

Patexia

June 2021

Patent Prosecution Intelligence Report

January 2016 / December 2020

A comprehensive report on the top 100
best performing and most active
patent prosecution law firms.

Prepared by
Patexia Data Science Team

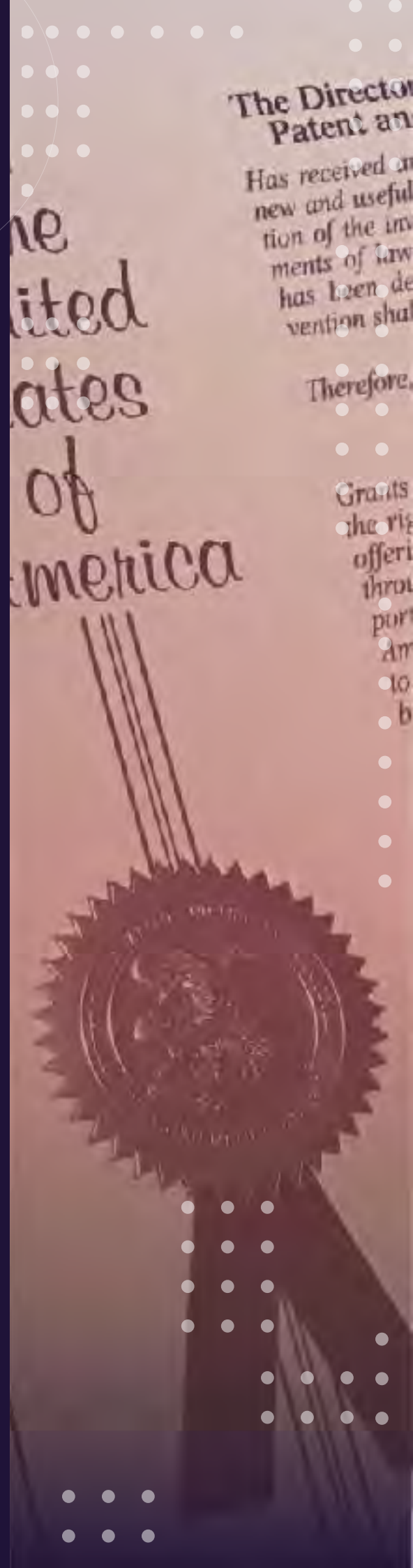


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Introduction

The pandemic brought the US economy to a sudden stop in March of 2020 as many activities were reduced to a near-stand-still affecting all industries and impacting intellectual property and patents. We published a number of articles about the impact of COVID (e.g., [Patexia Insight 79](#)) last year.

These sudden fluctuations in the economy, either caused by the pandemic itself or the government interventions to help revive the economy as quickly as possible, have cer-

tainly increased the need for data-driven decision-making for businesses to reduce risk.

Understanding the IP spending by corporations and the growth or decline of that can help law firms plan better and be prepared for what is ahead. Similarly, with a better understanding of a law firm's performance, financial health, workload, and growth or decline of that, corporations can decide who to partner with for their patent prosecution. This is what we are aiming to do and the new data provided in this year's report is to provide more visibility.

What's New in the 2021 Edition?

This year, in our third annual *Patent Prosecution Intelligence Report*, for the first time, we are providing the following new datasets:

- The estimated 5-year patent revenue generated by patent firms.
- The estimated 5-year spending on US patent prosecution by corporations including the law firm fees, the USPTO fees and the US patent portfolio maintenance.
- The top three clients for each of the law firms and the volume of work handled for each.
- The top three law firms handling patent prosecution for each of the corporations and the volume of work handled by each firm.

The report stops short of providing attorney-level statistics. This is because the file-wrapper for each of the patent applications is not yet available for bulk processing but our engineering team is working with the USPTO and we hope that in the near future, that data becomes available so our analysis goes one step further and covers the attorney-level activity and performance as well.

Similar to previous years and our other [IP Insight Reports](#), we conducted a survey to gather information about the cost of filing, the different steps of patent prosecution, the resources required, and the best practices to follow. We have achieved participation of more than 60 law firms in which we truly appreciate and give thanks to their involvement with our annual survey.

The cost data provided by the IP community has formed the basis for our IP revenue and spending estimations. Our data science team has used the data to build the model for our cost estimation. Additionally, the summary of the survey with our analysis has been provided in Section 3 of this report.

The survey results summarized in Section 3 can also be used by companies looking to work with a new law firm or interested in gaining insights into the cost structure and patent prosecution process overall.

In addition to this report, we have also updated our [Patent Analyzer](#), the online patent tool that enables corporations and law firms to perform analysis on our up-to-date patent data with several new features. The tool is very powerful for business development,

competitive analysis, and prosecution assistance (e.g., examiner data and behavioral modeling).

This year, we have expanded our IP Insight Reports to cover seven unique areas. In ad-

dition to the *Patent Prosecution Intelligence Report*, we now cover other IP areas including *District Court Patent Litigation*, *ANDA Litigation*, *Inter-Partes Review (IPR)*, *Federal Circuit*, *International Trade Commission (ITC)*, and *Trademark Prosecution*.



Data clean up and entity name resolution is still the most challenging task for preparation of these reports. We now use artificial intelligence and machine learning for extracting names of attorneys, law firms, or corporations for most of these reports and this has helped us to reduce the errors significantly.

The content for this year's report is condensed into two files: this PDF document which covers the statistics, survey results,

and the rankings for the top 100 law firms and companies in six categories, and an accompanying Excel file which includes more statistics for technology centers, art units and the top 1000 most active law firms and companies.

We hope this report helps our clients with competitive intelligence, business development, and general knowledge about the state of the US patent prosecution.



Pedram Sameni

Pedram Sameni
Founder and CEO

Report Contents

We have organized this report under the following seven sections:

- 1. Methodology:** We explain our method to measure the correct signals related to *performance, activity, success, efficiency, and quality* for all stakeholders in patent prosecution.
- 2. Patent Statistics:** We look at the patent prosecution data at a high level, providing statistics related to the *USPTO, Technology Centers, Art Units, Examiners, Law Firms, and Corporations*.
- 3. Best Practices for Patent Prosecution:** We look at the cost of filing for different types of patent applications and filing procedures.
- 4. Technology Centers, and Art Units:** We analyze all active *Technology Centers*, and *Art Units*, measuring the key signals for their activity, efficiency, and allowance.

5. Companies: We identify the most active *Companies* in *biotech, high-tech, and overall* to measure their *success, quality, and performance*.

6. Law Firms: We analyze the *performance and activity* of law firms, comparing and providing rankings for the top firms representing *biotech, high-tech, and overall*.


7. Growing or Declining: For the first time, we are introducing this section that covers the firms and companies with the largest growth or decline in patent prosecution.

Similar to our other IP Insights reports, to have a meaningful comparison and also to compensate for the 18-month delay for an application to be published, we compiled the data for this study through a period of five years (e.g., January 1, 2016, through December 31, 2020).

Disclaimer: The data for this report was obtained from public sources, including USPTO, PTAB, and PACER, as well as self-reported by law firms and companies 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 information provided in this report.



Appendices

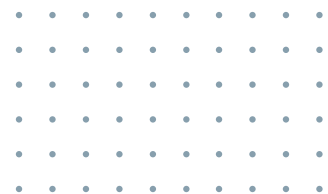


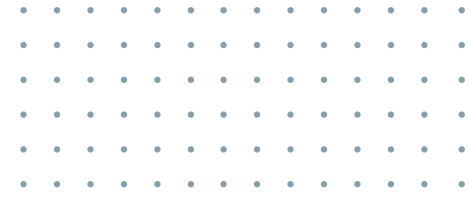
Appendix A: Technology Centers and Art Units Stats

We have provided the following metrics for all 11 *Technology Centers* and 628 *Art Units*.

Please check the accompanying Excel file for more details.

1. Technology Center / Art Unit
2. Number of Examiners
3. Number of Applications
4. Number of Issued Patents
5. Number of Claims Applied for
6. Number of Claims Allowed
7. Number of Independent Claims Allowed
8. Allowance Rate (Application Level)
9. Average Number of Office Actions
10. Average Number of Extensions
11. Average Number of Interviews
12. Pendency (Days)





Appendix B: Top 1,000 Best Performing Companies

Please check the accompanying Excel file to view the list of the Top 1,000 Companies.

We have provided the following metrics:

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Company Name 2. All Patents 3. BioTech Patents 4. HighTech Patents 5. Activity Rank (Overall) 6. Overall Rank 7. Activity Rank (Biotech) 8. Overall Rank (Biotech) 9. Activity Rank (High-Tech) 10. Overall Rank (High-Tech) 11. Final Score (%) 12. Final Score (Biotech) 13. Final Score (High-Tech) 14. Success Score (%) 15. Quality Score (%) 16. Allowance Rate (Application Level) 17. Allowance Rate (Claim Level) | <ol style="list-style-type: none"> 18. Average Ratio of Word Count for Independent Claims (Application to Patent) 19. Average Word Count for Independent Claims 20. Pendency (Days) 21. Average Number of Office Actions 22. Average Number of Interviews 23. Average Number of Extensions 24. Clients 25. USPTO Fees (5 Years) 26. Law Firm Fees (5 Years) 27. Maintenance Fees (5 Years) 28. 2020 Activity Rank (Overall) 29. 2020 Overall Rank 30. 2020 Activity BioTech Rank 31. 2020 Overall BioTech Rank 32. 2020 Activity HighTech Rank 33. 2020 Overall HighTech Rank |
|---|---|





Appendix C: Top 1,000 Best Performing Law Firms

Please check the accompanying Excel file to view the list of the Top 1,000 Law Firms.

We have provided the following metrics:

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Law Firm Name 2. All Patents 3. BioTech Patents 4. HighTech Patents 5. Activity Rank (Overall) 6. Overall Rank 7. Activity Rank (Biotech) 8. Overall Rank (Biotech) 9. Activity Rank (High-Tech) 10. Overall Rank (High-Tech) 11. Final Score (%) 12. Final Score (Biotech) 13. Final Score (High-Tech) 14. Success Score (%) 15. Efficiency Score (%) 16. Allowance Rate (Application Level) 17. Allowance Rate (Claim Level) | <ol style="list-style-type: none"> 18. Average Ratio of Word Count for Independent Claims (Application to Patent) 19. Average Word Count for Independent Claims 20. Pendency (Days) 21. Average Number of Office Actions 22. Average Number of Interviews 23. Average Number of Extensions 24. Clients 25. USPTO Fees (5 Years) 26. Law Firm Fees (5 Years) 27. Maintenance Fees (5 Years) 28. 2020 Activity Rank (Overall) 29. 2020 Overall Rank 30. 2020 Activity BioTech Rank 31. 2020 Overall BioTech Rank 32. 2020 Activity HighTech Rank 33. 2020 Overall HighTech Rank |
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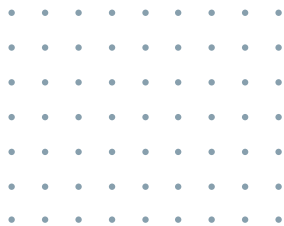




Best Performing and Most Active Badges

As per our tradition, every year Patexia designs two types of badges for *Best Performing* and *Most Active* law firms as they ranked in different categories (overall,


high-tech or biotech). Any of our Concierge members or firms purchasing the report will receive the proper badges based on their rankings



Contact Us

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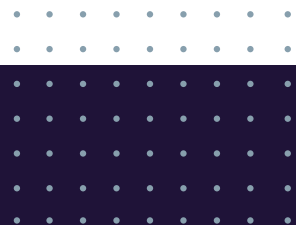
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