

Patexia

April 2022

Patent Prosecution Intelligence Report

January 2017 / December 2021

A comprehensive report on the top 100
best performing and most active patent
attorneys/agents, law firms and corporations.

Prepared by
Patexia Data Science Team



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Introduction

The reverberating effect of the pandemic induced health crisis steered the U.S. and global economy to a near standstill in March 2020. Governments all over the world responded quickly by lowering the cost of borrowing and providing financial assistance as much as possible. Now as we gradually enter the post-pandemic era, we still feel the pain as some challenges from supply-chain issues to shortage of semiconductors have remained in place. Additionally, cheap money has created high-inflation everywhere.

IP sector has not been immune to this high-inflation. The salaries of first year associates at Am Law 100 firms has increased to more than \$200K per year in major markets. This means the cost of obtaining patents has gone up significantly compared to pre-pandemic era. We had predicted in previous reports that most likely the filing activity had already peaked and we should see a decline in the coming years. In 2021, we saw a decline of 7 percent in the number of issued patents.

What's New in the 2022 Edition?

As we had promised in our 2021 report, this year, in our fourth annual *Patent Prosecution Intelligence Report*, we are, for the first time, providing attorney and agent data including rankings. This required a couple of years of research and hard work by our data scientists as they automated the data extraction from millions of documents available through the USPTO Public PAIR. Tens of thousands of documents were used to train our algorithm. Then those were utilized to perform the attorney name extraction from all documents such as ADS files.

The extracted names were, then, cleaned and clustered in order to assess all the work

All of this has made it more difficult for law firms to operate a profitable patent prosecution practice, especially in major metropolitan areas that the cost of living is higher and salaries have gone up. The strong job market has not only helped associates earn more, but also has given them the upper hand in negotiations as now many seek remote or hybrid options.

Combining all of the above with the continued pressure from corporate inhouse counsels to lower the filing cost, has created more lateral movements among the partners with patent prosecution practice. This year we have started tracking the movements for partners and associates. We expect to cover the list of all movements in our next year report (2023 Edition).

This year's report covers a 5-year period from January 1, 2017, through December 31, 2021.

done by a particular attorney or agent. This complex process also uncovered very interesting practices at some firms that we will gradually cover in our upcoming Patexia Insight Articles.

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, including attorney-level data. The tool is exceedingly powerful for business development, competitive analysis, and prosecution assistance (e.g., examiner data and behavioral modeling).

This year, we have expanded our *Intelligence Report Collection* and plan to add one or two new reports to seven we covered last year. While the exact topics have not yet been finalized, we are considering trade secret litigation and trademark litigation as two new areas.

In addition to the *Patent Prosecution Intelligence Report*, this year, we have so far published *Patent Litigation* and *ITC Intelligence Reports*. We plan to publish *ANDA Litigation*, *Inter-Partes Review (IPR)*, *Federal Circuit*, and *Trademark Prosecution* in the coming months.

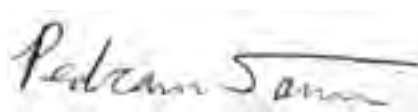


Data clean up and entity name resolution remain our top priority. We have added to our engineering team as this problem seems to be very complex and the key to our success. The use of artificial intelligence and machine learning for extracting names of attorneys, law firms, or corporations for most of these reports have assisted in significant reduction of errors.

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

The content for this year’s report is condensed into two files: this PDF document

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
Founder and CEO

Report Contents

We have organized this report under the following six sections:

- 1. Patent Statistics:** We look at the patent prosecution data at a high level, providing statistics related to the *USPTO, Technology Centers, Art Units, Examiners, Attorneys/Agents, Law Firms, and Corporations*.
- 2. Companies:** We identify the most active *Companies* in *biotech, high-tech, and overall* to measure their *success, quality, and performance*.
- 3. 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*.
- 4. Patent Attorneys and Agents:** We analyze the performance and activity of at-

torneys/agents, comparing and providing rankings for the top attorneys representing *biotech, high-tech, and overall*.


- 5. Growing or Declining:** We cover the firms and companies with the largest growth or decline in patent prosecution.
- 6. Methodology:** We explain our method to measure the correct signals related to *performance, activity, success, efficiency, and quality* for all stakeholders 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, 2017, through December 31, 2021).

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 takes any responsibility for possible losses caused by the use of information provided in this report.



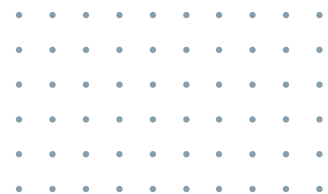
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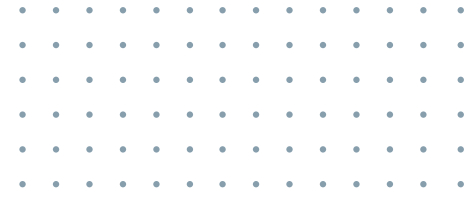
Appendix A: Technology Centers and Art Units Stats

We have provided the following metrics for all 11 *Technology Centers* and 641 *Art Units*. Please check the accompanying Excel document 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 (Months)



Appendix B: Top 1,000 Most Active Companies



Please check the accompanying Excel file to view the list of the Top 1,000 Companies. We have provided the following metrics:

1. Company Name
2. All Patents Excluding Design
3. All Patents Including Design
4. BioTech Patents
5. HighTech Patents
6. Activity Rank (Overall)
7. Overall Rank
8. Activity Rank (Biotech)
9. Overall Rank (Biotech)
10. Activity Rank (High-Tech)
11. Overall Rank (High-Tech)
12. Final Score (%)
13. Final Score (Biotech)
14. Final Score (High-Tech)
15. Success Score (%)
16. Quality Score (%)
17. Allowance Rate (Application Level)
18. Allowance Rate (Claim Level)
19. Average Ratio of Word Count for Independent Claims (Application to Patent)
20. Average Word Count for Independent Claims
21. Pendency (Days)
22. Average Number of Office Actions
23. Average Number of Interviews
24. Average Number of Extensions
25. Clients
26. USPTO Fees (5 Years)
27. Law Firm Fees (5 Years)
28. Maintenance Fees (5 Years)
29. 2021 Activity Rank (Overall)
30. 2021 Overall Rank
31. 2021 Activity BioTech Rank
32. 2021 Overall BioTech Rank
33. 2021 Activity HighTech Rank
34. 2021 Overall HighTech Rank



Appendix C: Top 1,000 Most Active 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:

- | | |
|---|---|
| 1. Law Firm Name | 19. Average Ratio of Word Count for Independent Claims (Application to Patent) |
| 2. All Patents Excluding Design | 20. Average Word Count for Independent Claims |
| 3. All Patents Including Design | 21. Pendency (Days) |
| 4. BioTech Patents | 22. Average Number of Office Actions |
| 5. HighTech Patents | 23. Average Number of Interviews |
| 6. Activity Rank (Overall) | 24. Average Number of Extensions |
| 7. Overall Rank | 25. Clients |
| 8. Activity Rank (Biotech) | 26. USPTO Fees (5 Years) |
| 9. Overall Rank (Biotech) | 27. Law Firm Fees (5 Years) |
| 10. Activity Rank (High-Tech) | 28. Maintenance Fees (5 Years) |
| 11. Overall Rank (High-Tech) | 29. 2021 Activity Rank (Overall) |
| 12. Final Score (%) | 30. 2021 Overall Rank |
| 13. Final Score (Biotech) | 31. 2021 Activity BioTech Rank |
| 14. Final Score (High-Tech) | 32. 2021 Overall BioTech Rank |
| 15. Success Score (%) | 33. 2021 Activity HighTech Rank |
| 16. Efficiency Score (%) | 34. 2021 Overall HighTech Rank |
| 17. Allowance Rate (Application Level) | |
| 18. Allowance Rate (Claim Level) | |
- 



Appendix D: Top 2,500 Most Active Attorneys

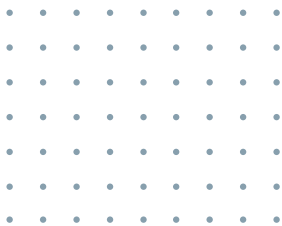
Please check the accompanying Excel file to view the list of the Top 1,000 attorneys. We have provided the following metrics:

- | | |
|---|---|
| 1. Attorney Name | 19. Allowance Rate (Claim Level) |
| 2. Law Firm Name | 20. Average Ratio of Word Count for Independent Claims (Application to Patent) |
| 3. All Patents Excluding Design | 21. Average Word Count for Independent Claims |
| 4. All Patents Including Design | 22. Pendency (Days) |
| 5. BioTech Patents | 23. Average Number of Office Actions |
| 6. HighTech Patents | 24. Average Number of Interviews |
| 7. Activity Rank (Overall) | 25. Average Number of Extensions |
| 8. Overall Rank | 26. Clients |
| 9. Activity Rank (Biotech) | 27. USPTO Fees (5 Years) |
| 10. Overall Rank (Biotech) | 28. Law Firm Fees (5 Years) |
| 11. Activity Rank (High-Tech) | 29. Maintenance Fees (5 Years) |
| 12. Overall Rank (High-Tech) | 30. 2021 Activity Rank (Overall) |
| 13. Final Score (%) | 31. 2021 Overall Rank |
| 14. Final Score (Biotech) | 32. 2021 Activity BioTech Rank |
| 15. Final Score (High-Tech) | 33. 2021 Overall BioTech Rank |
| 16. Success Score (%) | 34. 2021 Activity HighTech Rank |
| 17. Efficiency Score (%) | 35. 2021 Overall HighTech Rank |
| 18. Allowance Rate (Application Level) | |
- 



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



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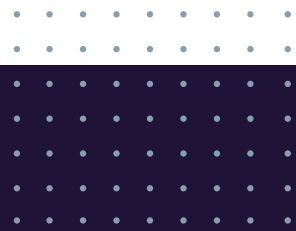
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