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Ex Parte Reexamination Filing Data - March 31, 2011

1.	Total requests filed since start of <i>ex parte</i> reexam on 07/01/81.....	11415 ¹																																																																								
	a. By patent owner	3740 33%																																																																								
	b. By other member of public	7509 66%																																																																								
	c. By order of Commissioner	166 1%																																																																								
2.	Number of filings by discipline																																																																									
	a. Chemical Operation	3139 28%																																																																								
	b. Electrical Operation	4230 37%																																																																								
	c. Mechanical Operation	3869 34%																																																																								
	d. Design Patents	177 1%																																																																								
3.	Annual <i>Ex Parte</i> Reexam Filings																																																																									
	<table style="width: 100%; border-collapse: collapse; border-top: 1px solid black; border-bottom: 1px solid black;"> <thead> <tr> <th style="text-align: left;">Fiscal Yr.</th> <th style="text-align: left;">No.</th> </tr> </thead> <tbody> <tr> <td>1981</td> <td>78 (3 mos.)</td> <td>1989</td> <td>243</td> <td>1997</td> <td>376</td> <td>2005</td> <td>524</td> </tr> <tr> <td>1982</td> <td>187</td> <td>1990</td> <td>297</td> <td>1998</td> <td>350</td> <td>2006</td> <td>511</td> </tr> <tr> <td>1983</td> <td>186</td> <td>1991</td> <td>307</td> <td>1999</td> <td>385</td> <td>2007</td> <td>643</td> </tr> <tr> <td>1984</td> <td>189</td> <td>1992</td> <td>392</td> <td>2000</td> <td>318</td> <td>2008</td> <td>680</td> </tr> <tr> <td>1985</td> <td>230</td> <td>1993</td> <td>359</td> <td>2001</td> <td>296</td> <td>2009</td> <td>658</td> </tr> <tr> <td>1986</td> <td>232</td> <td>1994</td> <td>379</td> <td>2002</td> <td>272</td> <td>2010</td> <td>780</td> </tr> <tr> <td>1987</td> <td>240</td> <td>1995</td> <td>392</td> <td>2003</td> <td>392</td> <td>2011YTD</td> <td>392</td> </tr> <tr> <td>1988</td> <td>268</td> <td>1996</td> <td>418</td> <td>2004</td> <td>441</td> <td></td> <td></td> </tr> </tbody> </table>	Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.	1981	78 (3 mos.)	1989	243	1997	376	2005	524	1982	187	1990	297	1998	350	2006	511	1983	186	1991	307	1999	385	2007	643	1984	189	1992	392	2000	318	2008	680	1985	230	1993	359	2001	296	2009	658	1986	232	1994	379	2002	272	2010	780	1987	240	1995	392	2003	392	2011YTD	392	1988	268	1996	418	2004	441			
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4.	Number known to be in litigation.....	3747.....33%																																																																								
5.	Decisions on requests.....	10902																																																																								
	a. No. granted.....	9997.....92%																																																																								
	(1) By examiner	9881																																																																								
	(2) By Director (on petition)	116																																																																								
	b. No. denied	905.....8%																																																																								
	(1) By examiner	850																																																																								
	(2) Reexam vacated	35																																																																								

¹Of the requests received in FY 2011, 22 requests have not yet been accorded a filing date, and preprocessing of 15 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for *Ex Parte* and *Inter Partes* Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).

6.	Total examiner denials (includes denials reversed by Director).....	976	
	a. Patent owner requester	464	48%
	b. Third party requester	512	52%
7.	Overall reexamination pendency (Filing date to certificate issue date)		
	a. Average pendency	25.7 (mos.)	
	b. Median pendency	20.0 (mos.)	
8.	Reexam certificate claim analysis:		
		<u>Owner</u>	<u>3rd Party</u>
		<u>Requester</u>	<u>Requester</u>
			<u>Comm'r</u>
			<u>Initiated</u>
			<u>Overall</u>
	a. All claims confirmed	21%	24%
	b. All claims cancelled	9%	13%
	c. Claims changes	70%	63%
		12%	65%
9.	Total <i>ex parte</i> reexamination certificates issued (1981 – present)		8129
	a. Certificates with all claims confirmed	1870	23%
	b. Certificates with all claims canceled	934	11%
	c. Certificates with claims changes	5325	66%
10.	Reexam claim analysis – requester is patent owner or 3 rd party or Commissioner initiated.		
	a. Certificates – PATENT OWNER REQUESTER		3002
	(1) All claims confirmed	644	21%
	(2) All claims canceled	262	9%
	(3) Claim changes	2096	70%
	b. Certificates – 3 rd PARTY REQUESTER		4971
	(1) All claims confirmed	1208	24%
	(2) All claims canceled	636	13%
	(3) Claim changes	3127	63%
	c. Certificates – COMMISSIONER INITIATED REEXAM		156
	(1) All claims confirmed	18	12%
	(2) All claims canceled	36	23%
	(3) Claim changes	102	65%