

UNITED STATES
PATENT AND TRADEMARK OFFICE



PTAB Trial Statistics

FY24 Q1 Outcome Roundup

IPR, PGR

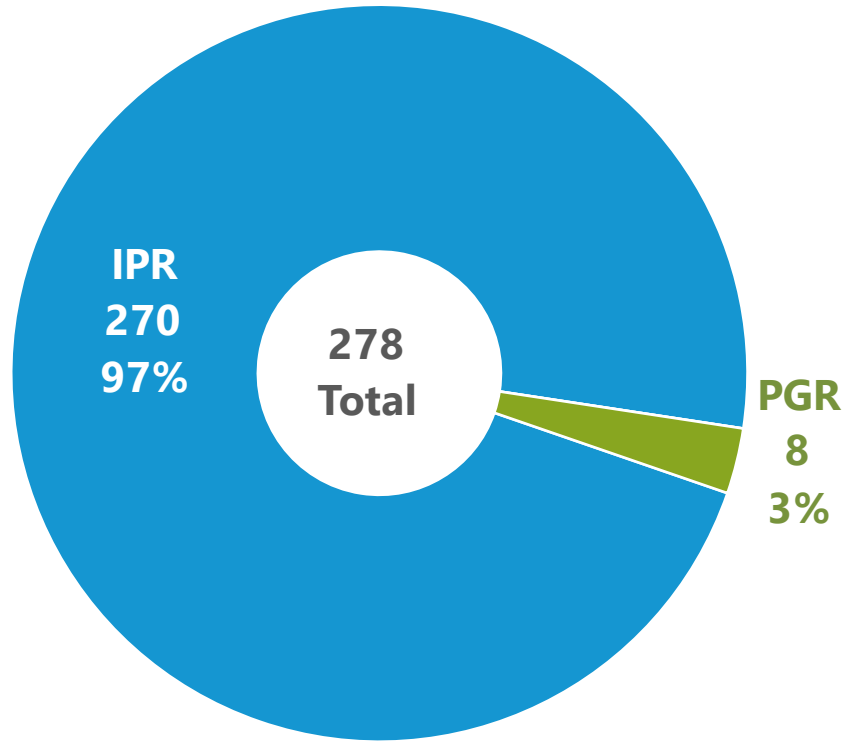
Patent Trial and Appeal Board
Fiscal Year 2024 1st Quarter



UNITED STATES
PATENT AND TRADEMARK OFFICE ®

Petitions filed by trial type

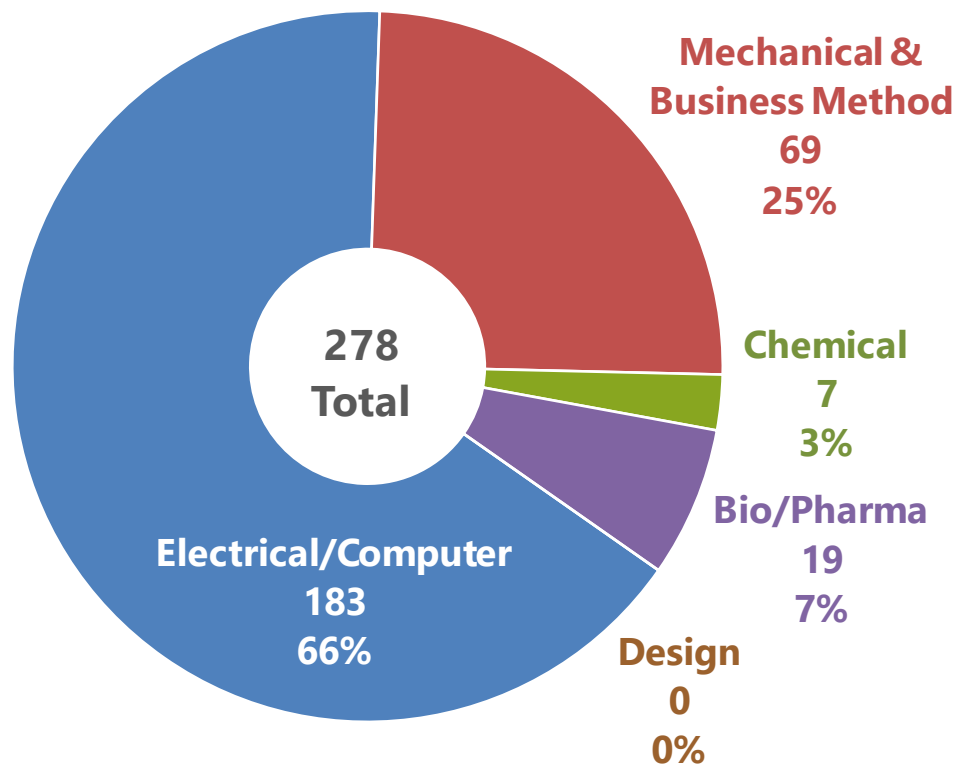
(FY24 through Q1: Oct. 1, 2023 to Dec. 31, 2023)



Trial types include Inter Partes Review (IPR) and Post Grant Review (PGR).

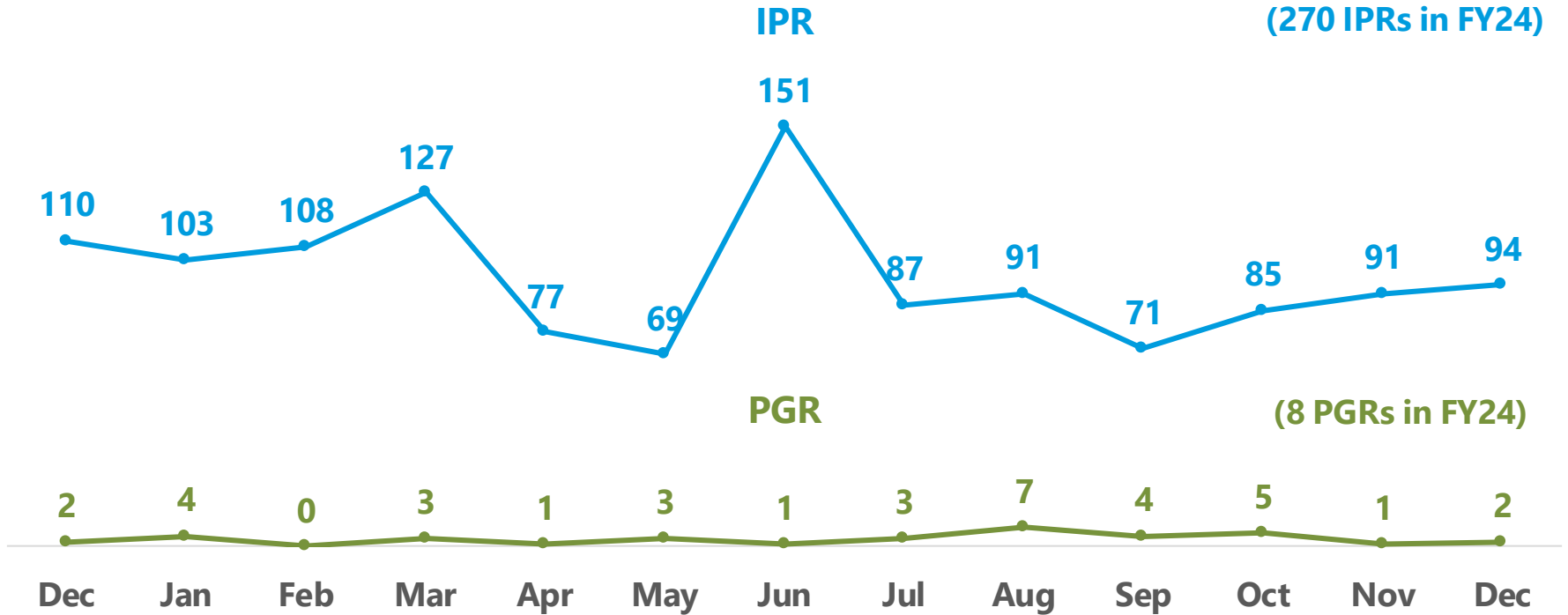
Petitions filed by technology

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



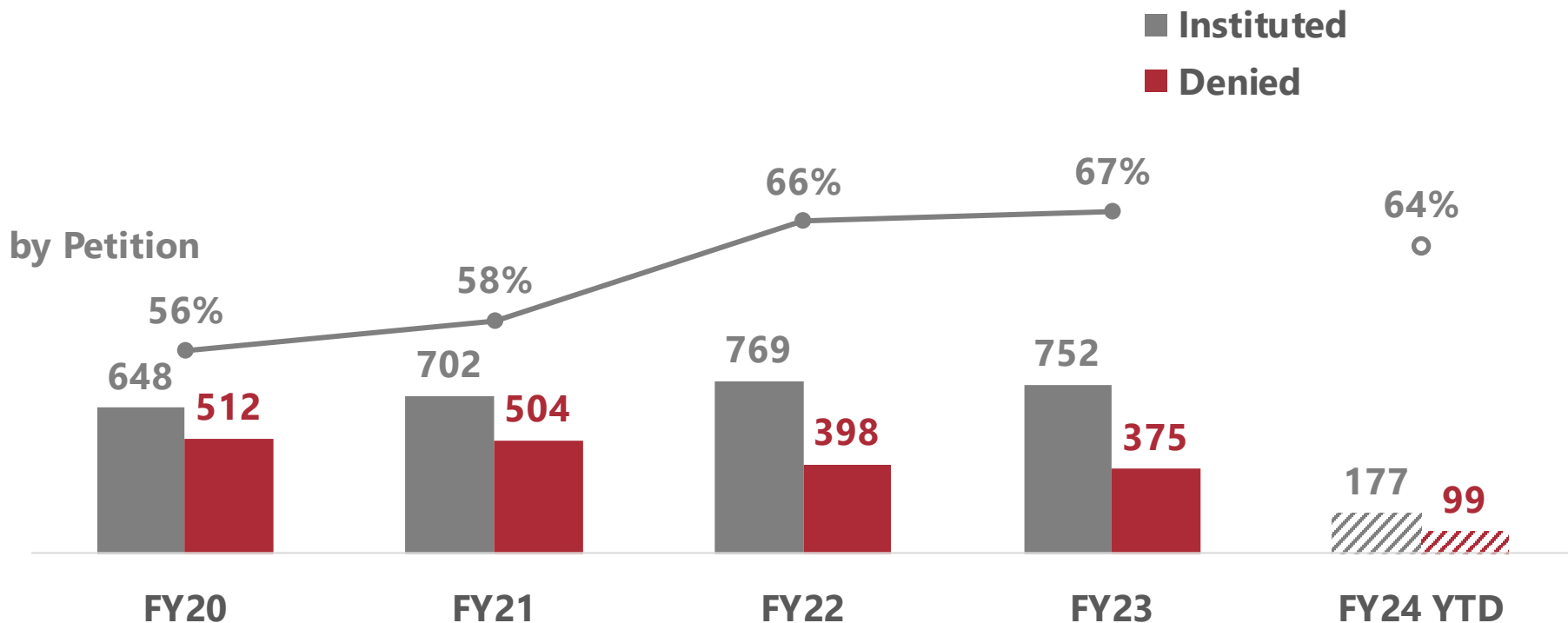
Petitions filed by month

(December 2023 and Prior 12 Months: Dec. 1, 2022 to Dec. 31, 2023)



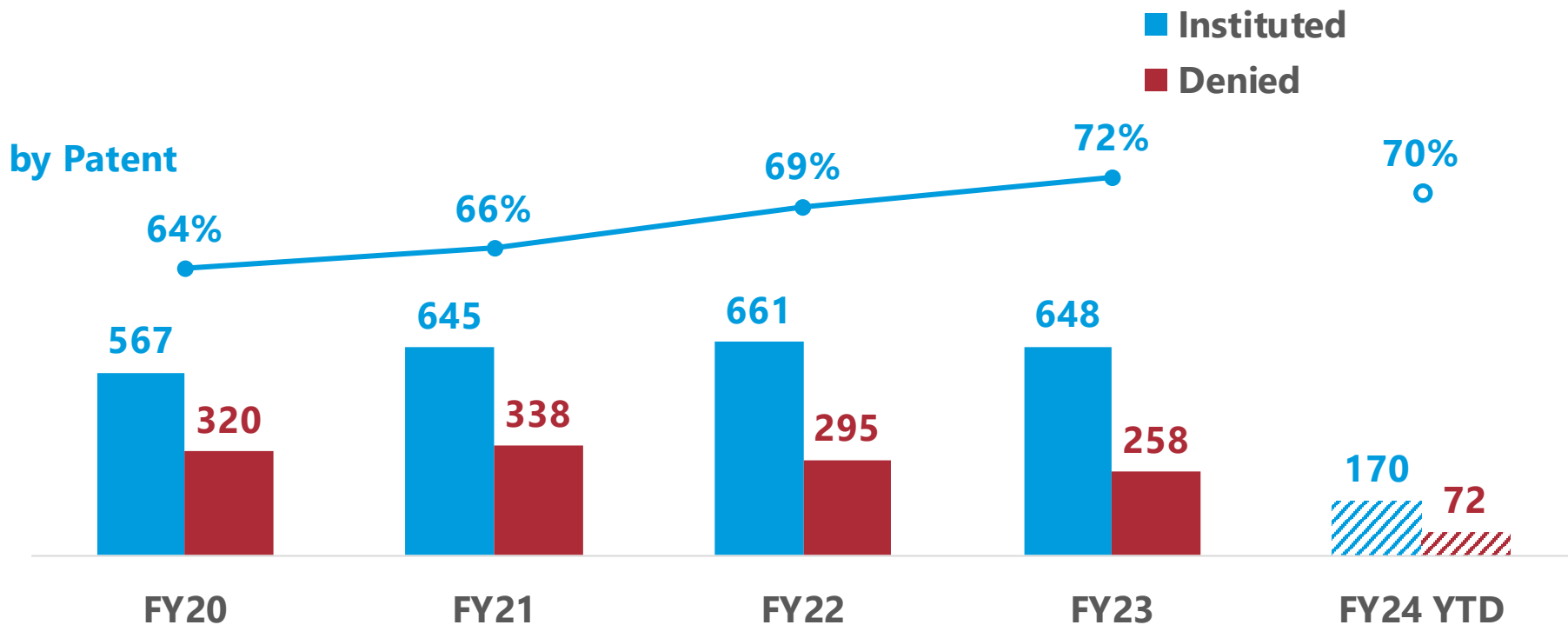
Institution rates by petition

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



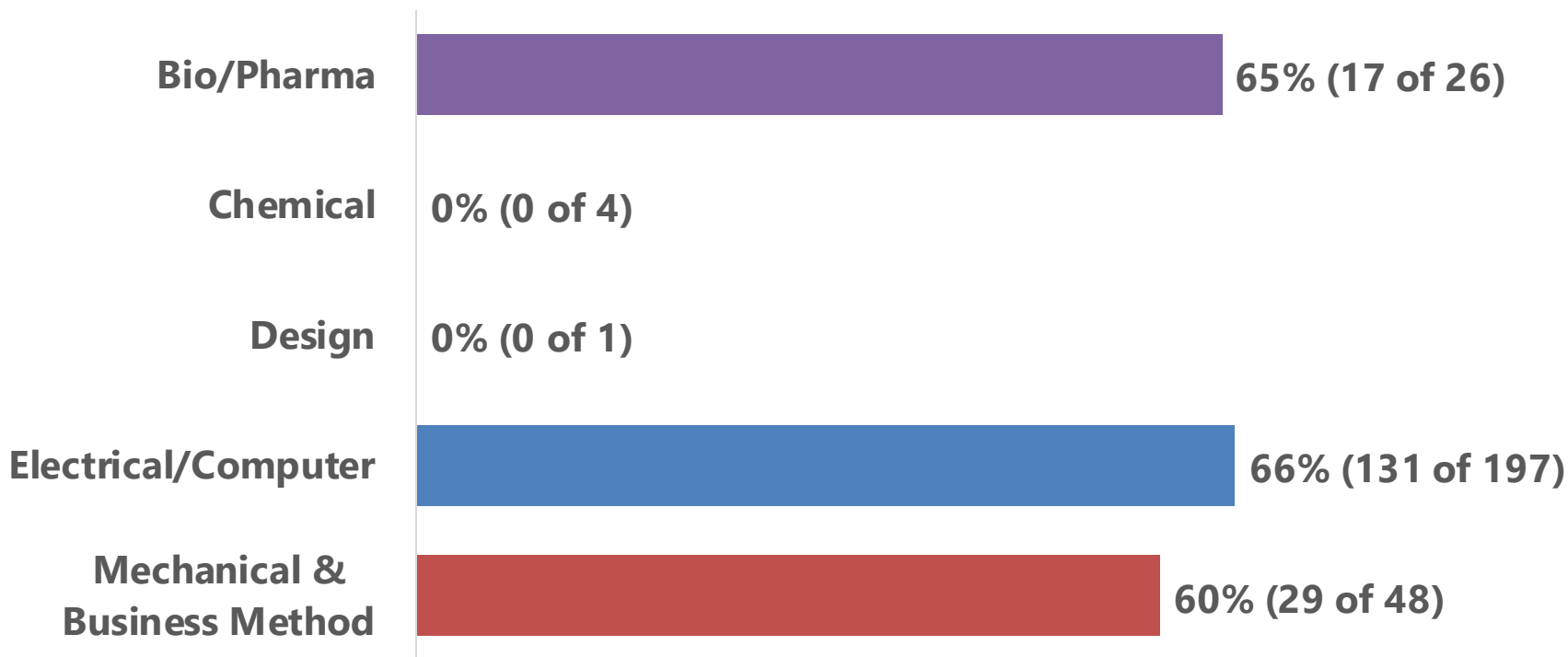
Institution rates by patent

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



Institution rates by technology

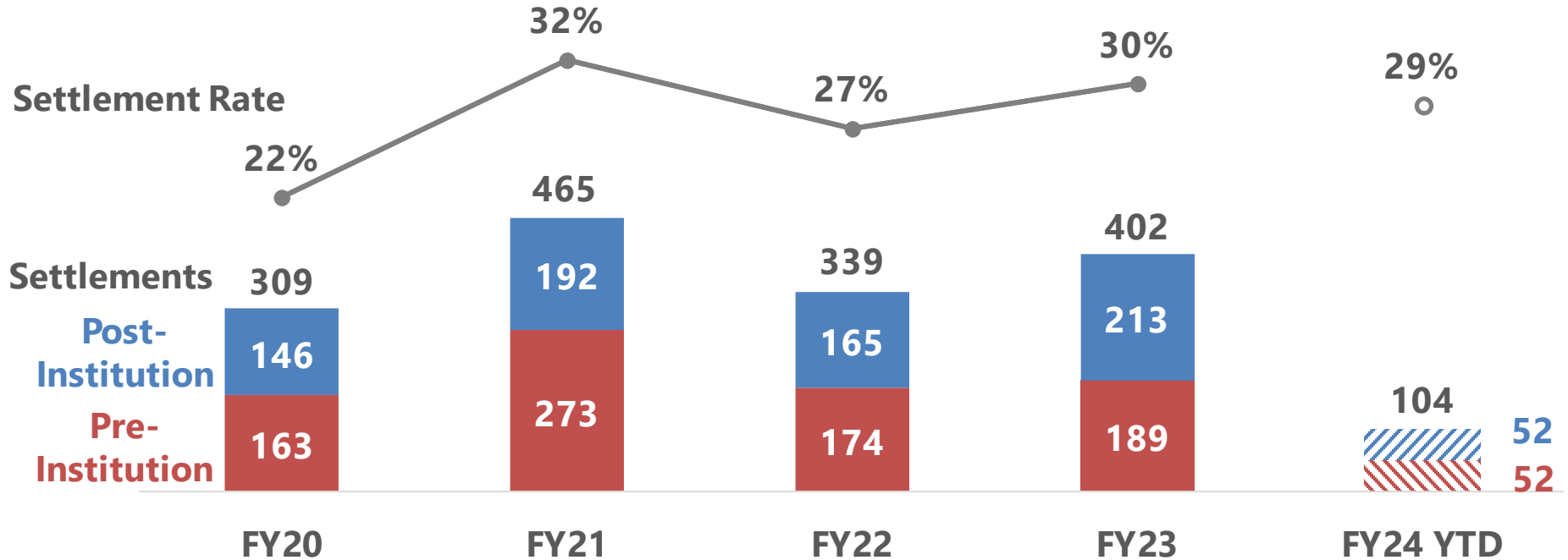
(FY24 through Q1: Oct. 1, 2023 to Dec. 31, 2023)



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)

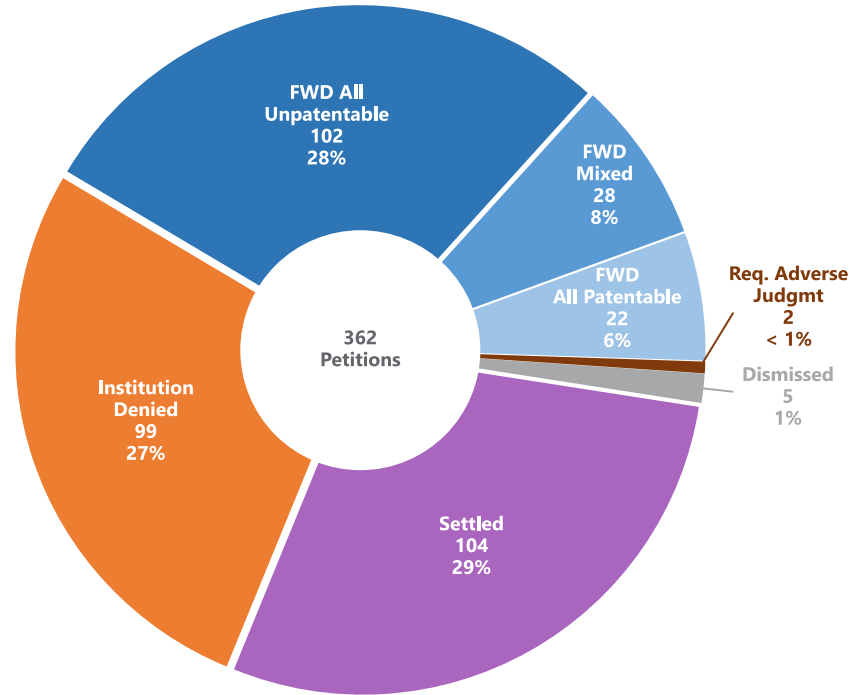


Settlement rate is calculated by dividing total settlements by concluded proceedings in each fiscal year (i.e., denied institution, settled, dismissed, requested adverse judgment, and final written decision), excluding joined cases.



Outcomes by petition

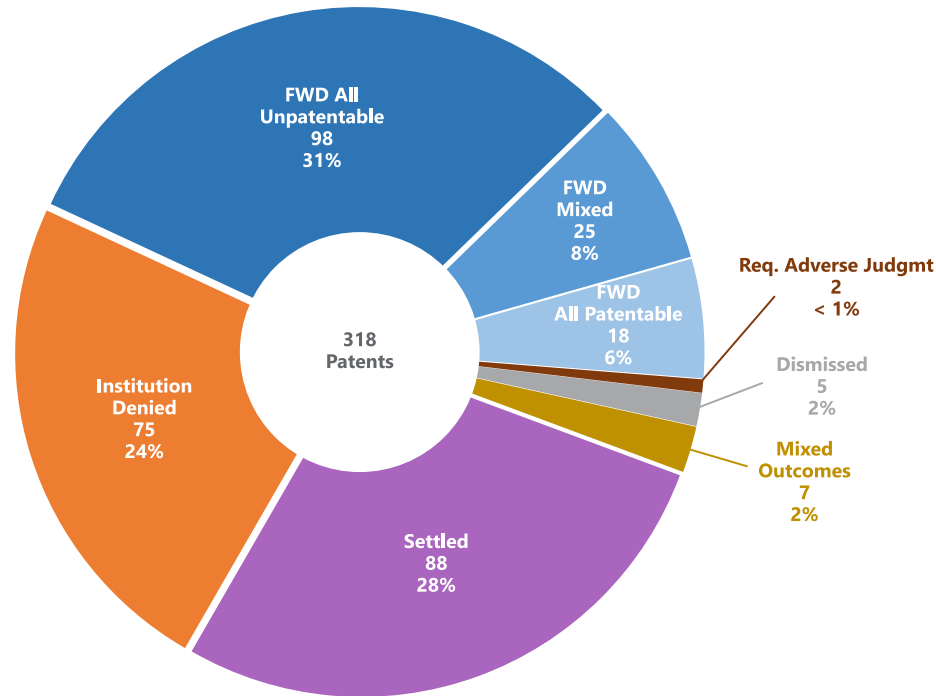
(FY24 through Q1: Oct. 1, 2023 to Dec. 31, 2023)



FWD patentability or unpatentability reported with respect to the claims at issue in the FWD. Joined cases are excluded.

Outcomes by patent

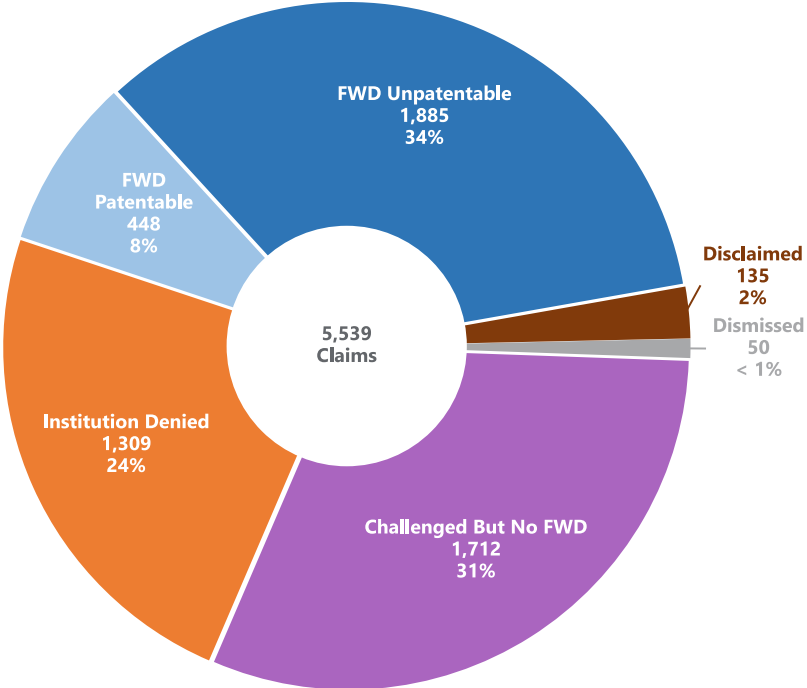
(FY24 through Q1: Oct. 1, 2023 to Dec. 31, 2023)



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.

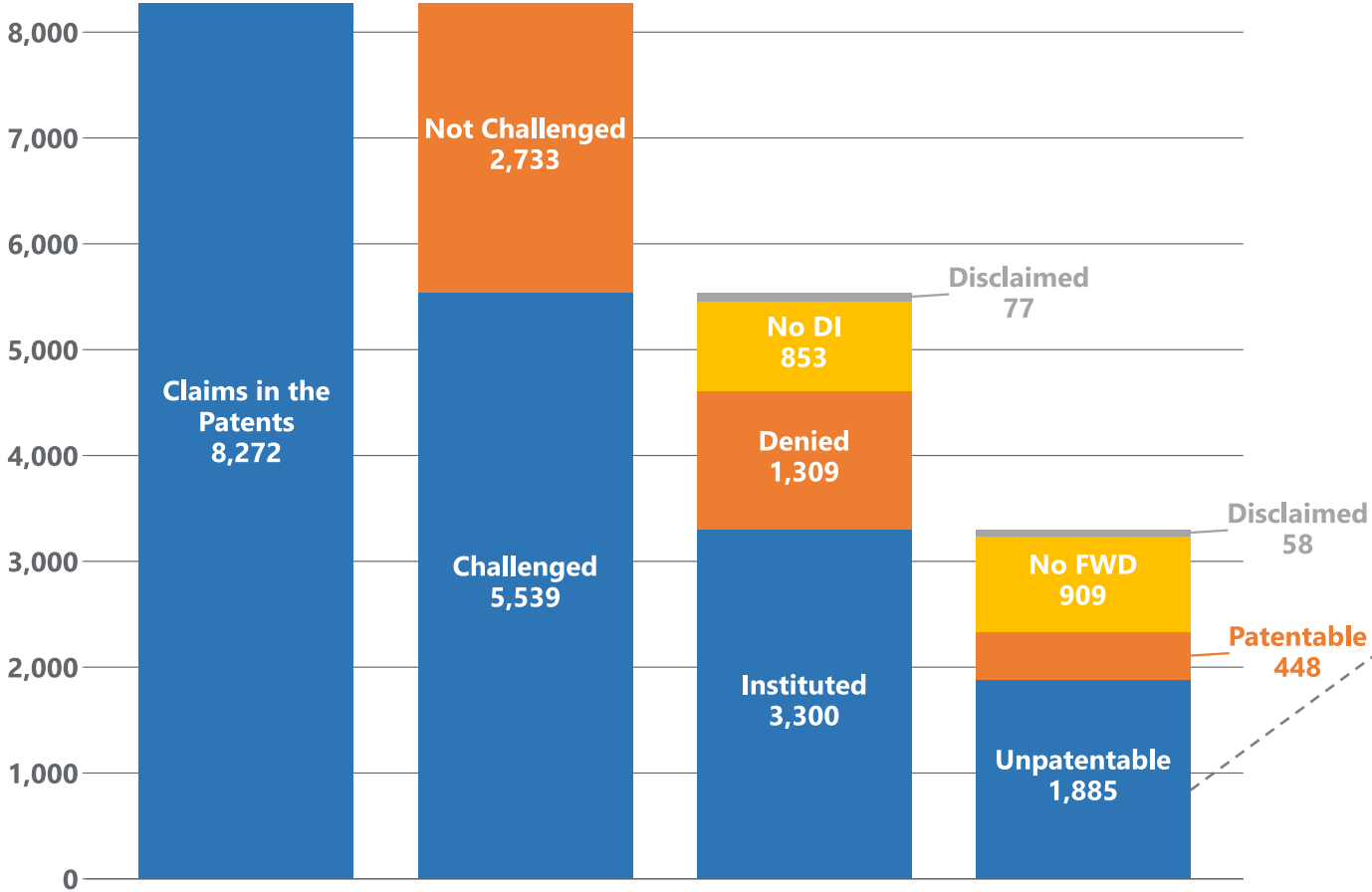
Outcomes by claim challenged

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



Claim outcomes

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



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

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



