
- Mechanical & Business Method: 282 (22%)
- Chemical: 92 (7%)
- Bio/Pharma: 145 (11%)
- Design: 14 (1%)

Total: 1,305
Petitions Filed by Month
(May 2017 and Previous 12 Months: 5/1/16 to 5/31/17)

- **IPR**
  - May-16: 114
  - May-17: 237
  - (1,239 IPRs in FY17)

- **PGR**
  - May-16: 0
  - May-17: 3
  - (24 PGRs in FY17)

- **CBM**
  - May-16: 17
  - May-17: 1
  - (42 CBMs in FY17)
The rule to allow new testimonial evidence was effective May 2, 2016.
Institution Rates
(FY13 to FY17: 10/1/12 to 5/31/17)

Institution rate for each fiscal year is calculated by dividing petitions instituted by decisions on institution (i.e., petitions instituted plus petitions denied). The outcomes of decisions on institution responsive to requests for rehearing are excluded.
Institution Rate for each technology is calculated by dividing petitions instituted by decisions on institution (i.e., petitions instituted plus petitions denied). The outcomes of decisions on institution responsive to requests for rehearing are excluded.
**Pre-Institution Settlements**
(FY13 to FY17: 10/1/12 to 5/31/17)

Settlement rate for each year is calculated by dividing pre-institution settlements by the sum of proceedings instituted, denied institution, dismissed, terminated with a request for adverse judgment, and settled before decision on institution.
Settlement rate for each year is calculated by dividing post-institution settlements by proceedings terminated post-institution (i.e., settled, dismissed, terminated with a request for adverse judgment, and final written decision), excluding joined cases.
Status of Petitions  
(All Time: 9/16/12 to 5/31/17)

<table>
<thead>
<tr>
<th>Category</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petitions</td>
<td>6,961</td>
</tr>
<tr>
<td>Open Pre-Institution</td>
<td>906</td>
</tr>
<tr>
<td>Settled</td>
<td>871</td>
</tr>
<tr>
<td>Dismissed</td>
<td>69</td>
</tr>
<tr>
<td>Denied</td>
<td>3,524</td>
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<tr>
<td>Instituted</td>
<td>1,564</td>
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<tr>
<td>Joined</td>
<td>321</td>
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<tr>
<td>Open Post-Institution</td>
<td>667</td>
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<tr>
<td>Settled</td>
<td>678</td>
</tr>
<tr>
<td>Dismissed</td>
<td>35</td>
</tr>
<tr>
<td>Final Writ. Decisions</td>
<td>222</td>
</tr>
</tbody>
</table>

Instituted Claims Unpatentable

No Claims: 286 (18%)
Some Claims: 271 (17%)
All Claims: 1,044 (65%)

These figures reflect the latest status of each petition. The outcomes of decisions on institution responsive to requests for rehearing are incorporated. Once joined to a base case, a petition remains in the Joined category regardless of subsequent outcomes.