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Ex Parte Reexamination Filing Data - September 30, 2016

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....										13450	
a. By patent owner										3887	29%
b. by other member of the public										9520	71%
c. By order of Commissioner										43	0%
2. Number of Filings by dicipline											
a. Chemical Operation										3632	27%
b. Electrical Operation										5085	38%
c. Mechanical Operation										4521	34%
d. Design Patents										212	2%
3. Annual <i>Ex Parte</i> Reexam Filings											
Fiscal Yr.	No	Fiscal Yr.	No	Fiscal Yr.	No	Fiscal Yr.	No	Fiscal Yr.	No		
1981	78 (3 mos.)	1989	242	1997	380	2005	520	2013	305		
1982	187	1990	297	1998	348	2006	473	2014	355		
1983	186	1991	309	1999	391	2007	601	2015	243		
1984	189	1992	390	2000	312	2008	691	2016	219		
1985	230	1993	359	2001	295	2009	605				
1986	232	1994	379	2002	272	2010	698				
1987	240	1995	395	2003	394	2011	736				
1988	269	1996	413	2004	436	2012	781				
4. Number known to be in litigation.....										4350	32%
5. Decisions on requests.....											12954
a. No. granted										11862	92%
(1) By examiner										11731	
(2) By Director (on petition)										131	
b. No. denied										1092	8%
(1) By examiner										1046	
(2) Reexam vacated										46	
6. Total examiner denials (includes denials reversed by Director).....											1048
a. Patent owner requester										492	47%
b. Third party requester										556	53%
7. Overall reexamination pendency (Filing date to certificate issue date).....											
a. Average pendency											25.77 (mos.)
b. Median pendency											20.2 (mos.)

1 Total decisions on requests does not include requests that have been vacated or are pending.

data as of 9/30/2016

Ex Parte Reexamination Filing Data - September 30, 2016

8. Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall
a. All claims confirmed	6%	15%	0%	21%
b. All calims canceled	3%	9%	0%	12%
c. Claims changed	21%	45%	0%	66%
9. Total ex parte reexamination certificates issued (1981 – present)				10979
a. Certificates with all claims confirmed			2337	21%
b. Certificates with all claims canceled			1339	12%
c. Certificates with claims changes			7303	67%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3270
a. All claims confirmed			685	21%
b. All calims canceled			291	9%
c. Claims changed			2294	70%
b. Certificates – 3rd PARTY REQUESTER				7519
a. All claims confirmed			1631	22%
b. All calims canceled			999	13%
c. Claims changed			4889	65%
c. Certificates – COMMISSIONER INITIATED REEXAM				41
a. All claims confirmed			2	5%
b. All calims canceled			23	56%
c. Claims changed			16	39%

1 Total decisions on requests does not include requests that have been vacated or are pending.



Ex Parte Reexamination Filing Data - September 30, 2014

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....										13217	
a. By patent owner										3833	29%
b. by other member of the public										9217	70%
c. By order of Commissioner										167	1%
2. Number of Filings by dicipline											
a. Chemical Operation										3516	27%
b. Electrical Operation										5167	39%
c. Mechanical Operation										4330	33%
d. Design Patents										204	2%
3. Annual <i>Ex Parte</i> Reexam Filings											
Fiscal Yr.	No	Fiscal Yr.	No	Fiscal Yr.	No	Fiscal Yr.	No	Fiscal Yr.	No		
1981	78 (3 mos.)	1989	243	1997	376	2005	524	2013	305		
1982	187	1990	297	1998	350	2006	511	2014	343		
1983	186	1991	307	1999	385	2007	643				
1984	189	1992	392	2000	318	2008	680				
1985	230	1993	359	2001	296	2009	658				
1986	232	1994	379	2002	272	2010	780				
1987	240	1995	392	2003	392	2011	759				
1988	268	1996	418	2004	441	2012	787				
4. Number known to be in litigation.....										4362	33%
5. Decisions on requests.....											12429
a. No. granted										11402	92%
(1) By examiner										11271	
(2) By Director (on petition)										131	
b. No. denied										1027	8%
(1) By examiner										990	
(2) Reexam vacated										37	
6. Total examiner denials (includes denials reversed by Director).....											1067
a. Patent owner requester										665	62%
b. Third party requester										621	58%
7. Overall reexamination pendency (Filing date to certificate issue date).....											
a. Average pendency											22.3 (mos.)
b. Median pendency											15.9 (mos.)

1 Total decisions on requests does not include requests that have been vacated or are pending.

8. Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall
a. All claims confirmed	6%	15%	0%	22%
b. All calims canceled	3%	9%	0%	12%
c. Claims changed	21%	44%	1%	66%
9. Total ex parte reexamination certificates issued (1981 – present)				10698
a. Certificates with all claims confirmed			2303	22%
b. Certificates with all claims canceled			1301	12%
c. Certificates with claims changes			7094	66%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3256
a. All claims confirmed			685	21%
b. All calims canceled			289	9%
c. Claims changed			2282	70%
b. Certificates – 3rd PARTY REQUESTER				7272
a. All claims confirmed			1600	22%
b. All calims canceled			967	13%
c. Claims changed			4705	65%
c. Certificates – COMMISSIONER INITIATED REEXAM				170
a. All claims confirmed			18	11%
b. All calims canceled			45	26%
c. Claims changed			107	63%

1 Total decisions on requests does not include requests that have been vacated or are pending.



Ex Parte Reexamination Filing Data - September 30, 2013

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....										12874	
a. By patent owner										3833	30%
b. by other member of the public										8874	69%
c. By order of Commissioner										167	1%
2. Number of Filings by dicipline											
a. Chemical Operation										3435	27%
b. Electrical Operation										5001	39%
c. Mechanical Operation										4234	33%
d. Design Patents										204	2%
3. Annual <i>Ex Parte</i> Reexam Filings											
Fiscal Yr. No		Fiscal Yr. No		Fiscal Yr. No		Fiscal Yr. No		Fiscal Yr. No		Fiscal Yr. No	
1981 78 (3 mos.		1989 243		1997 376		2005 524		2013 305			
1982 187		1990 297		1998 350		2006 511					
1983 186		1991 307		1999 385		2007 643					
1984 189		1992 392		2000 318		2008 680					
1985 230		1993 359		2001 296		2009 658					
1986 232		1994 379		2002 272		2010 780					
1987 240		1995 392		2003 392		2011 759					
1988 268		1996 418		2004 441		2012 787					
4. Number known to be in litigation.....										4167	32%
5. Decisions on requests.....											12016
a. No. granted										11013	92%
(1) By examiner										10891	
(2) By Director (on petition)										122	
b. No. denied										1003	8%
(1) By examiner										968	
(2) Reexam vacated										35	
6. Total examiner denials (includes denials reversed by Director).....											1067
a. Patent owner requester										498	47%
b. Third party requester										606	57%
7. Overall reexamination pendency (Filing date to certificate issue date)											
a. Average pendency											27.8 (mos.)
b. Median pendency											20.1 (mos.)

1 Total decisions on requests does not include requests that have been vacated or are pending.

8. Reexam certificate claim analysis:	<u>Owner</u>	<u>3rd Party</u>	<u>Comm'r</u>	<u>Overall</u>
	<u>Requeste</u>	<u>Requeste</u>	<u>Initiate</u>	
a. All claims confirmed	6%	15%	0%	21%
b. All calims canceled	3%	8%	0%	11%
c. Claims changed	21%	40%	1%	62%
9. Total ex parte reexamination certificates issued (1981 – present)				9991
a. Certificates with all claims confirmed			2241	22%
b. Certificates with all claims canceled			1205	12%
c. Certificates with claims changes			6545	66%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3279
a. All claims confirmed			682	21%
b. All calims canceled			283	9%
c. Claims changed			2239	68%
b. Certificates – 3rd PARTY REQUESTER				7174
a. All claims confirmed			1541	21%
b. All calims canceled			882	12%
c. Claims changed			4201	59%
c. Certificates – COMMISSIONER INITIATED REEXAM				164
a. All claims confirmed			18	11%
b. All calims canceled			40	24%
c. Claims changed			105	64%

1 Total decisions on requests does not include requests that have been vacated or are pending.



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Ex Parte Reexamination Filing Data - September 30, 2012

1. Total requests filed since start of <i>ex parte</i> reexam on 07/01/81.....								12569
a. By patent owner								3872 31%
b. by other member of the public								8532 68%
c. By order of Commissioner								165 1%
2. Number a. Chemical Operation								3373 27%
b. Electrical Operation								4831 38%
c. Mechanical Operation								4178 33%
d. Design Patents								187 1%
3. Annual <i>Ex Parte</i> Reexam Filings								
Fiscal Yr.	No	Fiscal Yr.	No	Fiscal Yr.	No	Fiscal Yr.	No	
1981	78 (3 mos.)	1989	243	1997	376	2005	524	
1982	187	1990	297	1998	350	2006	511	
1983	186	1991	307	1999	385	2007	643	
1984	189	1992	392	2000	318	2008	680	
1985	230	1993	359	2001	296	2009	658	
1986	232	1994	379	2002	272	2010	780	
1987	240	1995	392	2003	392	2011	759	
1988	268	1996	418	2004	441	2012	788	
4. Number known to be in litigation.....								3994 32%
5. Decisions on requests.....								11737
a. No. granted.....								10755 92%
(1) By examiner								10762
(2) By Director (on petition)								122
b. No. denied.....								982 8%
(1) By examiner								961
(2) Reexam vacated								35
6. Total examiner denials (includes denials reversed by Director).....								1078
a. Patent owner requester								496 46%
b. Third party requester								582 54%
7. Overall reexamination pendency (Filing date to certificate issue date)								
a. Average pendency								27.9 (mos.)
b. Median pendency								20.5 (mos.)

8. Reexam certificate claim analysis:	Owner Requester	3rd Party Requester	Comm'r Initiate	<u>Overall</u>
a. All claims confirmed	21%	22%	11%	21%
b. All calims canceled	8%	12%	24%	11%
c. Claims changed	71%	66%	65%	68%
9. Total ex parte reexamination certificates issued (1981 – present)				9328
a. Certificates with all claims confirmed			2029	22%
b. Certificates with all claims canceled			1063	11%
c. Certificates with claims changes			6236	67%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3176
a. All claims confirmed			669	21%
b. All calims canceled			280	9%
c. Claims changed			2227	70%
b. Certificates – 3rd PARTY REQUESTER				6026
a. All claims confirmed			1348	22%
b. All calims canceled			745	12%
c. Claims changed			3933	65%
c. Certificates – COMMISSIONER INITIATED REEXAM				164
a. All claims confirmed			18	11%
b. All calims canceled			38	23%
c. Claims changed			108	66%



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Ex Parte Reexamination Filing Data - September 30, 2011

1. Total requests filed since start of <i>ex parte</i> reexam on 07/01/81.....	11782 ¹		
a. By patent owner	3801 33%		
b. By other member of public	7815 66%		
c. By order of Commissioner	166 1%		
2. Number of filings by discipline			
a. Chemical Operation	3211 27%		
b. Electrical Operation	4405 37%		
c. Mechanical Operation	3987 34%		
d. Design Patents	179 2%		
3. Annual <i>Ex Parte</i> Reexam Filings			
<u>Fiscal Yr. No.</u>	<u>Fiscal Yr. No.</u>	<u>Fiscal Yr. No.</u>	<u>Fiscal Yr. No.</u>
1981 78 (3 mos.)	1989 243	1997 376	2005 524
1982 187	1990 297	1998 350	2006 511
1983 186	1991 307	1999 385	2007 643
1984 189	1992 392	2000 318	2008 680
1985 230	1993 359	2001 296	2009 658
1986 232	1994 379	2002 272	2010 780
1987 240	1995 392	2003 392	2011 759
1988 268	1996 418	2004 441	
4. Number known to be in litigation.....	3894.....	33%	
5. Decisions on requests.....	11262		
a. No. granted.....	10333.....	92%	
(1) By examiner	10213		
(2) By Director (on petition)	120		
b. No. denied	929.....	8%	
(1) By examiner	894		
(2) Reexam vacated	35		

¹Of the requests received in FY 2011, 22 requests have not yet been accorded a filing date, and preprocessing of 35 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for *Ex Parte* and *Inter Partes* Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).

6.	Total examiner denials (includes denials reversed by Director).....				1014
	a. Patent owner requester		476		47%
	b. Third party requester		538		53%
7.	Overall reexamination pendency (Filing date to certificate issue date)				
	a. Average pendency		25.6 (mos.)		
	b. Median pendency		19.9 (mos.)		
8.	Reexam certificate claim analysis:	<u>Owner</u>	<u>3rd Party</u>	<u>Comm'r</u>	<u>Overall</u>
		<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>	
	a. All claims confirmed	21%	24%	11%	23%
	b. All claims cancelled	9%	12%	23%	11%
	c. Claims changes	70%	64%	66%	66%
9.	Total <i>ex parte</i> reexamination certificates issued (1981 – present)				8578
	a. Certificates with all claims confirmed		1943		23%
	b. Certificates with all claims canceled		974		11%
	c. Certificates with claims changes		5661		66%
10.	Reexam claim analysis – requester is patent owner or 3 rd party or Commissioner initiated.				
	a. Certificates – PATENT OWNER REQUESTER				3040
	(1) All claims confirmed		651		21%
	(2) All claims canceled		264		9%
	(3) Claim changes		2125		70%
	b. Certificates – 3 rd PARTY REQUESTER				5380
	(1) All claims confirmed		1274		24%
	(2) All claims canceled		674		12%
	(3) Claim changes		3432		64%
	c. Certificates – COMMISSIONER INITIATED REEXAM				158
	(1) All claims confirmed		18		11%
	(2) All claims canceled		36		23%
	(3) Claim changes		104		66%



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Ex Parte Reexamination Filing Data - September 30, 2010

Table with 5 main categories: 1. Total requests filed since start of ex parte reexam on 07/01/81 (11023 total); 2. Number of filings by discipline; 3. Annual Ex Parte Reexam Filings (table with columns for Fiscal Yr. and No.); 4. Number known to be in litigation (3568, 32%); 5. Decisions on requests (10495 total).

1Of the requests received in FY 2010, 16 requests have not yet been accorded a filing date, and preprocessing of 80 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for Ex Parte and Inter Partes Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).

6.	Total examiner denials (includes denials reversed by Director).....				926
	a. Patent owner requester		451		49%
	b. Third party requester		475		51%
7.	Overall reexamination pendency (Filing date to certificate issue date)				
	a. Average pendency		25.5 (mos.)		
	b. Median pendency		20.0 (mos.)		
8.	Reexam certificate claim analysis:	<u>Owner</u>	<u>3rd Party</u>	<u>Comm'r</u>	<u>Overall</u>
		<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>	
	a. All claims confirmed	22%	25%	12%	23%
	b. All claims cancelled	8%	13%	23%	12%
	c. Claims changes	70%	62%	65%	65%
9.	Total <i>ex parte</i> reexamination certificates issued (1981 – present)				7782
	a. Certificates with all claims confirmed		1817		23%
	b. Certificates with all claims canceled		893		12%
	c. Certificates with claims changes		5072		65%
10.	Reexam claim analysis – requester is patent owner or 3 rd party or Commissioner initiated.				
	a. Certificates – PATENT OWNER REQUESTER				2947
	(1) All claims confirmed		638		22%
	(2) All claims canceled		251		8%
	(3) Claim changes		2058		70%
	b. Certificates – 3 rd PARTY REQUESTER				4681
	(1) All claims confirmed		1161		25%
	(2) All claims canceled		607		13%
	(3) Claim changes		2913		62%
	c. Certificates – COMMISSIONER INITIATED REEXAM				154
	(1) All claims confirmed		18		12%
	(2) All claims canceled		35		23%
	(3) Claim changes		101		65%



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Ex Parte Reexamination Filing Data - September 30, 2009

Table with 5 main categories: 1. Total requests filed since start of ex parte reexam on 07/01/81 (10243 total), 2. Number of filings by discipline (Chemical, Electrical, Mechanical, Design), 3. Annual Ex Parte Reexam Filings (table with columns for Fiscal Yr. and No. from 1981-2009), 4. Number known to be in litigation (3221, 31%), 5. Decisions on requests (9833 total, 92% granted, 8% denied).

1Of the requests received in FY 2009, 22 requests have not yet been accorded a filing date, and preprocessing of 41 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for Ex Parte and Inter Partes Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).

6.	Total examiner denials (includes denials reversed by Director).....				870
	a. Patent owner requester			445	51%
	b. Third party requester			425	49%
7.	Overall reexamination pendency (Filing date to certificate issue date)				
	a. Average pendency			25.2 (mos.)	
	b. Median pendency			19.7 (mos.)	
8.	Reexam certificate claim analysis:	<u>Owner</u>	<u>3rd Party</u>	<u>Comm'r</u>	<u>Overall</u>
		<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>	
	a. All claims confirmed	22%	26%	12%	25%
	b. All claims cancelled	8%	13%	23%	11%
	c. Claims changes	70%	61%	65%	64%
9.	Total <i>ex parte</i> reexamination certificates issued (1981 – present)				7089
	a. Certificates with all claims confirmed			1725	25%
	b. Certificates with all claims canceled			807	11%
	c. Certificates with claims changes			4557	64%
10.	Reexam claim analysis – requester is patent owner or 3 rd party or Commissioner initiated.				
	a. Certificates – PATENT OWNER REQUESTER				2827
	(1) All claims confirmed			625	22%
	(2) All claims canceled			233	8%
	(3) Claim changes			1969	70%
	b. Certificates – 3 rd PARTY REQUESTER				4111
	(1) All claims confirmed			1082	26%
	(2) All claims canceled			540	13%
	(3) Claim changes			2489	61%
	c. Certificates – COMMISSIONER INITIATED REEXAM				151
	(1) All claims confirmed			18	12%
	(2) All claims canceled			34	23%
	(3) Claim changes			99	65%



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Ex Parte Reexamination Filing Data - September 30, 2008

Table with 5 main categories: 1. Total requests filed since start of ex partes reexam on 07/01/81 (9585 total); 2. Number of filings by discipline (Chemical, Electrical, Mechanical, Design); 3. Annual Ex Parte Reexam Filings (table with columns for Fiscal Yr. and No. from 1981-2008); 4. Number known to be in litigation (2849, 30%); 5. Decisions on requests (9219 total, 92% granted, 8% denied).

1Of the requests received in FY 2008, 7 requests have not yet been accorded a filing date, and preprocessing of 15 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for Ex Parte and Inter Partes Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).

6.	Total examiner denials (includes denials reserved by Director).....				830
	a. Patent owner requester		441		53%
	b. Third party requester		389		47%
7.	Overall reexamination pendency (Filing date to certificate issue date)				
	a. Average pendency		24.5 (mos.)		
	b. Median pendency		19.0 (mos.)		
8.	Reexam certificate claim analysis:	Owner	3 rd Party	Comm'r	
		<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>	<u>Overall</u>
	a. All claims confirmed	22%	28%	12%	25%
	b. All claims canceled	8%	13%	21%	11%
	c. Claims changes	70%	59%	67%	64%
9.	Total ex parte reexamination certificates issued (1981 – present)				6457
	a. Certificates with all claims confirmed		1624		25%
	b. Certificates with all claims canceled		721		11%
	c. Certificates with claims changes		4112		64%
10.	Reexam claim analysis – requester is patent owner or 3 rd party; or Comm'r initiated.				
	a. Certificates – PATENT OWNER REQUESTER				2722
	(1) All claims confirmed		611		22%
	(2) All claims canceled		214		8%
	(3) Claim changes		1897		70%
	b. Certificates – 3 rd PARTY REQUESTER				3588
	(1) All claims confirmed		995		28%
	(2) All claims canceled		476		13%
	(3) Claim changes		2117		59%
	c. Certificates – COMM'R INITIATED REEXAM				147
	(1) All claims confirmed		18		12%
	(2) All claims canceled		31		21%
	(3) Claim changes		98		67%