

Patexia



January 2024

Patent Litigation 2024.

Intelligence Report

July 2018 — June 2023

A comprehensive report on the **Top 100 Best Performing** and **Most Active Patent Litigation Attorneys and Law Firms.**

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Introduction.

This is the fourth annual edition of our comprehensive report on patent litigation in district courts, marking the beginning of a series of eight reports scheduled for publication in 2024. Despite recent declines in patent litigation, its significance endures, with the Western District of Texas emerging as the prominent venue for such cases, surpassing the historically dominant Delaware District Court. This shift has not only altered the litigation landscape but also positioned Austin as a hub, drawing major law firms to establish a robust

presence. Unveiling the significant lateral moves in 2023, we bring to light the strategic shifts that continue to shape the patent litigation landscape. Furthermore, the report provides rankings of key stakeholders, including attorneys, law firms, companies, and judges, as we maintain our tradition of providing valuable insights into patent litigation trends and patterns across all venues, paying attention to the [developments](#) in the Western District of Texas that have reduced the caseload of Judge Alan Albright in Waco Division.

What's New in the Report?

Here are introduced several updates and enhancements, demonstrating our commitment to delivering an even more insightful, accurate and comprehensive analysis of the patent litigation landscape. This year's improvements span changes to our ranking methodology and the implementation of automated case status detection. These updates aim to offer our readers a clearer

and more nuanced understanding of the current state of affairs in the dynamic field of patent litigation. As we continue to evolve our methodologies, our goal remains to provide a valuable resource that not only captures the intricacies of patent litigation but also sheds light on the emerging trends and patterns that shape the legal landscape.

Automated Case Status Detection

To address discrepancies in the PACER system, an automated solution was developed to identify case statuses accurately, particularly in instances where cases were marked with a termination date but lacked corresponding status values. Utilizing Natural Language Processing (NLP) and analytical

techniques, the system analyzes documents filed around termination dates, reconciling discrepancies and improving the precision of termination data. This innovative approach enhances the reliability of case statuses and outcomes in legal record-keeping, ensuring greater accuracy.

Improved Ranking Methodology

Evaluating success in patent litigation involves navigating complex variables such as legal arguments, judge decisions, specific patents, technology nuances, and the

legal prowess of involved entities. Assessing individual success within a single case is challenging due to interconnected factors. To address this complexity, our approach

leverages vast datasets from diverse patent litigation databases and employs sophisticated computational techniques and machine learning algorithms for a rigorous analysis of individual performance. The method prioritizes fairness and precision in Success Scores, utilizing a robust analytical

model grounded in cutting-edge machine learning methodologies to isolate each entity's performance from external biases. This ensures a refined and impartial assessment within the patent litigation landscape, considering various factors that influence case outcomes.

Analysis of Judge Albright Caseload

Several months before the release of our previous report, an [order](#) from honorable Orlando L. Garcia, then-Chief U.S. District Judge for the Western District of Texas, directed that cases filed in the Waco division would no longer be automatically assigned to Judge Alan Albright. Instead, they would be randomly assigned to one of the twelve judges of the district court until

a subsequent order. Our data reveals that Judge Albright, being the most active patent judge, has significantly contributed to the increased activity of patent litigation in his court. Given the potential implications of this order on the future of patent litigation in the entire district, a separate analysis was required to comprehend its effects a year after.

What's Coming Next?

As we embark on the eighth year of issuing Patexia Intelligence Reports, our annual publications have garnered widespread popularity among corporations and law firms. A simple Google search for "[patexia rankings](#)" yields thousands of pages published by law firms online, highlighting the extensive use of our reports and data-driven rankings for marketing and business development across various Intellectual Property (IP) domains.

In addition to the current report, Patexia has outlined plans to publish the following in 2024:

- [ITC Section 337](#) (scheduled for release on Feb 29, 2024)
- [Patent Prosecution](#) (scheduled for release on March 28, 2024)
- [Trademark Prosecution](#) (scheduled for release on April 25, 2024)

- [Trademark Litigation](#) (scheduled for release on May 30, 2024)
- [ANDA Litigation](#) (scheduled for release on August 29, 2024)
- [PTAB Intelligence](#) (scheduled for release on September 26, 2024)
- [CAFC \(Court of Appeal for the Federal Circuit\)](#) (scheduled for release on October 31, 2024)

To ensure the timely release of all eight reports this year and maintain this schedule in the future, Patexia has expanded its team and enhanced its resources. This expansion has been made possible by your continued support. The additional resources will facilitate smoother and more accurate handling of data gathering, cleaning, and analysis. Notably, Patexia's engineering and data science team now possesses improved capabilities for tracking lateral moves of attorneys between

law firms. The team has implemented automated processes to sift through tens of thousands of PDF documents for each report, parsing sentences to extract pertinent data. We are further enhancing our data gathering efforts by extracting additional information from case documents. This improvement is designed to provide not only more insights but also additional parameters for evaluating the activity and performance of entities. Despite the efficiency of automation, human review remains essential for meticulously examining thousands of court documents to verify information or address any gaps. These enhancements will enable Patexia to refine its reports, providing the IP community with more relevant and valuable data.

The 2024 [Patent Litigation Intelligence Report](#) spans from July 1, 2018, through June 30, 2023, covering a total of 18,191 district court patent cases. Patexia utilized docket reports and publicly available documents from PACER to identify the involved parties and their representatives, including law firms and attorneys. Additionally, for the 15,099 cases terminated within this time-frame, Patexia calculated the success rate

for each party or their representatives based on the final case status obtained from PACER or through manual review of the judgment. These quantitative analyses served as a means for Patexia to assess the performance of all stakeholders.

This comprehensive report owes its existence to the valuable feedback provided by attorneys and members of the IP community who generously devoted their time to help Patexia address uncertainties related to the performance measurement of specific cases that lacked obvious indicators.

Patexia hopes its corporate partners find this report instrumental in making informed decisions regarding their litigation counsel. Similarly, the hope is that law firm partners can leverage this report as a valuable resource for enhancing new business development and marketing strategies. Our analysis aims not only to reveal the different trends behind these numbers but also to unravel the top key stakeholders, providing valuable perspectives essential for informed decision-making in the ever-evolving sphere of intellectual property.



A handwritten signature in black ink that reads "Pedram Sameni". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

Pedram Sameni
Founder and CEO

What's in This Report?

The report is divided into the following sections:

- 1 **Patent Litigation Overview:** This section provides a comprehensive analysis of District Court Patent Litigation, offering high-level statistics on all parties, judges, and cases filed from July 1, 2018, through June 30, 2023.
- 2 **Plaintiffs and Defendants Analysis:** Our study identifies the most active and best-performing plaintiffs and defendants in patent litigation.
- 3 **Law Firm Performance:** This section evaluates the performance and activity of law firms, ranking the top firms representing plaintiffs and defendants and comparing their results.
- 4 **Evaluation of Litigation Attorneys:** The performance and activity of patent litigators representing both plaintiffs and defendants are compared and ranked.
- 5 **Local Counsel Evaluation:** This section identifies the most active local counsel

representing plaintiffs and defendants, comparing and ranking their results.

- 6 **Judicial Performance:** The performance of judges assigned to all patent cases during the study period is analyzed based on the outcome of their judgments.
- 7 **Ranking Methodology:** This section explains our performance model and details how we calculated the activity, success, and performance scores and rankings for plaintiffs, defendants, their representatives, and judges.

Consistent with our tradition for this and other Intelligence Reports, and to facilitate meaningful comparisons while accounting for the varying durations of cases (e.g., six to 36+ months), we adhere to a five-year reporting period, spanning from July 1, 2018, through June 30, 2023. Appendix A provides a comprehensive list of all data sources utilized for this report.

Disclaimer: The data for this report was obtained from public sources including PACER, USPTO, and PTAB, 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 percent accuracy nor take any responsibility for possible losses caused by the use of any information provided in this report.



Appendix.

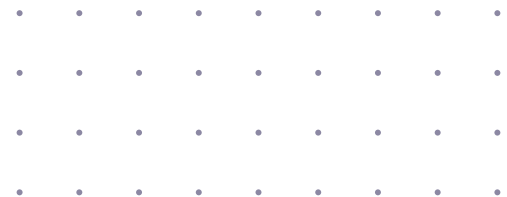
Appendix A: Sources of Data.

Data forms the fundamental and indispensable element of any data-driven analysis. Consequently, the collection of this data from reliable sources and ensuring its integrity are paramount considerations for us at Patexia. Our raw data is sourced from multiple outlets, including:

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

For this particular release, we have focused on the last five years (July 1, 2018, through June 30, 2023) in our analysis. While the inevitability of errors, such as typos in legal documents, exists, the task of cleaning and organizing attorney data poses an even greater challenge due to factors like attorneys changing firms, not updating their information, and using different variations of their names.

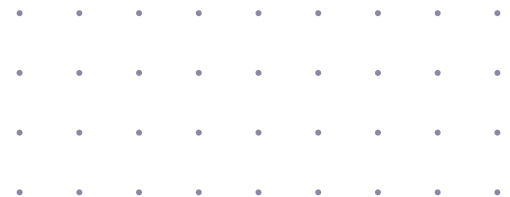
To address these challenges, our engineering team has implemented sophisticated machine learning and natural language processing techniques to identify correct matches for various occurrences of the same name. To further enhance accuracy, we conduct manual reviews of suspicious matches. Additionally, we host profile pages for over 150,000 attorneys and agents, enabling them to directly review and add missing cases to our database.



Appendix B: Stats for Plaintiffs and Defendants.

Please refer to the accompanying Excel file for statistics related to the top 1,000 most active plaintiffs and defendants involved in one or more patent cases filed during the period of our study. The spreadsheet includes the following information for each of the companies:

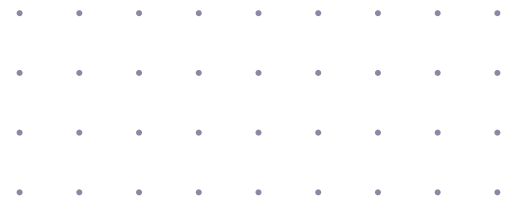
- Company name with a link to the Patexia page
- Overall Activity Rank
- Overall Performance Rank
- Defendant Activity Rank
- Defendant Performance Rank
- Plaintiff Activity Rank
- Plaintiff Performance Rank
- All Cases
- All Unique Patents
- Defendant Cases
- Defendant Unique Patents
- Plaintiff Cases
- Plaintiff Unique Cases
- Overall Activity Score
- Defendant Activity Score
- Plaintiff Activity Score
- Overall Success Score
- Defendant Success Score
- Plaintiff Success Score
- Overall Performance Score
- Defendant Performance Score
- Plaintiff Performance Score
- Overall Activity Rank 2023
- Overall Performance Rank 2023
- Defendant Activity Rank 2023
- Defendant Performance Rank 2023
- Plaintiff Activity Rank 2023
- Plaintiff Performance Rank 2023
- Top 3 Law Firms (Case Count)



Appendix C: Stats for Patent Litigation Firms.

Please refer to the accompanying Excel file for statistics related to the top 1,000 most active law firms involved in one or more patent cases filed during the period of our study. The spreadsheet includes the following information for each of the companies:

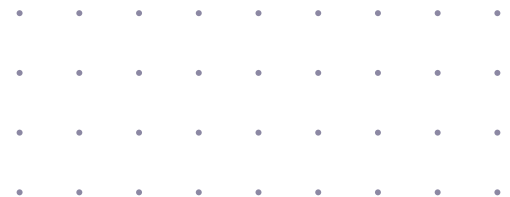
- Law Firm with a link to the Patexia page
- Overall Activity Rank
- Overall Performance Rank
- Defendant Activity Rank
- Defendant Performance Rank
- Plaintiff Activity Rank
- Plaintiff Performance Rank
- All Cases
- All Unique Patents
- Defendant Cases
- Defendant Unique Patents
- Plaintiff Cases
- Plaintiff Unique Patents
- Overall Activity Score
- Defendant Activity Score
- Plaintiff Activity Score
- Overall Success Score
- Defendant Success Score
- Plaintiff Success Score
- Overall Performance Score
- Defendant Performance Score
- Plaintiff Performance Score
- Overall Activity Rank 2023
- Overall Performance Rank 2023
- Defendant Activity Rank 2023
- Defendant Performance Rank 2023
- Plaintiff Activity Rank 2023
- Plaintiff Performance Rank 2023
- Top 3 Law Firms (Case Count)



Appendix D: Stats for Attorneys.

See the attached Excel file for the stats related to the top 1,000 most active patent litigators. The spreadsheet covers the following information for each of the attorneys:

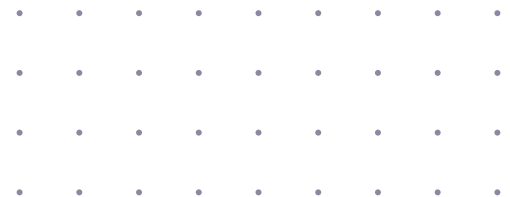
- Attorney name with a link to the Patexia page
- Law Firm
- Overall Activity Rank
- Overall Performance Rank
- Defendant Activity Rank
- Defendant Performance Rank
- Plaintiff Activity Rank
- Plaintiff Performance Rank
- All Cases
- All Unique Patents
- Defendant Cases
- Defendant Unique Patents
- Plaintiff Cases
- Plaintiff Unique Patents
- Overall Activity Score
- Defendant Activity Score
- Plaintiff Activity Score
- Overall Success Score
- Defendant Success Score
- Plaintiff Success Score
- Overall Performance Score
- Defendant Performance Score
- Plaintiff Performance Score
- Overall Activity Rank 2023
- Overall Performance Rank 2023
- Defendant Activity Rank 2023
- Defendant Performance Rank 2023
- Plaintiff Activity Rank 2023
- Plaintiff Performance Rank 2023
- Top 3 Law Firms (Case Count)



Appendix E: Stats for Local Counsel.

See the attached Excel file for the stats related to the 415 patent litigation local counsel. The spreadsheet covers the following information for each of the attorneys:

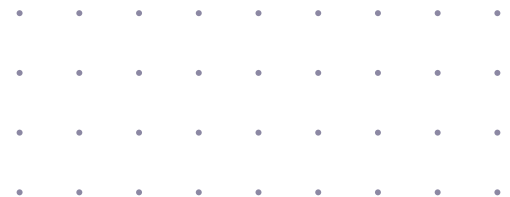
- Local Counsel with link to Patexia Page
- Law Firm with link to Patexia Page
- City
- State
- Overall Activity Rank
- Defendant Activity Rank
- Plaintiff Activity Rank
- All Cases
- Defendant Cases
- Plaintiff Cases
- Top 3 Clients (Case Count)



Appendix F: Stats for District Court Judges.

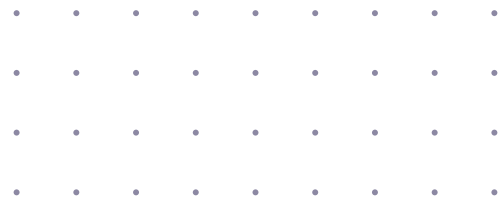
See the attached Excel file for the stats related to the 1,359 District Court judges. The spreadsheet covers the following information for each of the judges:

- Judge's name
- Case (Unique)
- Patents (Unique)
- Judge's score (Avg)



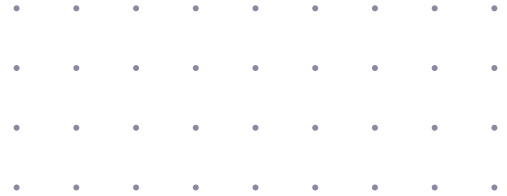
Appendix G: Best Performing and Most Active Badges.

In keeping with tradition, Patexia designs two categories of badges for the best performing and most active law firms/attorneys (Defendant, Plaintiff and overall) each year. These badges are only granted to firms and attorneys that are ranked in the top 100 and opt to purchase the report. [Concierge Members](#) will automatically receive the badges if they are ranked among the top 100.



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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](#)).

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