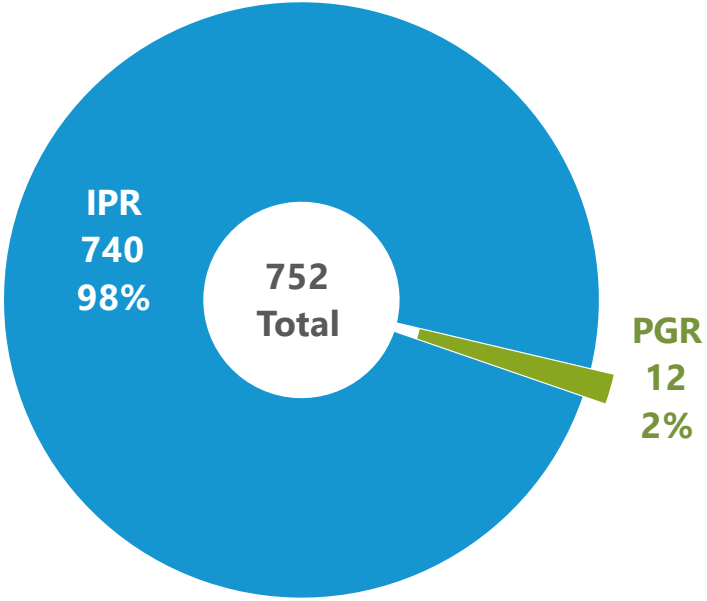
UNITED STATES
PATENT AND TRADEMARK OFFICE

uspto

PTAB Trial Statistics
April 2023
IPR, PGR

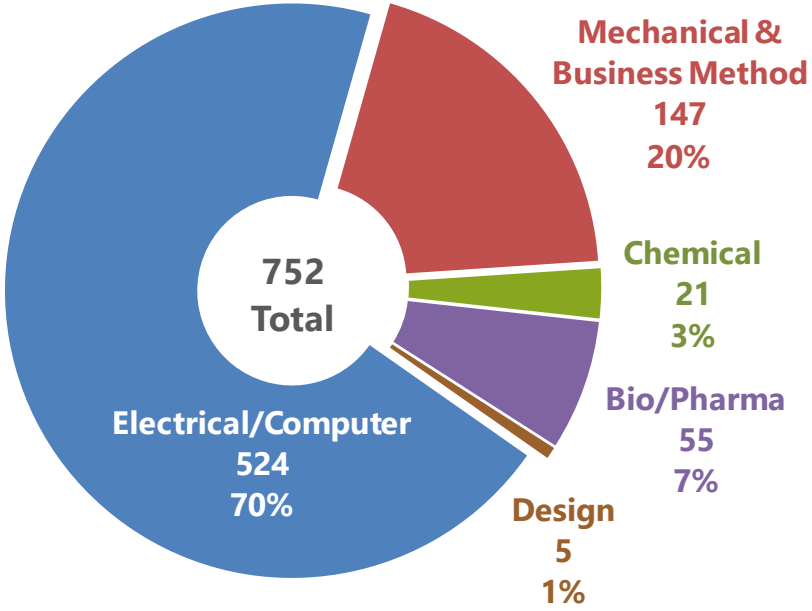
Patent Trial and Appeal Board

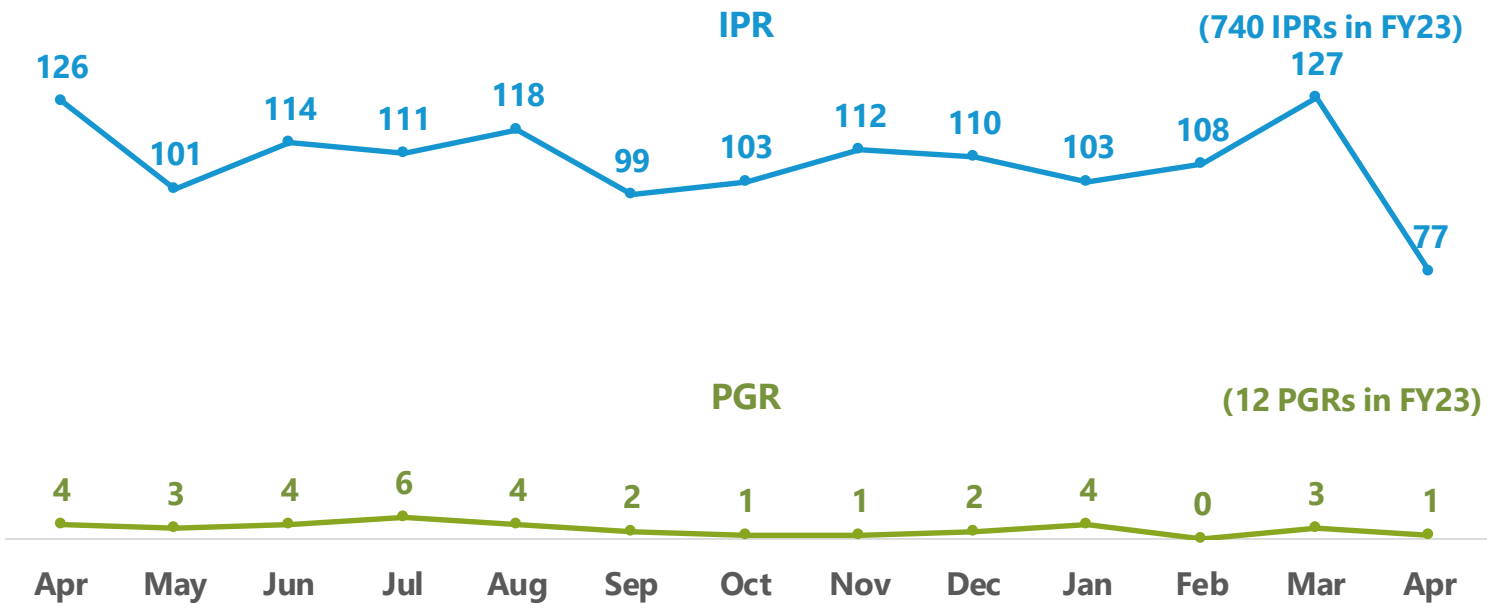
UNITED STATES
PATENT AND TRADEMARK OFFICE
uspto

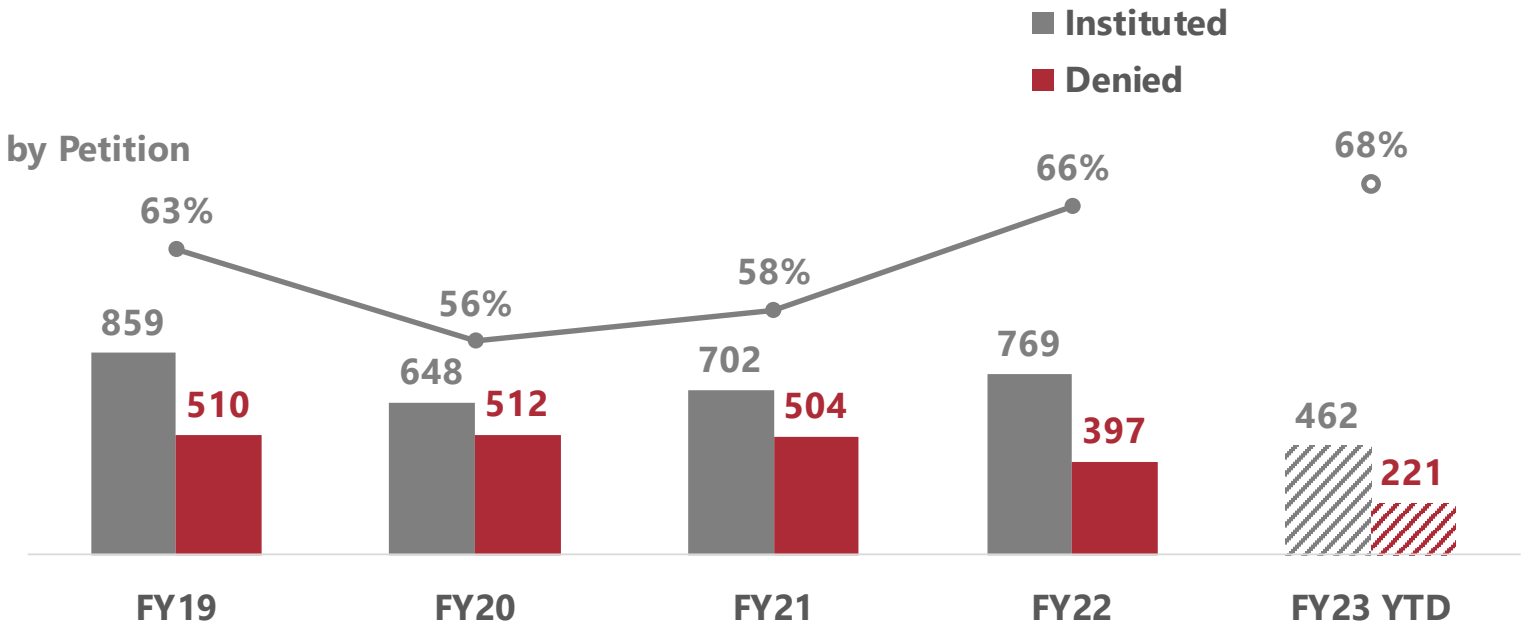


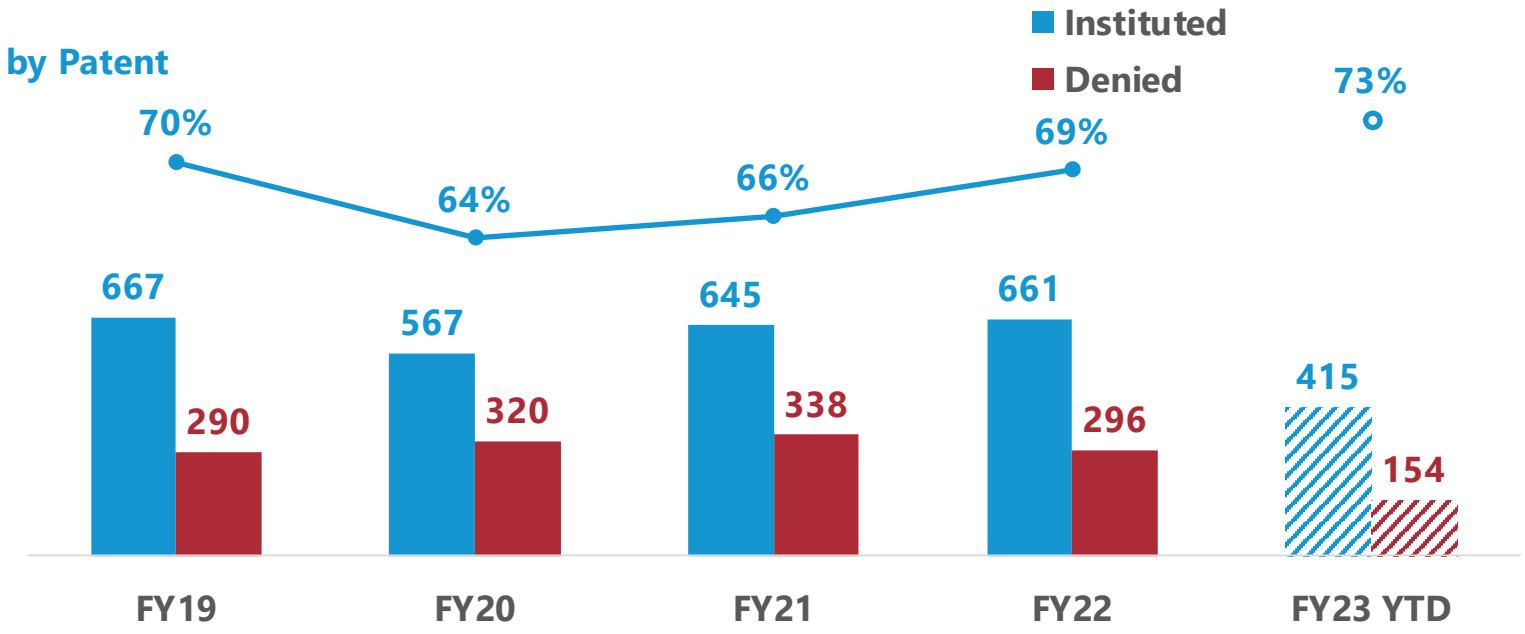
Trial types include Inter Partes Review (IPR) and Post Grant Review (PGR).

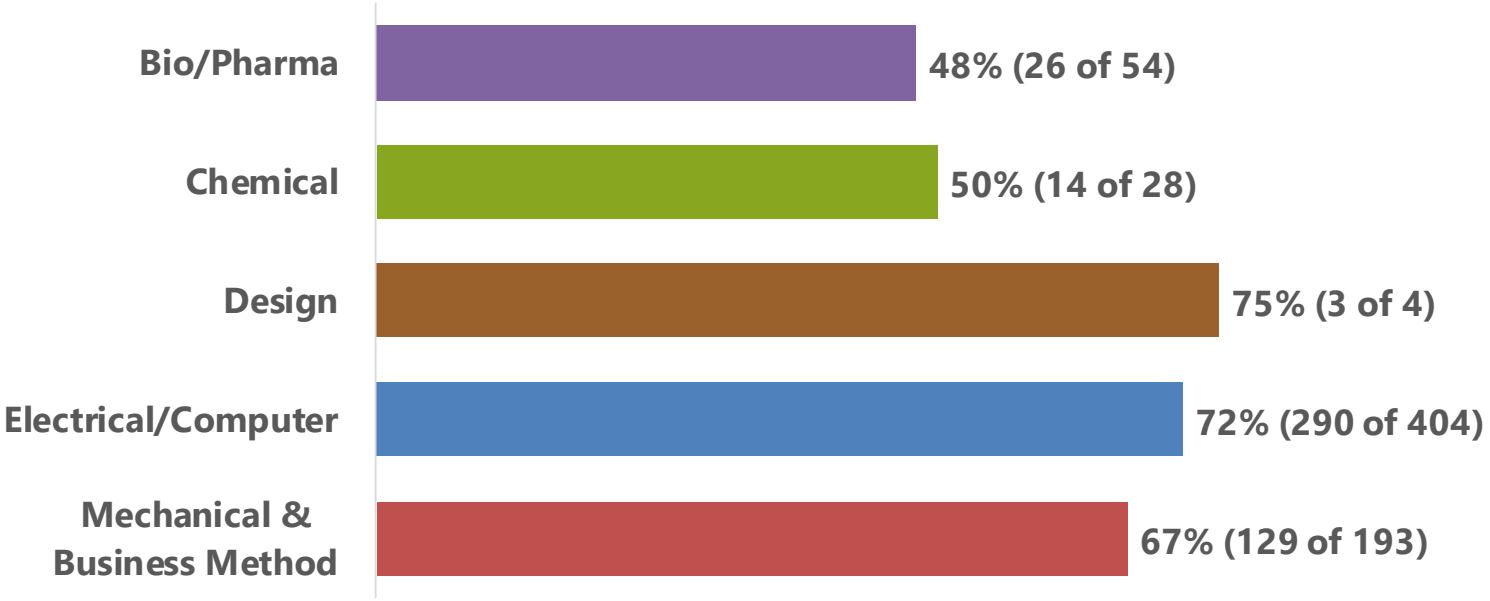
Petitions filed by technology
(FY23 through April: Oct. 1, 2022 to Apr. 30, 2023)



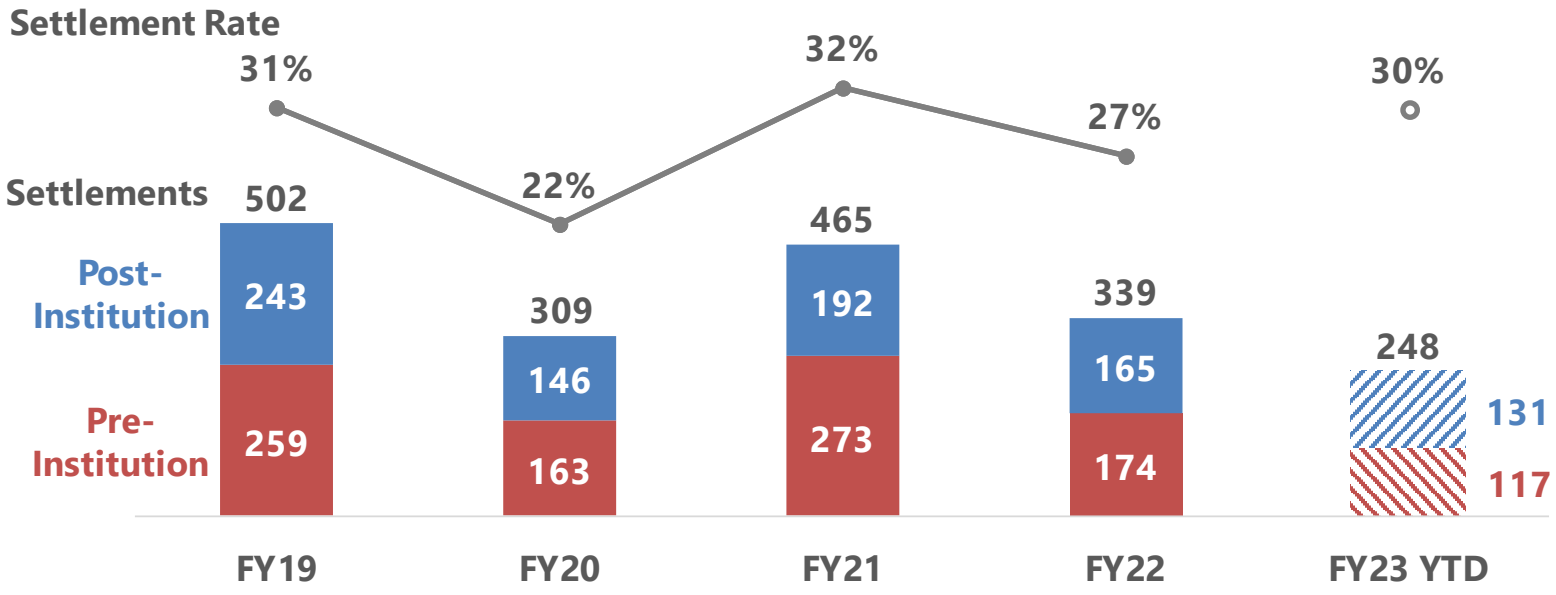

IPR
(740 IPRs in FY23)
126
101
114
111
118
99
103
112
110
103
108
127
77
PGR
(12 PGRs in FY23)
4
3
4
6
4
2
1
1
2
4
0
3
1
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec
Jan
Feb
Mar
Apr


Instituted
Denied
by Petition
63%
56%
58%
66%
68%
859
510
648
512
702
504
769
397
462
221
FY19
FY20
FY21
FY22
FY23 YTD


by Patent
Instituted
Denied
70%
64%
66%
69%
73%
667
290
567
320
645
338
661
296
415
154
FY19
FY20
FY21
FY22
FY23 YTD



Institution rate for each technology is calculated by dividing petitions instituted by decisions on institution (i.e., petitions instituted plus petitions denied). The outcomes of decisions on institution responsive to requests for rehearing are excluded.



Settlement rate is calculated by dividing total settlements by concluded proceedings in each fiscal year (i.e., denied institution, settled, dismissed, requested adverse judgment, and final written decision), excluding joined cases.

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DEPARTMENT OF COMMERCE