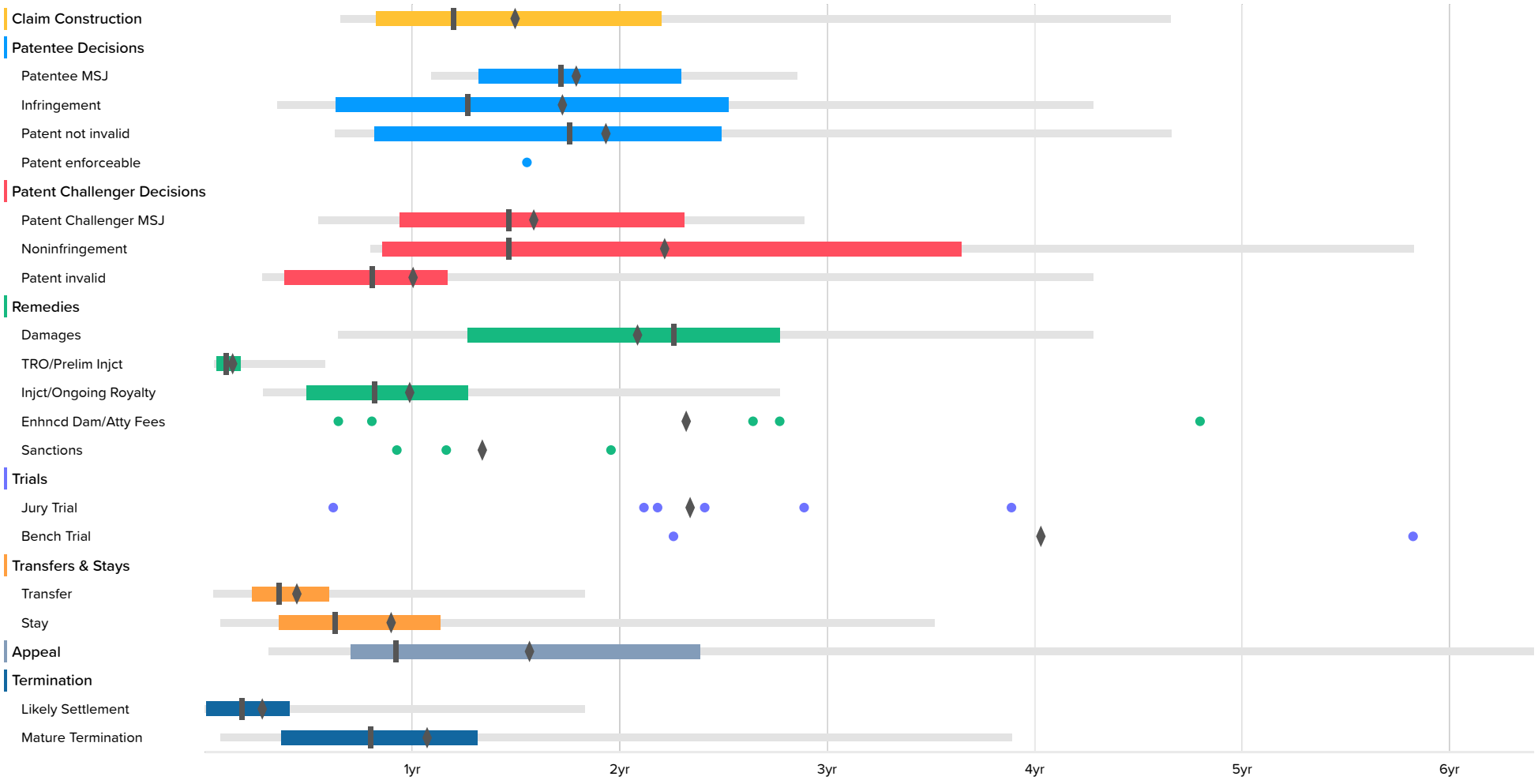
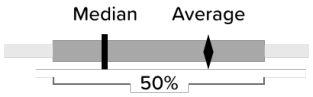
## Time to Milestones

**Courts:** Virginia Eastern District (all districts) **Case Filing Date:** On or After Jan. 1st, 2015

U.S. District Courts (456 cases)




The milestones shown in this chart are based on Docket Navigator's classification of orders matching the search criteria specified to generate the report. Each box plot shows the time between the filing of the complaint and the named milestone. The left and right ends of the box labeled 50% are respectively the first- and third-quartiles. The lighter line shows events between the 2nd and 98th percentile. The remaining points are outliers, represent at most 4% of the data, and are not shown, however, the true minimum and maximum are included in the accompanying table and the mean includes outliers. Fewer than ten events occurring in a category are shown as dots instead of a box plot.




*Amazon v. Audio Pod*
US Patent 8,738,740
**Amazon EX-1113**

U.S. District Courts

| | Occurrences | Minimum | 2nd Percentile | First Quartile | Median | Third Quartile | 98th Percentile | Maximum | Average |
|---|---|---|---|---|---|---|---|---|---|
| Claim Construction | 29 | 7.6 | 7.8 | 9.9 | 14.4 | 26.4 | 55.8 | 55.8 | 18.0 |
| Patentee MSJ | 12 | 9.7 | 13.0 | 15.8 | 20.6 | 27.5 | 34.2 | 34.2 | 21.6 |
| Infringement | 13 | 1.7 | 4.2 | 7.5 | 15.2 | 30.2 | 51.3 | 51.3 | 20.8 |
| Patent not invalid | 24 | 6.4 | 7.5 | 9.8 | 21.0 | 29.8 | 55.8 | 55.8 | 23.3 |
| Patent enforceable | 1 | 18.6 | | | | | | 18.6 | 18.6 |
| Patent Challenger MSJ | 19 | 2.3 | 6.6 | 11.2 | 17.5 | 27.7 | 34.6 | 34.6 | 19.1 |
| Noninfringement | 17 | 3.0 | 9.5 | 10.2 | 17.5 | 43.7 | 69.8 | 69.8 | 26.7 |
| Patent invalid | 30 | 3.0 | 3.3 | 4.6 | 9.7 | 14.0 | 51.3 | 51.3 | 12.2 |
| Damages | 11 | 4.2 | 7.7 | 15.2 | 27.0 | 33.2 | 51.3 | 51.3 | 25.1 |
| TRO/Prelim Injct | 14 | 0.5 | 0.5 | 0.7 | 1.2 | 2.1 | 6.9 | 6.9 | 1.7 |
| Injct/Ongoing Royalty | 22 | 1.7 | 3.4 | 5.9 | 9.8 | 15.2 | 33.2 | 33.2 | 12.0 |
| Enhncd Dam/Atty Fees | 5 | 7.7 | | | 31.6 | | | 57.4 | 27.9 |
| Sanctions | 3 | 11.1 | | | 13.9 | | | 23.4 | 16.2 |
| Jury Trial | 6 | 7.4 | | | 27.5 | | | 46.6 | 28.1 |
| Bench Trial | 2 | 27.0 | | | 48.4 | | | 69.7 | 48.4 |
| Transfer | 43 | 0.3 | 0.5 | 2.7 | 4.3 | 7.1 | 21.9 | 21.9 | 5.4 |
| Stay | 57 | 0.9 | 0.9 | 4.3 | 7.5 | 13.6 | 42.1 | 63.6 | 10.9 |
| Appeal | 29 | 2.4 | 3.7 | 8.4 | 11.0 | 28.6 | 76.7 | 76.7 | 18.9 |
| Likely Settlement | 293 | | | 0.1 | 2.2 | 4.9 | 21.9 | 28.8 | 3.5 |
| Mature Termination | 130 | 0.3 | 0.9 | 4.4 | 9.6 | 15.7 | 46.6 | 65.7 | 13.0 |