



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Ex Parte Reexamination Filing Data - June 30, 2012

Table with 5 main categories: 1. Total requests filed since start of ex parte reexam on 07/01/81 (12258 total), 2. Number of filings by discipline (Chemical, Electrical, Mechanical, Design), 3. Annual Ex Parte Reexam Filings (1981-2012), 4. Number known to be in litigation (3941), 5. Decisions on requests (11737 total).

1Of the requests received in FY 2012, 24 requests have not yet been accorded a filing date, and preprocessing of 13 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).....				1067
	a. Patent owner requester		493		46%
	b. Third party requester		574		54%
7.	Overall reexamination pendency (Filing date to certificate issue date)				
	a. Average pendency		25.4 (mos.)		
	b. Median pendency		19.6 (mos.)		
8.	Reexam certificate claim analysis:	<u>Owner</u>	<u>3rd Party</u>	<u>Comm'r</u>	<u>Overall</u>
		<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>	
	a. All claims confirmed	21%	23%	11%	22%
	b. All claims cancelled	9%	12%	23%	11%
	c. Claims changes	70%	65%	66%	67%
9.	Total <i>ex parte</i> reexamination certificates issued (1981 – present)				9090
	a. Certificates with all claims confirmed		2000		22%
	b. Certificates with all claims canceled		1037		11%
	c. Certificates with claims changes		6053		67%
10.	Reexam claim analysis – requester is patent owner or 3 rd party or Commissioner initiated.				
	a. Certificates – PATENT OWNER REQUESTER				3148
	(1) All claims confirmed		666		21%
	(2) All claims canceled		279		9%
	(3) Claim changes		2203		70%
	b. Certificates – 3 rd PARTY REQUESTER				5823
	(1) All claims confirmed		1322		23%
	(2) All claims canceled		724		12%
	(3) Claim changes		3777		65%
	c. Certificates – COMMISSIONER INITIATED REEXAM				159
	(1) All claims confirmed		18		11%
	(2) All claims canceled		35		23%
	(3) Claim changes		105		66%