Trial Statistics
IPR, PGR, CBM
Patent Trial and Appeal Board
May 2020
Petitions by Trial Type
(All Time: Sept. 16, 2012 to May 31, 2020)

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

- Electrical/Computer: 552 (62%)
- Mechanical & Business Method: 227 (25%)
- Chemical: 54 (6%)
- Bio/Pharma: 41 (5%)
- Design: 20 (2%)

Total: 894
Petitions Filed by Month
(May 2020 and Previous 12 Months: May 1, 2019 to May 31, 2020)

May-19

PGR

May-20

IPR

May-20

CBM

(838 IPRs in FY20)

(46 PGRs in FY20)

(10 CBMs in FY20)
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 May 31, 2020)

- Bio/Pharma: 59% (537 of 917)
- Chemical: 61% (348 of 572)
- Design: 38% (20 of 52)
- Electrical/Computer: 66% (3,538 of 5,366)
- Mechanical & Business Method: 67% (1,523 of 2,267)

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  

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.
Post-Institution Settlements

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.
Outcome of Concluded Proceedings
(All Time: Sept. 16, 2012 to May 31, 2020)

- Institution Denied: 3,181 (33%)
- Settled: 2,745 (29%)
- FWD All Patentable: 633 (7%)
- FWD Mixed: 582 (6%)
- Requested Adverse Judgment: 391 (4%)
- FWD All Unpatentable: 2,017 (21%)

Percentage of Final Written Decisions:
- FWD All Patentable: 633 (20%)
- FWD Mixed: 582 (18%)
- FWD All Unpatentable: 2,017 (62%)

Joined and dismissed cases are excluded.