



Ex Parte Reexamination Filing Data - September 30, 2020

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81 ¹										14185
a. By patent owner										3954 27.9%
b. by other member of the public										10056 70.9%
c. By order of Commissioner										175 1.2%
2. Number of Filings by discipline										
a. Chemical Operation										3843 27.1%
b. Electrical Operation										5279 37.2%
c. Mechanical Operation										4790 33.8%
d. Design Patents										273 1.9%
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	600	2015	244	
1984	189	1992	390	2000	312	2008	690	2016	222	
1985	230	1993	359	2001	295	2009	603	2017	191	
1986	232	1994	379	2002	272	2010	697	2018	187	
1987	240	1995	395	2003	394	2011	734	2019	163	
1988	269	1996	413	2004	436	2012	780	2020	198	
4. Number known to be in litigation.....										5428 38.3%
5. Decisions on requests ²										14185
a. No. granted										13082 92.2%
(1) By examiner										12888
(2) By Director (on petition)										194
b. No. denied										1183 8.3%
(1) By examiner										1103
(2) Reexam vacated										80
6. Total examiner denials (includes denials reversed by Director).....										1103
a. Patent owner requester										525 47.6%
b. Third party requester										578 52.4%

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

² The Director granted requests are only granted petitions on denial under 37 CFR 1.515.

³ Historic certificates were reviewed and the data in items 8-10 reflects the outcome of the review to the extent the data is available as of Oct 1, 2020

7. Overall reexamination pendency (Filing date to certificate issue date).....	
a. Average pendency	25.7 (mos.)
b. Median pendency	19.3 (mos.)

8. Reexam certificate claim analysis: ³	Owner	3rd Party	Comm'r		
	Requester	Requester	Initiate	Overall	Numbers
a. Certificates with all claims confirmed	6%	14%	0%	20.9%	2672
b. Certificates with all claims canceled	3%	10%	0%	13.1%	1668
c. Certificates with claims changes	22%	44%	1%	66.0%	8424

9. Total ex parte reexamination certificates issued (1981 – present) 12764

10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.

a. Certificates – PATENT OWNER REQUESTER		3960	
a. All claims confirmed	809	20.4%	
b. All claims canceled	396	10.0%	
c. Claims changed	2755	69.6%	
b. Certificates – 3rd PARTY REQUESTER		8630	
a. All claims confirmed	1846	21.4%	
b. All claims canceled	1226	14.2%	
c. Claims changed	5558	64.4%	
c. Certificates – COMMISSIONER INITIATED REEXAM		174	
a. All claims confirmed	17	9.8%	
b. All claims canceled	46	26.4%	
c. Claims changed	111	63.8%	

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

2 The Director granted requests are only granted petitions on denial under 37 CFR 1.515.

3 Historic certificates were reviewed and the data in items 8-10 reflects the outcome of the review to the extent the data is available as of Oct 1, 2020



Ex Parte Reexamination Filing Data - September 30, 2019

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....										13987	
a. By patent owner										3919	28%
b. by other member of the public										9893	71%
c. By order of Commissioner										175	1%
2. Number of Filings by discipline											
a. Chemical Operation										3791	27%
b. Electrical Operation										5214	37%
c. Mechanical Operation										4732	34%
d. Design Patents										250	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	600	2015	244		
1984	189	1992	390	2000	312	2008	690	2016	222		
1985	230	1993	359	2001	295	2009	603	2017	191		
1986	232	1994	379	2002	272	2010	697	2018	187		
1987	240	1995	395	2003	394	2011	734	2019	163		
1988	269	1996	413	2004	436	2012	780				
4. Number known to be in litigation.....										1938	14%
5. Decisions on requests ²											14130
a. No. granted										12905	91%
(1) By examiner										12718	
(2) By Director (on petition)										187	
b. No. denied										1277	9%
(1) By examiner										1225	
(2) Reexam vacated										52	
6. Total examiner denials (includes denials reversed by Director).....											1226
a. Patent owner requester										524	43%
b. Third party requester										702	57%

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

2 The Director granted requests are only granted petitions on denial under 37 CFR 1.515.

7. Overall reexamination pendency (Filing date to certificate issue date).....	
a. Average pendency	25.8 (mos.)
b. Median pendency	19.4 (mos.)

8. Total ex parte reexamination certificates issued (1981 - present).....				11980	
	Owner	3rd Party	Comm'r		
	<u>Requester</u>	<u>Requester</u>	<u>Initiate</u>	<u>Overall</u>	<u>Numbers</u>
a. Certificates with all claims confirmed	6%	15%	0%	20.7%	2480
b. Certificates with all claims canceled	3%	10%	0%	12.7%	1517
c. Certificates with claims changes	19%	46%	1%	66.6%	7983

9. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.

a. Certificates – PATENT OWNER REQUESTER		3325
a. All claims confirmed	693	21%
b. All claims canceled	300	9%
c. Claims changed	2332	70%
b. Certificates – 3rd PARTY REQUESTER		8481
a. All claims confirmed	1769	21%
b. All claims canceled	1170	14%
c. Claims changed	5542	65%
c. Certificates – COMMISSIONER INITIATED REEXAM		174
a. All claims confirmed	18	10%
b. All claims canceled	47	27%
c. Claims changed	109	63%

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

2 The Director granted requests are only granted petitions on denial under 37 CFR 1.515.



Ex Parte Reexamination Filing Data - September 30, 2018

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....										14005	
a. By patent owner										4137	30%
b. by other member of the public										9825	70%
c. By order of Commissioner										43	0%
2. Number of Filings by discipline											
a. Chemical Operation										3782	27%
b. Electrical Operation										5270	38%
c. Mechanical Operation										4717	34%
d. Design Patents										236	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	225	
	1985	230	1993	359	2001	295	2009	605	2017	189	
	1986	232	1994	379	2002	272	2010	698	2018	189	
	1987	240	1995	395	2003	394	2011	736			
	1988	269	1996	413	2004	436	2012	781			
4. Number known to be in litigation.....										4731	34%
5. Decisions on requests.....											13178
a. No. granted										12042	91%
(1) By examiner										11891	
(2) By Director (on petition)										151	
b. No. denied										1136	9%
(1) By examiner										1089	
(2) Reexam vacated										47	
6. Total examiner denials (includes denials reversed by Director).....											2272
a. Patent owner requester										586	26%
b. Third party requester										1686	74%
7. Overall reexamination pendency (Filing date to certificate issue date).....											
a. Average pendency											27.7 (mos.)
b. Median pendency											19.8 (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%	21%
b. All claims canceled	3%	10%	0%	12%
c. Claims changed	20%	47%	0%	67%
9. Total ex parte reexamination certificates issued (1981 – present)				11403
a. Certificates with all claims confirmed			2391	21%
b. Certificates with all claims canceled			1404	12%
c. Certificates with claims changes			7608	67%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3337
a. All claims confirmed			690	21%
b. All claims canceled			293	9%
c. Claims changed			2313	69%
b. Certificates – 3rd PARTY REQUESTER				8362
a. All claims confirmed			1681	20%
b. All claims canceled			1062	13%
c. Claims changed			5174	62%
c. Certificates – COMMISSIONER INITIATED REEXAM				41
a. All claims confirmed			2	5%
b. All claims canceled			23	56%
c. Claims changed			16	39%



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 Alexandria, VA 22313-1450
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Ex Parte Reexamination Filing Data - September 30, 2017

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....										13641	
a. By patent owner										3912	29%
b. by other member of the public										9686	71%
c. By order of Commissioner										43	0%
2. Number of Filings by dicipline											
a. Chemical Operation										3670	27%
b. Electrical Operation										5148	38%
c. Mechanical Operation										4596	34%
d. Design Patents										227	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	2017	191		
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.....										4648	34%
5. Decisions on requests.....											13147
a. No. granted										12047	92%
(1) By examiner										11913	
(2) By Director (on petition)										134	
b. No. denied										1100	8%
(1) By examiner										1054	
(2) Reexam vacated										46	
6. Total examiner denials (includes denials reversed by Director).....											1056
a. Patent owner requester										494	47%
b. Third party requester										562	53%
7. Overall reexamination pendency (Filing date to certificate issue date).....											
a. Average pendency											26.4 (mos.)
b. Median pendency											19.4 (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%	21%
b. All calims canceled	3%	9%	0%	12%
c. Claims changed	21%	46%	0%	67%
9. Total ex parte reexamination certificates issued (1981 – present)				11403
a. Certificates with all claims confirmed			2391	21%
b. Certificates with all claims canceled			1404	12%
c. Certificates with claims changes			7608	67%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3296
a. All claims confirmed			690	21%
b. All calims canceled			293	9%
c. Claims changed			2313	70%
b. Certificates – 3rd PARTY REQUESTER				7917
a. All claims confirmed			1681	21%
b. All calims canceled			1062	13%
c. Claims changed			5174	65%
c. Certificates – COMMISSIONER INITIATED REEXAM				41
a. All claims confirmed			2	5%
b. All calims canceled			23	56%
c. Claims changed			16	39%



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	2015	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.....											12929
a. No. granted										11835	92%
(1) By examiner										11704	
(2) By Director (on petition)										131	
b. No. denied										1094	8%
(1) By examiner										1048	
(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.

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, 2015

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....										13136	
a. By patent owner										3957	30%
b. by other member of the public										9014	69%
c. By order of Commissioner										165	1%
2. Number of Filings by dicipline											
a. Chemical Operation										3569	27%
b. Electrical Operation										5265	40%
c. Mechanical Operation										4418	34%
d. Design Patents										220	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	296		
1982	187	1990	297	1998	350	2006	511	2014	342		
1983	186	1991	307	1999	385	2007	643	2015	240		
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.....										4819	37%
5. Decisions on requests.....											12641
a. No. granted										11623	92%
(1) By examiner										11492	
(2) By Director (on petition)										131	
b. No. denied										1018	8%
(1) By examiner										980	
(2) Reexam vacated										38	
6. Total examiner denials (includes denials reversed by Director).....											1118
a. Patent owner requester										496	44%
b. Third party requester										622	56%
7. Overall reexamination pendency (Filing date to certificate issue date).....											
a. Average pendency											26.5 (mos.)
b. Median pendency											19.6 (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%	21%
b. All calims canceled	3%	9%	0%	12%
c. Claims changed	21%	45%	1%	67%
9. Total ex parte reexamination certificates issued (1981 – present)				10951
a. Certificates with all claims confirmed			2331	21%
b. Certificates with all claims canceled			1334	12%
c. Certificates with claims changes			7286	67%
10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.				
a. Certificates – PATENT OWNER REQUESTER				3268
a. All claims confirmed			685	21%
b. All calims canceled			291	9%
c. Claims changed			2292	70%
b. Certificates – 3rd PARTY REQUESTER				7513
a. All claims confirmed			1628	22%
b. All calims canceled			998	13%
c. Claims changed			4887	65%
c. Certificates – COMMISSIONER INITIATED REEXAM				170
a. All claims confirmed			18	11%
b. All calims canceled			45	26%
c. Claims changed			107	63%



Ex Parte Reexamination Filing Data - September 30, 2014

1. Total requests filed since start of Ex Parte 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 Ex Parte 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	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:	Owner <u>Requeste</u>	3rd Party <u>Requeste</u>	Comm'r <u>Initiate</u>	<u>Overall</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	
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	
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 (3068 total), 3. Annual Ex Parte Reexam Filings (table with columns for Fiscal Yr. and No. from 1981-2010), 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%