

IPR and CBM Statistics as of April 2, 2014

Statistics Related to Final IPR Decisions

Number of IPRs Where Claims Were Found Not Un-Patentable:	5 ¹
Total Number of Final Decisions ² :	39
Total Number of Final Decisions Excluding IPRs With Patent Owner Requests for Adverse Action or Failure to Respond to PTAB Notices:	26
Percentage of Claims Upon Which Trial Instituted of Total Claims Requested for Review:	80.5% (538 out of 668 claims)
Percentage of Claims Invalidated of Total Claims Upon Which Trial Instituted ³ :	95% (510 out of 538 claims)
Percentage of Claims Invalidated of Total Claims Upon Which Trial Instituted Excluding IPRs with Patent Owner Requests for Adverse Action or Failure to Respond to PTAB Notices:	92% (325 out of 353 claims)
Percentage of Grounds Instituted:	36% (137 out of 384 grounds)

Breakdown of IPR Statistics											
	Petition Filing Information					Institution Information			Invalidated Claims Information		
	Filing Date	Case Number	Patent No.	No. of Claims	No. of Grounds	Institution Date	No. of Claims	No. of Grounds	Final Decision Date	No. of Claims	No. of Grounds
1.	9/16/2012	IPR2012-00001	6,778,074	20	10	1/9/2013	3	2	11/13/2013	3	2
2.	9/16/2012	IPR2012-00005	6,653,215	17	5	2/12/2013	17	4	2/11/2014	17	4
3.	9/16/2012	IPR2012-00006	7,713,698	12	22	3/12/2013	12	3	3/6/2014	12	3
4.	9/16/2012	IPR2012-00007	7,790,869	16	19	3/12/2013	16	4	3/6/2014	16	4
5.	9/17/2012	IPR2012-00018	7,566,960	13	9	2/12/2013	13	4	2/10/2014	13	4
6.	9/17/2012	IPR2012-00019	8,062,968	15	18	2/12/2013	15	6	2/10/2014	15	6
7.	9/17/2012	IPR2012-00020	8,058,897	12	9	2/12/2013	12	3	2/11/2014	12	3
8.	9/17/2012	IPR2012-00023	7,994,609	19	6	2/12/2013	19	6	2/11/2014	19	6
9.	9/18/2012	IPR2012-00027	7,591,303	23	7	1/13/2013	23	6	1/7/2014	23	2
10.	9/26/2012	IPR2012-00042	6,240,376	29	7	2/22/2013	12	1	2/19/2014	3	1

¹ IPR2012-42: 9 claims; IPR2013-20: 12 claims; IPR2013-34: 4 claims; IPR2013-57: 2 claims; IPR2013-109: 1 claim.

² This includes final decisions that did not proceed to an oral hearing, such as IPRs in which an adverse decision was requested by the patent owner or the patent owner failed to properly respond to a requisite PTAB notice.

³ This includes final decisions that did not proceed to an oral hearing, such as IPRs in which an adverse decision was requested by the patent owner or the patent owner failed to properly respond to a requisite PTAB notice.

Breakdown of IPR Statistics											
	Petition Filing Information					Institution Information			Invalidated Claims Information		
	Filing Date	Case Number	Patent No.	No. of Claims	No. of Grounds	Institution Date	No. of Claims	No. of Grounds	Final Decision Date	No. of Claims	No. of Grounds
11.	10/2/2012	IPR2013-00004 ⁴	7,831,926	10	5	3/29/2013	10	2	3/27/2014	10	2
12.	10/2/2012	IPR2013-00005	6,444,533	8	21	3/13/2013	8	4	3/10/2014	8	4
13.	10/2/2012	IPR2013-00006	6,888,204	18	33	3/13/2013	18	8	3/10/2014	18	8
14.	10/2/2012	IPR2013-00007	7,461,353	18	6	3/29/2013	18	4	3/27/2014	18	4
15.	10/2/2012	IPR2013-00008	5,872,387	2	16	3/13/2013	2	3	3/10/2014	2	3
16.	10/3/2012	IPR2013-00010	7,516,484	7	5	2/12/2013	7	2	2/11/2014	7	2
17.	10/3/2012	IPR2013-00011	8,088,575	4	22	3/12/2013	4	4	3/6/2014	4	4
18.	10/8/2012	IPR2013-00014	6,998,973	10	9	3/13/2013	10	1	3/12/2014	10	1
19.	10/12/2012	IPR2013-00016	6,441,828	5	4	3/18/2013	5	4	2/25/2014	5	4
20.	10/17/2012	IPR2013-00020	7,297,364	24	11	3/29/2013	24	2	3/27/2014	12	2
21.	10/19/2012	IPR2013-00026	6,029,111	28	8	3/18/2013	14	4	3/14/2014	14	4
22.	10/19/2012	IPR2013-00029	5,632,545	3	4	3/12/2013	3	2	3/10/2014	3	2
23.	10/25/2012	IPR2013-00033	7,155,241	41	2	3/25/2013	41	2	3/3/2014	41	2
24.	10/26/2012	IPR2013-00034	7,970,674	40	10	4/2/2013	29	5	3/27/2014	25	4
25.	11/19/2012	IPR2013-00057	6,074,503	6	9	4/16/2013	6	4	3/18/2014	4	2
26.	1/11/2013	IPR2013-00109 ⁵	6,757,717	14	4	2/25/2013	12	3	2/19/2014	11	3
27.	1/24/2013	IPR2013-00122	7,909,641	6	5	6/27/2013	6	5	3/21/2014	6	-- ⁶
28.	2/12/2013	IPR2013-00134	7,225,160	38	10	6/19/2013	20	5	8/6/2013	20	-- ⁷
29.	2/12/2013	IPR2013-00136	7,359,884	60	10	7/16/2013	25	4	11/19/2013	25	-- ⁸
30.	2/14/2013	IPR2013-00149	6,455,138	22	23	8/1/2013	20	5	2/19/2014	20	-- ⁹
31.	2/20/2013	IPR2013-00154	7,335,996	11	10	8/1/2013	6	4	2/19/2014	6	-- ¹⁰
32.	3/27/2013	IPR2013-00212	8,052,583	5	--	--	5	--	7/12/2013	5	-- ¹¹

⁴ Joined with IPR2013-00257.

⁵ Merged with IPR2012-00026.

⁶ Adverse decision cancelling all challenged claims requested by patent owner.

⁷ Adverse decision cancelling all challenged claims requested by patent owner.

⁸ Adverse decision cancelling all challenged claims requested by patent owner.

⁹ Adverse decision cancelling all challenged claims requested by patent owner.

¹⁰ Adverse decision cancelling all challenged claims requested by patent owner.

¹¹ Patent owner failed to respond to the Notice of Filing date and Order to Show Cause as to why final judgment should not be entered.

Breakdown of IPR Statistics											
	Petition Filing Information					Institution Information			Invalidated Claims Information		
	Filing Date	Case Number	Patent No.	No. of Claims	No. of Grounds	Institution Date	No. of Claims	No. of Grounds	Final Decision Date	No. of Claims	No. of Grounds
33.	4/5/2013	IPR2013-00239	7,462,552	20	1	8/13/2013	20	1	1/7/2014	20	-- ¹²
34.	5/15/2013	IPR2013-00278	5,592,555	27	12	11/15/2013	27	7	1/17/2014	27	-- ¹³
35.	6/6/2013	IPR2013-00331	8,361,497	26	7	12/9/2013	21	7	1/31/2014	21	-- ¹⁴
36.	6/21/2013	IPR2013-00381	7,485,968	18	9	12/18/2013	18	1	2/27/2014	18	-- ¹⁵
37.	7/12/2013	IPR2013-00421	7,359,782	8	8	1/13/2014	4	2	4/1/2014	4	-- ¹⁶
38.	9/25/2013	IPR2013-00605	7,749,229	1	8	2/26/2014	1	3	3/24/2014	1	-- ¹⁷
39.	11/5/2013	IPR2014-00122	6,941,543	12	--	--	12	--	2/26/2014	12	-- ¹⁸
Total				668	384		538	137		510	86

¹² Adverse decision cancelling all challenged claims requested by patent owner.

¹³ Adverse decision cancelling all challenged claims requested by patent owner.

¹⁴ Adverse decision cancelling all challenged claims requested by patent owner.

¹⁵ Adverse decision cancelling all challenged claims requested by patent owner.

¹⁶ Adverse decision cancelling all challenged claims requested by patent owner.

¹⁷ Adverse decision cancelling all challenged claims requested by patent owner.

¹⁸ Patent owner voluntarily cancelled petitioned claims due to upcoming expiration of the patent.

Statistics Related to Final CBM Decisions

Number of CBMs Where Claims Were Found Not Un-Patentable:	0 ¹⁹
Total Number of Final Decisions ²⁰ :	10
Total Number of Final Decisions Excluding CBMs With Patent Owner Requests for Adverse Action or Failure to Respond to PTAB Notices:	9
Percentage Claims for Which Trial Instituted of Total Claims Requested for Review:	100%
Percentage Claims Invalidated of Total Claims for which Trial Instituted ²¹ :	100%
Percentage of Grounds Instituted:	43% (38 out of 89 grounds)

Breakdown of CBM Statistics											
	Petition Filing Information					Institution Information			Final Decision Information		
	Filing Date	Case Number	Patent No.	No. of Claims	No. of Grounds	Institution Date	No. of Claims	No. of Grounds	Final Decision Date	No. of Claims	No. of Grounds
1.	9/16/2012	CBM2012-00001	6,553,350	5	4	1/9/2013	5	2	6/11/2013	5	2
2.	9/16/2012	CBM2012-00002	6,064,970	10	4	1/25/2013	10	3	1/23/2014	10	3
3.	9/16/2012	CBM2012-00003 ²²	8,140,358	20	21	2/12/2013	20	12	2/11/2014	20	8
4.	9/16/2012	CBM2012-00004	6,064,970	17	25	1/25/2012	17	4	1/23/2014	17	4
5.	9/21/2012	CBM2012-00005	6,675,151	6	2	1/23/2013	6	1	1/21/2014	6	1
6.	9/19/2012	CBM2012-00007	5,361,201	4	5	1/31/2013	4	4	1/30/2014	4	4
7.	9/29/2012	CBM2012-00010	7,124,088	46	6	2/25/2013	46	2	2/24/2014	46	2
8.	10/2/2012	CBM2013-00002	7,877,269	59	6	2/27/2013	59	3	2/24/2014	59	2
9.	10/15/2012	CBM2013-00004	8,090,598	78	6	3/15/2013	78	4	3/13/2014	78	4
10.	10/15/2012	CBM2013-00005	7,941,357	4	10	3/29/2013	4	4	3/26/2014	4	-- ²³
Total				249	89		249	38		249	29

¹⁹ While 3 claims survived CBM2012-00003, those same 3 claims were then invalidated in CBM2013-00009.

²⁰ Including final decisions that did not proceed to an oral hearing, such as CBMs in which an adverse decision was requested by the patent owner or the patent owner failed to properly respond to a requisite PTAB notice.

²¹ Including final decisions that did not proceed to an oral hearing, such as CBMs in which an adverse decision was requested by the patent owner or the patent owner failed to properly respond to a requisite PTAB notice.

²² Joined with CBM2013-00009. Note that while 3 claims survived CBM2012-00003, those same 3 claims were then invalidated in CBM2013-00009.

²³ Patent owner voluntarily cancelled petitioned claims due to upcoming expiration of the patent.