Trial Statistics
IPR, PGR, CBM
Patent Trial and Appeal Board
January 2020
Trial types include Inter Partes Review (IPR), Post Grant Review (PGR), and Covered Business Method (CBM).
Petitions Filed by Technology in FY20

- **Mechanical & Business Method**: 117 (28%)
- **Electrical/Computer**: 243 (59%)
- **Chemical**: 19 (5%)
- **Bio/Pharma**: 25 (6%)
- **Design**: 8 (2%)

Total: 412
Petitions Filed by Month

(396 IPRs in FY20)

Jan-19  IPR  Jan-20

(11 PGRs in FY20)

Jan-19  PGR  Jan-20

(5 CBMs in FY20)

Jan-19  CBM  Jan-20
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: Sept. 16, 2012 to Jan. 31, 2020)

Bio/Pharma: 59% (520 of 877)
Chemical: 61% (328 of 539)
Design: 41% (19 of 46)
Electrical/Computer: 66% (3,407 of 5,134)
Mechanical & Business Method: 68% (1,480 of 2,181)

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.
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.
Status of Petitions
(All Time: Sept. 16, 2012 to Jan. 31, 2020)

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.
Outcome of concluded proceedings
(All time: Sept. 16, 2012 to Jan. 31, 2019)

- **Institution Denied**: 2,999 (33%)
- **Settled**: 2,656 (29%)
- **Requested Adverse Judgment**: 371 (4%)
- **FWD All Patentable**: 587 (6%)
- **FWD Mixed**: 539 (6%)
- **FWD All Unpatentable**: 1,908 (21%)

Jointed and dismissed cases are excluded.

Percentage of the Final Written Decisions

- **FWD All Patentable**: 587 (19%)
- **FWD Mixed**: 539 (18%)
- **FWD All Unpatentable**: 1,908 (63%)