Trial Statistics
IPR, PGR, CBM
Patent Trial and Appeal Board
September 2018
Petitions by Trial Type
(All Time: 9/16/12 to 9/30/18)

Trial types include Inter Partes Review (IPR), Post Grant Review (PGR), and Covered Business Method (CBM).
Petitions Filed by Technology in FY18
(FY18: 10/1/17 to 9/30/18)

- Electrical/Computer: 970 (60%)
- Mechanical & Business Method: 373 (23%)
- Chemical: 96 (6%)
- Bio/Pharma: 172 (11%)
- Design: 2 (0%)

Total: 1,613
Petitions Filed by Month
(September 2018 and Previous 12 Months: 9/1/17 to 9/30/18)

- **PGR**
  - Sep-17: 2
  - Sep-18: 11
  - (56 PGRs in FY18)

- **IPR**
  - Sep-17: 88
  - Sep-18: 159
  - (1,521 IPRs in FY18)

- **CBM**
  - Sep-17: 6
  - Sep-18: 3
  - (36 CBMs in FY18)
Preliminary Response Filing Rates
Pre- and Post-Rule To Allow New Testimonial Evidence (NTE)
(All Time: 9/16/12 to 9/30/18)

<table>
<thead>
<tr>
<th>Pre</th>
<th>Post</th>
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<th>Post</th>
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<tbody>
<tr>
<td>Bio/Pharma</td>
<td></td>
<td>Chemical</td>
<td></td>
<td>Design</td>
<td></td>
<td>Electrical/Computer</td>
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<tr>
<td>86%</td>
<td>85%</td>
<td>86%</td>
<td>84%</td>
<td>64%</td>
<td>69%</td>
<td>85%</td>
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The rule to allow new testimonial evidence was effective May 2, 2016.
Institution Rates
(FY13 to FY18: 10/1/12 to 9/30/18)

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 Rates by Technology
(All Time: 9/16/12 to 9/30/18)

<table>
<thead>
<tr>
<th>Technology</th>
<th>Rate</th>
<th>(Petitions Instituted)</th>
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<tbody>
<tr>
<td>Bio/Pharma</td>
<td>59%</td>
<td>(425 of 716)</td>
</tr>
<tr>
<td>Chemical</td>
<td>63%</td>
<td>(295 of 466)</td>
</tr>
<tr>
<td>Design</td>
<td>41%</td>
<td>(17 of 41)</td>
</tr>
<tr>
<td>Electrical/Computer</td>
<td>68%</td>
<td>(2,768 of 4,094)</td>
</tr>
<tr>
<td>Mechanical &amp; Business Method</td>
<td>69%</td>
<td>(1,186 of 1,726)</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.
Pre-Institution Settlements  
(FY13 to FY18: 10/1/12 to 9/30/18)

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.
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.