

Patexia

September 2021

IPR

Intelligence Report

July 2016 / June 2021

A comprehensive report on the top 100 best performing and most active IPR attorneys and law firms.

Prepared by
Patexia Data Science Team



Table of Contents

Introduction	4
What's in This Report?	6
Executive Summary	7
Section 01: Ranking Methodology	8
Success Scores for Petitioners, Patent Owners and Overall	10
Activity Scores for Petitioners, Patent Owners and Overall	11
Performance Scores for Petitioners, Patent Owners and Overall	11
Performance and Activity Rankings for Petitioners, Patent Owners and Overall	11
Performance of Judges	12
Section 02: IPR Statistics	13
YoY Comparison of IPR Filings (Case, Patent, and Claim Levels)	14
Most Popular IPC Codes	17
By the Numbers: Judges, Law Firms, Petitioners, and Patent Owners	18
Section 03: IPR Denial and Invalidation Analysis	
by Technology Area	19
Case-Level Status as Reported by the USPTO	20
YoY Comparison of FWD Entered, Settlement, and Denial Rates	22
Top 10 IPC Codes for Patents with Denial or Settlement Decision	23
Top 10 IPC Codes for Patents with Final Written Decisions	25
Section 04: Performance of the PTAB Judges	27
10 Most Active PTAB Judges	28
Top 10 Judges with the Highest Number of Invalidated Claims	29
Performance of PTAB Administrative Judges	30

Section 05: Performance of the Petitioners and Patent Owners	36
The Most Active Petitioners and Patent Owners	37
Top 100 Most Active Companies in IPR	38
Top 100 Best Performing Petitioners and Patent Owners	47
Section 06: Performance of the Law Firms	56
Most Active Law Firms in IPR	57
Top 100 Best Performing Law Firms in IPR	67
Section 07: Performance of Attorneys	77
Most Active Attorneys in IPR	78
Top 100 Most Active Attorneys	79
Top 100 Best Performing Attorneys	88
IPR Lateral Moves	98
Appendix	102
Appendix A: Sources of Data	103
Appendix B: Patent Owners and Petitioners Stats	104
Appendix C: Law Firms Stats	105
Appendix D: Attorneys Stats	106
Appendix E: Judges	107
Appendix F: Lateral Moves	108
Contact Us	109
Our Products	110

Introduction

This September marks the fifth year since the release of our first *IPR Intelligence Report* back in September of 2017. The report has improved since then as we have learned a lot and our valued clients have provided us with valuable feedback along the way.

The IPR Intelligence Report was the first in our IP Insight series and as the demand and interest increased over time, we expanded

our offerings to cover seven unique areas in IP every year including *ITC Section 337, Hatch-Waxman Litigation, District Court Patent Litigation, Patent Prosecution, Trademark Prosecution, Federal Circuit Court of Appeal (CAFC)* and *IPR*. In 2022, we plan to cover other new areas and we are currently evaluating multiple new areas including *ex-parte re-exam, Trademark and Copyright litigation*.

What is New in our 5th Report?

We have made a number of improvements to this year's report and we are confident you will see the added value in these changes.

First of all, we have significantly improved our data extraction and normalization using *Artificial Intelligence (AI)* and *natural language processing*. Our latest *PDF Cruncher* can now read thousands of documents and automatically extract more than 98% of all attorneys, and law firms representing the petitioners and the patent owners. This has helped us discover new attorneys associated with some IPR matters who had not previously been detected. Besides this, we have also trained the tool to automatically read and comprehend the outcome of the case including claims that were invalidated. Even with these technological improvements, we still have that additional layer of human on top to cover undetected cases and to verify those cases reported by attorneys directly.

We are also using AI and machine learning to identify experts testified for petitioners or patent owners on all IPR matters. The experts are categorized by different technol-

ogy areas and ranked based on the case's outcome. The data is then used internally by *Patexia's Expert Search Team* as well as our clients when they retain an expert for their IP matters.

In addition, we are adopting the same tools for our other reports and soon our *PDF Cruncher* will read and extract attorney names from millions of USPTO documents (file wrappers) covering all patents and patent applications filed since 2000.

Another update to this report, is the new addition of *Lateral Moves*. We first covered the annual lateral moves in our 2021 ITC report in March of 2021. The section became very popular and helped law firms and attorneys to better understand how the ITC landscape was changing and which firms were adding or expanding that IP practice area. Because of the popularity of that section, we decided to add that to our 2021 IPR Intelligence Report as well. We have reviewed the law firms of the first 2,000 most active IPR attorneys and identified the ones who changed their law firms since September of last year.

This year, there has not been a significant update to our ranking methodology. The “Performance Score” and “Performance Ranking”, score and rank companies, attorneys, and firms for both *Activity* and *Success* combined. In other words, the performance score is a weighted average of *Success* and *Activity* scores. This performance ranking helps companies find the highly active and highly successful law firms and attorneys (i.e., the most qualified ones).

We consider all the feedback we receive from the IP community to improve and make the reports more useful to everybody, including our law firm and corporate partners. Our analysis has become more complex and covers a wider range than in the past.

This year, in response to our community request, we have decided to include the top

3 clients for each law firm, and attorneys (only up to 1,000 most active attorneys or law firms). We have also included the top 3 law firms, representing the first 1,000 most active companies.

The extended Excel document covers up to the first 1,000 most active law firms, attorneys and companies as well as all lateral moves among the first 2,000 IPR attorneys. While being in the top 100 in a respected category is a significant accomplishment, as it puts the attorney in the top two percentile, the law firm in the top 10 percentile and the company in almost the top three percentile, knowledge about the remaining participants is quite important and useful as well.

We hope that our corporate and law firm clients find this new edition useful in their decision making or business development efforts.



A handwritten signature in black ink that reads "Pedram Sameni".

Pedram Sameni
Founder and CEO - September 2021

What's in This Report?

The report content has been divided into the following sections:

- **Ranking Methodology:** We explain our activity, success and performance scores, and how we have calculated them for patent owners, petitioners, and their representatives, as well as the PTAB judges.
- **IPR Statistics:** We provide an overview of IPR including high-level statistics related to all parties, cases, patents, and claims.
- **Case Analysis:** We dive into case-level statistics and analyze *Settlement*, *Denial*, and *Invalidation* rates. We also examine IPC codes and their popularity in IPR.
- **PTAB Administrative Judges:** We examine the performance of 195 *PTAB Administrative Judges*, identifying the most active as well as the best performing from the viewpoint of *Patent Owners* or *Petitioners*.

- **Petitioners and Patent Owners:** We identify the most active and the best-performing *Petitioners* and *Patent Owners* over the last five years.
- **Law Firms:** We analyze the performance and activity of law firms, comparing and providing rankings for the top firms representing *Petitioners* and *Patent Owners*.
- **Attorneys:** We review the performance and activity of attorneys, representing *Petitioners* and *Patent Owners*, comparing and providing rankings for top attorneys on each side.

As per our tradition for this and our other intelligence reports, and in order to have a meaningful comparison, as well as compensating for the time required for each case from filing to completion (e.g., 6 to 18 months), we covered a period of five years (i.e., July 1, 2016, through June 30, 2021). While the cut-off day for cases was June 30, 2021, we used the latest updates for the cases as of August 20, 2021. Appendix A lists all sources of data used for this report.

Disclaimer: The data for this report was obtained from public sources including USPTO, PTAB, and PACER, as well as self-reported by attorneys on Patexia website. Patexia has gone to great lengths to provide valid and accurate analysis based on this data. However, Patexia does not guarantee 100 percent accuracy nor take any responsibility for possible losses caused by use of information provided in this report.



Appendix



Appendix A: Sources of Data

Data is the foundation and building block of any data-driven analysis. Therefore, collecting data from quality sources and taking extra care in maintaining the data integrity is something we at Patexia take into account very seriously. We have collected our raw data from many sources including:

- Patent Trial and Appeal Board (PTAB) Database
- United States Patent and Trademark (USPTO) Patent Database
- Public Access to Court Electronic Records (PACER)
- Self-reported by attorneys named on the case
- US Patent Classification Database

For this release, we limited the date range of our analysis to the last five years (July 1, 2016 through June 30, 2021).

While the possibility of errors such as typos in legal documents are inevitable, cleaning and organizing the attorney data is even more challenging as attorneys have similar names (or sometimes exactly the same names), change firms, may not update their information, and often use different variations of their names.

Our engineering team has implemented sophisticated machine learning and natural language processing techniques to find the correct matches for various occurrences of the same name. To further minimize the errors, we not only review suspicious matches manually, but also host profile pages for more than 100,000 attorneys and agents who can directly review and add missing cases to our database. All the user added data will again be verified by Patexia internal data team for accuracy.



Appendix B:

Patent Owners and Petitioners Stats

See the attached Excel spreadsheet for the stats related to up to 1,000 most active patent owners and petitioners, involved in one or more IPR cases, filed during the period of our study. The spreadsheet covers the following information for each of the companies:

- | | |
|---|--|
| 1. Company name with a link to Patexia page | 17. 2021 Patent Owner Activity Rank |
| 2. All Cases (Patent Owner + Petitioner) | 18. 2021 Petitioner Performance Rank |
| 3. Patent Owner Cases | 19. 2021 Petitioner Activity Rank |
| 4. Petitioner Cases | 20. Overall Performance Score |
| 5. Overall Performance Rank | 21. Patent Owner Performance Score |
| 6. Overall Activity Rank | 22. Petitioner Performance Score |
| 7. Overall Success Rank | 23. Overall Success Score |
| 8. Patent Owner Performance Rank | 24. Patent Owner Success Score |
| 9. Patent Owner Activity Rank | 25. Petitioner Success Score |
| 10. Patent Owner Success Rank | 26. Overall Activity Score |
| 11. Petitioner Performance Rank | 27. Patent Owner Activity Score |
| 12. Petitioner Activity Rank | 28. Petitioner Activity Score |
| 13. Petitioner Success Rank | 29. Patent Owner non-pending (Concluded) Cases |
| 14. 2021 Overall Performance Rank | 30. Petitioner non-pending (Concluded) Cases |
| 15. 2021 Overall Activity Rank | 31. Top 3 Law Firms |
| 16. 2021 Patent Owner Performance Rank | |



Appendix C: Law Firms Stats

See the attached Excel spreadsheet for the stats related to all 930 law firms, involved in one or more IPR cases, filed during the period of our study. The spreadsheet covers the following information for each of the law firms:

1. Law firm name with a link to Patexia page
2. All Cases (Patent Owner + Petitioner)
3. Patent Owner Cases
4. Petitioner Cases
5. Overall Performance Rank
6. Overall Activity Rank
7. Overall Success Rank
8. Patent Owner Performance Rank
9. Patent Owner Activity Rank
10. Patent Owner Success Rank
11. Petitioner Performance Rank
12. Petitioner Activity Rank
13. Petitioner Success Rank
14. 2021 Overall Performance Rank
15. 2021 Overall Activity Rank
16. 2021 Patent Owner Performance Rank
17. 2021 Patent Owner Activity Rank
18. 2021 Petitioner Performance Rank
19. 2021 Petitioner Activity Rank
20. Overall Performance Score
21. Patent Owner Performance Score
22. Petitioner Performance Score
23. Overall Success Score
24. Patent Owner Success Score
25. Petitioner Success Score
26. Overall Activity Score
27. Patent Owner Activity Score
28. Petitioner Activity Score
29. Patent Owner non-pending (Concluded) Cases
30. Petitioner non-pending (Concluded) Cases
31. Top 3 clients





Appendix D: Attorneys Stats

See the attached Excel spreadsheet for the stats related to the top 1,000 most active attorneys, involved in one or more IPR cases, filed during the period of our study. The spreadsheet covers the following information for each of the law firms:

- | | |
|--|---|
| 1. Attorney name with a link to Patexia page | 18. 2021 Patent Owner Performance Rank |
| 2. Attorney’s title (Partner, Associate, ...) | 19. 2021 Patent Owner Activity Rank |
| 3. Law firm name with a link to Patexia page | 20. 2021 Petitioner Performance Rank |
| 4. All Cases (Patent Owner + Petitioner) | 21. 2021 Petitioner Activity Rank |
| 5. Patent Owner Cases | 22. Overall Performance Score |
| 6. Petitioner Cases | 23. Patent Owner Performance Score |
| 7. Overall Performance Rank | 24. Petitioner Performance Score |
| 8. Overall Activity Rank | 25. Overall Success Score |
| 9. Overall Success Rank | 26. Patent Owner Success Score |
| 10. Patent Owner Performance Rank | 27. Petitioner Success Score |
| 11. Patent Owner Activity Rank | 28. Overall Activity Score |
| 12. Patent Owner Success Rank | 29. Patent Owner Activity Score |
| 13. Petitioner Performance Rank | 30. Petitioner Activity Score |
| 14. Petitioner Activity Rank | 31. Patent Owner non-pending (Concluded) Cases |
| 15. Petitioner Success Rank | 32. Petitioner non-pending (Concluded) Cases |
| 16. 2021 Overall Performance Rank | 33. Top 3 clients |
| 17. 2021 Overall Activity Rank | |

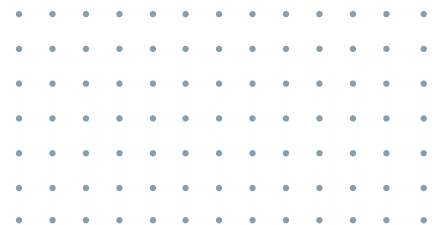




Appendix E: Judges

See the attached Excel spreadsheet for the stats related to all 195 main judges who authored the final written decision. The spreadsheet covers the following information for each of the judges:

- 1. Main Judge (Author)
- 2. All Cases
- 3. Unique patents
- 4. Judge Score (In Favor of Petitioner)
- 5. Claims Challenged
- 6. Claims Instituted
- 7. Claims Invalidated

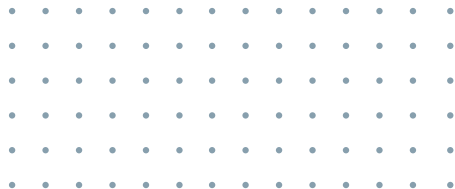


Appendix F: Lateral Moves



See the attached Excel spreadsheet to find out the current firms for 100 IPR attorneys who switched firms over the last 12 months. The spreadsheet covers the following information for each of the attorneys:


- 1. IPR Attorney
- 2. Title
- 3. Current Firm
- 4. Old Firm
- 5. Overall Activity Rank
- 6. IPR Cases



Contact Us

Founded in 2010 to bring efficiency and transparency to intellectual property by leveraging the power of data, technology and experts, Patexia is the largest network for IP professionals with over 100,000 IP attorney profiles. We offer IP services under four dis-

tinct arms: Patexia Connect (recruiting), Patexia Contest (crowdsourcing), Patexia Research (IP databases), and Patexia Insights (IP reports). Contact us today to learn more.

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The fine print

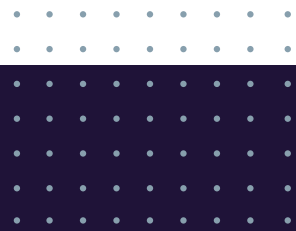
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