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## Ex Parte Reexamination Filing Data - March 31, 2009

1.	Total requests filed since start of ex parte	reexam on 07/01/81		9893 <sup>1</sup>
	<ul><li>a. By patent owner</li><li>b. By other member of public</li><li>c. By order of Commissioner</li></ul>		3603 6125 165	36% 62% 2%
2.	Number of filings by discipline			
	<ul><li>a. Chemical Operation</li><li>b. Electrical Operation</li><li>c. Mechanical Operation</li><li>d. Design Patents</li></ul>		2873 3404 3456 160	29% 34% 35% 2%
3.	Annual Ex Parte Reexam Filings			
	Fiscal Yr.         No.         Fiscal Yr.         No.           1981         78 (3 mos.)         1989         243           1982         187         1990         297           1983         186         1991         307           1984         189         1992         392           1985         230         1993         359           1986         232         1994         379           1987         240         1995         392           1988         268         1996         418	Fiscal Yr. No.  1997 376 1998 350 1999 385 2000 318 2001 296 2002 272 2003 392 2004 441	Fiscal Yr. 2005 2006 2007 2008 2009	No. 524 511 643 680 308 YTD
4.	Number known to be in litigation		2992.	30%
5.	Decisions on requests			9525
	a. No. granted		8754	92%
	<ul><li>(1) By examiner</li><li>(2) By Director (on petition)</li></ul>		8641 113	
	b. No. denied		771	8%
	<ul><li>(1) By examiner</li><li>(2) Reexam vacated</li></ul>		736 35	

<sup>&</sup>lt;sup>1</sup>Of the requests received in FY 2009, 26 requests have not yet been accorded a filing date, and preprocessing of 12 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.	То	tal examiner denials (includes denial	s reserved by	Director)		849		
		Patent owner requester Third party requester			444 405	52% 48%		
7.	Ov	rerall reexamination pendency (Filing	g date to certif	ficate issue da	te)			
	a. b.	Average pendency Median pendency			24.8 (mos.) 19.3 (mos.)			
8.	Red	exam certificate claim analysis:	Owner Requester	3 <sup>rd</sup> Party Requester	Comm'r Initiated	Overall		
	a. b. c.	All claims confirmed All claims cancelled Claims changes	22% 8% 70%	27% 13% 60%	12% 21% 67%	25% 11% 64%		
9.	Tot	tal ex parte reexamination certificates	s issued (1981	l – present)		6743		
	a. b. c.	Certificates with all claims confirm Certificates with all claims canceled Certificates with claims changes			1681 756 4306	25% 11% 64%		
10.	Re	eexam claim analysis – requester is patent owner or 3 <sup>rd</sup> party; or Comm'r initiated.						
	a.	Certificates – PATENT OWNER R	EQUESTER			2790		
		<ol> <li>All claims confirmed</li> <li>All claims canceled</li> <li>Claim changes</li> </ol>			619 228 1943	22% 8% 70%		
	b.	Certificates – 3 <sup>rd</sup> PARTY REQUESTER						
		<ol> <li>All claims confirmed</li> <li>All claims canceled</li> <li>Claim changes</li> </ol>			1044 497 2265	27% 13% 60%		
	c.	Certificates – COMM'R INITIATE	D REEXAM			147		
		<ul><li>(1) All claims confirmed</li><li>(2) All claims canceled</li><li>(3) Claim changes</li></ul>			18 31 98	12% 21% 67%		