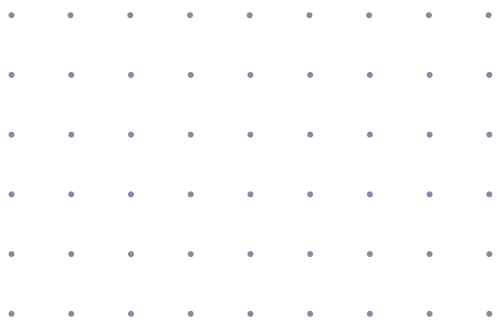




September 2023

PTAB 2023.

Intelligence Report



July 2018 — June 2023

A comprehensive report on the **Best Performing** and **Most Active** PTAB Attorneys and Law Firms.



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Introduction.

This September marks the seventh year since the release of our first IPR Intelligence Report in September 2017. Over the years, this report has evolved through the addition of new sections and the refinement of our analysis methodology, all thanks to the invaluable feedback from the IP community.

Originally, the IPR Intelligence Report was a pioneering offering in our IP Insight series. As demand and interest in our reports continued to grow, we expanded our coverage to encompass eight distinct areas in IP each year. These include ITC Section 337, Hatch-Waxman Litigation, Patent Litigation, Trademark Litigation, Patent Prosecution, Trademark Prosecution, Federal Circuit Court of Appeal (CAFC), and, of course, IPR.

PTAB proceedings have played a pivotal role in shaping the patent landscape. Introduced

as part of the America Invents Act (AIA), they have provided an efficient and cost-effective means for challenging patent validity. These proceedings have significantly impacted patent assertion strategies, offering an alternative to costly district court litigation.

In 2023, we are excited to announce the evolution of our renowned IPR Intelligence Report into the PTAB Intelligence Report. This transformation means we now cover all proceedings within the PTAB, including IPR, PGR, CBM, and DER, providing even more comprehensive insights. As part of our commitment to delivering valuable analysis to the IP community, we are continuously exploring new topics, such as ex-parte re-exam, Copyright, and trade secret litigation.

What is New in our Seventh Report?

We have dedicated ourselves to enhancing this year's report, implementing a range of improvements that we believe will greatly enrich your experience and provide unparalleled value. Our commitment to delivering the most comprehensive and insightful analysis has driven us to refine our methodology, expand our coverage, and harness the latest data-driven techniques. As a result, we are confident that you will find these changes not only beneficial but also

instrumental in gaining a deeper understanding of the complex landscape of PTAB proceedings. Our goal is to empower legal professionals, companies, and IP stakeholders with the knowledge and insights needed to make informed decisions and navigate the intricate world of intellectual property successfully. We look forward to sharing these advancements with you and continuing our journey of excellence in the PTAB Intelligence Report.

Broader PTAB Coverage

First, we're excited to introduce a significant expansion in our coverage. Building on the

success of our IPR Intelligence Report, we have broadened our scope to encompass

all proceedings within the Patent Trial and Appeal Board (PTAB). This includes not only Inter Partes Review (IPR) but also Post-Grant Review (PGR), Covered Business Method (CBM), and Derivation (DER) proceedings. This comprehensive approach allows us to provide a more holistic view of the PTAB

landscape, offering valuable insights into the ever-evolving world of intellectual property. We believe this enhancement will be a valuable resource for legal professionals, companies, and stakeholders seeking a deeper understanding of PTAB proceedings and their impact on the IP ecosystem.

Enhanced Ranking Methodology Using Machine Learning

PTAB cases are multifaceted, and influenced by numerous factors including parties, legal actions, decisions, and expert testimonies. Evaluating individual success in this complex landscape can be daunting. To address this challenge, we employ computational methods and machine learning algorithms to analyze individual performance across a spectrum of PTAB cases. Our Success Score evaluation takes a rigorous approach, isolating individual achievements from external variables using advanced machine learning

and regression techniques. This ensures a fair and impartial assessment of success within PTAB proceedings. In practice, we apply adjustments to fine-tune scores, accounting for various influencing factors. These adjusted scores are then leveraged to calculate average ratings for each party or representative across their entire caseload. This sophisticated methodology offers a more precise and equitable appraisal of individual success within the intricate realm of PTAB proceedings.

Introducing Attorney Reviews

Patexia's commitment to comprehensive PTAB proceedings evaluation aims to extend beyond numbers. With Patexia Attorney Reviews, introduced during our new website launch, we collect qualitative feedback from attorneys, peers, and stakeholders who have had experience with PTAB attorneys. These reviews cover vital aspects such as Efficiency, Responsiveness, Negotiation, Strategy, Experience in the Area, and Trial Capability that are often hard to quantify or derive from mere data. Legal professionals and stakeholders involved in PTAB proceedings were invited to submit reviews, which were meticulously verified for authenticity. Anonymity options were offered to maintain transparency while respecting confidentiality. This initiative provides valuable qualitative insights that complement quan-

titative data, offering a more holistic view for informed decisions. Positive industry feedback led us to incorporate the number of positive reviews in calculating the attorney's rating. This addition enhances our understanding of an attorney's performance in PTAB proceedings, bolstering the accuracy of our assessments and spotlighting top attorneys. We express gratitude to participants for enriching our process with Patexia PTAB Attorney Reviews. Your contributions amplify our assessments' reliability, enhancing transparency and informed decision-making.

We deeply value the feedback we receive from the PTAB community, which continually drives our efforts to enhance and expand the scope of our reports. This year's PTAB Intel-

ligence Report has evolved to provide a more comprehensive analysis, benefiting our law firm and corporate partners. Our research now encompasses a broader spectrum of data, covering the top 1,000 most active law firms, attorneys, and companies involved in PTAB proceedings. Additionally, we meticulously track all lateral moves among the

first 1,000 PTAB attorneys, adding an extra layer of insight. We trust that this further enhanced edition of the PTAB Intelligence Report will prove invaluable to our corporate and law firm clients, offering them invaluable insights for decision-making, counsel selection, and business development initiatives in the dynamic landscape of PTAB proceedings.



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

Pedram Sameni
Founder and CEO

What is in this Report?

The report content has been divided into the following sections:

- 1 **PTAB Statistics:** We offer an overview of IPR, PGR, CBM, and DER, encompassing key statistics on parties, cases, patents, and claims. Our analysis delves into case-level data, exploring Settlement, Denial, and Invalidation rates. Additionally, we scrutinize the prevalence of IPC codes.
- 2 **PTAB Administrative Judges:** We examine the performance of 180 PTAB *Administrative Judges*, identifying the most active as well as the best performing from the viewpoint of *Patent Owners* or *Petitioners*.
- 3 **Petitioners and Patent Owners:** We identify the most active and the best-performing *Petitioners* and *Patent Owners* over the last five years.
- 4 **Law Firms:** We analyze the performance and activity of law firms, comparing and providing rankings for the top firms representing *Petitioners* and *Patent Owners*.
- 5 **Attorneys:** We review the performance and activity of attorneys representing *Petitioners* and *Patent Owners*, comparing and providing rankings for top attorneys on each side.
- 6 **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.

As per our tradition for this and our other intelligence reports, and to have a meaningful comparison, as well as compensate 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, 2018, through June 30, 2023). While the cut-off day for cases was June 30, 2023, we used the latest updates for the cases as of Aug., 25, 2023. 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 the Patexia website. Patexia has gone to great lengths to provide valid and accurate analysis based on this data. However, Patexia does not guarantee 100% accuracy nor take any responsibility for possible losses caused by the use of information provided in this report.



Appendix.

Appendix A: Sources of Data.

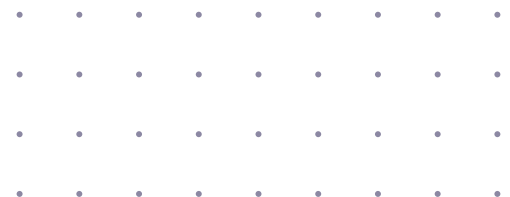
Data serves as the bedrock and cornerstone of any data-driven analysis. Consequently, sourcing data from reputable outlets and meticulously upholding data integrity are paramount principles we ardently uphold at Patexia. Our raw data has been meticulously gathered from a multitude of sources, encompassing:

- 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, 2018, through June 30, 2023).

While the inevitability of errors, such as typos, in legal documents is acknowledged, the task of cleaning and organizing attorney data poses even greater challenges. This arises from the fact that attorneys often share similar names, or at times, have identical names. Moreover, attorneys frequently switch firms, fail to update their information, and employ various name variations.

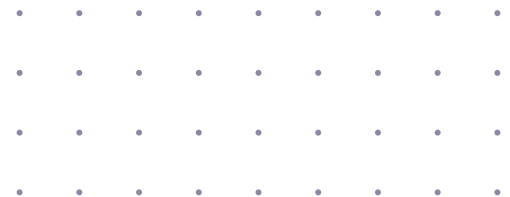
To surmount these hurdles, our engineering team has harnessed the power of sophisticated machine learning and natural language processing techniques. These cutting-edge tools enable us to discern the correct matches among diverse instances of the same name. To further mitigate errors, we have instituted a two-pronged approach. First, we subject suspicious matches to manual review, ensuring that only accurate matches are retained. Second, we provide profile pages for over 100,000 attorneys and agents, enabling them to directly review and contribute missing cases to our database. All user-contributed data is subsequently scrutinized for accuracy by Patexia’s internal data team, guaranteeing the highest level of precision.



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 PTAB proceedings filed during the period of our study. The spreadsheet covers the following information for each of the companies:

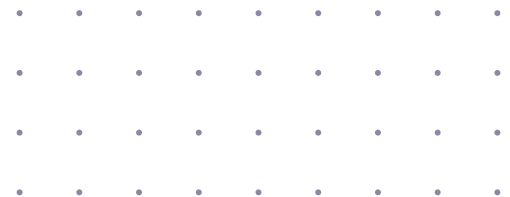
- | | |
|--|---------------------------------------|
| 1 Company name with a link to the Patexia page | 14 Overall Success Score |
| 2 All Cases (Patent Owner + Petitioner) | 15 Patent Owner Success Score |
| 3 Patent Owner Cases | 16 Petitioner Success Score |
| 4 Petitioner Cases | 17 Overall Performance Score |
| 5 Overall Performance Rank | 18 Patent Owner Performance Score |
| 6 Overall Activity Rank | 19 Petitioner Performance Score |
| 7 Patent Owner Performance Rank | 20 2022 Overall Performance Rank |
| 8 Patent Owner Activity Rank | 21 2022 Overall Activity Rank |
| 9 Petitioner Performance Rank | 22 2022 Patent Owner Performance Rank |
| 10 Petitioner Activity Rank | 23 2022 Patent Owner Activity Rank |
| 11 Overall Activity Score | 24 2022 Petitioner Performance Rank |
| 12 Patent Owner Activity Score | 25 2022 Petitioner Activity Rank |
| 13 Petitioner Activity Score | 26 Top Three Law Firms |



Appendix C: Law Firms Stats.

See the attached Excel spreadsheet for the stats related to all 992 law firms involved in one or more PTAB cases filed during the period of our study. The spreadsheet covers the following information for each of the law firms:

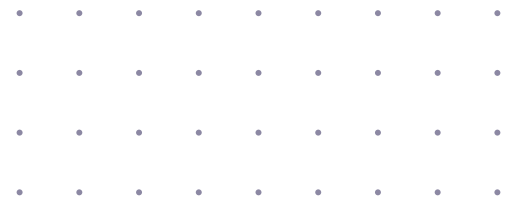
- | | |
|---|---------------------------------------|
| 1 Law firm name with a link to the Patexia page | 14 Overall Success Score |
| 2 All Cases (Patent Owner + Petitioner) | 15 Patent Owner Success Score |
| 3 Patent Owner Cases | 16 Petitioner Success Score |
| 4 Petitioner Cases | 17 Overall Performance Score |
| 5 Overall Performance Rank | 18 Patent Owner Performance Score |
| 6 Overall Activity Rank | 19 Petitioner Performance Score |
| 7 Patent Owner Performance Rank | 20 2022 Overall Performance Rank |
| 8 Patent Owner Activity Rank | 21 2022 Overall Activity Rank |
| 9 Petitioner Performance Rank | 22 2022 Patent Owner Performance Rank |
| 10 Petitioner Activity Rank | 23 2022 Patent Owner Activity Rank |
| 11 Overall Activity Score | 24 2022 Petitioner Performance Rank |
| 12 Patent Owner Activity Score | 25 2022 Petitioner Activity Rank |
| 13 Petitioner Activity Score | 26 Top Three Law 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 PTAB cases filed during the period of our study. The spreadsheet covers the following information for each of the law firms:

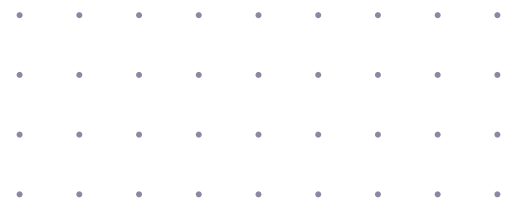
- | | |
|---|---------------------------------------|
| 1 Attorney name with a link to the Patexia page | 15 Petitioner Activity Score |
| 2 Attorney’s title (Partner, Associate, ...) | 16 Overall Success Score |
| 3 Law firm name with a link to the Patexia page | 17 Patent Owner Success Score |
| 4 All Cases (Patent Owner + Petitioner) | 18 Petitioner Success Score |
| 5 Patent Owner Cases | 19 Overall Performance Score |
| 6 Petitioner Cases | 20 Patent Owner Performance Score |
| 7 Overall Performance Rank | 21 Petitioner Performance Score |
| 8 Overall Activity Rank | 22 2022 Overall Performance Rank |
| 9 Patent Owner Performance Rank | 23 2022 Overall Activity Rank |
| 10 Patent Owner Activity Rank | 24 2022 Patent Owner Performance Rank |
| 11 Petitioner Performance Rank | 25 2022 Patent Owner Activity Rank |
| 12 Petitioner Activity Rank | 26 2022 Petitioner Performance Rank |
| 13 Overall Activity Score | 27 2022 Petitioner Activity Rank |
| 14 Patent Owner Activity Score | 28 Top Three Clients |



Appendix E: Judges.

See the attached Excel spreadsheet for the stats related to all 180 main judges who authored the final written decision. The spreadsheet covers the following information for each of the judges:

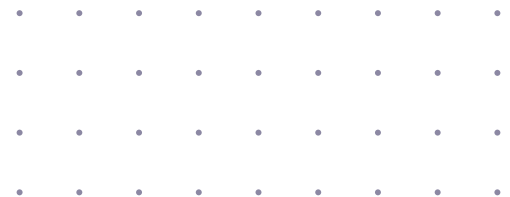
- 1 Main Judge (Author)
- 2 All Cases
- 3 Unique patents
- 4 Judge Score (In Favor of Petitioner)
- 5 Claims Challenged
- 6 Claims Instituted
- 7 Claims Invalidated



Appendix F: Lateral Moves.

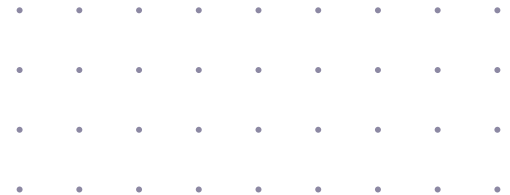
See the attached Excel spreadsheet to find the current firms for 31 PTAB attorneys who switched firms over the last 12 months. The spreadsheet covers the following information for each of the attorneys:

- 1 PTAB Attorney
- 2 Title
- 3 Current Firm
- 4 Old Firm
- 5 Overall Activity Rank
- 6 PTAB Proceedings



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Contact Us.



Established in 2010 with the goal of improving efficiency and transparency in the realm of intellectual property through the use of data, technology, and expert resources, Patexia is the leading network for IP professionals, boasting over 100,000 IP attorney profiles. The company offers a range of IP services through four distinct divisions: Patexia Connect (recruiting), Patexia Studies (Crowdsourced and traditional IP due diligence), Patexia Expert Witness, and Patexia Insights (IP reports and data). For further information, please contact us today.

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’s 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 the use of information provided in this report.

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Our Solutions.



Insights

Use data-driven rankings to choose your next IP counsel. Leverage IP analytics for business development and competitive intelligence. Join the growing list of law firms and corporate clients who trust our research and reporting ([learn more](#)).



Expert Witness

Patexia uses data-driven tech to link law firms with top IP expert witnesses. By utilizing historical case data, we expedite the expert search, pinpointing the ideal match for your litigation needs and optimizing results for your IP cases ([learn more](#)).



Lateral Opportunities

Our experienced legal recruiters utilize sophisticated IP data analytics to assist law firms and attorneys in identifying the ideal lateral opportunities that correspond with their growth plans, geographical preferences, and areas of expertise ([learn more](#)).



Research Studies

Partner with our global network of 10,000+ experts from diverse industries for comprehensive research studies. We collaborate closely to understand your unique needs and goals, crowdsourcing most qualified experts to meet them ([learn more](#)).



Strategic Partnership

By promoting thought leadership, experience, and accolades to the digital community, we position you as thought leaders in IP law and showcase your expertise to corporate decision-makers, ultimately enhancing your brand and creating new business opportunities ([learn more](#)).

For questions or inquiries related to any of our offerings, please contact us at info@patexia.com or (310) 909-7611 or visit us at www.patexia.com