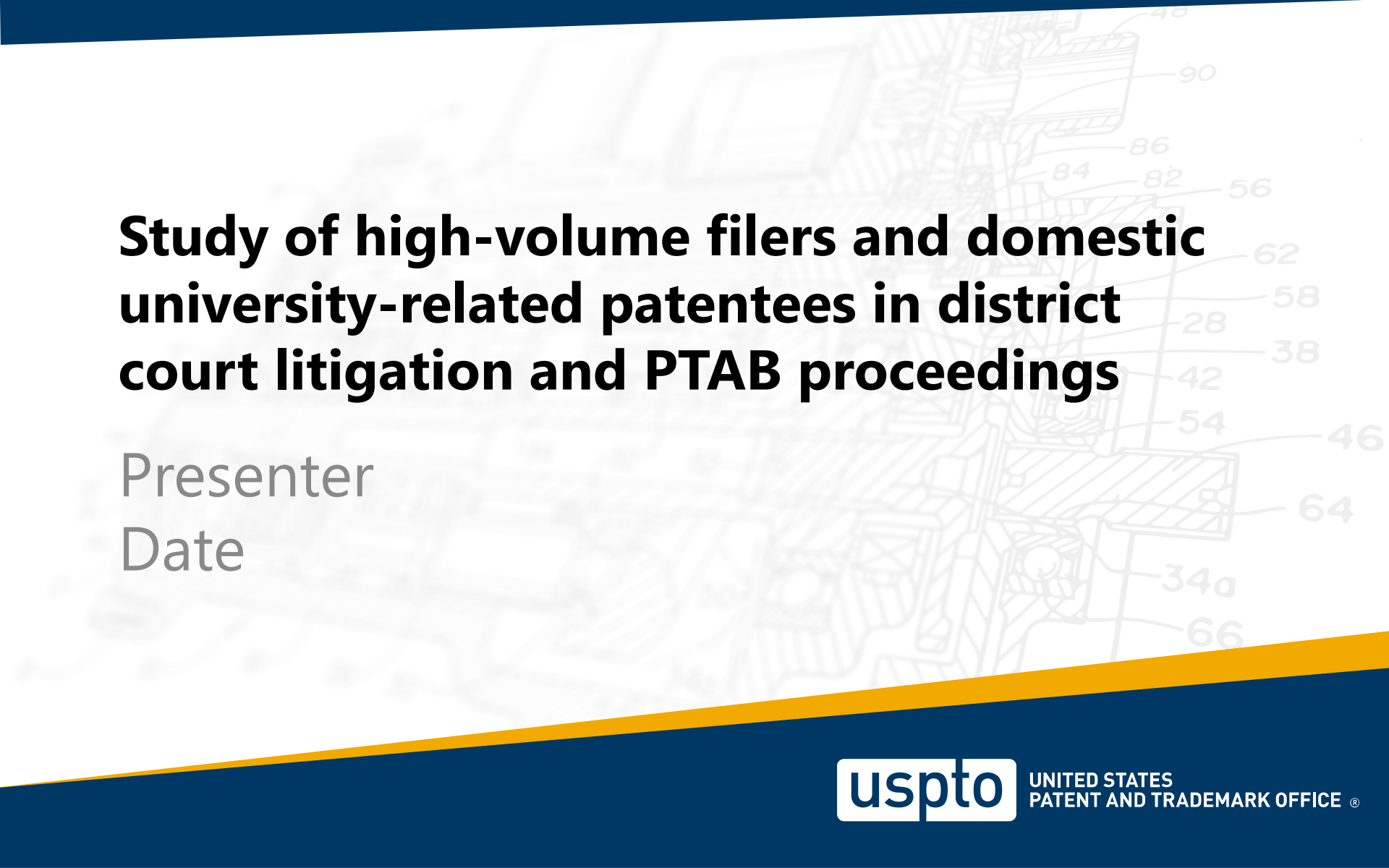


UNITED STATES
PATENT AND TRADEMARK OFFICE





Study of high-volume filers and domestic university-related patentees in district court litigation and PTAB proceedings

Presenter

Date



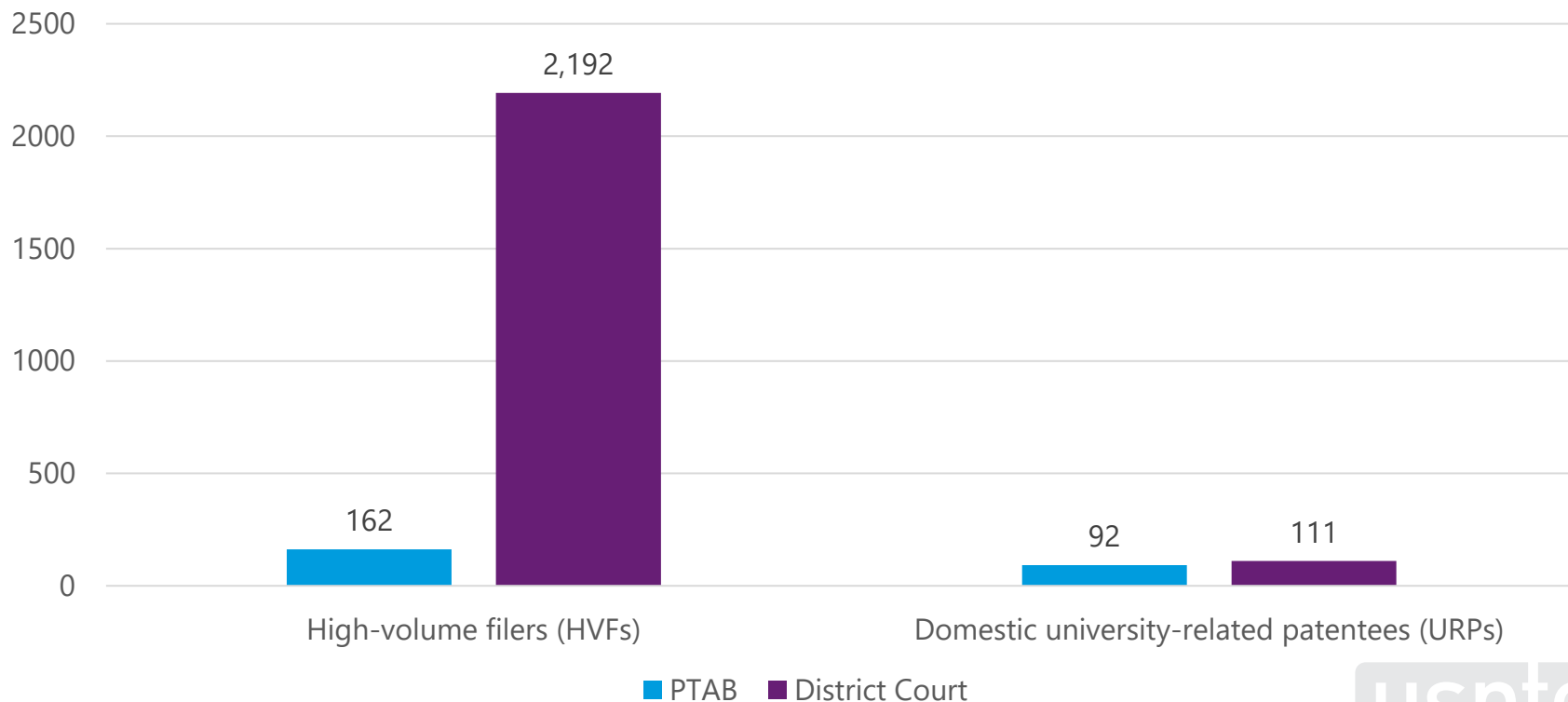
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Overview

- Looked at statistical information, including PTAB filing data, regarding the most active high-volume district court filer patentees (HVFJs) and domestic university-related patentees (URPs) involved in district court litigation over a 6-year time period
- Focused on patentees whose utility and reissue patents were at issue in district court litigation from January 1, 2019, through December 31, 2024
- Identified the top PTAB petition filers over the same time-period

PTAB petitions and district court filings

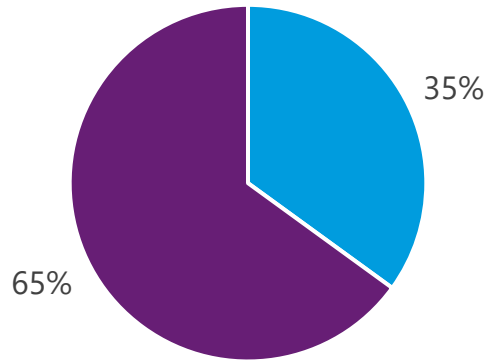
(January 1, 2019 through December 31, 2024)*



Top 20 HVF and URP PTAB challenges

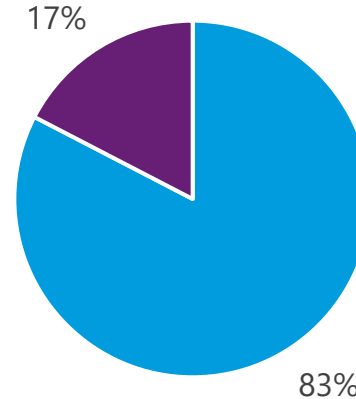
(January 1, 2019 through December 31, 2024)*

Top 20 HVFs



- Had patents challenged at the PTAB
- Did not have patents challenged at the PTAB

Top 20 URPs



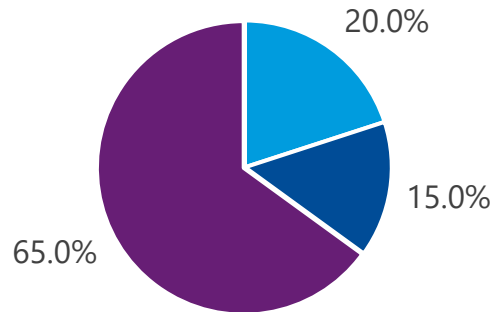
- Had patents challenged at the PTAB
- Did not have patents challenged at the PTAB



Top 20 HVF and URP PTAB challenges

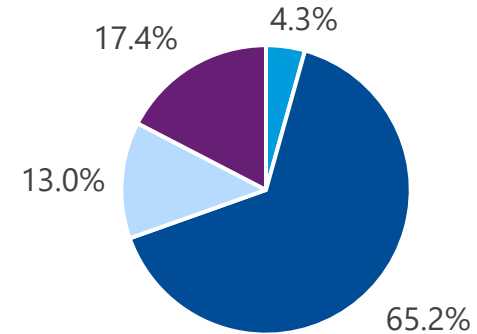
(January 1, 2019 through December 31, 2024)*

Top 20 HVFs



- Had patents challenged at the PTAB by someone other than district court litigants
- Had patents challenged at the PTAB by district court litigants
- Did not have patents challenged at the PTAB

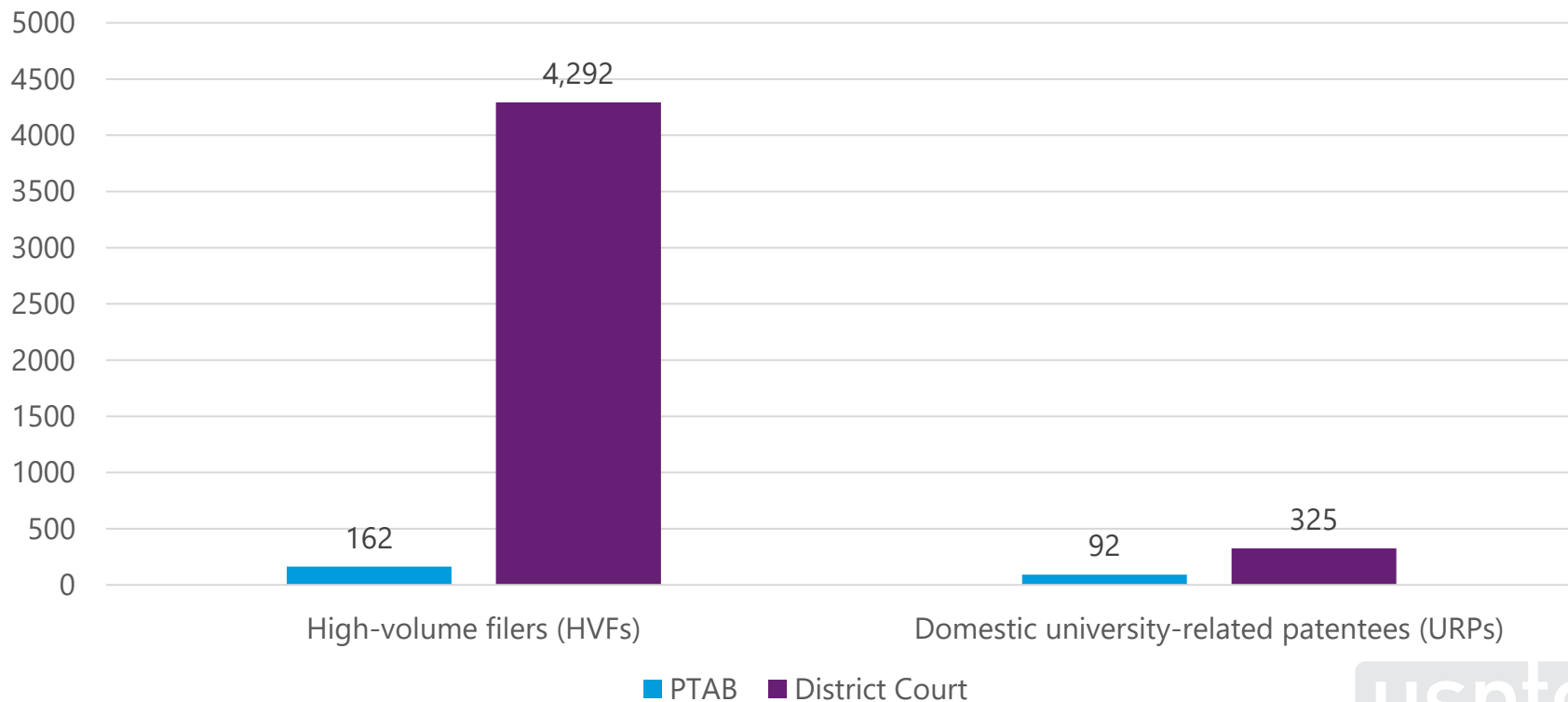
Top 20 URPs



- Had patents challenged at the PTAB by someone other than district court litigants
- Had patents challenged at the PTAB by district court litigants
- Had patents challenged at the PTAB by both
- Did not have patents challenged at the PTAB

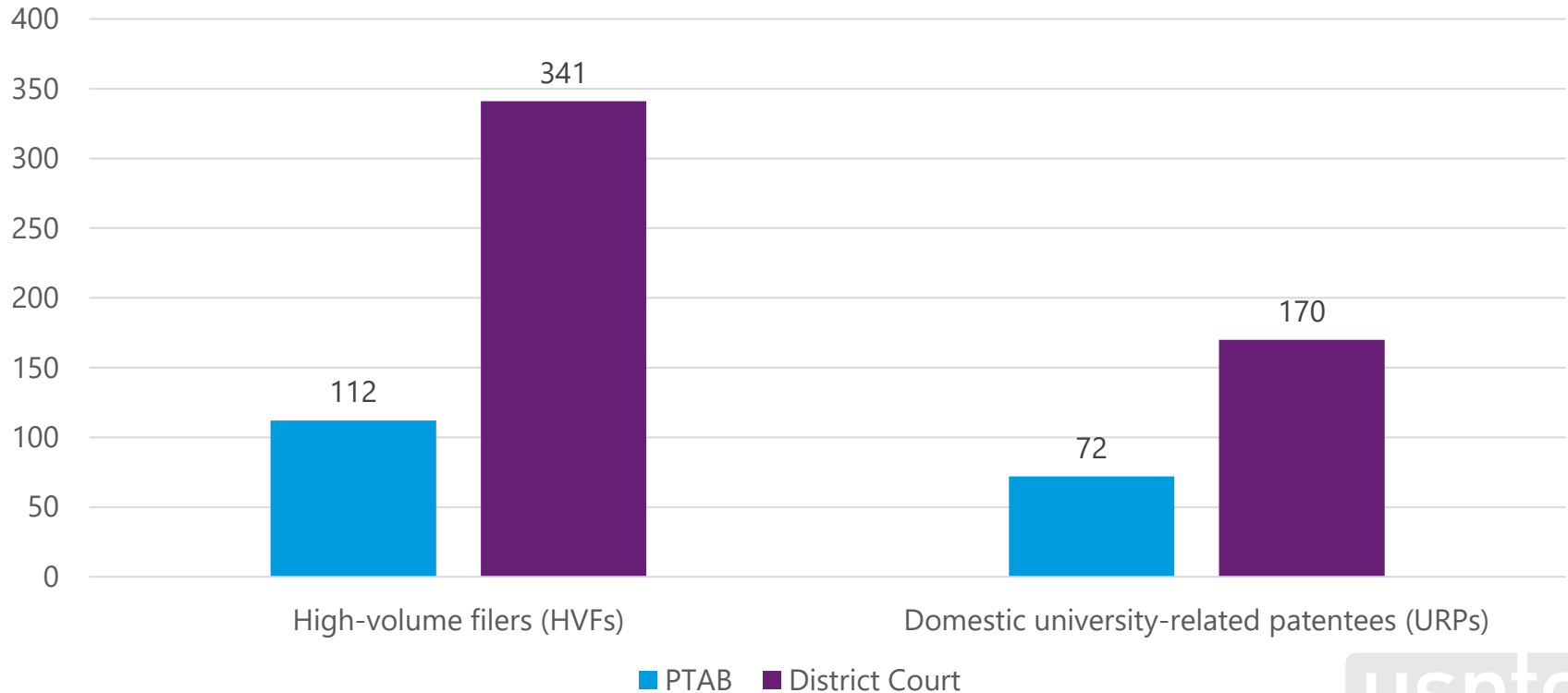


PTAB challenges vs. total patent “Assertions” in District Court (January 1, 2019 through December 31, 2024)*



Number of unique patents at issue

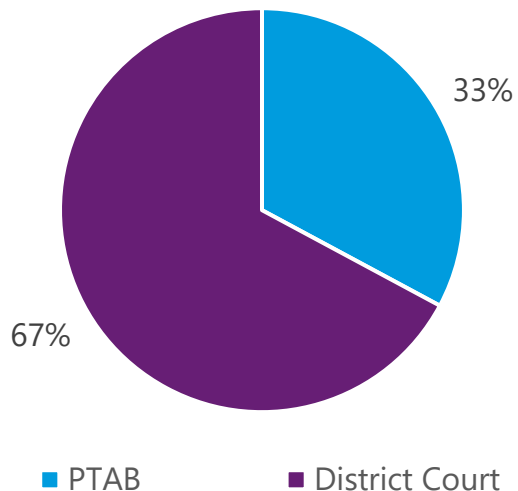
(January 1, 2019 through December 31, 2024)*



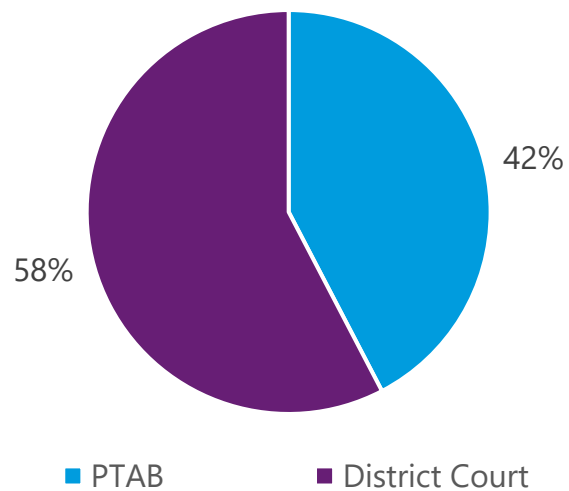
Number of unique patents at issue by percentage

(January 1, 2019 through December 31, 2024)*

Top 20 HVFs



Top 20 URPs



Top PTAB petition filers

Top 20 PTAB petition filers (cont.)

(January 1, 2019 through December 31, 2024)

Petitioner*	Number of petitions filed
Samsung Electronics	525
Apple	456
Google	340
Unified Patents	138
Microsoft	134
Intel	132
Cisco Systems	103
Amazon	89
Roku	79
Comcast Cable Communications	67

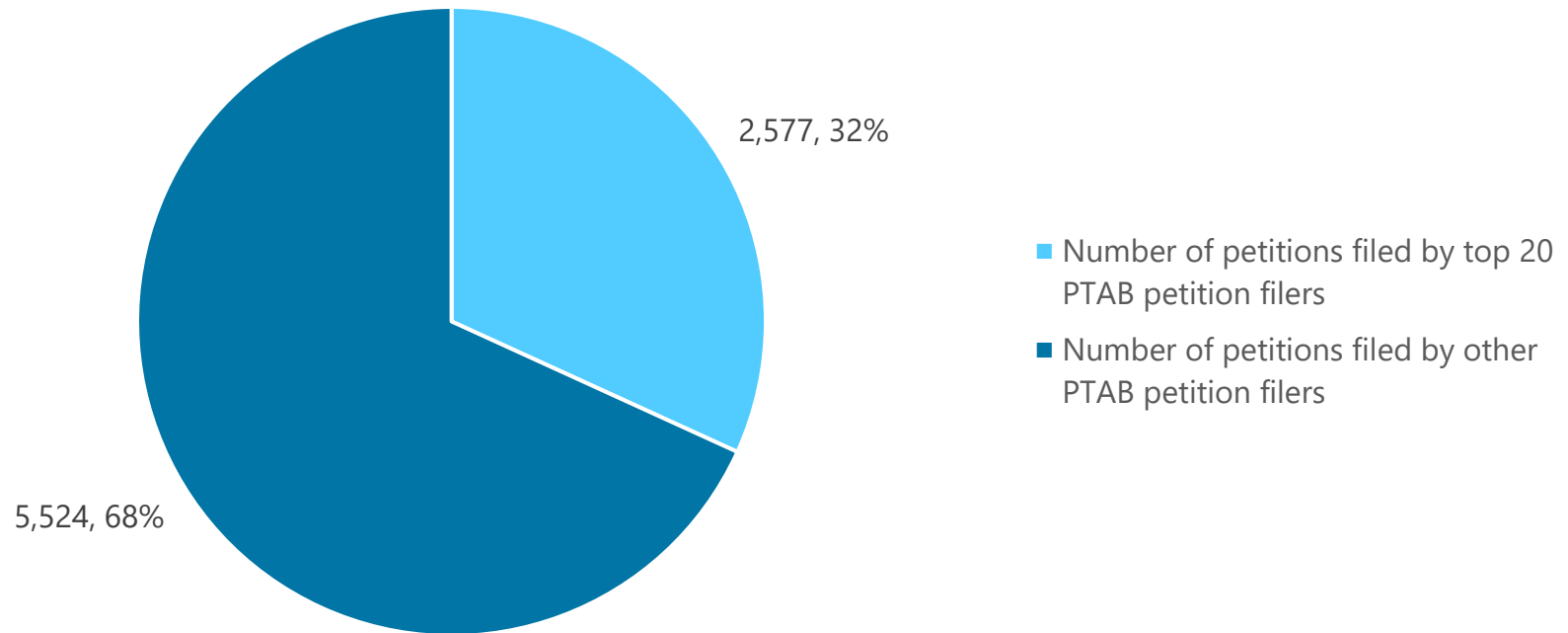
Top 20 PTAB petition filers (cont.)

(January 1, 2019 through December 31, 2024)

Petitioner*	Number of petitions filed
Meta Platforms	65
Micron Technology	63
Ericsson	59
LG Electronics	57
Volkswagen Group of America	57
Juniper Networks	48
Samsung Electronics America	46
Facebook	44
Dish Network	38
Lenovo (United States)	37

Petitions filed by top 20 petitioners vs. total number of petitions filed

(January 1, 2019 through December 31, 2024)*



Takeaways and Next Steps

Takeaways/Trends

- The ratio of PTAB petitions filed against HVF patents relative to district court assertions is lower than the ratio of PTAB petitions filed against URP patents:
 - 7:100 for HVFs
 - 83:100 for URPs
- Adversaries of HVFs in district court generally do not file PTAB challenges
- The ratio of the number of unique patents asserted/at issue in HVF cases and URP cases to unique patents challenged at the PTAB is closer:
 - 33% for HVFs
 - 42% for URPs

Takeaways/Trends

- HVF district court cases, on average, were resolved in less than one year.
- For URP district court cases that were concluded, on average, they remained pending about 18 months, and less than 40% concluded in under a year.
- From January 2019 through December 2024, the top 20 PTAB petition filers filed more than 30% of all PTAB petitions.

Next steps

- This study will help us inform future rulemaking and practice updates
- We plan to continue to build on and refine our study results
- We welcome comments on this study and next steps
 - PTABStatisticsQuestions@USPTO.GOV



Appendix

Methodology and definitions

- Analyzed high-volume filers in district court cases for a 6-year period (2019-24)
 - Started with top district court filers in terms of number of cases docketed in U.S. district courts from Jan. 1, 2019 to Dec. 31, 2024 (“**Relevant Period**”).
 - To arrive at “top 20” **High-Volume Filers (HVF)**s, removed four top filers, two that primarily assert infringement of design patents and two involved in ANDA cases.
 - For the top 20 HVFs, examined total cases docketed (transferred cases only counted once), average days to resolution of concluded cases, percent resolved in less than one year, number of unique patents at issue/total patent assertions in district court, and number of AIA trial challenges and number of unique patents at issue before PTAB.
 - If AIA trial petitions were filed in first calendar quarter of 2025, i.e., from Jan. 1 – Mar. 31, 2025, on patents at issue in district court during the Relevant Period, those were included in the number of AIA trial challenges and noted in the study report.

Methodology and Definitions (cont.)

- Analyzed top domestic University-Related Patentee ("URP") Litigants for same Relevant Period
 - Conducted docket searches for parties that included "University," "Institute," "College," "Tech," "Research," or "Foundation" in their names and identified such domestic parties whose utility or reissue patents have been involved in two or more patent litigation cases over the Relevant Period.
 - Because five such parties "tied" for the final top 20 spot, for URP litigants, analyzed 23 parties as members of the "top 20."
 - For each URP litigant, repeated the same process used for HVFs, and examined total cases docketed (transferred cases only counted once), average days to resolution of concluded cases, percent resolved in less than one year, number of unique patents at issue/total patent assertions in district court, and number of AIA trial challenges and number of unique patents at issue before PTAB.

