PTAB Trial Statistics
FY24 Q1 Outcome Roundup
IPR, PGR

Patent Trial and Appeal Board
Fiscal Year 2024 1st Quarter
Petitions filed by trial type
(FY24 through Q1: Oct. 1, 2023 to Dec. 31, 2023)

Trial types include Inter Partes Review (IPR) and Post Grant Review (PGR).
Petitions filed by technology
(FY24 through Q1: Oct. 1, 2023 to Dec. 31, 2023)

- Electrical/Computer: 183 (66%)
- Mechanical & Business Method: 69 (25%)
- Chemical: 7 (3%)
- Bio/Pharma: 19 (7%)
- Design: 0 (0%)

Total: 278
Petitions filed by month
(December 2023 and Prior 12 Months: Dec. 1, 2022 to Dec. 31, 2023)

- IPR
  - December 2023: 110
  - January 2024: 103
  - February 2024: 108
  - March 2024: 127
  - April 2024: 77
  - May 2024: 69
  - June 2024: 151
  - July 2024: 87
  - August 2024: 91
  - September 2024: 71
  - October 2024: 85
  - November 2024: 91
  - December 2024: 94
  - Total for FY24: 270

- PGR
  - December 2023: 2
  - January 2024: 4
  - February 2024: 0
  - March 2024: 3
  - April 2024: 1
  - May 2024: 3
  - June 2024: 1
  - July 2024: 3
  - August 2024: 7
  - September 2024: 4
  - October 2024: 5
  - November 2024: 1
  - December 2024: 2
  - Total for FY24: 8
## Institution rates by petition
*(FY20 to FY24 through Q1: Oct. 1, 2019 to Dec. 31, 2023)*

<table>
<thead>
<tr>
<th>Year</th>
<th>Instituted</th>
<th>Denied</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY20</td>
<td>648</td>
<td>512</td>
<td>1160</td>
</tr>
<tr>
<td>FY21</td>
<td>702</td>
<td>504</td>
<td>1206</td>
</tr>
<tr>
<td>FY22</td>
<td>769</td>
<td>398</td>
<td>1167</td>
</tr>
<tr>
<td>FY23</td>
<td>752</td>
<td>375</td>
<td>1127</td>
</tr>
<tr>
<td>FY24 YTD</td>
<td>177</td>
<td>99</td>
<td>276</td>
</tr>
</tbody>
</table>

### by Petition

- FY20: 648 petitions, 512 denied, 1160 total
- FY21: 702 petitions, 504 denied, 1206 total
- FY22: 769 petitions, 398 denied, 1167 total
- FY23: 752 petitions, 375 denied, 1127 total
- FY24 YTD: 177 petitions, 99 denied, 276 total

**Instituted**

**Denied**

**FY20 to FY24 through Q1: Oct. 1, 2019 to Dec. 31, 2023**
Institution rates by patent
(FY20 to FY24 through Q1: Oct. 1, 2019 to Dec. 31, 2023)

Institution rates by patent (FY20 to FY24 through Q1: Oct. 1, 2019 to Dec. 31, 2023)
Institution rates by technology
(FY24 through Q1: Oct. 1, 2023 to Dec. 31, 2023)

<table>
<thead>
<tr>
<th>Technology</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bio/Pharma</td>
<td>65% (17 of 26)</td>
</tr>
<tr>
<td>Chemical</td>
<td>0% (0 of 4)</td>
</tr>
<tr>
<td>Design</td>
<td>0% (0 of 1)</td>
</tr>
<tr>
<td>Electrical/Computer</td>
<td>66% (131 of 197)</td>
</tr>
<tr>
<td>Mechanical &amp; Business Method</td>
<td>60% (29 of 48)</td>
</tr>
</tbody>
</table>

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.
Settlements
(FY20 to FY24 through Q1: Oct. 1, 2019 to Dec. 31, 2023)

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.
Outcomes by petition
(FY24 through Q1: Oct. 1, 2023 to Dec. 31, 2023)

FWD patentability or unpatentability reported with respect to the claims at issue in the FWD. Joined cases are excluded.
Outcomes by patent
(FY24 through Q1: Oct. 1, 2023 to Dec. 31, 2023)

FWD patentability or unpatentability reported with respect to the claims at issue in the FWD. “Mixed Outcome” is shown for patents receiving more than one type of outcome from the list of: denied, settled, dismissed, and/or req. adverse judgement only. A patent is listed in a FWD category if it ever received a FWD, regardless of other outcomes.
Outcomes by claim challenged
(FY24 through Q1: Oct. 1, 2023 to Dec. 31, 2023)

- FWD Unpatentable: 1,885 (34%)
- FWD Patentable: 448 (8%)
- Institution Denied: 1,309 (24%)
- Challenged But No FWD: 1,712 (31%)
- Disclaimed: 135 (2%)
- Dismissed: 50 (< 1%)

5,539 Claims
Claim outcomes
(FY24 through Q1: Oct. 1, 2023 to Dec. 31, 2023)

34% of challenged claims and 57% of instituted claims were found unpatentable by a preponderance of the evidence.

“No DI” and “No FWD” mean the claim was challenged but not addressed in a DI/FWD, e.g., due to settlement.