



Ex Parte Reexamination Filing Data - September 30, 2023

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81 ¹	15115
a. By patent owner	4027 26.6%
b. by other member of the public	10913 72.2%
c. By order of Commissioner	175 1.2%
2. Number of Filings by discipline	
a. Chemical Operation	3978 26.3%
b. Electrical Operation	5797 38.4%
c. Mechanical Operation	4990 33.0%
d. Design Patents	350 2.3%
3. Annual <i>Ex Parte</i> Reexam Filings	
Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No Fiscal Yr. No	
1981 78 (3 mos.) 1991 309 2001 295 2011 734 2021 304	
1982 187 1992 390 2002 272 2012 780 2022 338	
1983 186 1993 359 2003 394 2013 305 2023 288	
1984 189 1994 379 2004 436 2014 355	
1985 230 1995 395 2005 520 2015 244	
1986 232 1996 413 2006 473 2016 222	
1987 240 1997 380 2007 600 2017 191	
1988 269 1998 348 2008 690 2018 187	
1989 242 1999 391 2009 603 2019 163	
1990 297 2000 312 2010 697 2020 198	
4. Number known to be in litigation.....	5591 37.0%
5. Decisions on requests ²	14490
a. No. granted	13385 92.4%
(1) By examiner	13196
(2) By Director (on petition)	189
b. No. denied	1185 8.2%
(1) By examiner	1105
(2) Reexam vacated	80
6. Total examiner denials (includes denials reversed by Director).....	1105
a. Patent owner requester	526 47.6%
b. Third party requester	579 52.4%

1 Total decisions on requests does not include requests that have been vacated or are pending.

2 The Director granted requests are only granted petitions on denial under 37 CFR 1.515.

7. Overall reexamination pendency (Filing date to certificate issue date).....	
a. Average pendency	25.2 (mos.)
b. Median pendency	18.9 (mos.)

8. Reexam certificate claim analysis:	Owner	3rd Party	Comm'r		
	<u>Requester</u>	<u>Requester</u>	<u>Initiate</u>	<u>Overall</u>	<u>Numbers</u>
a. Certificates with all claims confirmed	7%	15%	0%	21.6%	2675
b. Certificates with all claims canceled	3%	10%	0%	13.7%	1696
c. Certificates with claims changes	22%	42%	1%	64.7%	8012

9. Total ex parte reexamination certificates issued (1981 – present) 12383

10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.

a. Certificates – PATENT OWNER REQUESTER		3983	
a. All claims confirmed	854	21.4%	
b. All claims canceled	400	10.0%	
c. Claims changed	2729	68.5%	
b. Certificates – 3rd PARTY REQUESTER		8226	
a. All claims confirmed	1804	21.9%	
b. All claims canceled	1250	15.2%	
c. Claims changed	5172	62.9%	
c. Certificates – COMMISSIONER INITIATED REEXAM		174	
a. All claims confirmed	17	9.8%	
b. All claims canceled	46	26.4%	
c. Claims changed	111	63.8%	

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