

Patexia



March 2023

Patent Prosecution 2023

Intelligence Report

January 2018 — December 2022

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

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Introduction.

As the world gradually emerges from the COVID-19 pandemic, it's a fitting time to reflect on how the patent landscape has evolved during these challenging years. The pandemic brought the global economy to a standstill in March 2020, and while it's difficult to directly tie this decline to a single factor, the impact on corporate spending in intellectual property is apparent as the number of issued patents continued to decline. In 2022, our Art Unit analysis shows that the number of high-tech and biotech patents issued dropped by nearly 20% compared to 2021. Given that patent applications take two to three years to issue on average, it's possible that the pandemic had a significant impact on corporate spending.

The global pandemic and subsequent quantitative easing, coupled with low interest rates, caused inflation and a tight job market. In response, the government began gradually raising interest rates in 2022, with the current rate hovering around 5%. However,

this increase in interest rates may lead to a period of low growth and potentially trigger a recession. As a result, there could be increased pressure on corporate spending, which may contribute to a further decline in filing activity.

It will be increasingly challenging for law firms to maintain a profitable patent prosecution practice, particularly in major metropolitan areas where living costs and salaries are higher. This challenge is further compounded by the persistent demand from corporate in-house counsel to decrease filing costs.

The combination of all of the above with the continued pressure from corporations, has created more more opportunities for busy patent attorneys to move their practice to new firms. This year for the first time reviewed the most active patent attorneys in the top 2,000 to identify the most important lateral moves of 2022.

What's New in the 2023 Edition?

Last year, for the first time in our Patent Intelligence Report series, we included rankings and data on attorneys and agents. To identify the attorneys involved in patent prosecution, we examined various documents, with the Application Data Sheet (ADS) being the most crucial one. The ADS contains information on the attorney or agent, as well as details such as the inventors' addresses and citizenship, the application's title, and filing date, enabling us to identify the attorneys handling the case.

Over the past year, we have consulted with several patent attorneys in our community, some of whom stressed the importance of interviews with examiners and the attorney conducting the interviews. They noted that while the ADS document may have been signed by a different attorney than the one in charge of the application, the interview is always conducted by the same person named in the PTOL-413 form. As a result, they advised us to also gather the names of attorneys who conducted interviews and spoke

with USPTO examiners. These attorneys are typically the ones who handle responses to office actions. While some applications may have the same attorney listed on both the ADS form and as the interviewer with the examiner, in other cases, they may be two different people. While interviews are not always required, they are often considered a sign that attorneys are working closely with examiners to obtain the best possible claims for their clients.

Additionally, we have revised our ranking methodologies to account for these newly identified attorneys and now distribute points among them whenever multiple attorneys are involved in a single application.

In addition to the new data related to examiner interviews, this year we have also added a section to cover the most important lateral moves of the year. This section features attorneys from the top 2,000 most active list who have made a move or established their own firm since the release of our 2022 report.

This year, we are expanding our *Intelligence Report Collection* to include the new *Trademark Litigation Intelligence Report*. In addition to the *Patent Intelligence Report*, this year, we have also published our *Patent Litigation Intelligence Report* and *ITC Intelligence Reports*. Over the next several months, we plan to release reports on *Trademark Prosecution*, *ANDA Litigation*, *Inter-Partes Review (IPR)*, *Trademark Litigation* and *Federal Circuit*.

We place a high priority on data clean-up and entity name resolution, which we believe are essential to our success. As this issue can be complex, we have increased the size of our engineering team. Artificial intelligence and machine learning technologies help to minimize errors when extracting the names of attorneys, law firms, or corporations for most reports. Additionally, we have utilized the widely used Chat GPT model as part of our natural language processing tools to further enhance the quality of our reports this year.

This year's report includes two files: a PDF document featuring rankings and statis-



tics on the top 100 attorneys, law firms, and companies across six categories, and an Excel document with additional statistics on technology centers, art units, and the top 2,000 most active attorneys, agents, law firms, and companies.

At Patexia, we strive to deliver value to our clients by providing them with valuable insights and data related to US patent prosecution. Our goal is to help our clients gain a competitive edge by providing them with the necessary intelligence and resources to make informed business decisions. We understand that staying ahead of the curve in the patent world is crucial to success, and our reports and analyses are designed to help our clients do just that.

Our reports are designed to offer not only a snapshot of the current patent landscape, but also a comprehensive view of trends over the past five years, allowing our clients to identify patterns and anticipate changes in the patent world.

Moreover, we understand that our clients need more than just data and statistics to succeed in the patent world. That's why our reports also provide business development assistance, highlighting key lateral moves among top attorneys and law firms, as well as key clients for top attorneys and law firms and other strategic insights to help our clients achieve their goals. We hope you will enjoy this new edition.



Pedram Sameni

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 attorneys/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, 2018, through December 31, 2022).

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.

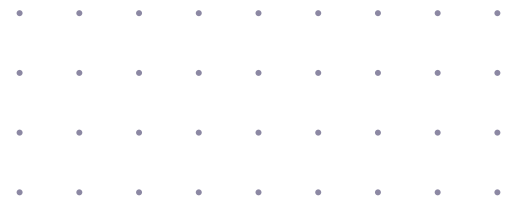


Appendices.

Appendix A: Technology Centers and Art Units Stats.

We have provided the following metrics for all 11 *Technology Centers* and 642 *Art Units*. Please check the accompanying Excel document for more details.

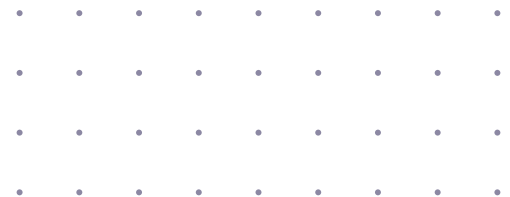
- | | |
|--------------------------------|--|
| 1 Technology Center / Art Unit | 7 Number of Independent Claims Allowed |
| 2 Number of Examiners | 8 Allowance Rate (Application Level) |
| 3 Number of Applications | 9 Average Number of Office Actions |
| 4 Number of Issued Patents | 10 Average Number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



Appendix B: Top 2,000 Best Performing Companies.

Please check the accompanying Excel file to view the list of the Top 2,000 Companies. We have provided the following metrics:

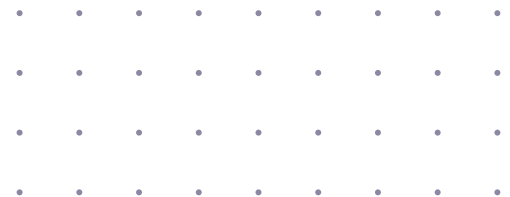
- Company Name
- All Patents Excluding Design
- All Patents Including Design
- BioTech Patents
- HighTech Patents
- Activity Rank (Overall)
- Overall Rank
- Activity Rank (Biotech)
- Overall Rank (Biotech)
- Activity Rank (High-Tech)
- Overall Rank (High-Tech)
- Final Score (%)
- Final Score (Biotech)
- Final Score (High-Tech)
- Success Score (%)
- Quality Score (%)
- Allowance Rate (Application Level)
- Allowance Rate (Claim Level)
- Average Ratio of Word Count for Independent Claims (Application to Patent)
- Average Word Count for Independent Claims
- Pendency (Days)
- Average Number of Office Actions
- Average Number of Interviews
- Average Number of Extensions
- Clients
- USPTO Fees (5 Years)
- Law Firm Fees (5 Years)
- Maintenance Fees (5 Years)
- 2022 Activity Rank (Overall)
- 2022 Overall Rank
- 2022 Activity BioTech Rank
- 2022 Overall BioTech Rank
- 2022 Activity HighTech Rank
- 2022 Overall HighTech Rank



Appendix C: Top 2,000 Best Performing Law Firms.

Please check the accompanying Excel file to view the list of the Top 2,000 Law Firms. We have provided the following metrics:

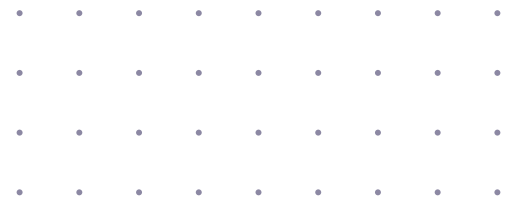
- Law Firm Name
- All Patents Excluding Design
- All Patents Including Design
- BioTech Patents
- HighTech Patents
- Activity Rank (Overall)
- Overall Rank
- Activity Rank (Biotech)
- Overall Rank (Biotech)
- Activity Rank (High-Tech)
- Overall Rank (High-Tech)
- Final Score (%)
- Final Score (Biotech)
- Final Score (High-Tech)
- Success Score (%)
- Efficiency Score (%)
- Allowance Rate (Application Level)
- Allowance Rate (Claim Level)
- Average Ratio of Word Count for Independent Claims (Application to Patent)
- Average Word Count for Independent Claims
- Pendency (Days)
- Average Number of Office Actions
- Average Number of Interviews
- Average Number of Extensions
- Clients
- USPTO Fees (5 Years)
- Law Firm Fees (5 Years)
- Maintenance Fees (5 Years)
- 2022 Activity Rank (Overall)
- 2022 Overall Rank
- 2022 Activity BioTech Rank
- 2022 Overall BioTech Rank
- 2022 Activity HighTech Rank
- 2022 Overall HighTech Rank



Appendix D: Top 2,000 Best Performing Attorneys.

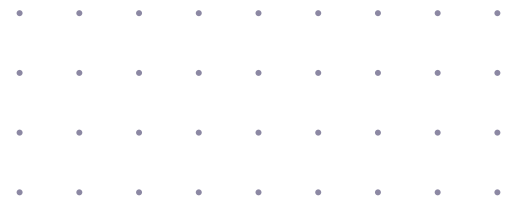
Please check the accompanying Excel file to view the list of the Top 2,000 attorneys. We have provided the following metrics:

- Attorney Name
- Law Firm Name
- All Patents Excluding Design
- All Patents Including Design
- BioTech Patents
- HighTech Patents
- Activity Rank (Overall)
- Overall Rank
- Activity Rank (Biotech)
- Overall Rank (Biotech)
- Activity Rank (High-Tech)
- Overall Rank (High-Tech)
- Final Score (%)
- Final Score (Biotech)
- Final Score (High-Tech)
- Success Score (%)
- Efficiency Score (%)
- Allowance Rate (Application Level)
- Allowance Rate (Claim Level)
- Average Ratio of Word Count for Independent Claims (Application to Patent)
- Average Word Count for Independent Claims
- Pendency (Days)
- Average Number of Office Actions
- Average Number of Interviews
- Average Number of Extensions
- Clients
- USPTO Fees (5 Years)
- Law Firm Fees (5 Years)
- Maintenance Fees (5 Years)
- 2022 Activity Rank (Overall)
- 2022 Overall Rank
- 2022 Activity BioTech Rank
- 2022 Overall BioTech Rank
- 2022 Activity HighTech Rank
- 2022 Overall HighTech Rank
- Plaintiff Activity Rank 2022
- Plaintiff Performance Rank 2022
- Top 3 Law Firms (Case Count)



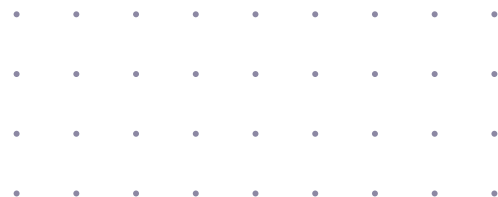
Appendix E: Best Performing and Most Active Badges.

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.



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Contact Us.



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The fine print

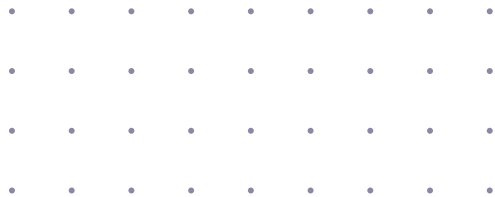
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