PTAB Trial Statistics
February 2021
IPR, PGR, CBM

Patent Trial and Appeal Board
Petitions filed by trial type
(FY21 through February: Oct. 1, 2020 to Feb. 28, 2021)

Trial types include Inter Partes Review (IPR), Post Grant Review (PGR), and Covered Business Method (CBM). The Office will not consider a CBM petition filed on or after September 16, 2020.
Petitions filed by technology
(FY21 through February: Oct. 1, 2020 to Feb. 28, 2021)

- Electrical/Computer: 350 (62%)
- Mechanical & Business Method: 140 (25%)
- Chemical: 35 (6%)
- Bio/Pharma: 42 (7%)
- Design: 1 (0%)

Total: 568
The Office will not consider a CBM petition filed on or after September 16, 2020.
Institution rates by petition
(FY17 to FY21 through February: Oct. 1, 2016 to Feb. 28, 2021)

by Petition

- FY17: 63% Institution, 558 Denied
- FY18: 60% Institution, 577 Denied
- FY19: 63% Institution, 510 Denied
- FY20: 56% Institution, 507 Denied
- FY21 YTD: 61% Institution, 305 Denied, 198 Denied
### Institution rates by patent

(FY17 to FY21 through February: Oct. 1, 2016 to Feb. 28, 2021)

<table>
<thead>
<tr>
<th>Year</th>
<th>Instituted</th>
<th>Denied</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY17</td>
<td>708</td>
<td>314</td>
</tr>
<tr>
<td>FY18</td>
<td>674</td>
<td>338</td>
</tr>
<tr>
<td>FY19</td>
<td>667</td>
<td>290</td>
</tr>
<tr>
<td>FY20</td>
<td>567</td>
<td>316</td>
</tr>
<tr>
<td>FY21 YTD</td>
<td>301</td>
<td>124</td>
</tr>
</tbody>
</table>

- **69%** for FY17
- **67%** for FY18
- **70%** for FY19
- **71%** for FY21 YTD
Institution rates by patent and by petition
(FY17 to FY21 through February: Oct. 1, 2016 to Feb. 28, 2021)

by Patent

FY17: 69%
FY18: 67%
FY19: 70%
FY20: 64%
FY21 YTD: 71%

by Petition

FY17: 63%
FY18: 60%
FY19: 63%
FY20: 56%
FY21 YTD: 61%
Institution rates by technology
(FY21 through February: Oct. 1, 2020 to Feb. 28, 2021)

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.

- Bio/Pharma: 67% (18 of 27)
- Chemical: 47% (21 of 45)
- Design: 75% (3 of 4)
- Electrical/Computer: 62% (185 of 298)
- Mechanical & Business Method: 60% (78 of 129)
## Settlements
(FY17 to FY21 through February: Oct. 1, 2016 to Feb. 28, 2021)

Settlement rate is calculated by dividing total settlements by concluded proceedings in each fiscal year (i.e., denied institution, settled, dismissed, requested adverse judgment, and final written decision), excluding joined cases.

### Settlement Rate

<table>
<thead>
<tr>
<th>Settlement Rate</th>
<th>FY17</th>
<th>FY18</th>
<th>FY19</th>
<th>FY20</th>
<th>FY21 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post-Institution</td>
<td>187</td>
<td>202</td>
<td>243</td>
<td>146</td>
<td>90</td>
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<tr>
<td>Pre-Institution</td>
<td>249</td>
<td>200</td>
<td>259</td>
<td>163</td>
<td>118</td>
</tr>
<tr>
<td>Total</td>
<td>436</td>
<td>402</td>
<td>502</td>
<td>309</td>
<td>208</td>
</tr>
</tbody>
</table>

Settlement percentage:
- FY17: 26%
- FY18: 25%
- FY19: 31%
- FY20: 22%
- FY21 YTD: 34%