



**LegalMetric District Report
New York Southern District Court
in Patent Cases**

January 2020-January 2025

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Overview

This report covers the patent cases of the judges in the New York Southern District Court as of January 2025 .

The number of cases, judgments, contested judgments, and trials for this court are shown below.

	Number
Total Cases	496
Open Cases	0
Closed Cases	496
Judgments	66
Contested Judgmnts	47
Trials	2
Bench	1
Jury	1

The overall win rate, contested win rate, and trial win rate for the patentee are shown to the right and the corresponding times to termination are shown below. Contested win rates do not include consent and default judgments.

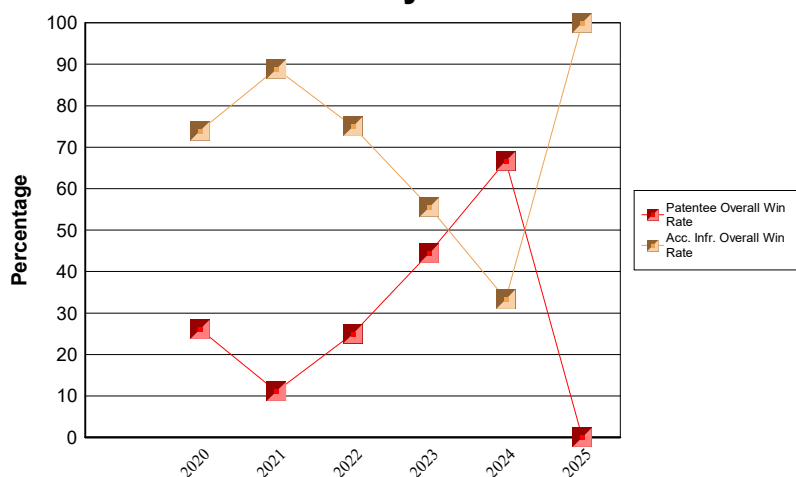
	Months
All Cases	10.0
Judgments	20.1
Contested	23.8
Trial	67.9
Bench	89.5
Jury	46.2

Color Scheme: Red in the tables indicates a win rate more than 10% more favorable to the ACCUSED INFRINGER, or a pendency time at least 6 months SLOWER than the national average. Yellow indicates a win rate from 0% to 10% more favorable to the ACCUSED INFRINGER, or a pendency time from 0 to 6 months SLOWER than the national average. Bright (lime) green indicates a win rate from 0% to 10% more favorable to the PATENTEE, or a pendency time from 0 to 6 months FASTER than the national average. And dark green indicates a win rate more than 10% more favorable to the PATENTEE than the national average, or a pendency time over 6 months FASTER than the national average.

The average and median award amounts for this district are:

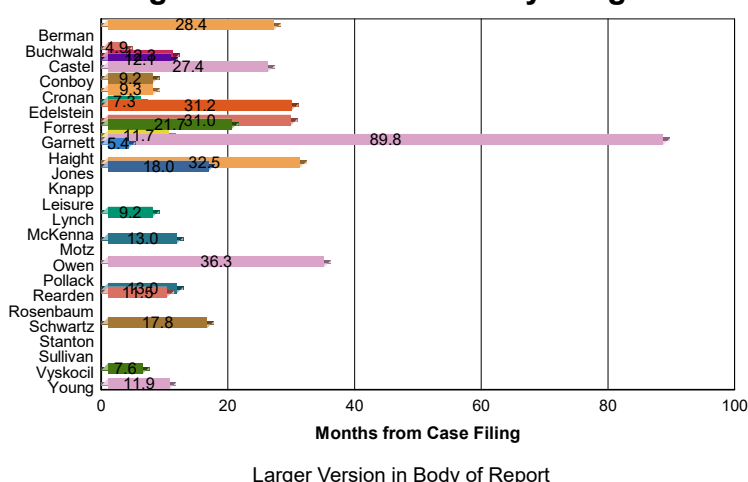
Average: \$1,434,704
Median: \$227,577

Patentee and Accused Infringer Overall Win Rate by Year



	Pat. Win Rate		Accused Win Rate
Overall	33.3	Overall	66.7
Contested	6.4	Contested	93.6
Trial	100.0	Trial	0.0
Bench	100.0	Bench	0.0
Jury	100.0	Jury	0.0

Average Time to Termination by Judgment



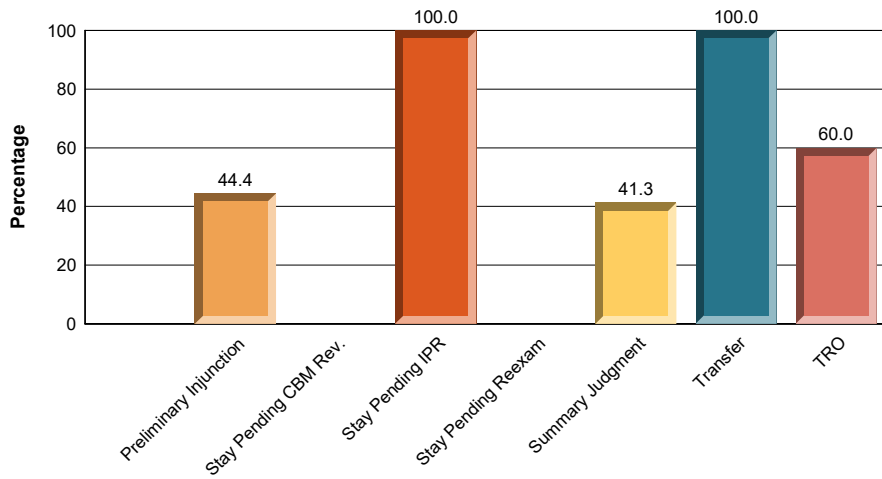
Appeals:

	Number of Appeals	Complete Affirmance Rate
Total	32	84.6

Motions and Claim Construction:

The win rates on various motions for the district (if any), along with the number of decisions and the number of claim construction decisions are shown below.

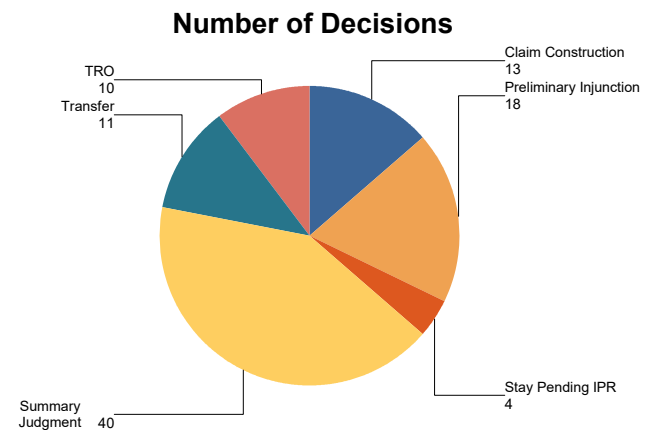
Win Rates on Contested Motions



	Win Rate
Preliminary Injunction	44.4
Stay Pending IPR	100.0
Summary Judgment	41.3
Transfer	100.0
TRO	60.0

Number of Decisions

	Number of Decisions
Claim Construction	13
Preliminary Injunction	18
Stay Pending IPR	4
Summary Judgment	40
Transfer	11
TRO	10



Alice Motions: The number of Alice motions (if any) and win rates on those motions are shown below, by motion type.

			Total	
			Win Rate	Number of Decisions
Total			78.9	45
New York Southern	Total		78.9	45
	Caproni	Total	100.0	1
		Dismissal Motion	100.0	1
	Castel	Total	100.0	1
		Dismissal Motion	100.0	1
	Cote	Total	100.0	3
		Dismissal Motion	100.0	3
	Cronan	Total	100.0	1
		Dismissal Motion	100.0	1
	Daniels	Total	100.0	1
		Dismissal Motion	100.0	1
	Engelmayer	Total	100.0	9
		Dismissal Motion	100.0	2
		Summary Judgment	100.0	7
	Failla	Total	25.0	4
		Dismissal Motion	0.0	2
		Summary Judgment	50.0	2
	Forrest	Total	0.0	1
		Dismissal Motion	0.0	1
	Furman	Total	100.0	3
		Dismissal Motion	100.0	3
	Gardephe	Total	0.0	1
		Dismissal Motion	0.0	1
	Hellerstein	Total	100.0	2
		Dismissal Motion	100.0	2
	Koeltl	Total	66.7	3
		Dismissal Motion	100.0	2
		Summary Judgment	0.0	1
	Liman	Total	100.0	2
		Dismissal Motion	100.0	2
	McMahon	Total	100.0	2

			Total	
			Win Rate	Number of Decisions
New York Southern	McMahon	Judgment on the Pleadings	100.0	1
		Summary Judgment	100.0	1
	Oetken	Total	100.0	1
		Dismissal Motion	100.0	1
	Pauley	Total	100.0	1
		Judgment on the Pleadings	100.0	1
	Rakoff	Total	0.0	2
		Dismissal Motion	0.0	2
	Ramos	Total	100.0	1
		Dismissal Motion	100.0	1
	Schofield	Total	100.0	1
		Judgment on the Pleadings	100.0	1
	Subramanian	Total	50.0	1
		Dismissal Motion	50.0	1
	Sullivan	Total	100.0	2
		Judgment on the Pleadings	100.0	2
	Woods	Total	50.0	2
		Dismissal Motion	100.0	1
		Judgment on the Pleadings	0.0	1

Home Field Advantage?

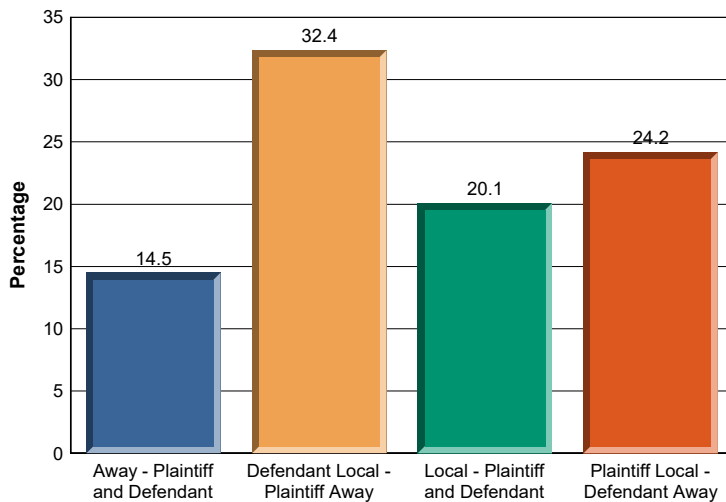
The plaintiff and defendant contested win rates in New York Southern District Court are shown below, broken out by party location:

(Away - Plaintiff and Defendant (neither side located in the forum), Defendant Local - Plaintiff Away (only defendant located in the forum), Local - Plaintiff and Defendant (both sides located in the forum) and Plaintiff Local - Defendant Away (plaintiff local - defendant not).

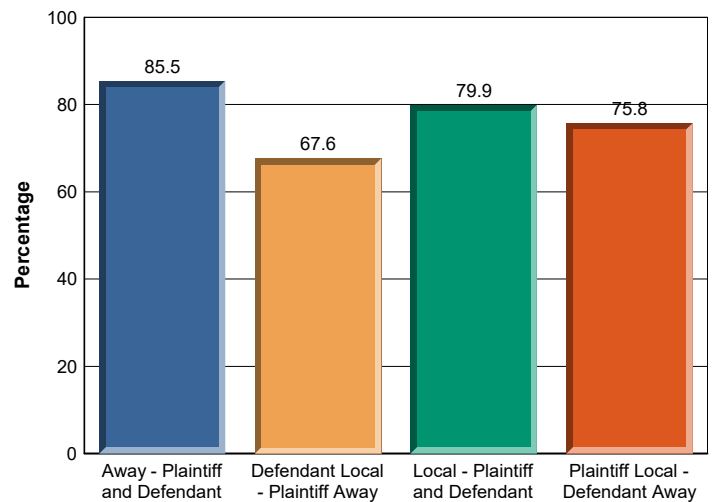
Not all courts fit the expected pattern of favoring local plaintiffs. Many courts in fact show a distinct preference for non-local plaintiffs.

The win rate charts are followed by a chart illustrating the fractions of contested judgment cases (cases in which a judgment is entered in favor of a party, but excluding consent and default judgments) for each category (all local plaintiffs, etc.). Many well-known patent venues tend to have a large segment of cases in the "Away - Plaintiff and Defendant" category.

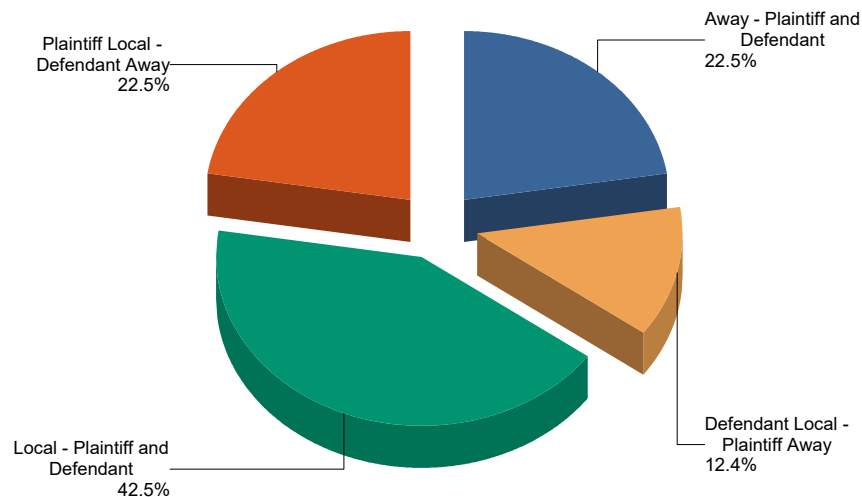
Plaintiff Win Rate, by Party Location



Defendant Win Rate, by Party Location



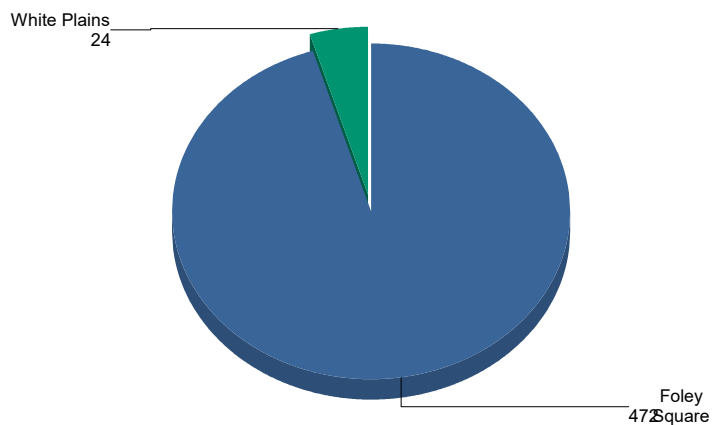
Fraction of Contested Judgments, by Party Location



Breakdown by Division

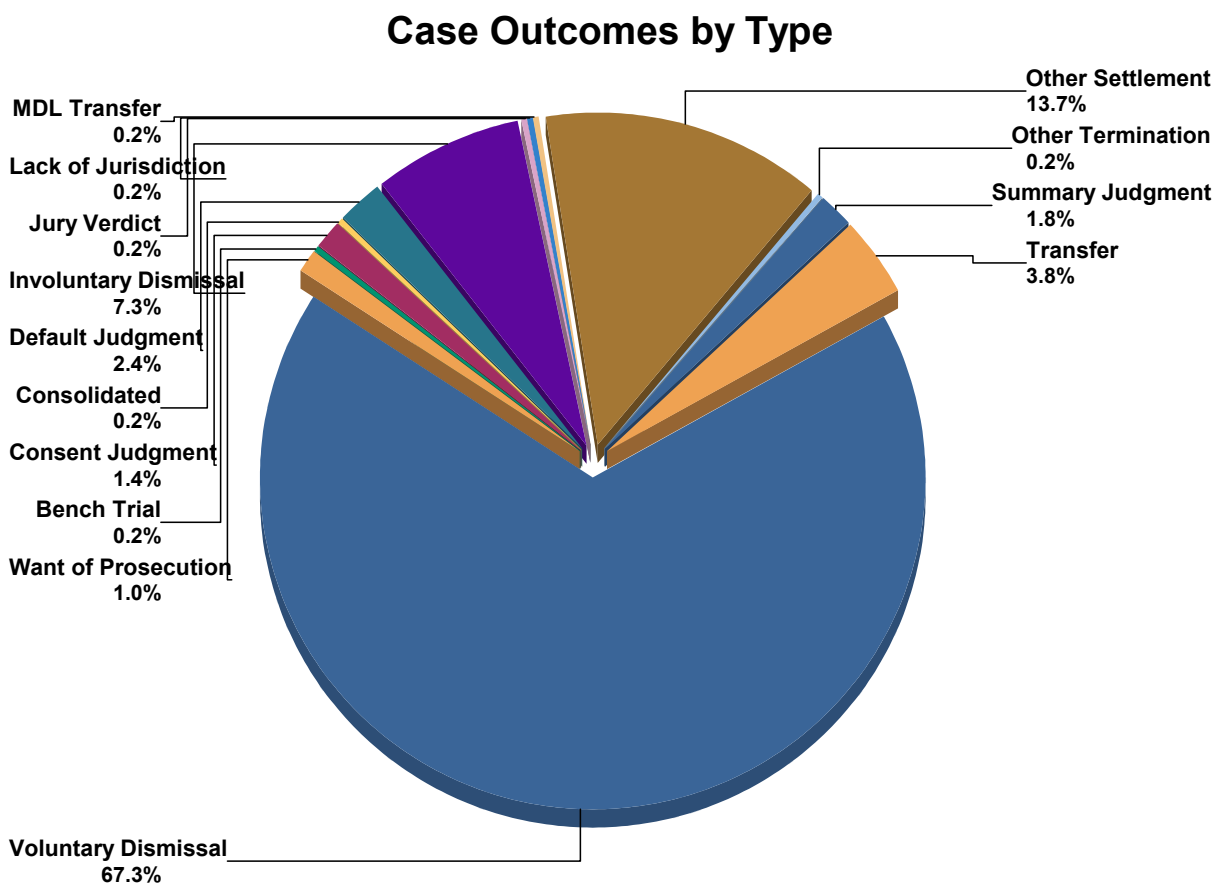
The breakdown of patent cases by division is illustrated in the following chart:

Total Patent Cases, by Division



Breakdown by Case Outcome

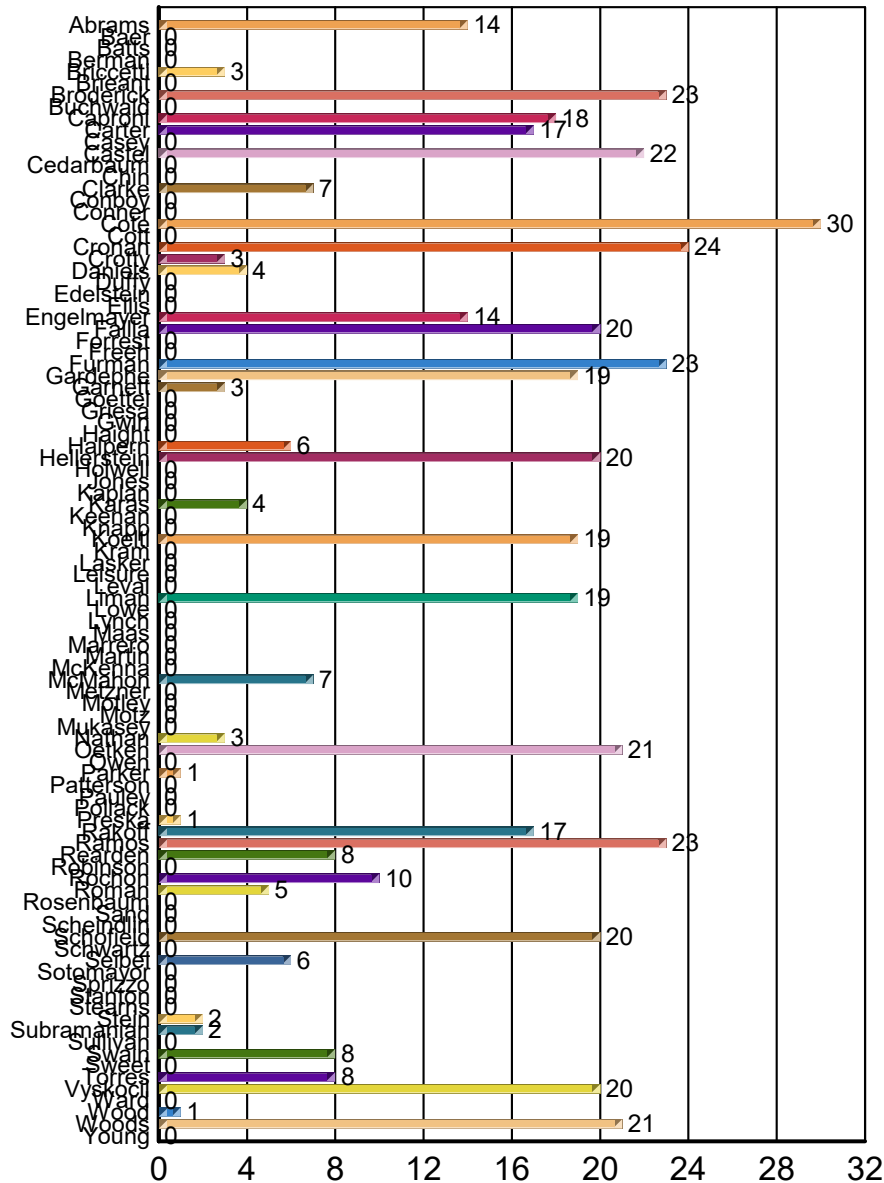
The breakdown of patent cases by case outcome is illustrated in the following chart:



Breakdown by Judge

The chart and table below illustrates the total number of patent cases for each of the active judges in the district. In addition, the table shows the number of patent cases for the past three years assigned to each judge.

Number of Cases, by Judge

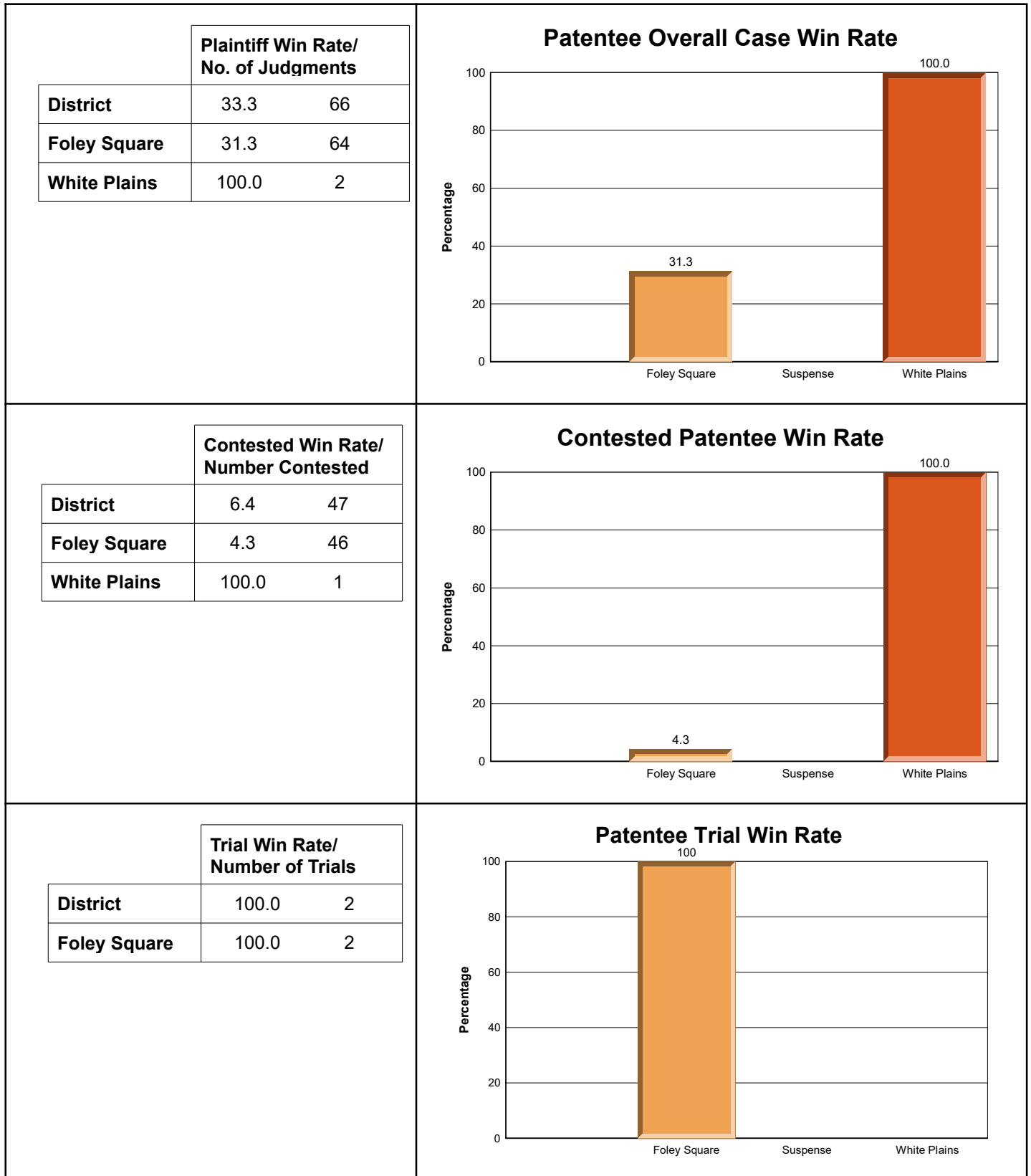


	All Cases	I
District	496	
Abrams	14	
Briccetti	3	
Broderick	23	
Caproni	18	
Carter	17	
Castel	22	
Clarke	7	
Cote	30	
Cronan	24	
Crotty	3	
Daniels	4	
Engelmayer	14	
Failla	20	
Furman	23	
Gardephe	19	
Garnett	3	
Halpern	6	
Hellerstein	20	
Karas	4	
Koeltl	19	
Liman	19	
McMahon	7	
Nathan	3	
Oetken	21	
Parker	1	
Preska	1	
Rakoff	17	
Ramos	23	
Rearden	8	
Rochon	10	
Roman	5	
Schofield	20	
Seibel	6	
Stein	2	

	All Cases	I
Subramanian	2	
Swain	8	
Torres	8	
Vyskocil	20	
Wood	1	
Woods	21	

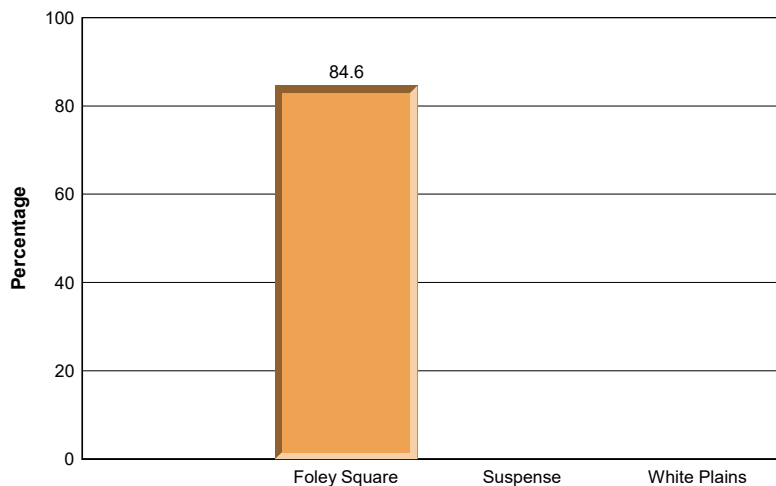
Divisional Comparisons

The overall patentee case win rate (includes consent and default judgments), contested win rate (does NOT include consent and default judgments), trial win rate, complete affirmance rate (appeals affirmed with no other action, divided by the total number of appeals except for dismissed and pending appeals), and average time to termination by judgment (includes consent and default judgments) are shown below for each division.



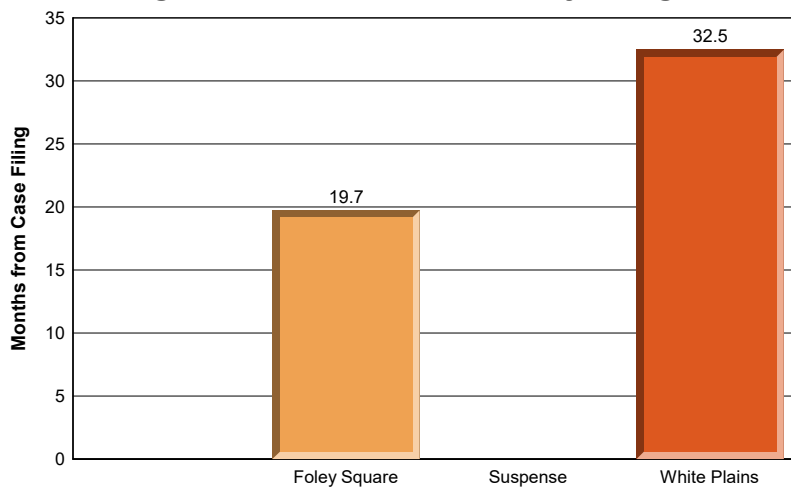
	Complete Aff. Rate/ Number of Appeals	
District	84.6	13
Foley Square	84.6	13

Complete Affirmance Rate



	Time to Term./ Number of Judgmts.	
District	20.1	66
Foley Square	19.7	64
White Plains	32.5	2

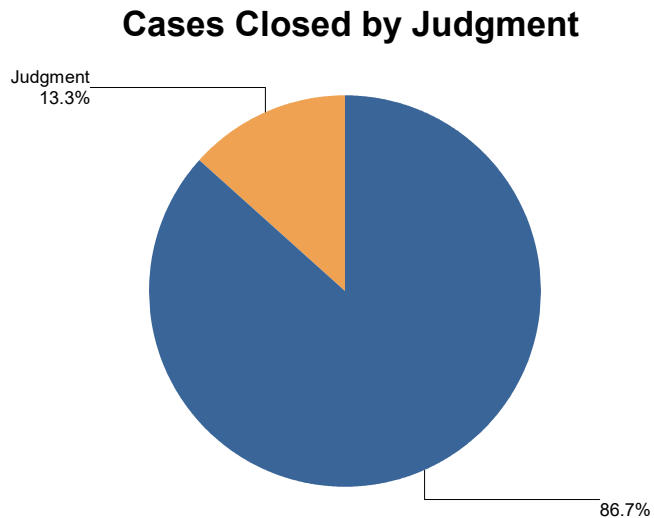
Average Time to Termination by Judgment



What are the Odds: Termination by Judgment

The percentage of closed patent cases terminated by judgment are shown in the chart to the right.

Terminations by judgments include terminations resulting from trials, from dispositive summary judgment motions, from involuntary dismissals, from consent judgments, and from default judgments.

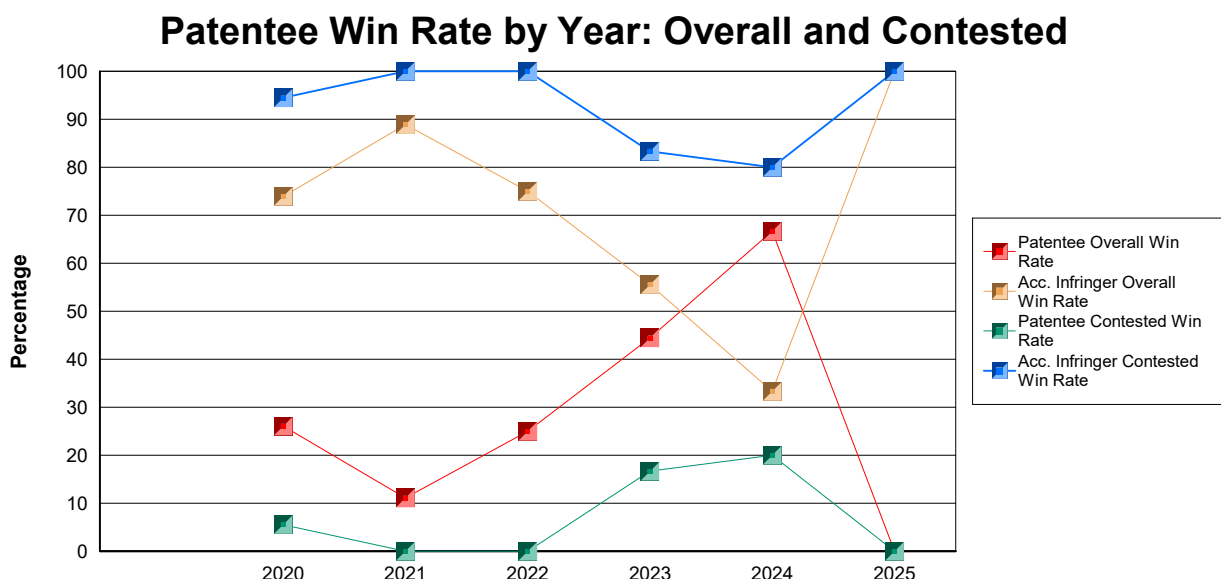


The number of judgments by each outcome, the overall patentee win rate, the contested patentee win rate, and the trial win rate for each outcome are shown below. Note that the overall win rate includes consent and default judgments, whereas the contested win rate does not include consent and default judgments. The figures given are for "patentees", rather than "plaintiffs". These figures take into account those declaratory judgment cases where the plaintiff is not the patentee.

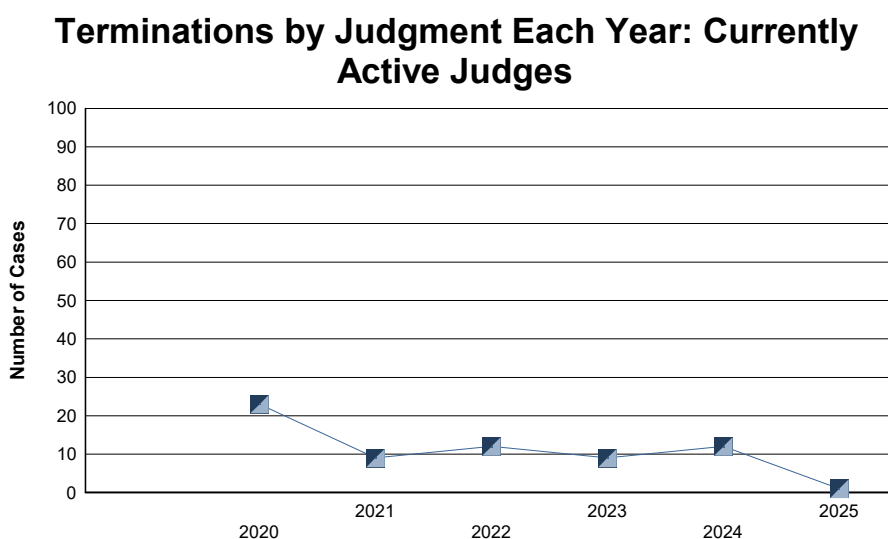
	Number of Judgments	Overall Win Rate	Contested Win Rate	Trial Win Rate
Bench Trial	1	100.0	100.0	100.0
Consent Judgment	7	100.0		
Default Judgment	12	100.0		
Involuntary Dismissal	36	0.0	0.0	
Jury Verdict	1	100.0	100.0	100.0
Summary Judgment	9	11.1	11.1	

Win Rates by Year

The following chart shows the patentee overall win rate and contested win rate for the active judges in the New York Southern District Court by year. The overall patentee win rate should be compared with the nationwide overall win rate of 57.0%, and the contested patentee win rate should be compared with the nationwide patentee contested win rate of 23.1%. A chart with a considerable amount of "jitter" reflects relatively few data points. Note that the contested patentee win rates are usually much lower than the overall win rates since they exclude consent and default judgments.



The total number of terminations by judgment per year by the currently active judges during the same period in the New York Southern District Court is shown in the following chart:



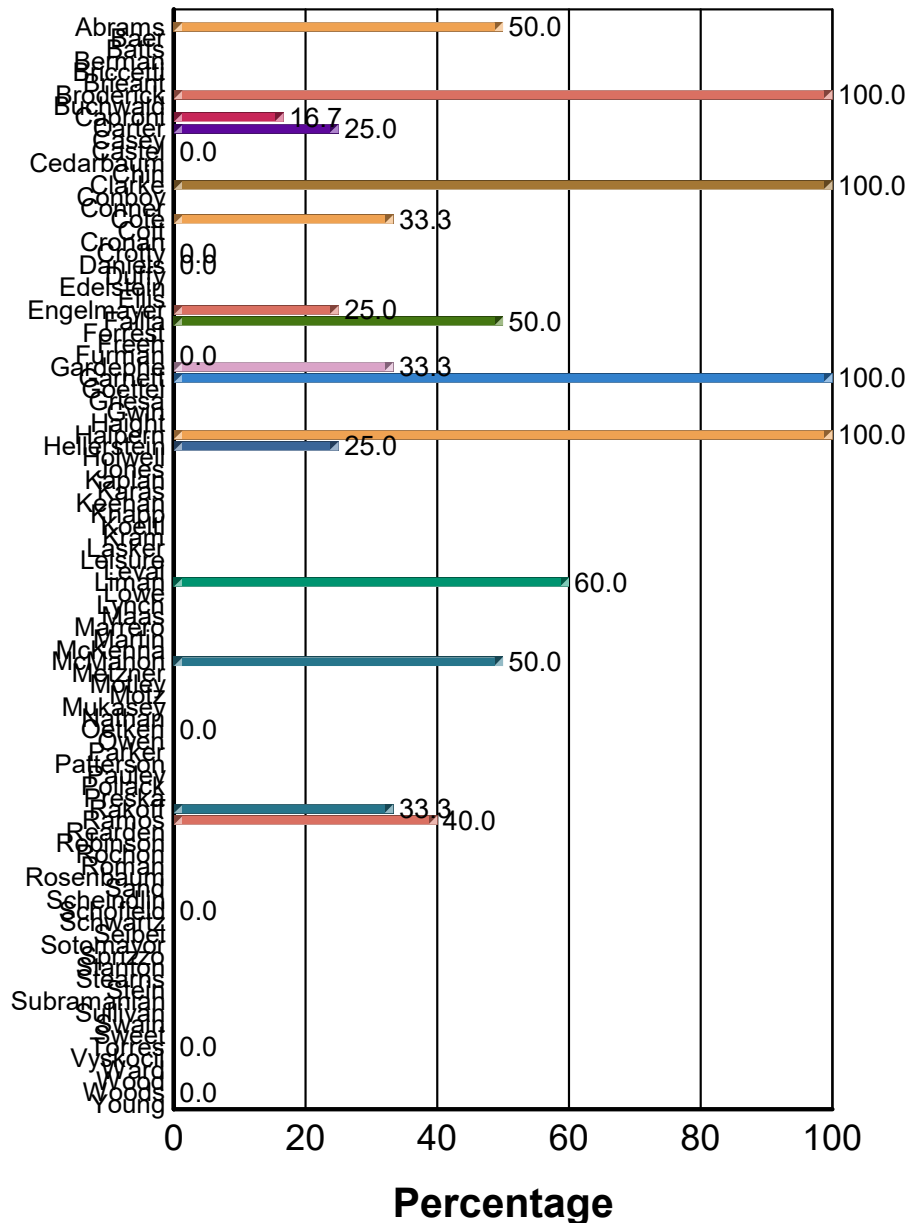
The actual number of judgments, number of patentee "wins", and the corresponding win rates are shown below. In this report, a judgment entered in favor of both the plaintiff and the defendant on their respective patent infringement claims is counted as "1/2" a win for each party. This could happen, for example, where the plaintiff files a patent infringement action, the defendant files a patent infringement counterclaim on its own patents, and both prevail on their respective claims.

	Patentee Wins	Total Decisions	Patentee Win Rate	Acc. Infr. Win Rate
2020	6	23	26.1	73.9
2021	1	9	11.1	88.9
2022	3	12	25.0	75.0
2023	4	9	44.4	55.6
2024	8	12	66.7	33.3
2025	0	1	0.0	100.0

Patentee Overall and Contested Win Rates: By Judge

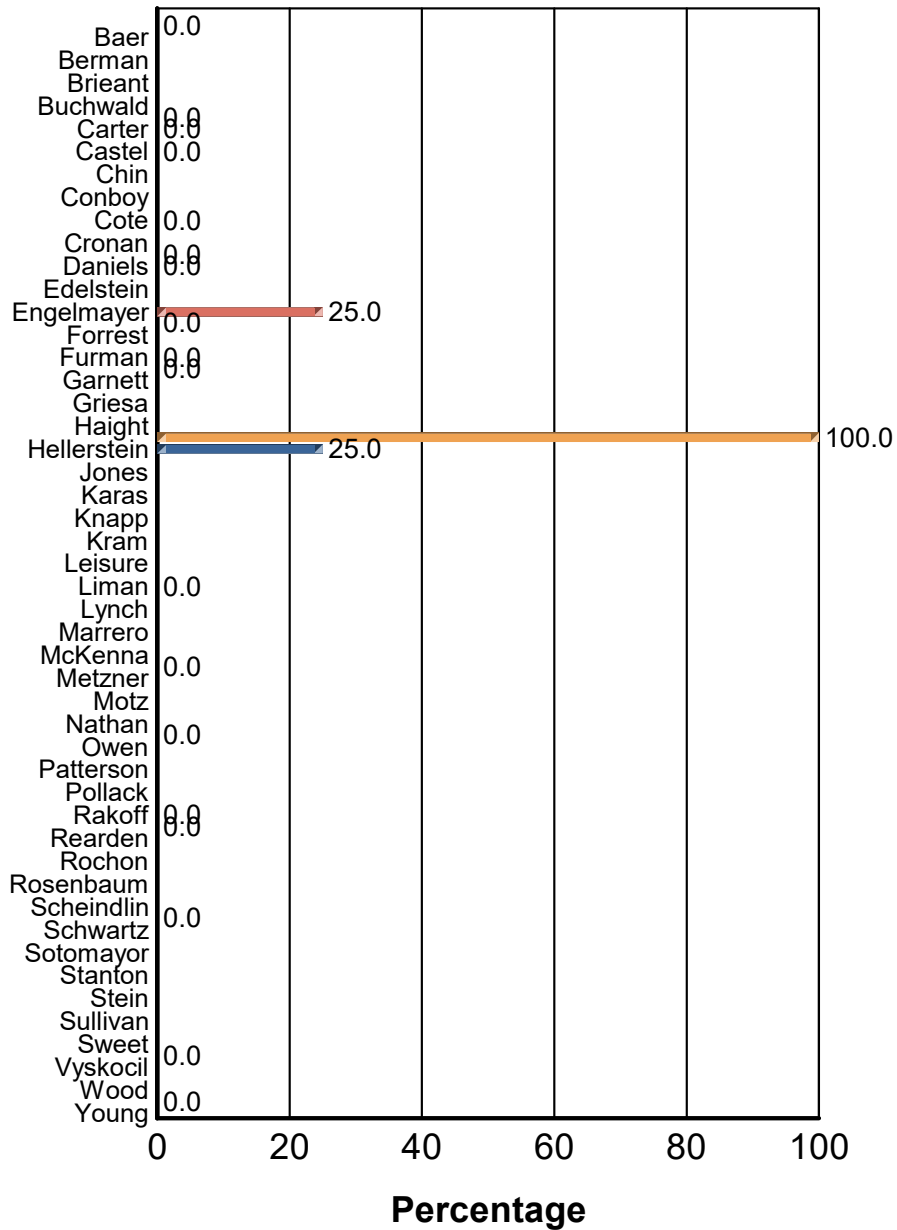
The overall patentee win rate varies significantly from judge to judge over the period covered by this report. The chart below illustrates these win rates for these judges. The win rate for judges with no terminations by judgment is left blank.

Patentee Overall Win Rate: By Judge



The patentee contested win rate for these judges is shown below. Note that contested win rates do not include consent and default judgments. The win rate for judges with no contested judgments is left blank.

Patentee Contested Win Rate: By Judge

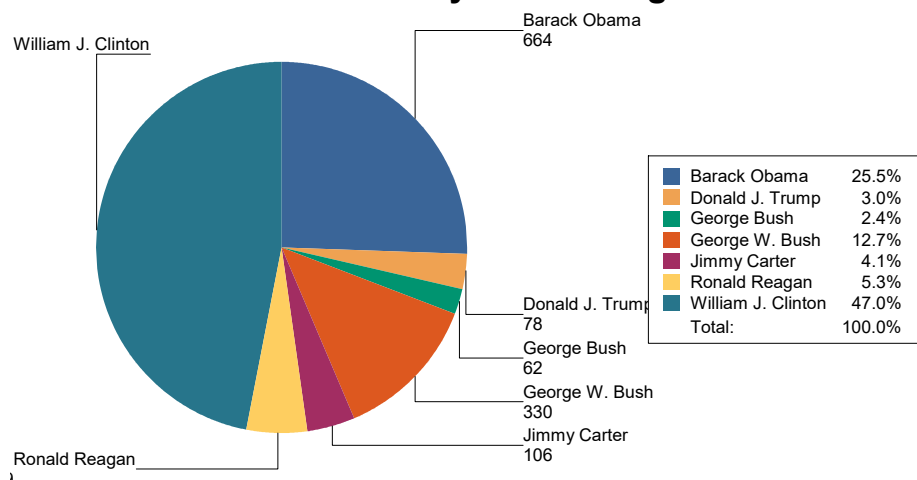


The table below includes the patentee overall and contested win rates for each active judge, along with the number of terminations by judgment and by contested judgment by that judge in patent cases during the period covered by this report. Judges with no judgments are not included.

	Overall Win Rate	Number of Judgments	Contested Win Rate	Contested Judgments
Total	33.3	66	6.4	47
Abrams	50.0	2	0.0	1
Broderick	100.0	1		0
Caproni	16.7	6	0.0	5
Carter	25.0	4	0.0	3
Castel	0.0	1	0.0	1
Clarke	100.0	2		0
Cote	33.3	3	0.0	2
Crotty	0.0	1	0.0	1
Daniels	0.0	2	0.0	2
Engelmayer	25.0	4	25.0	4
Failla	50.0	4	0.0	2
Furman	0.0	4	0.0	4
Gardephe	33.3	3	0.0	2
Garnett	100.0	1		0
Halpern	100.0	2	100.0	1
Hellerstein	25.0	4	25.0	4
Liman	60.0	5	0.0	2
McMahon	50.0	2	0.0	1
Oetken	0.0	3	0.0	3
Rakoff	33.3	3	0.0	2
Ramos	40.0	5	0.0	3
Schofield	0.0	2	0.0	2
Torres	0.0	1	0.0	1
Woods	0.0	1	0.0	1

Patentee Win Rates: By Nominating President: The number of patent cases in this district assigned to active judges and the win rates for those cases are shown below, broken out by the nominating president.

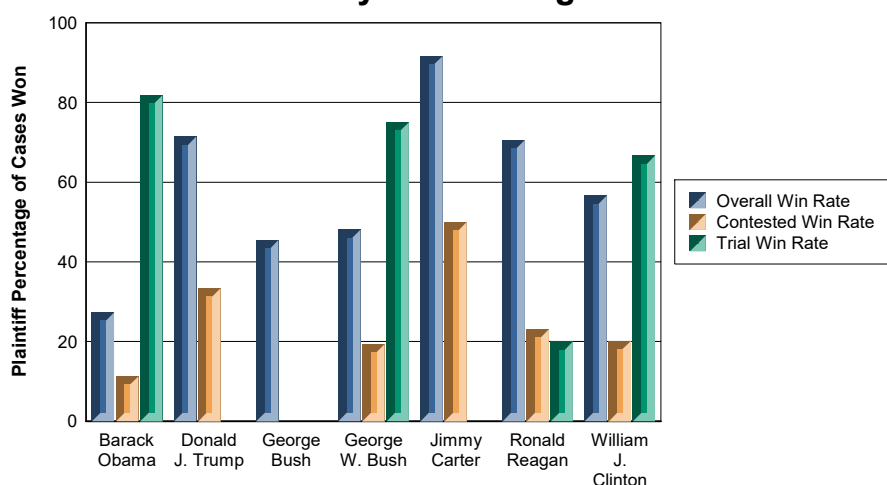
Number of Cases - by Nominating President



Number of Cases: The number of cases assigned to active judges in this district is shown in the chart to the left, broken out by nominating president. This includes all cases of the type covered by this report.

Patentee Win Rates: The win rates for these cases, broken out by nominating president, are shown in the chart to the right. This includes overall win rates (includes consent and default judgments), contested win rates (does NOT include consent and default judgments), and trial win rates (cases decided by bench trial or jury verdict).

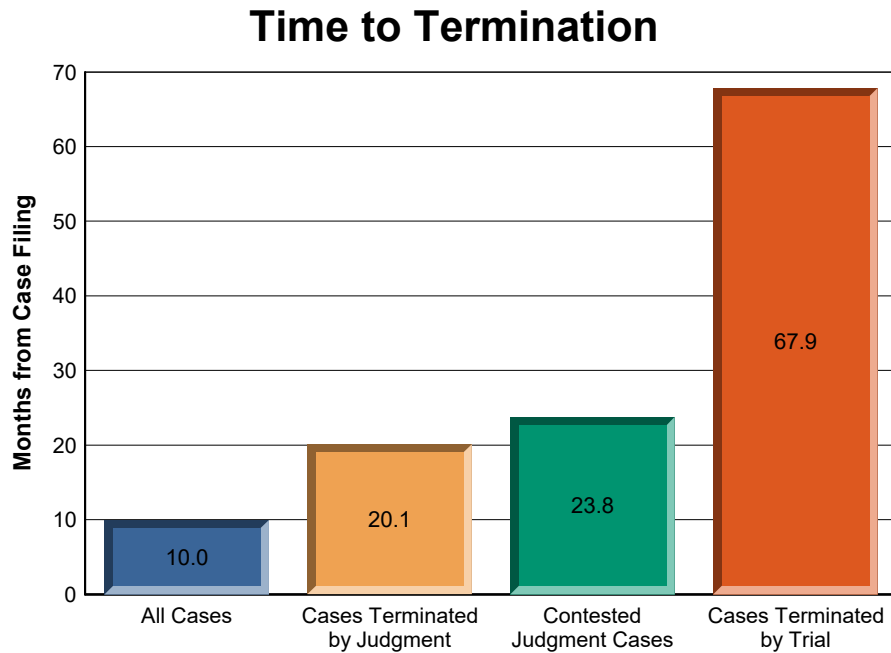
Win Rates by Nominating President



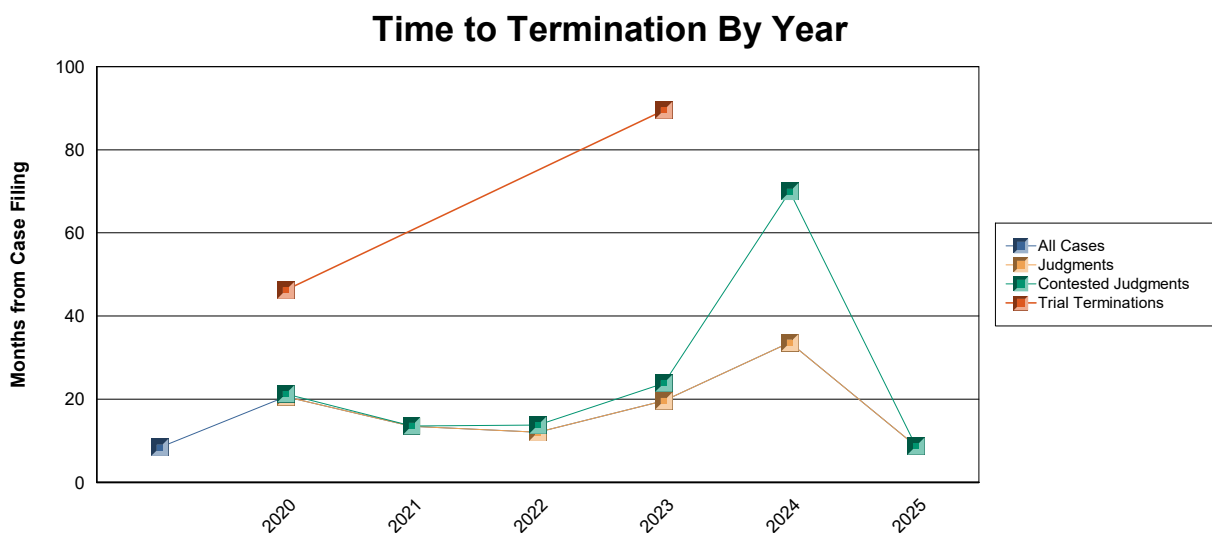
	Total					
	Overall Win Rate	# of Judgments	Contested Win Rate	# of Contested Judgments	Trial Win Rate	# of Trial Judgements
Barack Obama	27.3	99	11.3	80	81.8	11
Donald J. Trump	71.4	7	33.3	3		0
George Bush	45.5	11	0.0	6		0
George W. Bush	48.1	52	19.4	31	75.0	8
Jimmy Carter	91.7	36	50.0	2	0.0	1
Ronald Reagan	70.6	34	23.1	13	20.0	5
William J. Clinton	56.6	287	20.2	146	66.7	33

How Long? Time to Termination

The average time from case filing to termination for all closed cases, for all cases terminated by judgment, for all cases terminated by contested judgment, and for all cases terminated by trial covered by this report are shown below.



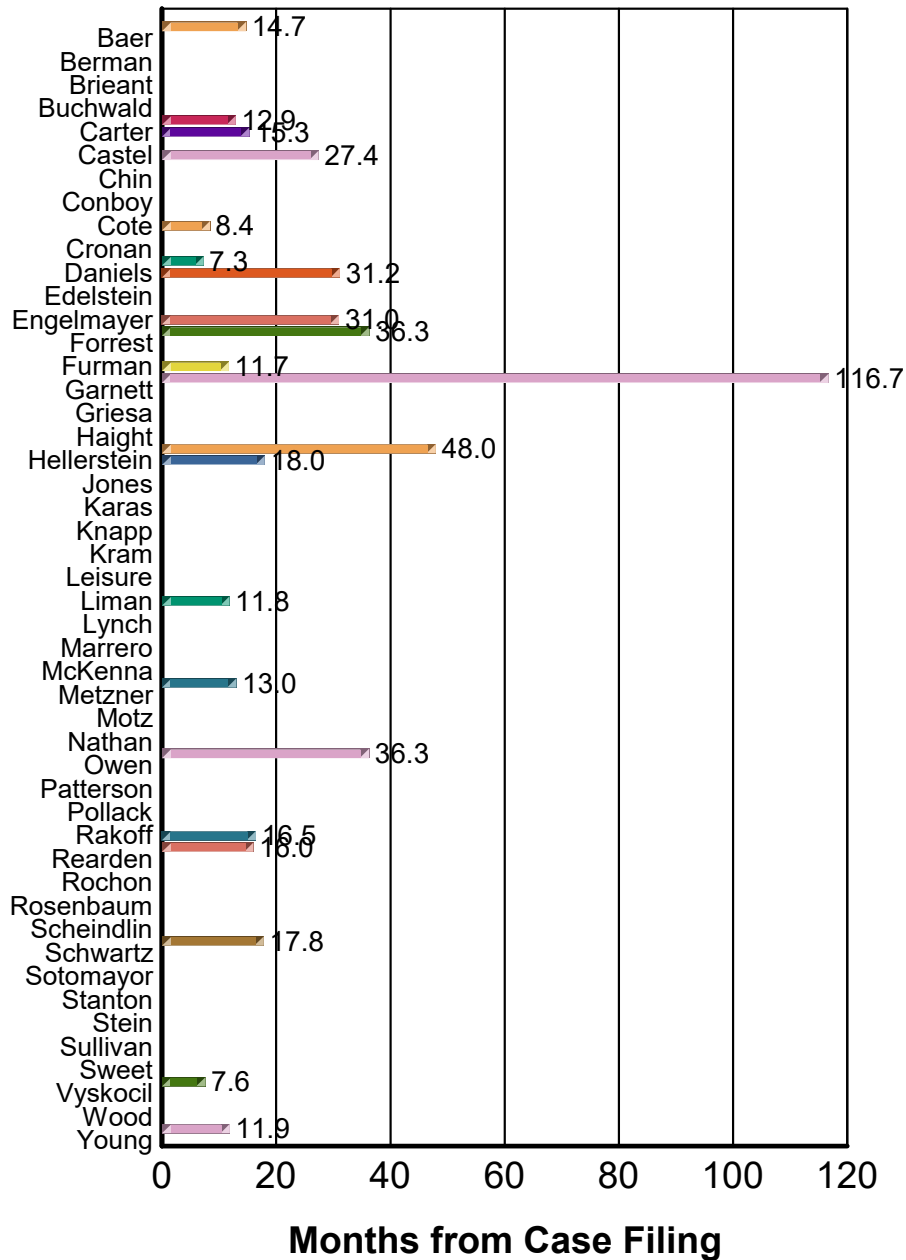
The average time from case filing to termination for all closed cases by year, for all cases terminated by judgment, for all cases terminated by contested judgment, and for all cases terminated by trial covered by this report are shown below.



Time to Contested Judgment: By Judge

The average time from case filing to contested judgment for the active judges in this district is shown in the chart below.

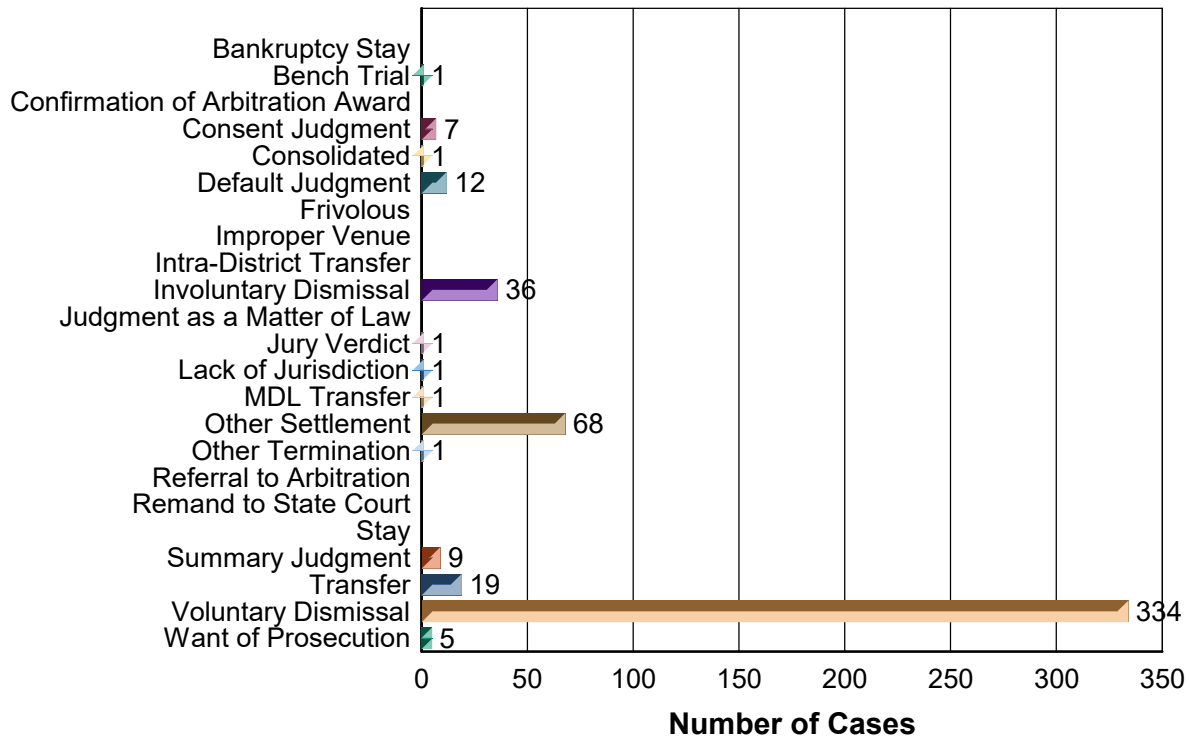
Average Time to Contested Judgment: By Judge



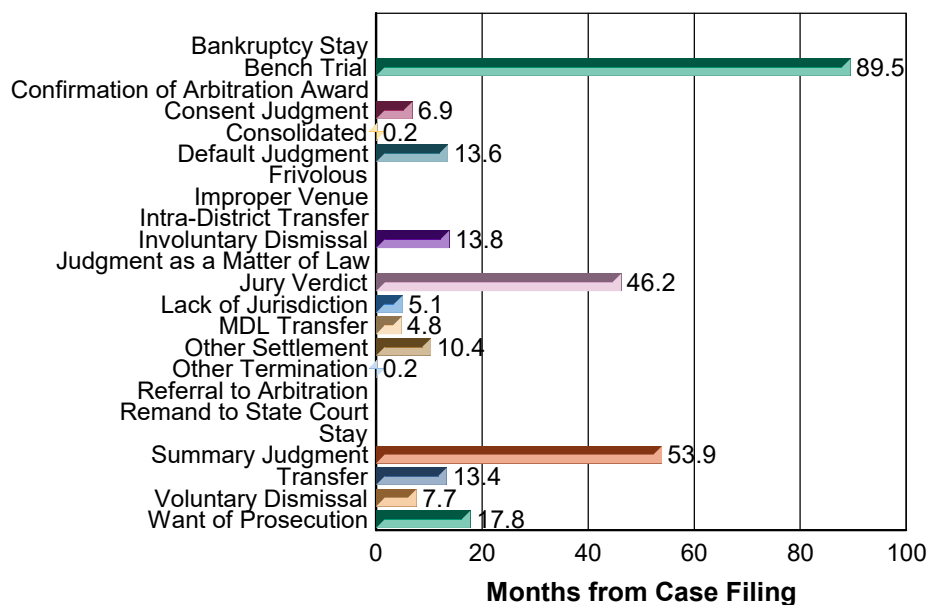
Average Time to Termination by Case Outcomes

The number of cases terminated by each outcome for the active judges in this district is shown in the chart below, and the average time to termination for each outcome is shown in the second chart below.

Case Outcomes



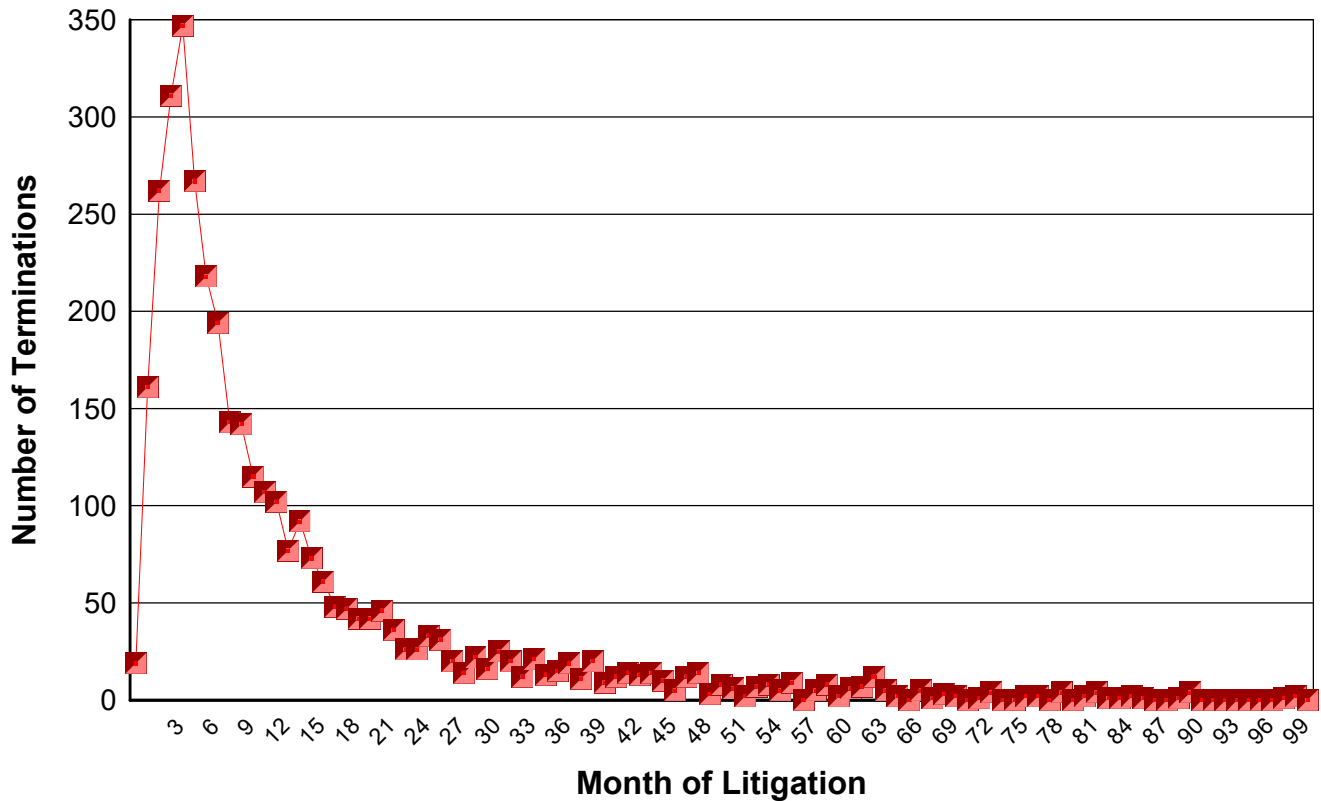
Average Time to Termination by Outcome



Termination by Month of Litigation

An overview of when terminations typically occur is found in the following chart, which shows the number of patent cases in the New York Southern District Court that were terminated each month of litigation. The first month of litigation is labeled "1", etc. Months with no case terminations are omitted from the chart.

Closed Cases Each Month



The variation in pendency for all closed cases is shown below.

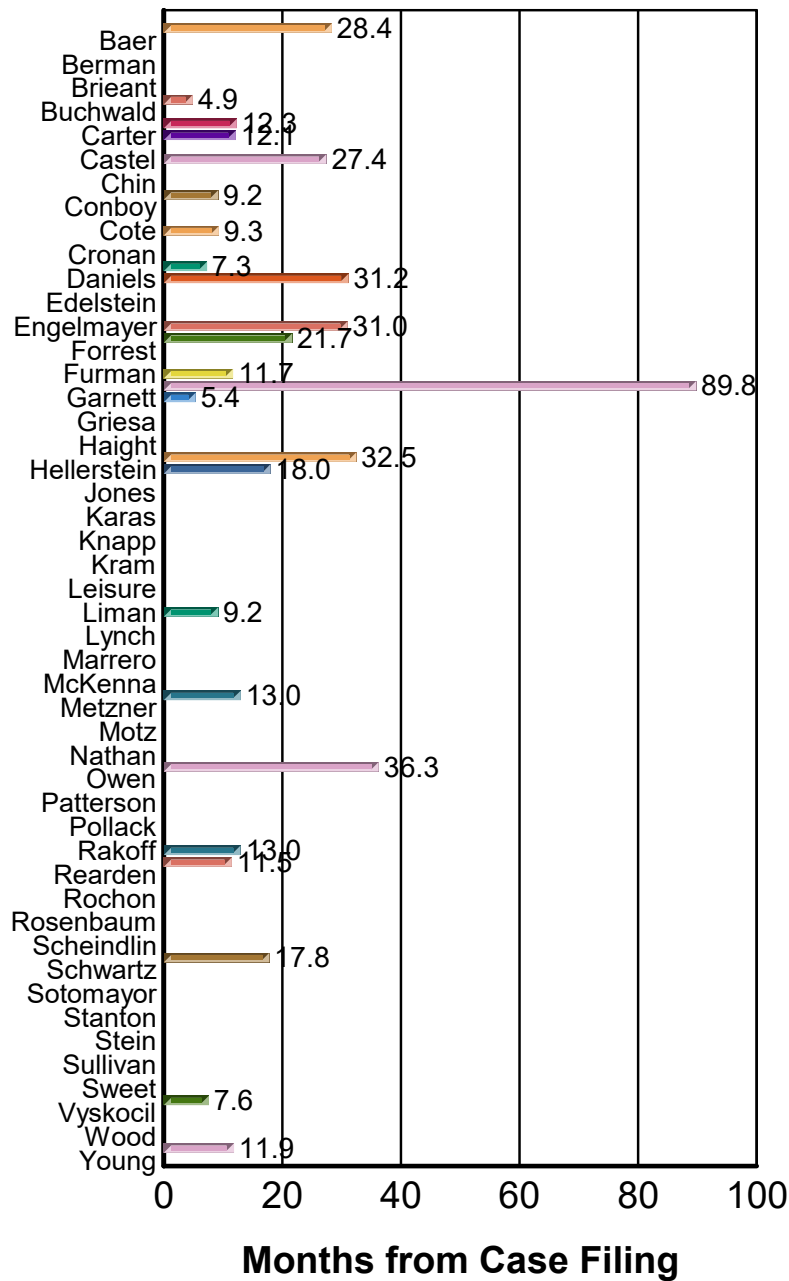
The variation in pendency for all closed cases is shown below.

Judge	Months from Case Filing
Abrams	13.0
Baker	8.9
Barnett	3.9
Blessant	8.5
Brodenick	6.3
Cadwallader	8.4
Cassidy	6.9
Cedarbaum	8.8
Clark	6.7
Conroy	7.4
Cronin	4.7
Daniels	19.0
Edelstein	12.0
Engelmayer	8.5
Falla	8.0
Gardemann	25.4
Geller	6.1
Gheslain	12.9
Hall	10.5
Heller	2.8
Kelly	8.1
Kennedy	9.4
Koza	10.9
Lalor	18.2
Levy	14.8
Lincoln	5.5
Lozano	6.4
Mackinnon	5.8
McMahon	4.8
McMullen	9.9
Mohr	6.9
Mukasey	3.2
Nam	18.2
O'Neil	14.8
Parker	143.4
Rosenbaum	5.5
Scheidt	6.4
Schiffman	5.8
Schoenfeld	4.8
Sotomayor	9.9
Stanton	6.9
Stein	22.5
Subramanian	8.0
Sullivan	7.7
Sylvester	4.7
Vysotsky	10.2
Wald	53.7
Young	12.0

Average Pendency for Cases Terminated by Judgment: By Judge

The variation in pendency for all cases terminated by judgment is shown below.

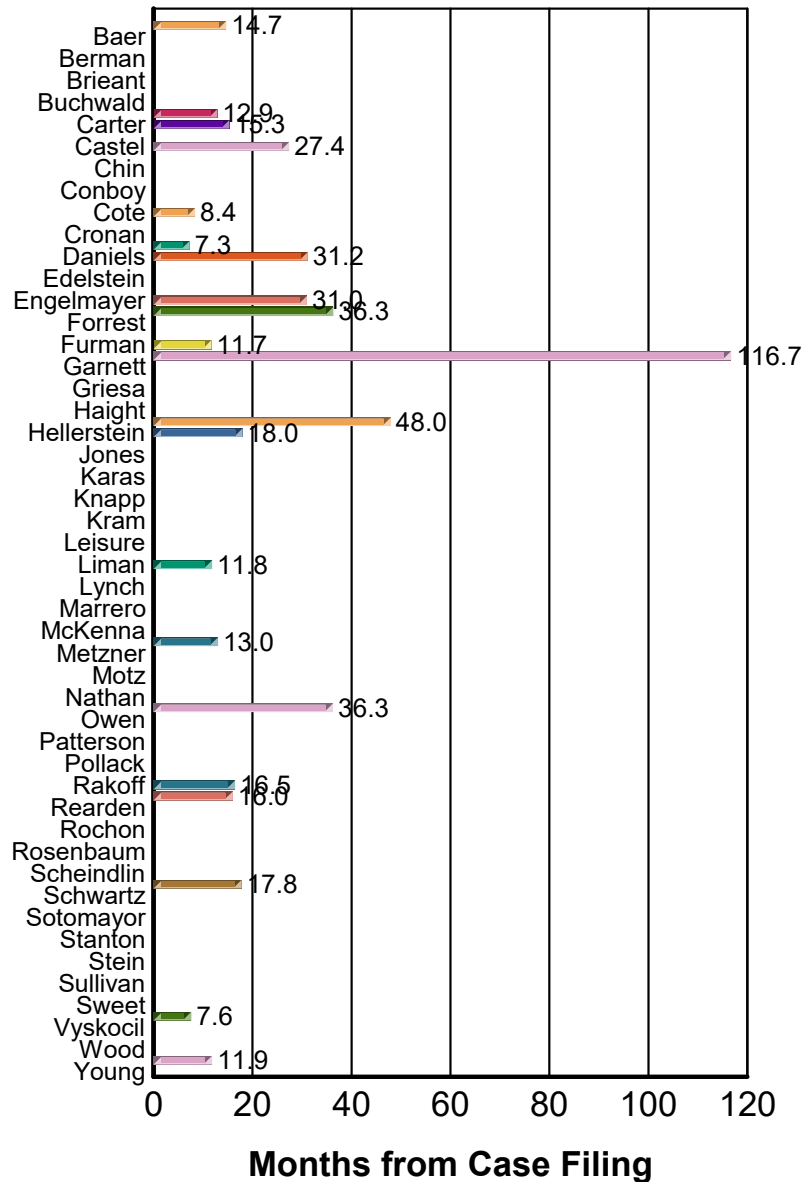
Average Time to Termination by Judgment



Average Pendency for Cases Terminated by Contested Judgment: By Judge

The variation in pendency for all cases terminated by contested judgment is shown below.

Average Time to Termination by Contested Judgment



Case and Judgment Outcomes

The number of outcomes by judgment, the patentee win rate for those outcomes, and the average time to termination for those outcomes for this court are shown below, broken out by type of outcome.

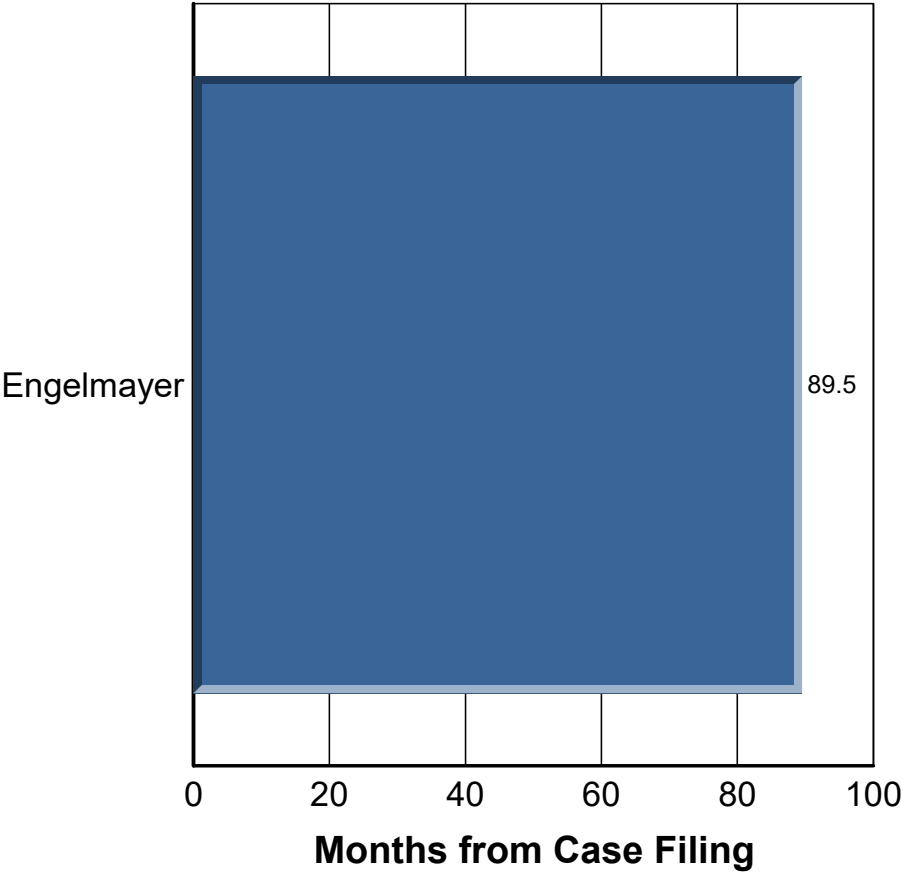
	Number of Judgments	Pat. Win Rate	Average Time to Termination
Total	66	33.3	20.1
Bench Trial	1	100.0	89.5
Consent Judgment	7	100.0	6.9
Default Judgment	12	100.0	13.6
Involuntary Dismissal	36	0.0	13.8
Jury Verdict	1	100.0	46.2
Summary Judgment	9	11.1	53.9

Detailed information about these cases, broken out by type of outcome, is shown in the following sections.

Bench Trial

The number of Bench Trial outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

Average Time to Termination
For Bench Trial

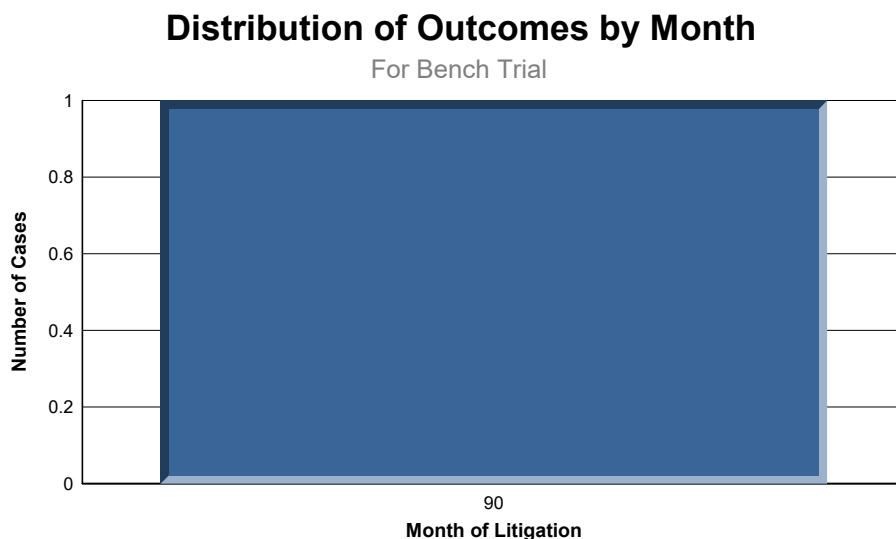


Bench Trial

	Average Time to Termination	Number of Cases
District	89.5	1
Engelmayer	89.5	1

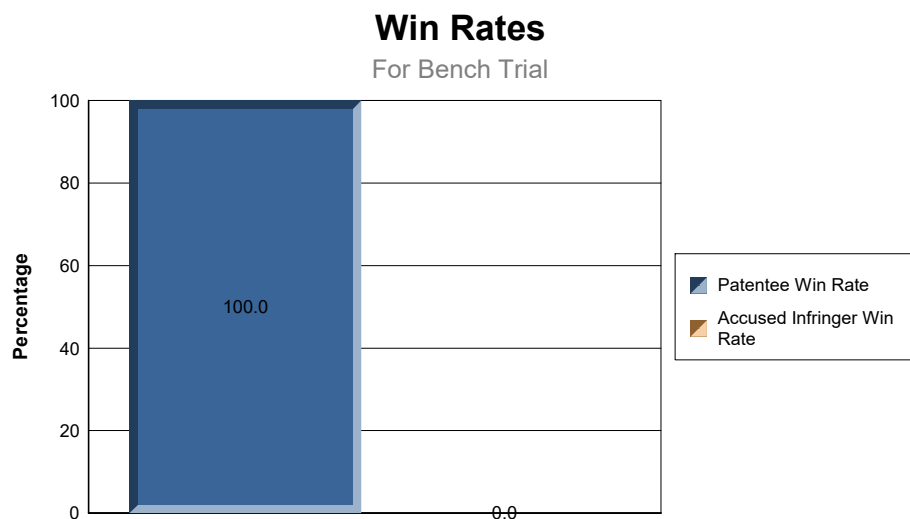
Bench Trial

The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



Bench Trial

The patentee and accused infringer win rates for cases with this outcome are shown below for the judges and the district as a whole.

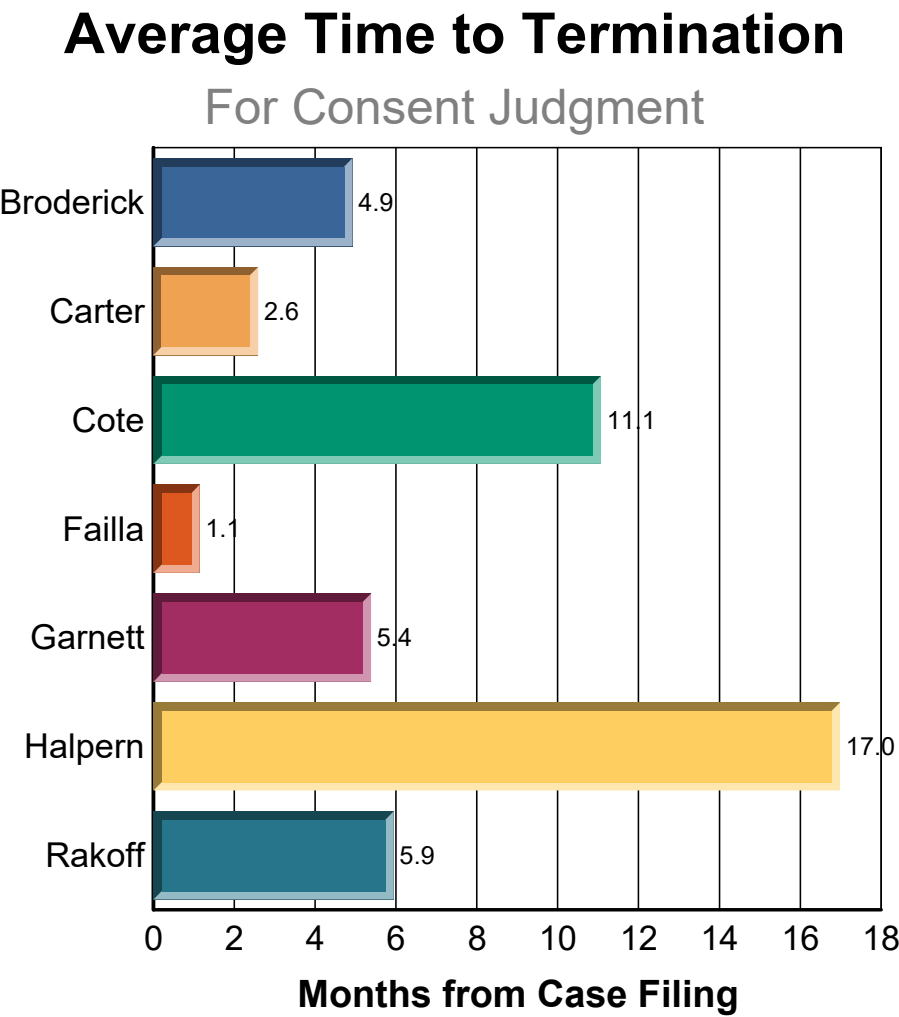


Bench Trial

<u>Case Number</u>	<u>Judge</u>	<u>Prevailing Party</u>	<u>Pendency</u>	<u>Case Name</u>
1:15cv10154	Engelmayer	Patentee	89.5	Focus Products Group International, LLC et al v. Kartri Sales Company, Inc.

Consent Judgment

The number of Consent Judgment outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

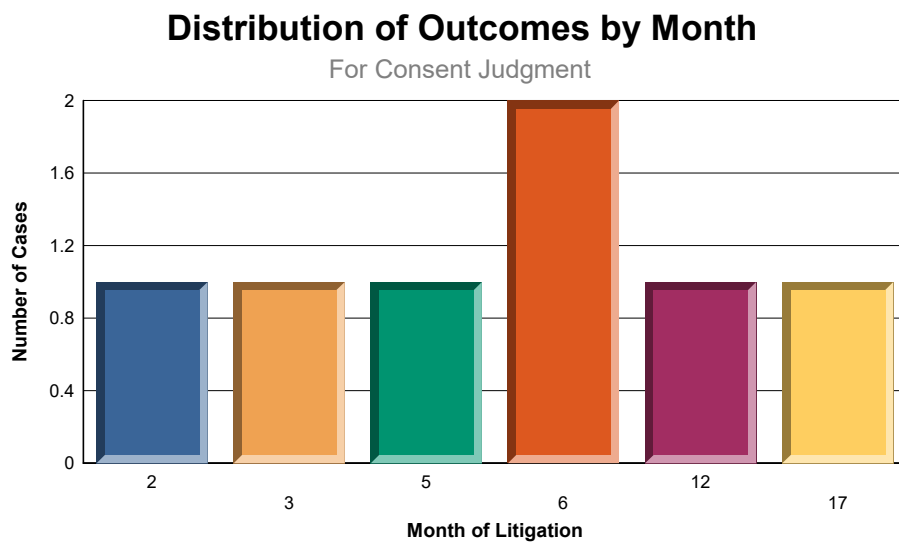


Consent Judgment

	Average Time to Termination	Number of Cases
District	6.9	7
Broderick	4.9	1
Carter	2.6	1
Cote	11.1	1
Failla	1.1	1
Garnett	5.4	1
Halpern	17.0	1
Rakoff	5.9	1

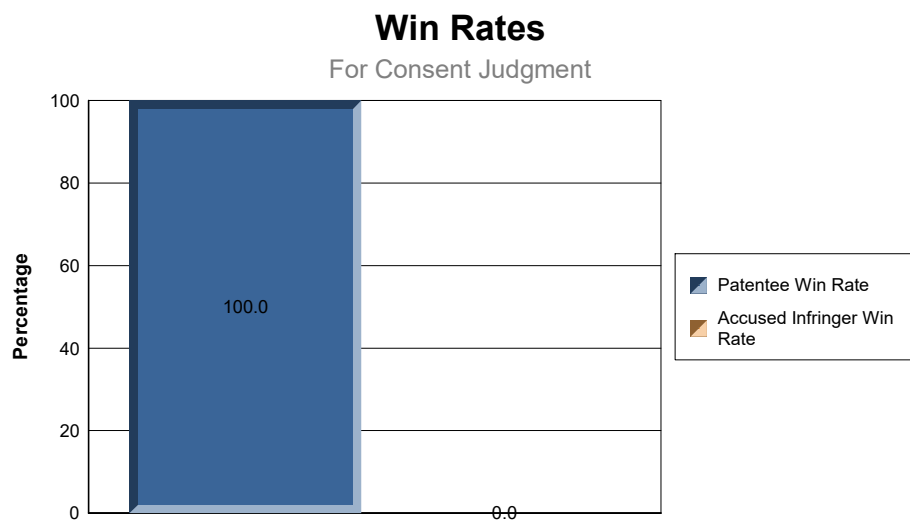
Consent Judgment

The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



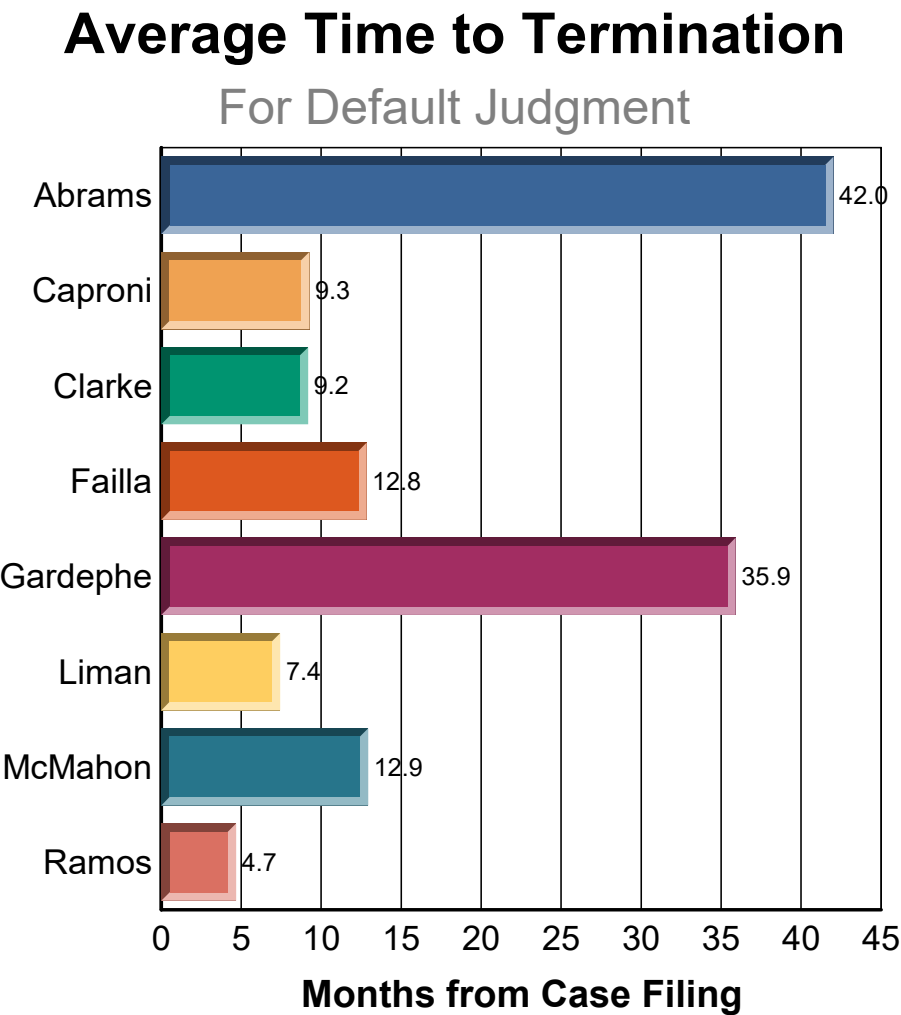
Consent Judgment

The patentee and accused infringer win rates for cases with this outcome are shown below for the judges and the district as a whole.



Default Judgment

The number of Default Judgment outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

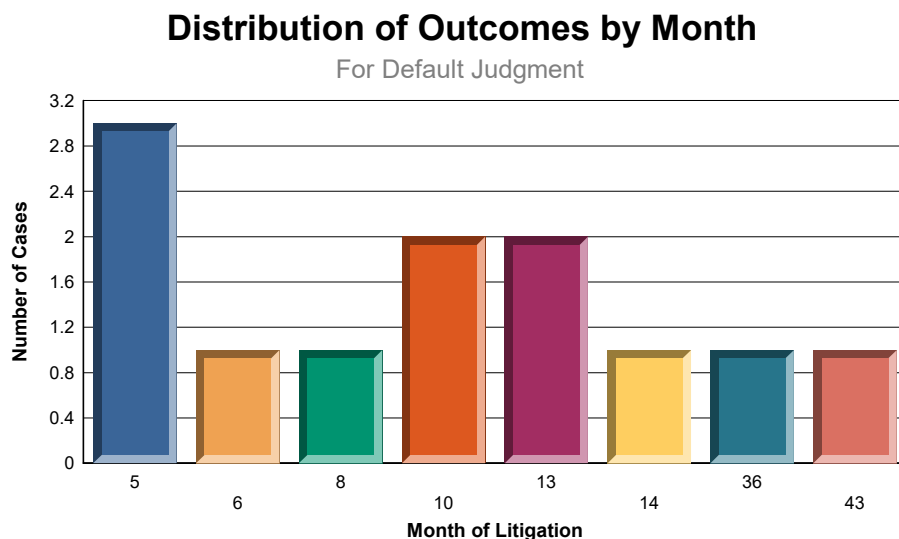


Default Judgment

	Average Time to Termination	Number of Cases
District	13.6	12
Abrams	42.0	1
Caproni	9.3	1
Clarke	9.2	2
Failla	12.8	1
Gardephe	35.9	1
Liman	7.4	3
McMahon	12.9	1
Ramos	4.7	2

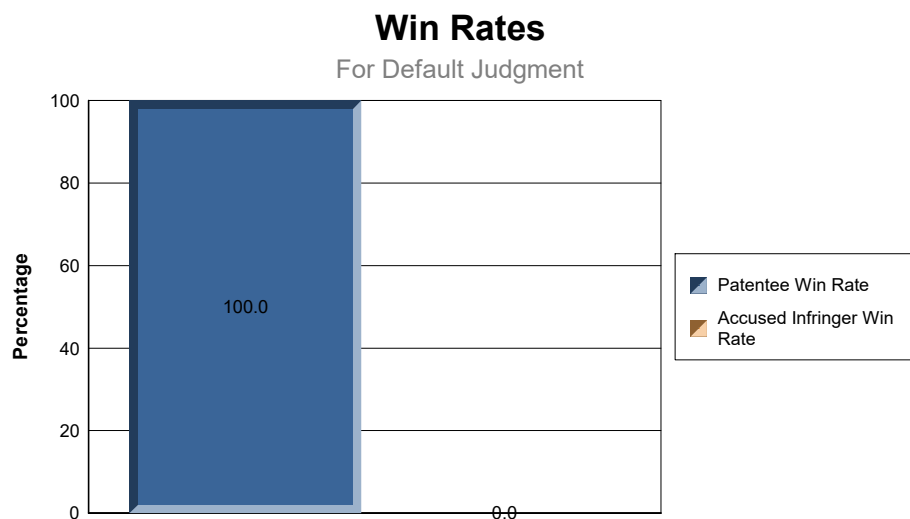
Default Judgment

The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



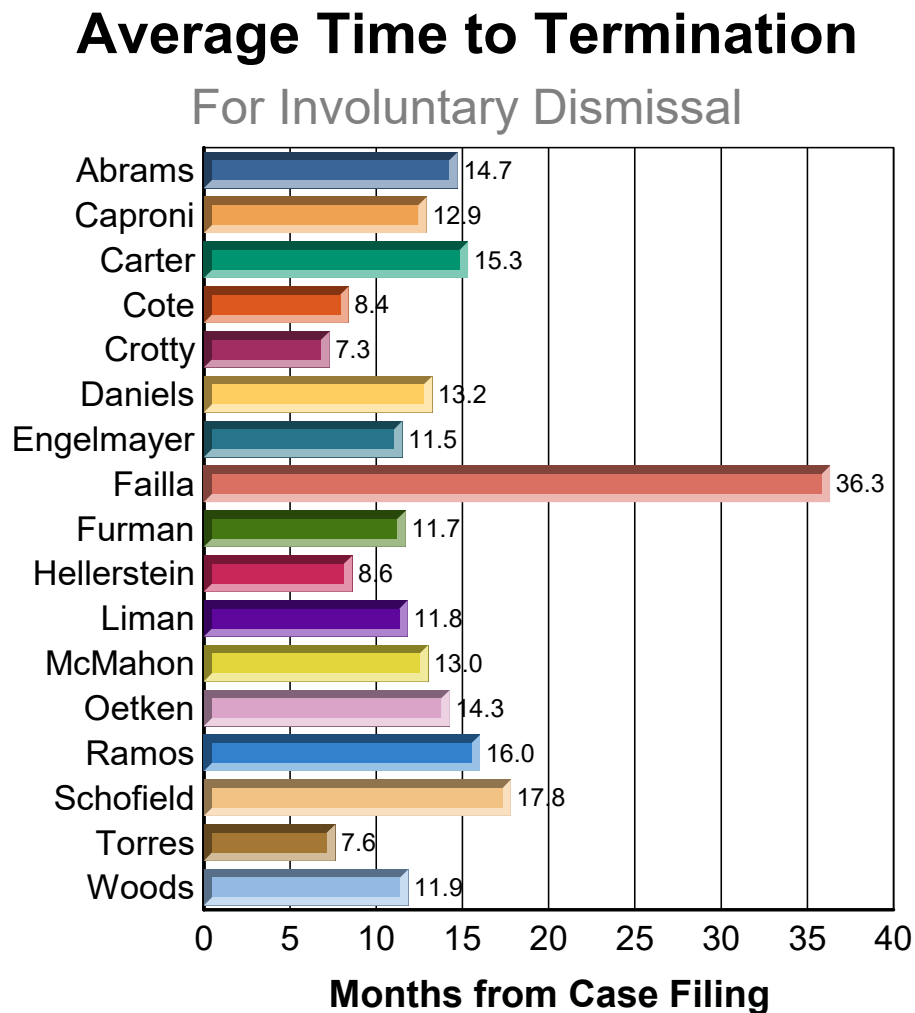
Default Judgment

The patentee and accused infringer win rates for cases with this outcome are shown below for the judges and the district as a whole.



Involuntary Dismissal

The number of Involuntary Dismissal outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

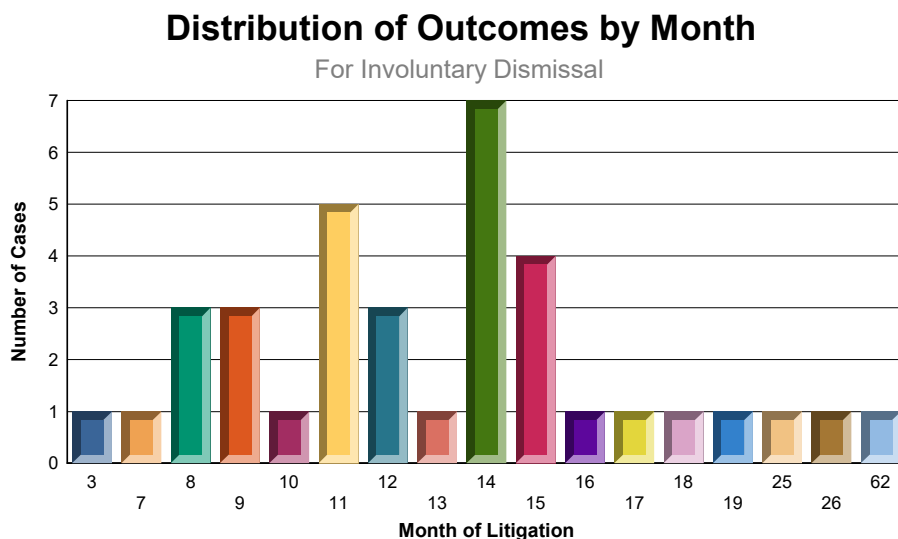


Involuntary Dismissal

	Average Time to Termination	Number of Cases
District	13.8	36
Abrams	14.7	1
Caproni	12.9	5
Carter	15.3	3
Cote	8.4	2
Crotty	7.3	1
Daniels	13.2	1
Engelmayer	11.5	3
Failla	36.3	2
Furman	11.7	4
Hellerstein	8.6	3
Liman	11.8	2
McMahon	13.0	1
Oetken	14.3	1
Ramos	16.0	3
Schofield	17.8	2
Torres	7.6	1
Woods	11.9	1

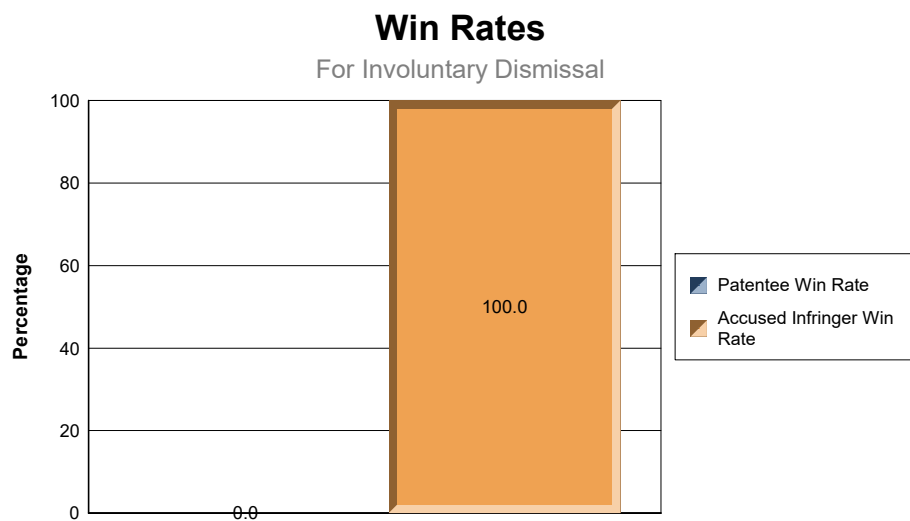
Involuntary Dismissal

The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



Involuntary Dismissal

The patentee and accused infringer win rates for cases with this outcome are shown below for the judges and the district as a whole.



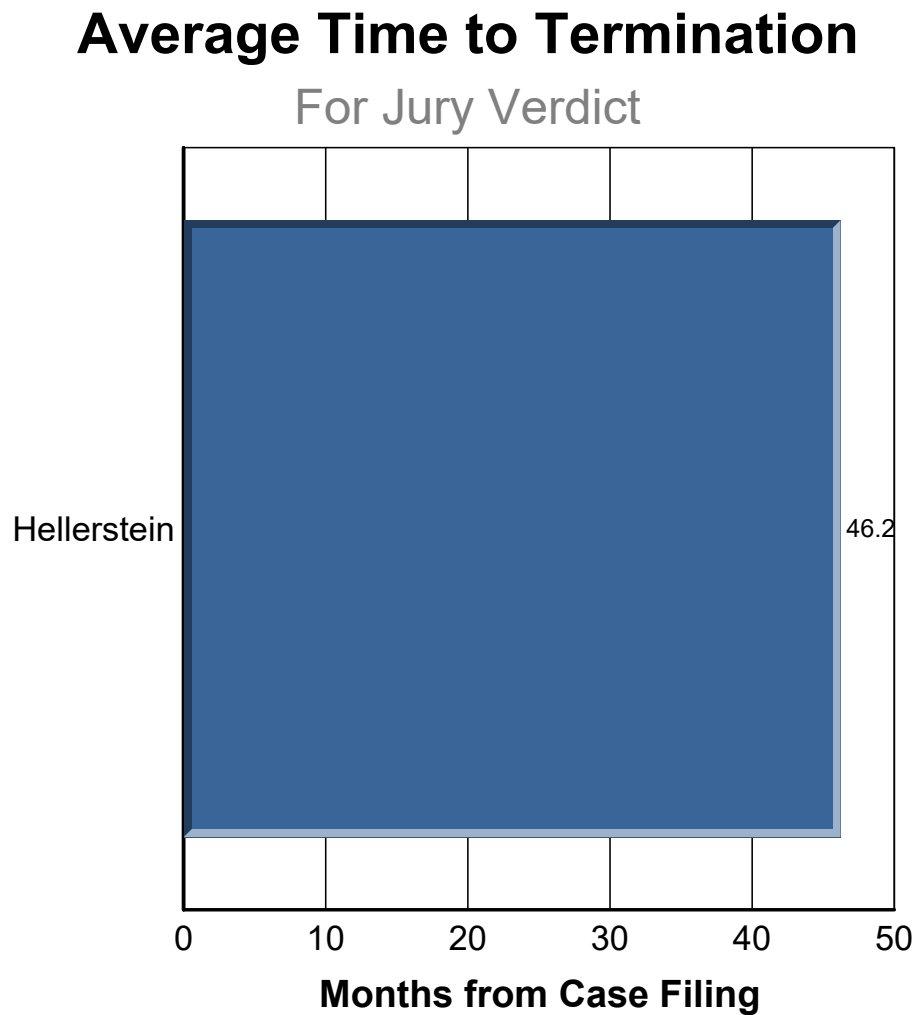
Involuntary Dismissal

Case Number	Judge	Prevailing Party	Pendency	Case Name
1:22cv04490	Hellerstein	Accused Infringer	2.8	Invincible IP LLC v. SAS Institute Inc.
1:23cv08801	Cote	Accused Infringer	6.4	mCom IP, LLC v. HSBC Bank USA, N.A.
1:20cv07899	Crotty	Accused Infringer	7.3	Cardinal Motors, Inc., v. H&H Sports Protection USA Inc.
1:22cv06602	Hellerstein	Accused Infringer	7.3	InMusic Brands, Inc. v. Sony Corporation of America
1:21cv09645	Torres	Accused Infringer	7.6	Ottah v. Verifone System Inc.
1:19cv08289	Engelmayer	Accused Infringer	8.5	Ottah v. National Grid
1:24cv02796	Furman	Accused Infringer	8.7	Linfo IP, LLC v. Trustpilot, Inc.
1:22cv03575	Furman	Accused Infringer	8.8	EscapeX IP LLC v. Block, Inc.
1:22cv02935	Engelmayer	Accused Infringer	9.8	Ottah v. National Grid
1:19cv08552	Schofield	Accused Infringer	10.1	Ottah v. Verizon Services Corp.
1:21cv10071	Carter	Accused Infringer	10.2	Peloton Interactive, Inc. v. Lululemon Athletica Canada Inc.
1:19cv09890	Cote	Accused Infringer	10.3	Gabara v. Facebook, Inc.
1:21cv05463	Liman	Accused Infringer	10.3	AuthWallet, LLC v. Block, Inc.
1:21cv00455	Failla	Accused Infringer	10.9	Ottah v. Bracewell LLP
1:21cv07931	Carter	Accused Infringer	11.2	Mira Advanced Technology Systems Inc. v. Google LLC
1:22cv10435	Furman	Accused Infringer	11.4	Ottah v. Metropolitan Transportation Authority
1:19cv02318	Woods	Accused Infringer	11.9	Ghaly Devices LLC v. Humor Rainbow, Inc.
1:19cv03278	Caproni	Accused Infringer	12.6	Grecia v. Samsung Electronics America, Inc.
1:19cv02810	Caproni	Accused Infringer	13.0	Grecia v. The Bank of New York Mellon Corporation
1:19cv02811	Caproni	Accused Infringer	13.0	Grecia v. Citibank, N.A.
1:19cv02812	Caproni	Accused Infringer	13.0	Grecia v. Morgan Stanley Smith Barney LLC
1:19cv02813	Caproni	Accused Infringer	13.0	Grecia v. TIAA, FSB member FDIC
1:20cv04539	McMahon	Accused Infringer	13.0	Perry Street Software, Inc. v. Jedi Technologies, Inc.
1:19cv01702	Daniels	Accused Infringer	13.2	VeriPath, Inc. v. Didomi
1:20cv03573	Liman	Accused Infringer	13.3	RDPA, LLC v. Geopath, Inc.
1:19cv04792	Oetken	Accused Infringer	14.3	Island Intellectual Property LLC v. Stonecastle Cash Management LLC et al
1:20cv04108	Ramos	Accused Infringer	14.6	Jewell Pathway LLC v. Polar Electro Inc
1:18cv10262	Abrams	Accused Infringer	14.7	NetSoc, LLC v. Chegg INC

1:20cv05062	Ramos	Accused Infringer	14.9	Shenzhen OKT Lighting Co., Ltd. v. JLC-TECH LLC
1:20cv02862	Hellerstein	Accused Infringer	15.7	Weisner v. Google LLC
1:21cv08815	Engelmayer	Accused Infringer	16.3	Realtime Tracker, Inc. v. RELX, Inc. d/b/a LexisNexis
1:21cv04544	Furman	Accused Infringer	17.9	Guvera IP Pty Ltd. v. Spotify, Inc.
1:18cv08410	Ramos	Accused Infringer	18.5	Nebgen et al v. Schentag et al
1:20cv02285	Carter	Accused Infringer	24.6	Rady v. Boston Consulting Group, LLC et al
1:20cv03951	Schofield	Accused Infringer	25.5	Zeta Global Corp. v. Maropost Marketing Cloud, Inc.
1:19cv00633	Failla	Accused Infringer	61.7	True Spec Golf LLC et al v. Club Champion LLC

Jury Verdict

The number of Jury Verdict outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

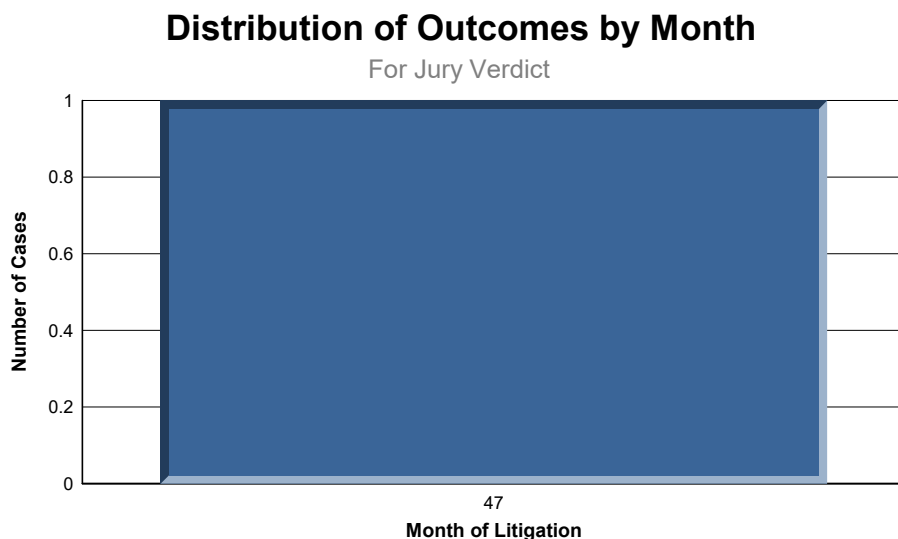


Jury Verdict

	Average Time to Termination	Number of Cases
District	46.2	1
Hellerstein	46.2	1

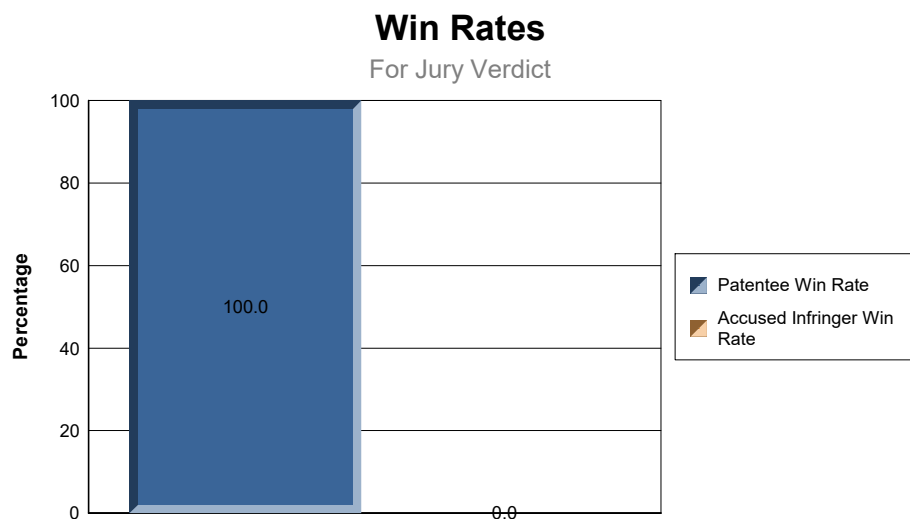
Jury Verdict

The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



Jury Verdict

The patentee and accused infringer win rates for cases with this outcome are shown below for the judges and the district as a whole.

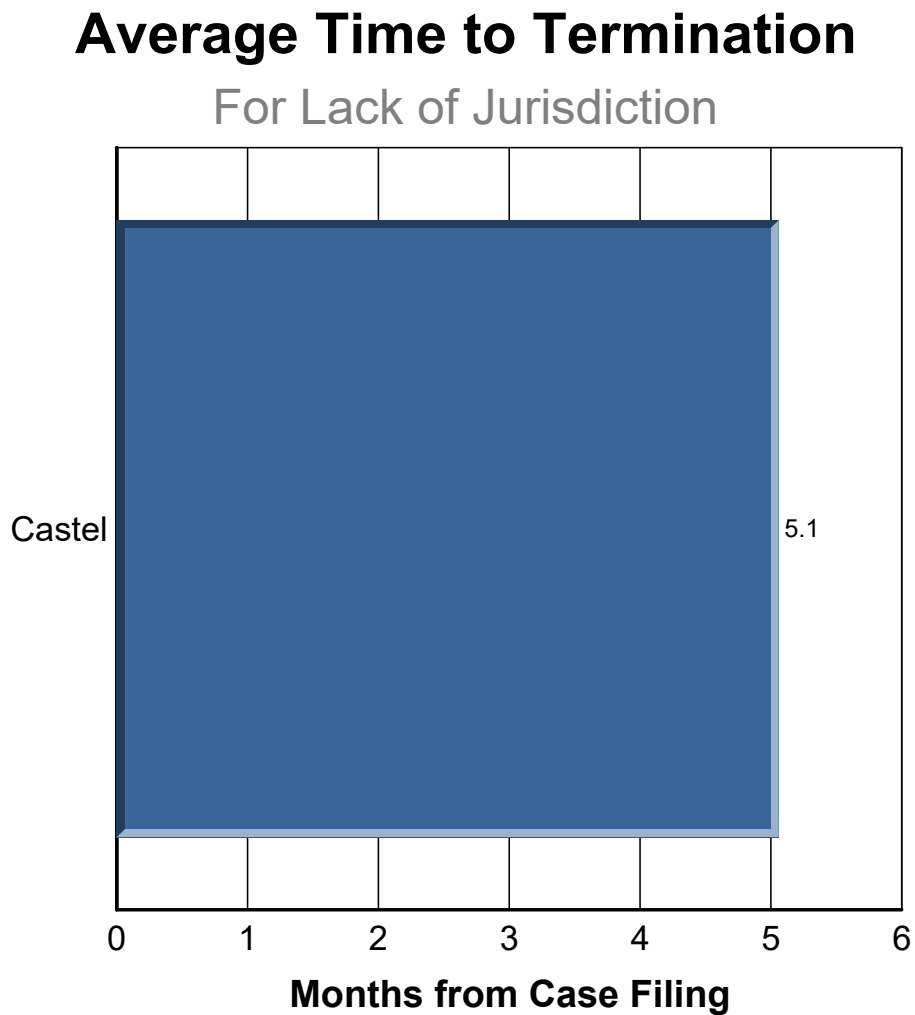


Jury Verdict

<u>Case Number</u>	<u>Judge</u>	<u>Prevailing Party</u>	<u>Pendency</u>	<u>Case Name</u>
1:16cv02880	Hellerstein	Patentee	46.2	Kaufman v. Microsoft Corporation

Lack of Jurisdiction

The number of Lack of Jurisdiction outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

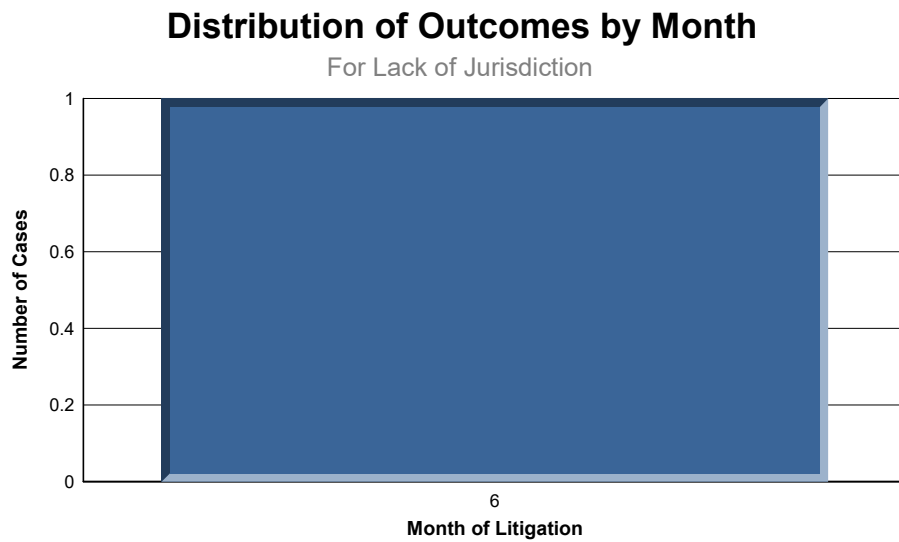


Lack of Jurisdiction

	Average Time to Termination	Number of Cases
District	5.1	1
Castel	5.1	1

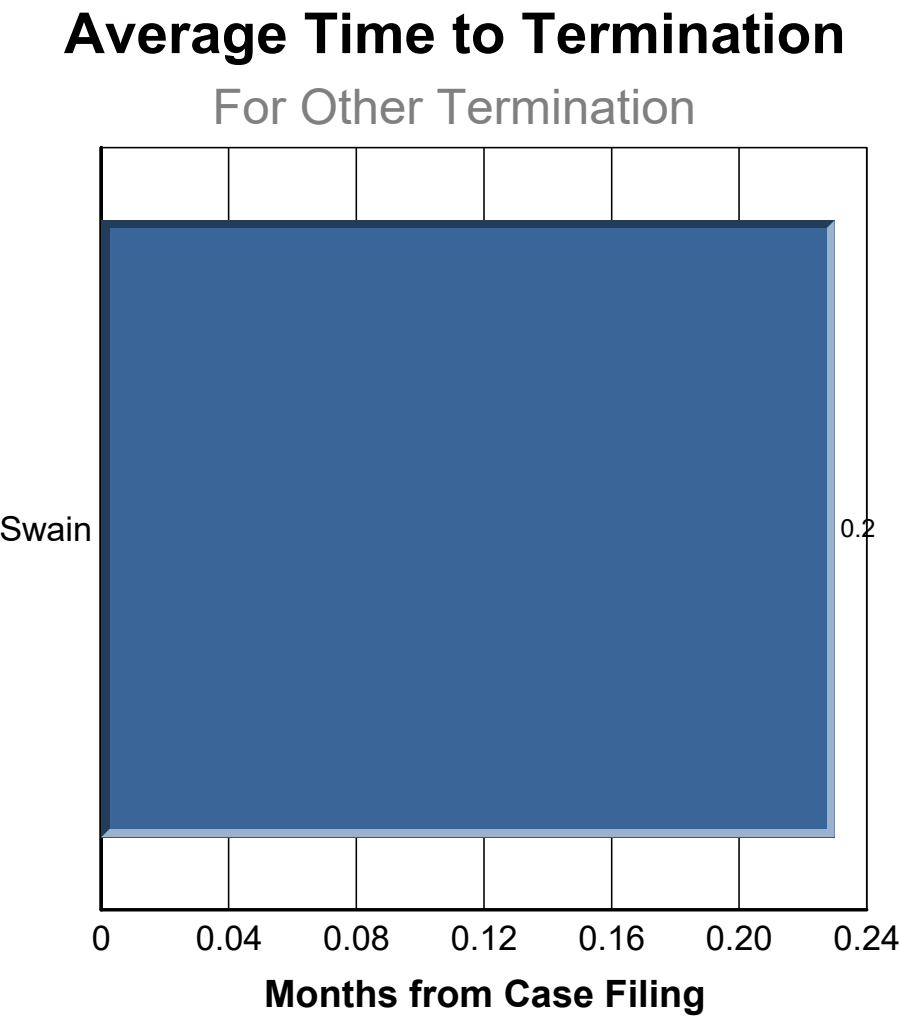
Lack of Jurisdiction

The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



Other Termination

The number of Other Termination outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

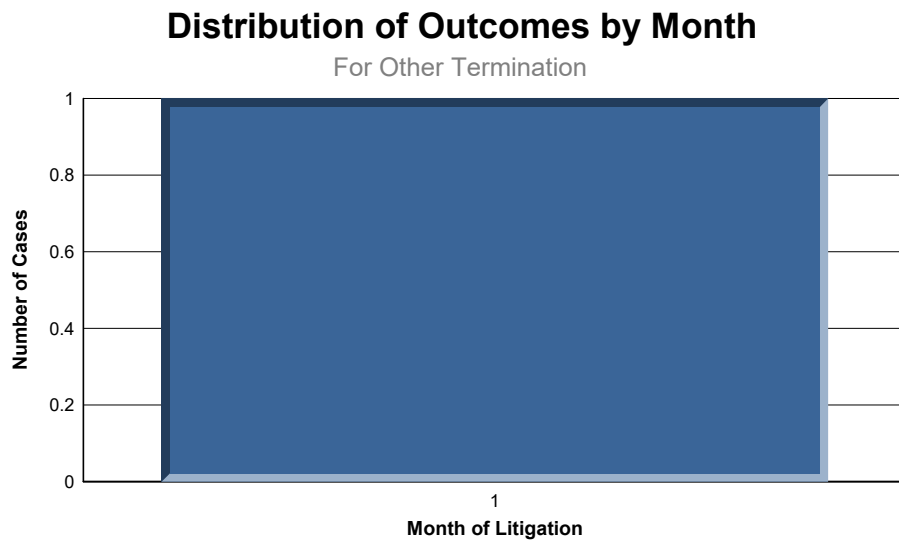


Other Termination

	Average Time to Termination	Number of Cases
District	0.2	1
Swain	0.2	1

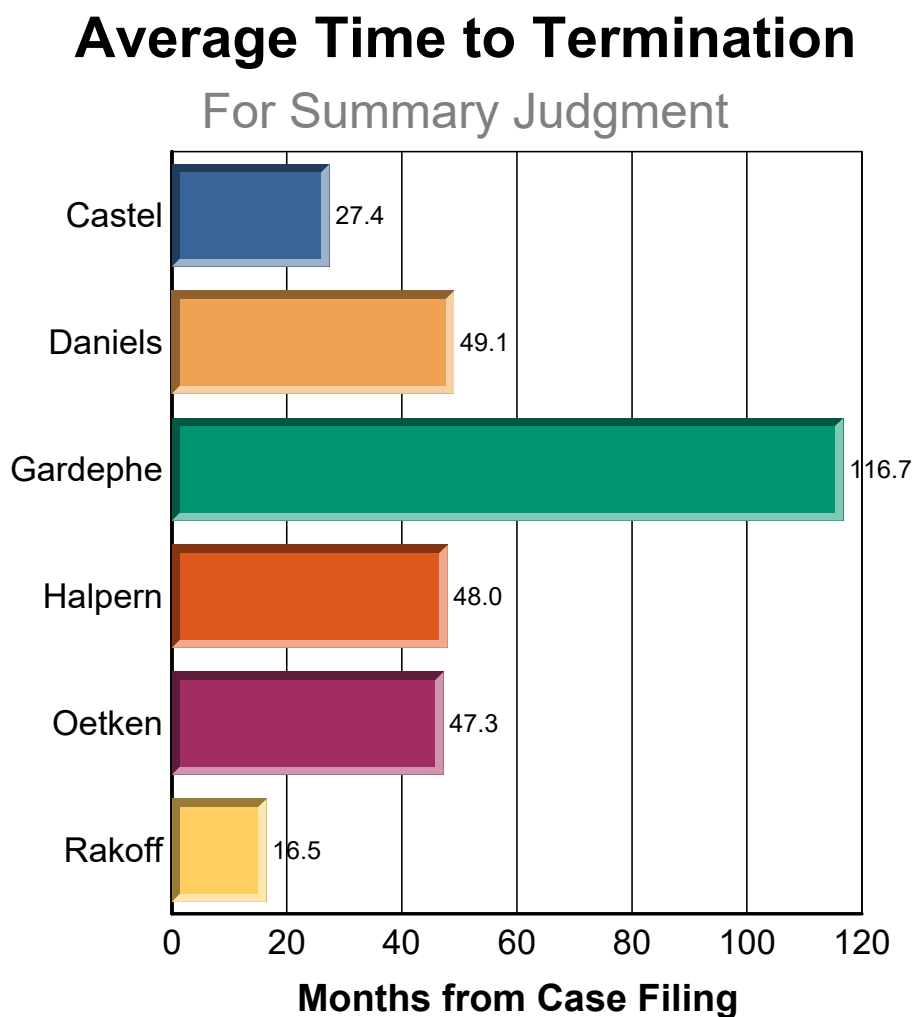
Other Termination

The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



Summary Judgment

The number of Summary Judgment outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

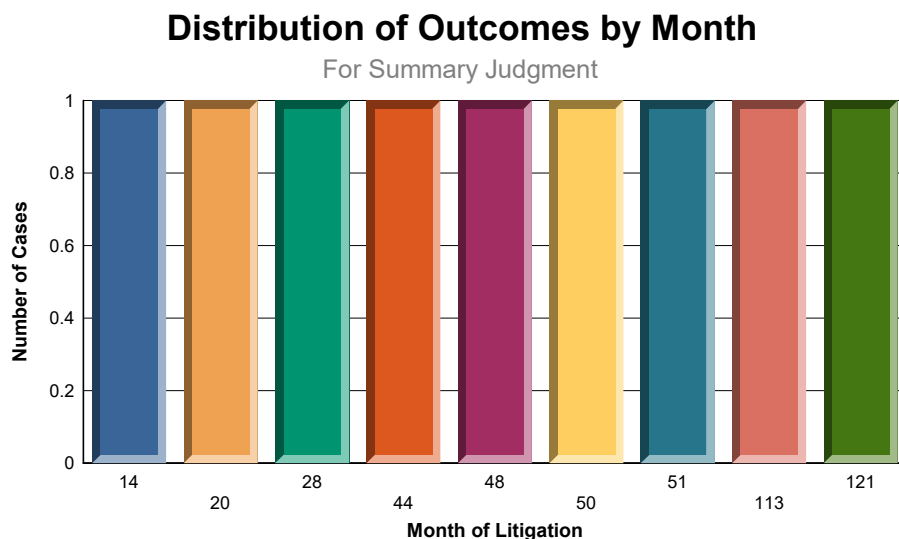


Summary Judgment

	Average Time to Termination	Number of Cases
District	53.9	9
Castel	27.4	1
Daniels	49.1	1
Gardephe	116.7	2
Halpern	48.0	1
Oetken	47.3	2
Rakoff	16.5	2

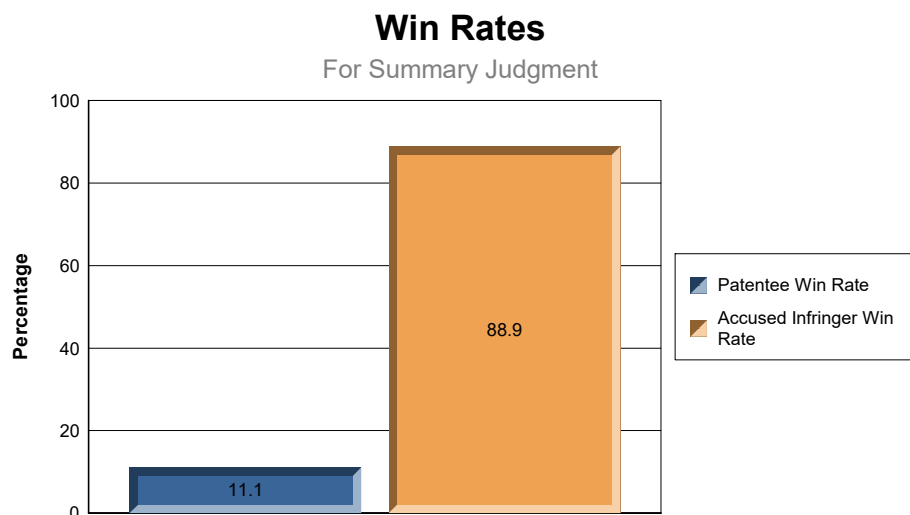
Summary Judgment

The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



Summary Judgment

The patentee and accused infringer win rates for cases with this outcome are shown below for the judges and the district as a whole.

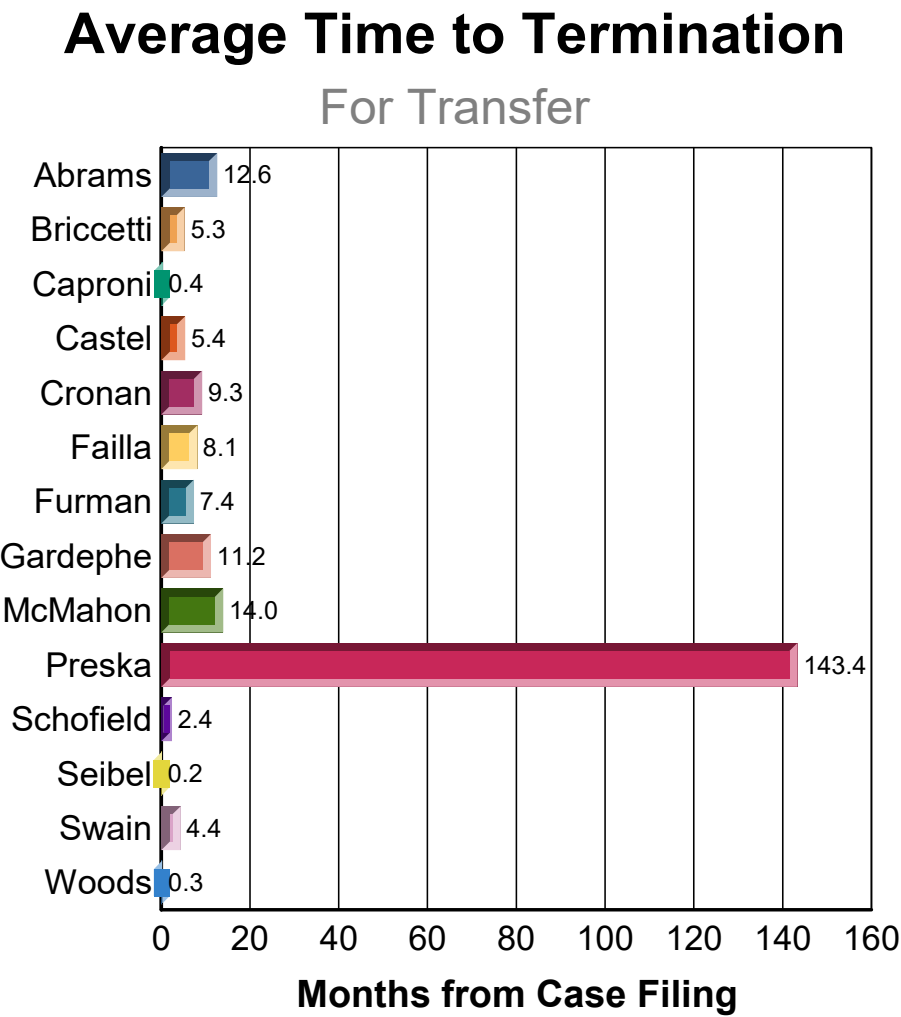


Summary Judgment

<u>Case Number</u>	<u>Judge</u>	<u>Prevailing Party</u>	<u>Pendency</u>	<u>Case Name</u>
1:21cv01319	Rakoff	Accused Infringer	13.8	Chewy, Inc. v. International Business Machines Corporation
1:20cv00200	Rakoff	Accused Infringer	19.1	Carnegie Institution of Washington et al v. Mahendra Brothers Exports Private Limited et al
1:17cv07601	Castel	Accused Infringer	27.4	iSentium, LLC v. Bloomberg Finance L.P. et al
1:16cv06392	Oetken	Accused Infringer	43.7	VR Optics LLC v. Peloton Interactive, Inc.
7:20cv08255	Halpern	Patentee	48.0	Allele Biotechnology and Pharmaceuticals, Inc. v. Regeneron Pharmaceuticals, Inc.
1:16cv05954	Daniels	Accused Infringer	49.1	The Topps Company, Inc. v. Koko's Confectionery & Novelty, Inc.
1:16cv00885	Oetken	Accused Infringer	50.8	Bobcar Media, LLC v. Aardvark Event Logistics, Inc.
1:14cv09558	Gardephe	Accused Infringer	112.8	Network-1 Technologies, Inc. v. Google, L.L.C. et al
1:14cv02396	Gardephe	Accused Infringer	120.7	Network-1 Technologies, Inc. v. Google, L.L.C. et al

Transfer

The number of Transfer outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.

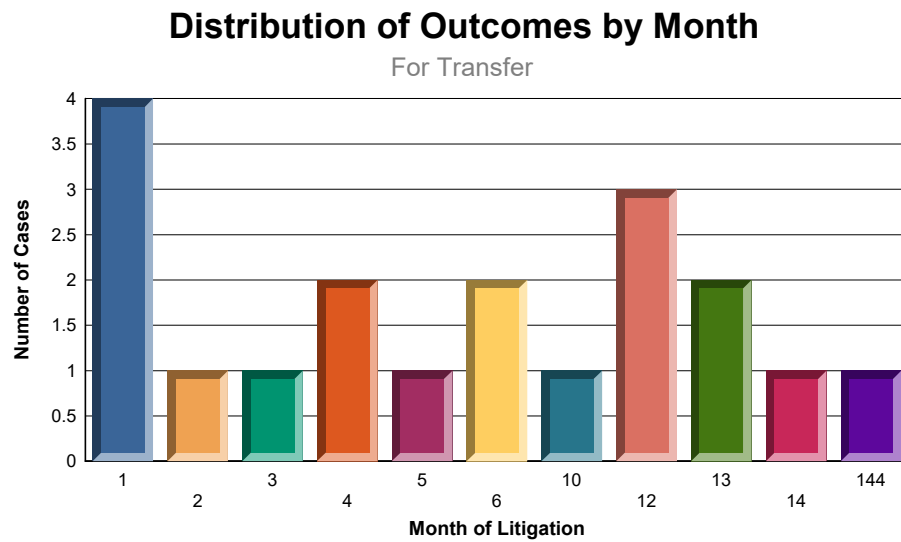


Transfer

	Average Time to Termination	Number of Cases
District	13.4	19
Abrams	12.6	1
Briccetti	5.3	1
Caproni	0.4	2
Castel	5.4	1
Cronan	9.3	1
Failla	8.1	2
Furman	7.4	2
Gardephe	11.2	2
McMahon	14.0	1
Preska	143.4	1
Schofield	2.4	2
Seibel	0.2	1
Swain	4.4	1
Woods	0.3	1

Transfer

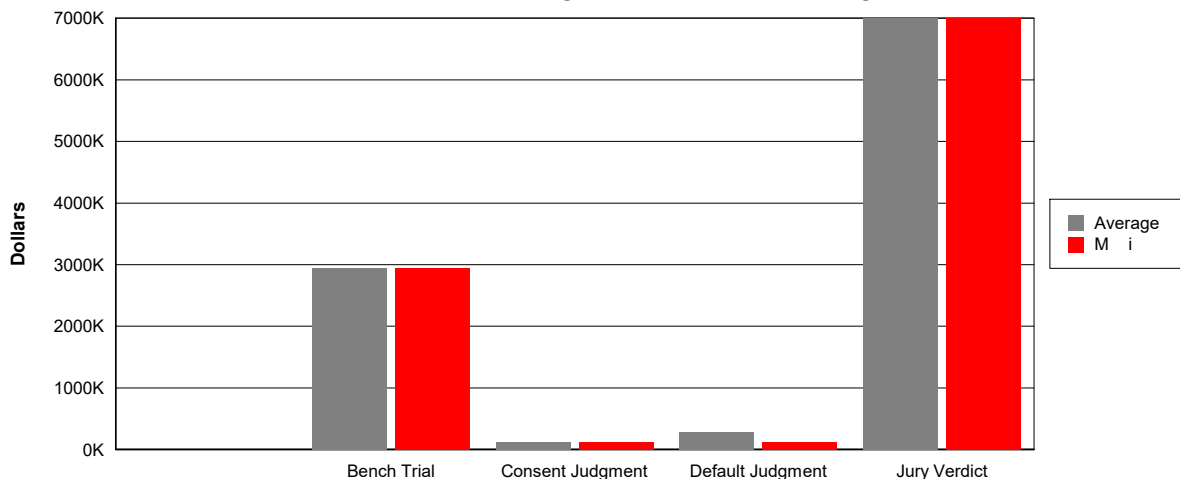
The distribution of these outcomes by month of litigation is shown below. Months with no outcomes are omitted from the chart.



Awards and Settlement Amounts - What Will it Cost: The damages portion of litigation expense is heavily fact dependent, but there are norms one can use to ensure the reasonableness of predicted damage awards and total cost in a particular case. The chart and table below show the average and median amounts for the selected court. Award amounts not entered into the records of the federal courts or otherwise not brought to the attention of LegalMetric are not included in this report.

Studies have shown that attorney fees and related expenses can run from 33% to 100% of the damage awards. The total cost for various outcomes can be estimated by multiplying the average or median awards by 1.33 (for a low figure) or 2.0 (for a high figure). These total cost estimates are shown in the table below.

Award Amounts by Case Outcome Type



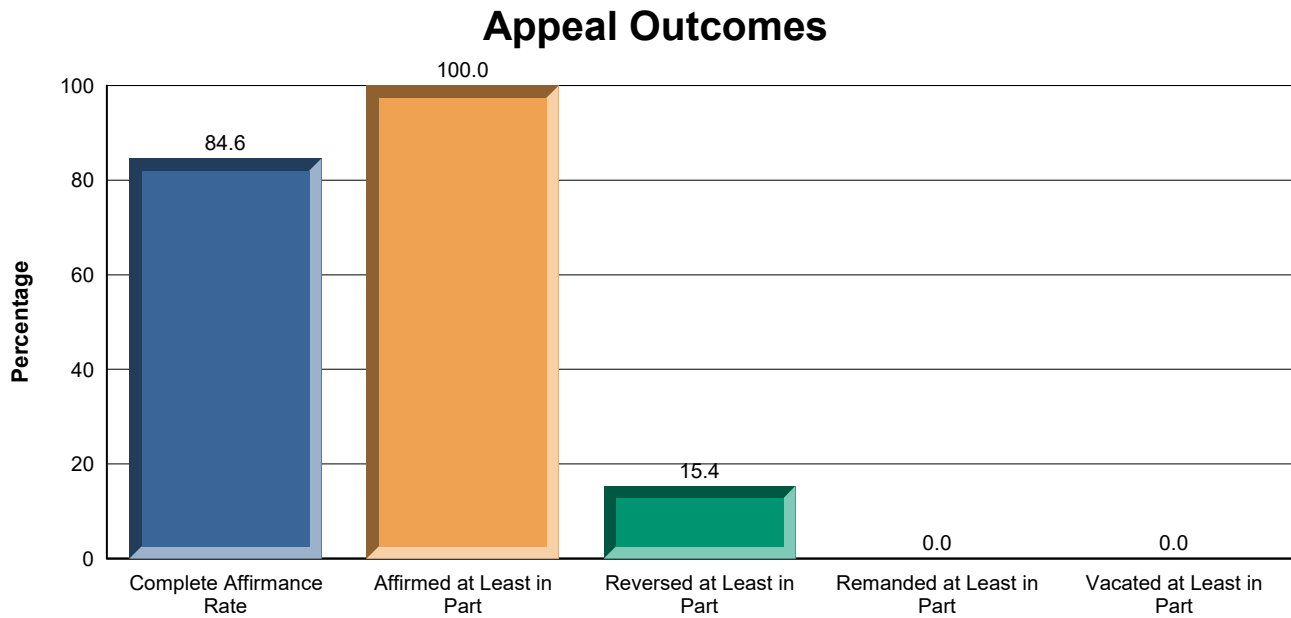
	Average Awards	Total Cost - Low Average	Total Cost - High Average	Median Awards	Total Cost - Low Median	Total Cost - High Median
Total	1,434,704	1,908,156	2,869,408	227,577	302,677	455,153
Bench Trial	2,938,337	3,907,988	5,876,674	2,938,337	3,907,988	5,876,674
Consent Judgment	120,000	159,600	240,000	120,000	159,600	240,000
Default Judgment	283,859	377,533	567,718	130,000	172,900	260,000
Jury Verdict	7,000,000	9,310,000	14,000,000	7,000,000	9,310,000	14,000,000

<u>Case Number</u>	<u>Case Name</u>	<u>Date of Award or Settlement</u>	<u>Judge</u>	<u>Case Outcomes</u>	<u>Award Amounts</u>
1:24cv01224	Shenzhen Lianxing Industry Co., Ltd, v. YYQXWY et al	5/8/2024	Carter	Consent Judgment	120,000
1:22cv03150	Daka Research Inc. v. Shenzhen Bali Electronic Technology Co., Ltd. Storefront et al	1/25/2023	Caproni	Default Judgment	897,150
1:23cv07764	Kids Squad LLC v. Guangzhou hui de E-Trade Co., Ltd et al	9/25/2024	Failla	Default Judgment	62,720
1:20cv07803	Display Technologies, LLC v. Cloud4Wi, Inc.	10/21/2021	McMahon	Default Judgment	130,000

1:17cv05666	American Infertility of New York, P.C. v. Deep Blue Health New Zealand Ltd.	7/23/2020	Gardephe	Default Judgment	4,273
1:17cv04329	Evriholder Products, LLC v. Simply Lbs Ltd Company et al	12/8/2020	Abrams	Default Judgment	325,153
1:16cv02880	Kaufman v. Microsoft Corporation	2/24/2020	Hellerstein	Jury Verdict	7,000,000
1:15cv10154	Focus Products Group International, LLC et al v. Kartri Sales Company, Inc.	6/15/2023	Engelmayer	Bench Trial	2,938,337

Appeals

The number of rulings on appeal in these cases and the rulings themselves are found in the table below. The Complete Affirmance Rate (the number of appeals which were affirmed with no other ruling, divided by the total number of appeals decision-not counting dismissed and pending appeals), the percentage of appeal rulings which affirmed the lower court at least in part, the percentage which reversed this court at least in part, the percentage which remanded this court at least in part, and the percentage which vacated this court at least in part are shown in the chart immediately below.



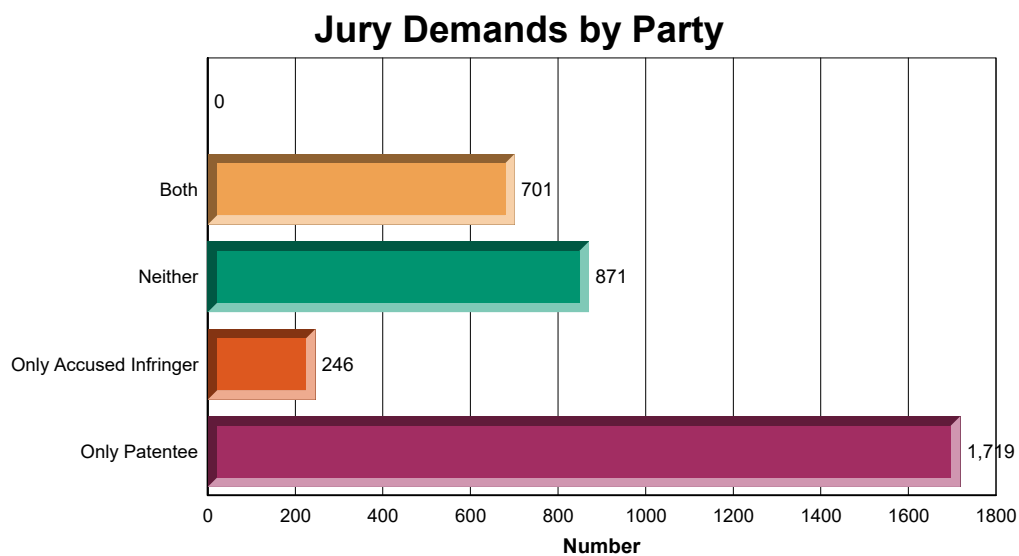
	Total
Affirmed	11
Affirmed,Reversed	2
Dismissed	13
Pending	6

<u>Case Name</u>	<u>Case Number</u>	<u>Judge</u>	<u>Result of Appeal</u>
Gabara v. Facebook, Inc.	1:19cv09890	Cote	Affirmed
VeriPath, Inc. v. Didomi	1:19cv01702	Daniels	Affirmed
Rady v. Boston Consulting Group, LLC et al	1:20cv02285	Carter	Affirmed
Mira Advanced Technology Systems Inc. v. Google LLC	1:21cv07931	Carter	Affirmed
Bobcar Media, LLC v. Aardvark Event Logistics, Inc.	1:16cv00885	Oetken	Affirmed
VR Optics LLC v. Peloton Interactive, Inc.	1:16cv06392	Oetken	Affirmed
Ottah v. National Grid	1:22cv02935	Engelmayer	Affirmed
Ottah v. Verifone System Inc.	1:21cv09645	Torres	Affirmed
Ottah v. Bracewell LLP	1:21cv00455	Failla	Affirmed
Grecia v. Samsung Electronics America, Inc.	1:19cv03278	Caproni	Affirmed
AuthWallet, LLC v. Block, Inc.	1:21cv05463	Liman	Affirmed
Kaufman v. Microsoft Corporation	1:16cv02880	Hellerstein	Affirmed,Reversed
Weisner v. Google LLC	1:20cv02862	Hellerstein	Affirmed,Reversed
Spin Master, Ltd. v. E. Mishan & Sons, Inc.	1:19cv09035	Cote	Dismissed
Carnegie Institution of Washington et al v. Mahendra Brothers Exports Private Limited et al	1:20cv00200	Rakoff	Dismissed
InMusic Brands, Inc. v. Sony Corporation of America	1:22cv06602	Hellerstein	Dismissed
Perry Street Software, Inc. v. Jedi Technologies, Inc.	1:20cv04539	McMahon	Dismissed
The Topps Company, Inc. v. Koko's Confectionery & Novelty, Inc.	1:16cv05954	Daniels	Dismissed
iSentium, LLC v. Bloomberg Finance L.P. et al	1:17cv07601	Castel	Dismissed
Comcast Corporation et al v. Rovi Corporation et al	1:16cv03852	Oetken	Dismissed
Island Intellectual Property LLC v. Stonecastle Cash Management LLC et al	1:19cv04792	Oetken	Dismissed
NetSoc, LLC v. Chegg INC	1:18cv10262	Abrams	Dismissed
NetSoc, LLC v. LinkedIn Corporation	1:18cv12215	Abrams	Dismissed
Ottah v. National Grid	1:19cv08289	Engelmayer	Dismissed
Ottah v. Verizon Services Corp.	1:19cv08552	Schofield	Dismissed
Allele Biotechnology and Pharmaceuticals, Inc. v. Regeneron Pharmaceuticals, Inc.	7:20cv08255	Halpern	Dismissed
Cardinal Motors, Inc., v. H&H Sports Protection USA Inc.	1:20cv07899	Crotty	Pending
Network-1 Technologies, Inc. v. Google, L.L.C. et al	1:14cv02396	Gardephe	Pending

Network-1 Technologies, Inc. v. Google, L.L.C. et al	1:14cv09558	Gardephe	Pending
Linfo IP, LLC v. Trustpilot, Inc.	1:24cv02796	Furman	Pending
Focus Products Group International, LLC et al v. Kartri Sales Company, Inc.	1:15cv10154	Engelmayer	Pending
Realtime Tracker, Inc. v. RELX, Inc. d/b/a LexisNexis	1:21cv08815	Engelmayer	Pending

Jury Demands

The number of jury demands by party type is shown below.



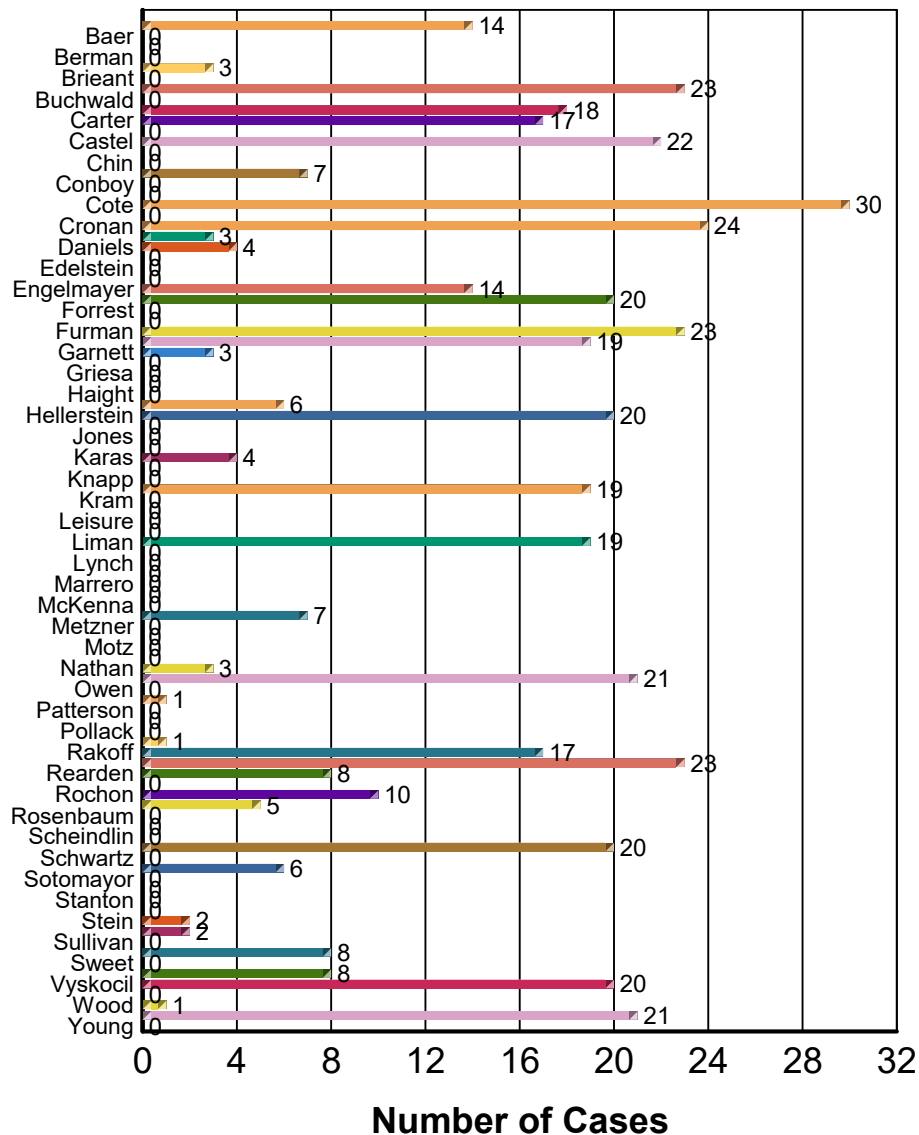
Experience

The active judges in the Alabama Northern District Court vary considerably in their exposure to patent cases in general and to significant motions in those cases.

Total Number of Patent Cases: By Judge

The total number of patent cases per judge is shown below, followed by a table listing the judge, total number of patent cases, total number of closed patent cases and total number of open patent cases.

Total Patent Cases: By Judge



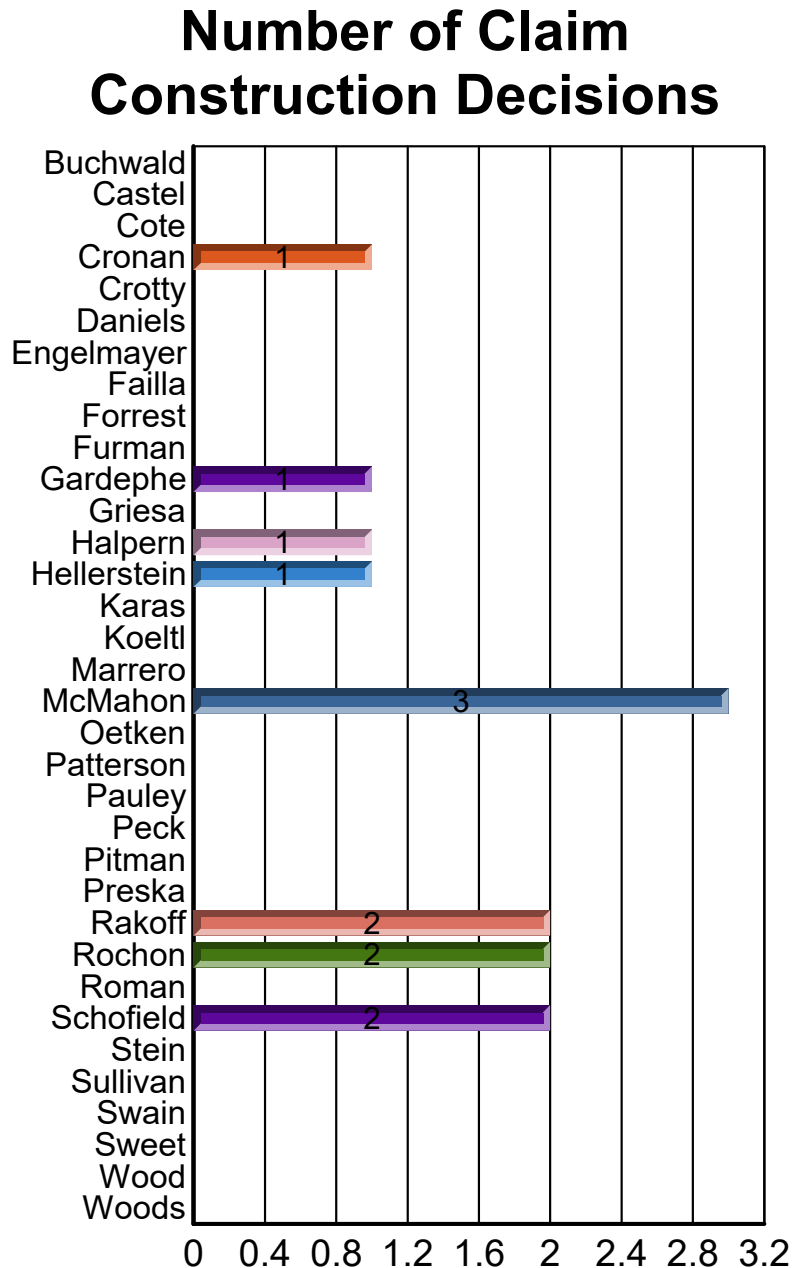
	Total Number of Cases	Number of Closed Cases	Number of Open Cases
Total	496	496	0
Abrams	14	14	0
Briccetti	3	3	0
Broderick	23	23	0
Caproni	18	18	0
Carter	17	17	0
Castel	22	22	0
Clarke	7	7	0
Cote	30	30	0
Cronan	24	24	0
Crotty	3	3	0
Daniels	4	4	0
Engelmayer	14	14	0
Failla	20	20	0
Furman	23	23	0
Gardephe	19	19	0
Garnett	3	3	0
Halpern	6	6	0
Hellerstein	20	20	0
Karas	4	4	0
Koeltl	19	19	0
Liman	19	19	0
McMahon	7	7	0
Nathan	3	3	0
Oetken	21	21	0
Parker	1	1	0
Preska	1	1	0
Rakoff	17	17	0
Ramos	23	23	0
Rearden	8	8	0
Rochon	10	10	0
Roman	5	5	0
Schofield	20	20	0
Seibel	6	6	0
Stein	2	2	0

	Total Number of Cases	Number of Closed Cases	Number of Open Cases
Subramanian	2	2	0
Swain	8	8	0
Torres	8	8	0
Vyskocil	20	20	0
Wood	1	1	0
Woods	21	21	0

Total Number of Claim Construction Rulings: By Judge

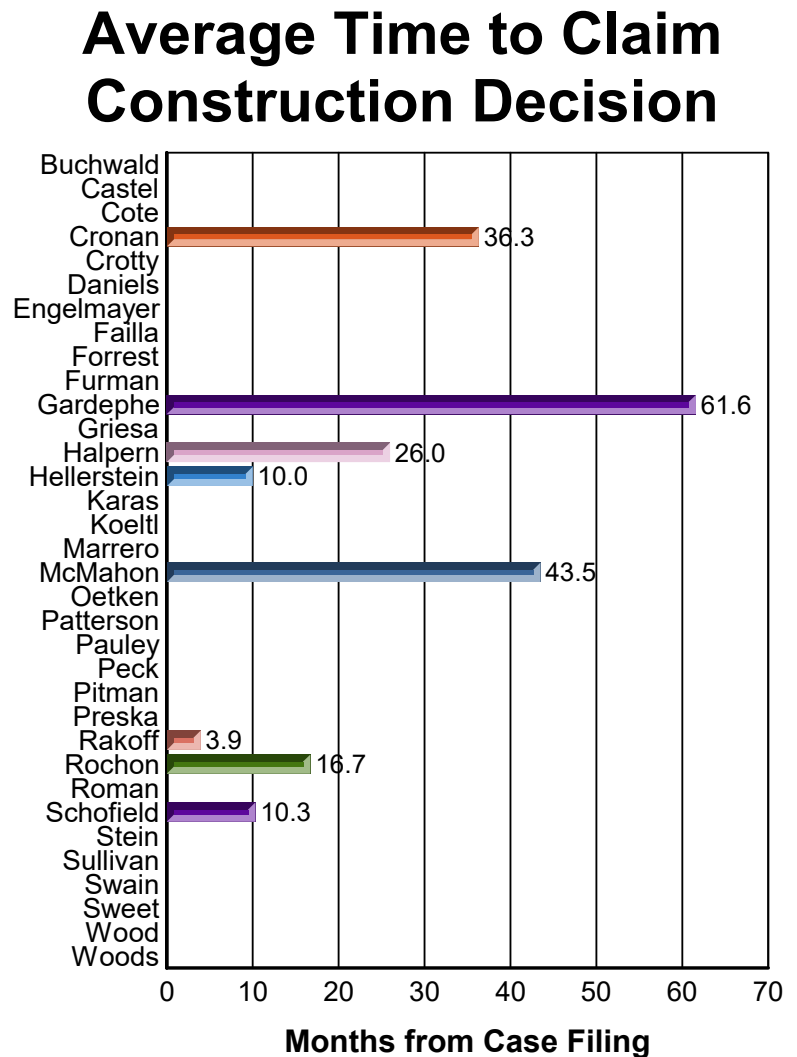
The number of claim construction rulings for each active judge is shown below. These figures do not include summary judgment decisions that may involve claim construction issues.

	Number of Decisions
Cronan	1
Gardephe	1
Halpern	1
Hellerstein	1
McMahon	3
Rakoff	2
Rochon	2
Schofield	2



The average time (in months) from case filing to claim construction rulings for each active judge is shown below.

	Months to Decision
Cronan	36.3
Gardephe	61.6
Halpern	26.0
Hellerstein	10.0
McMahon	43.5
Rakoff	3.9
Rochon	16.7
Schofield	10.3

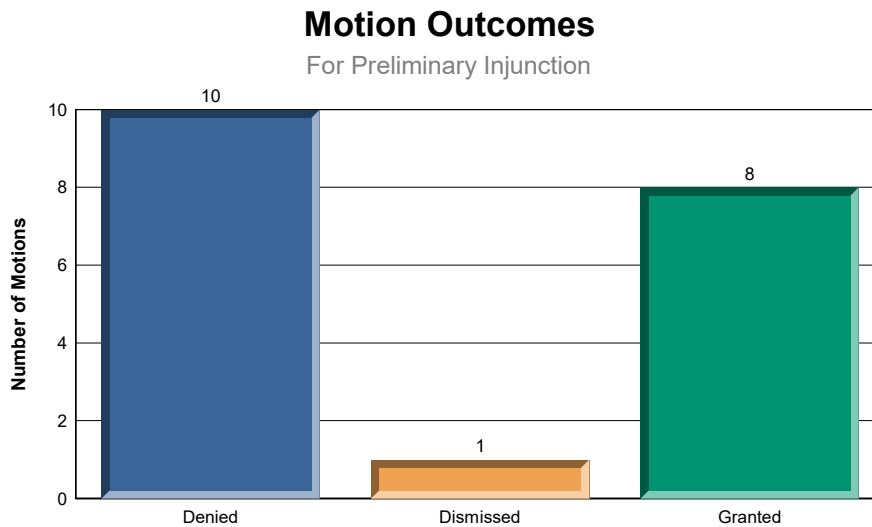


Motion Outcomes

The win rates and times to decision on contested preliminary injunction, stay pending reexam, summary judgment, and transfer motions are shown below. A motion that is granted in part and denied in part is treated as "1/2" granted, and "1/2" denied.

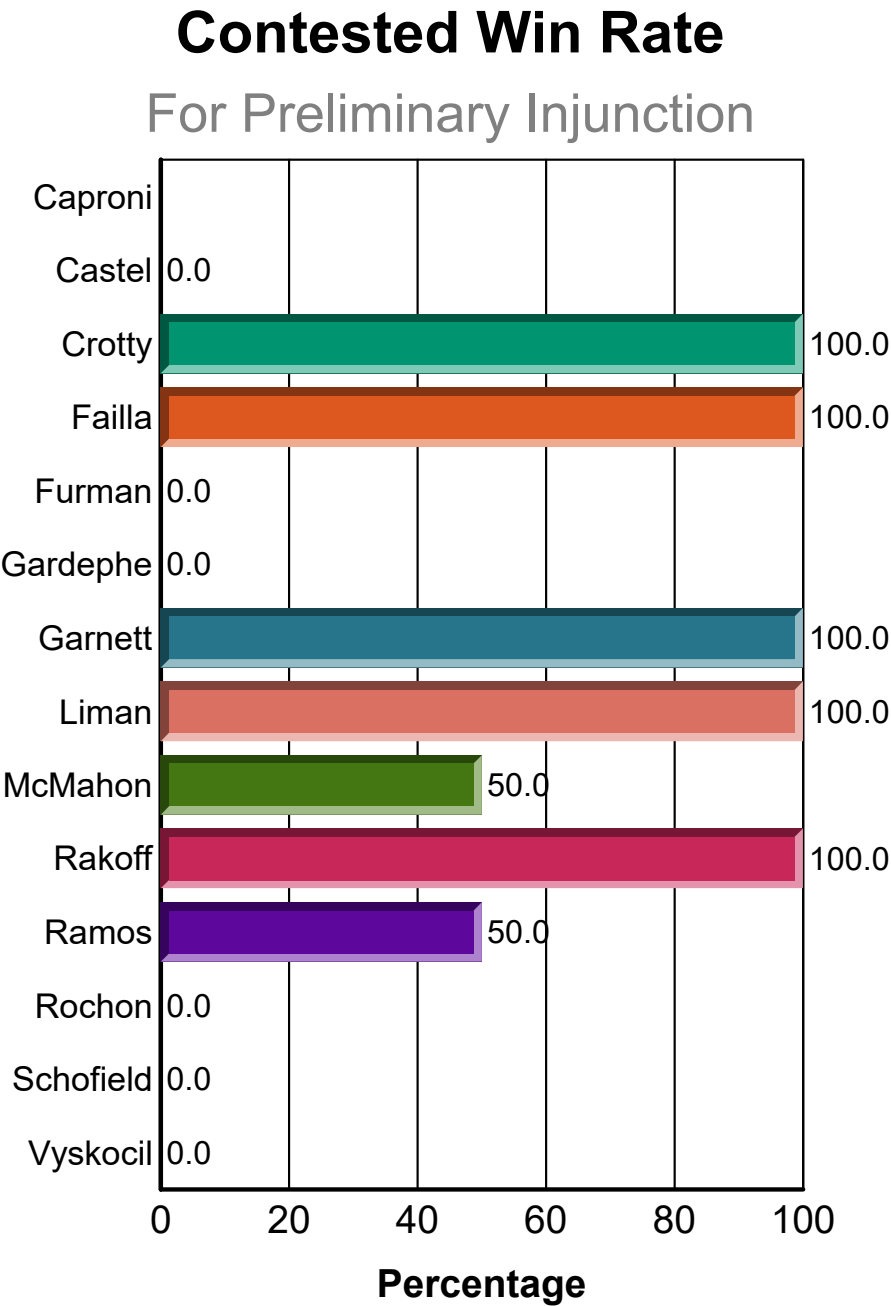
Preliminary Injunction

The number of Preliminary Injunction motions by outcome are shown below.



	Total
Total	19
Denied	10
Dismissed	1
Granted	8

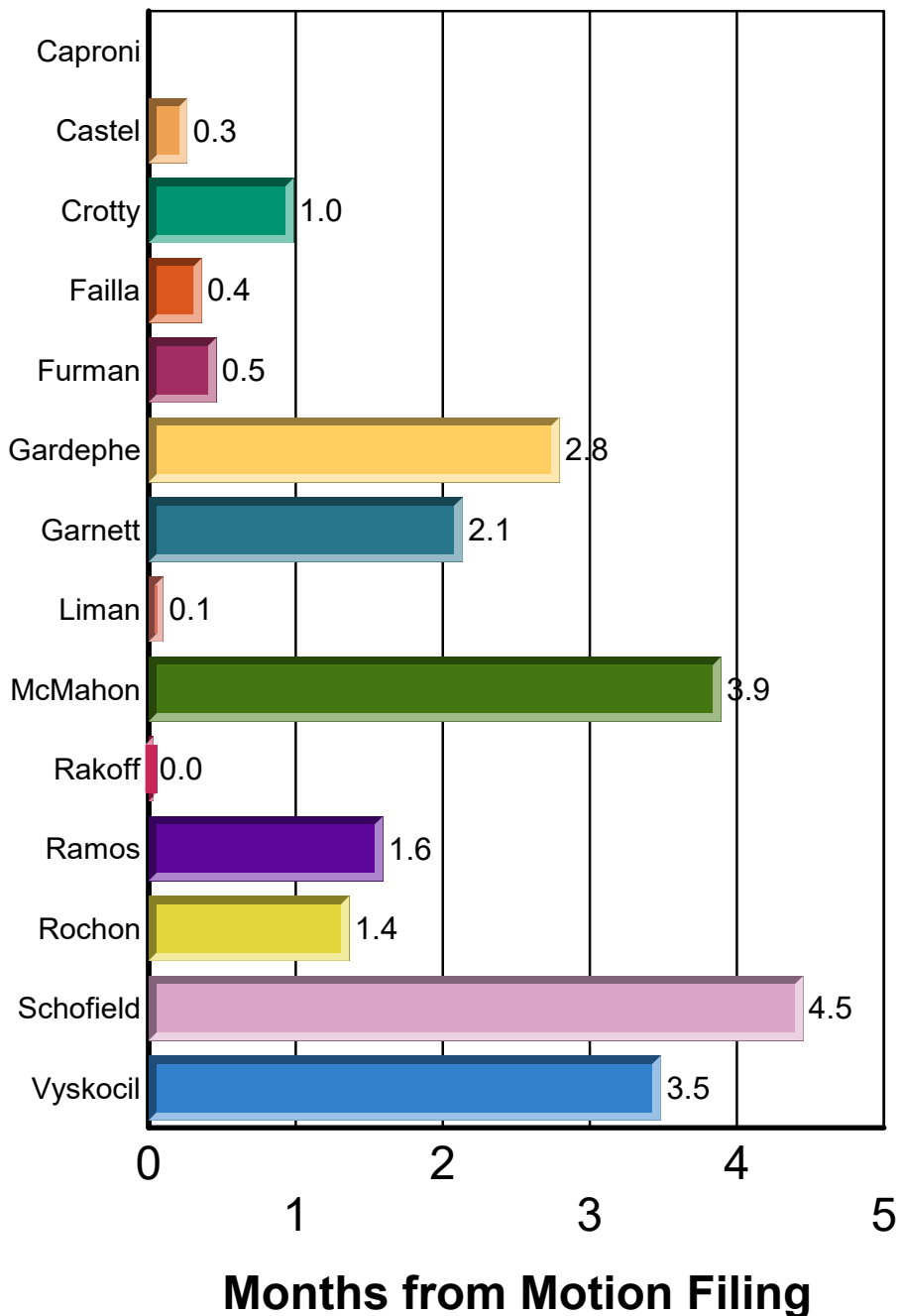
The win rates, by judge, on contested Preliminary Injunction motions are shown below. The win rate for judges with no contested decisions (if any) is left blank.



The average times from motion filing to decision, by judge, on contested Preliminary Injunction motions are shown below. The time for judges with no contested decisions (if any) is left blank.

Average Time to Decision, by Judge

For Preliminary Injunction

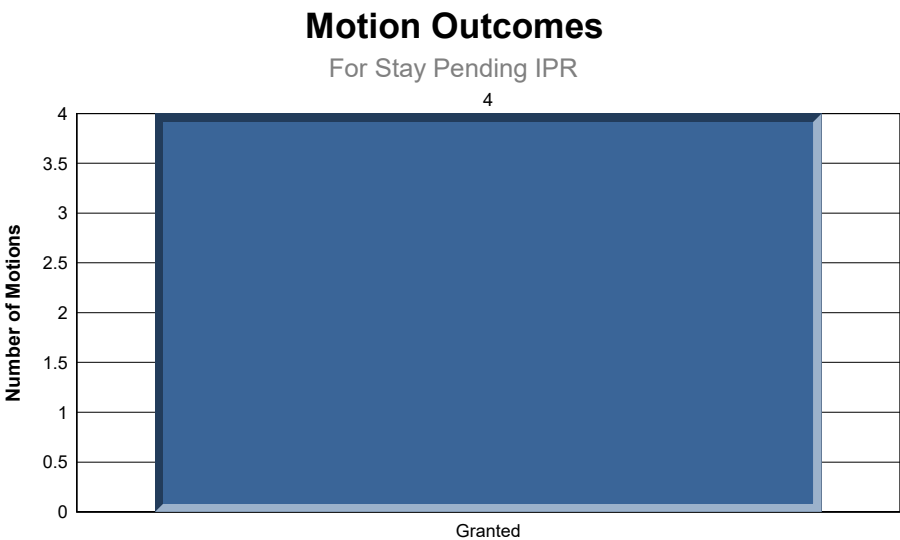


The supporting data for Preliminary Injunction motions is found in the following table:

	Total Motions	Contested Decisions	Win Rate	Time to Decision
District	19	18	44.4	1.9
Caproni	1	0		
Castel	1	1	0.0	0.3
Crotty	2	2	100.0	1.0
Failla	1	1	100.0	0.4
Furman	1	1	0.0	0.5
Gardephe	1	1	0.0	2.8
Garnett	1	1	100.0	2.1
Liman	1	1	100.0	0.1
McMahon	2	2	50.0	3.9
Rakoff	1	1	100.0	0.0
Ramos	2	2	50.0	1.6
Rochon	2	2	0.0	1.4
Schofield	2	2	0.0	4.5
Vyskocil	1	1	0.0	3.5

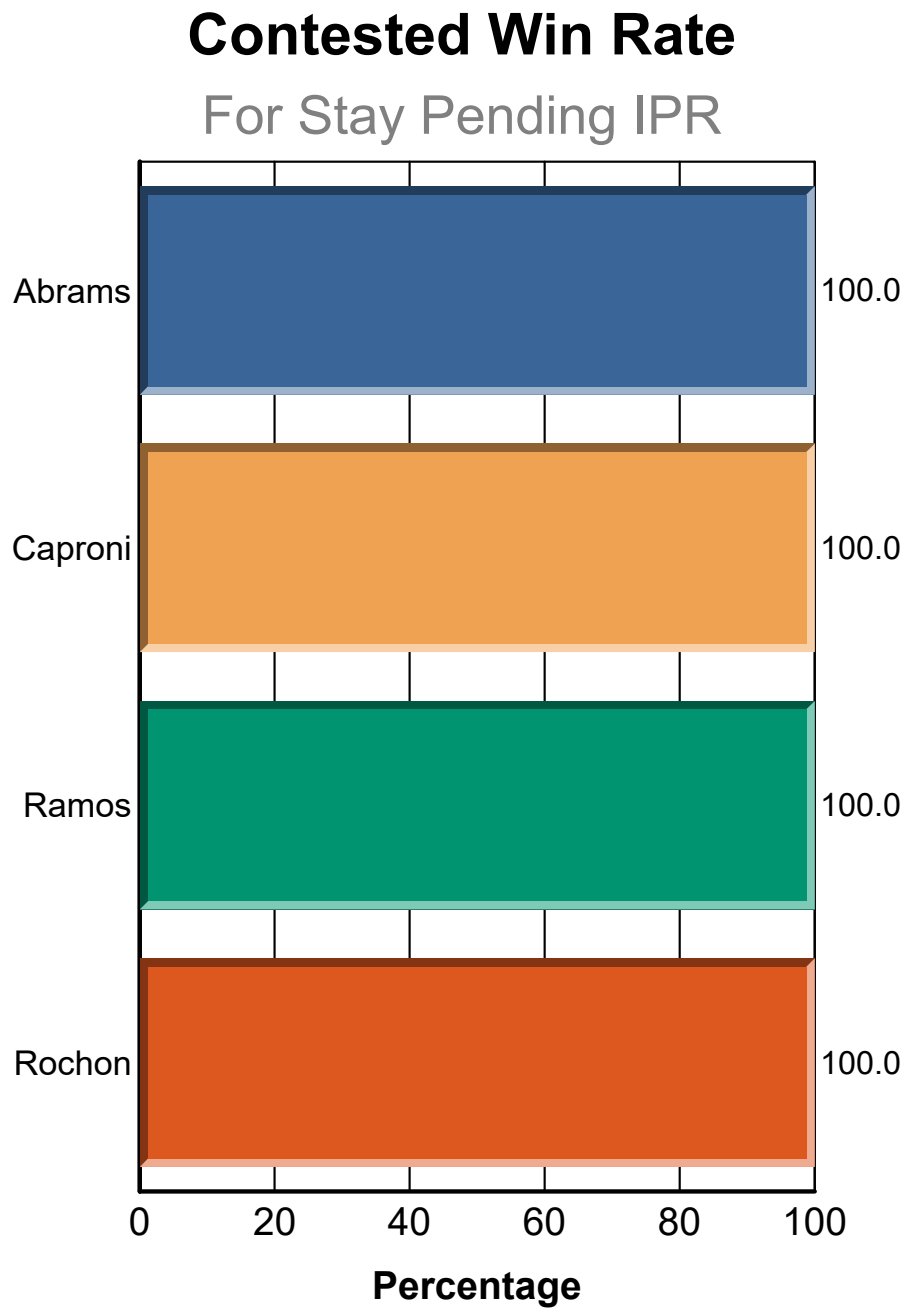
Stay Pending IPR

The number of Stay Pending IPR motions by outcome are shown below.



	Total
Total	4
Granted	4

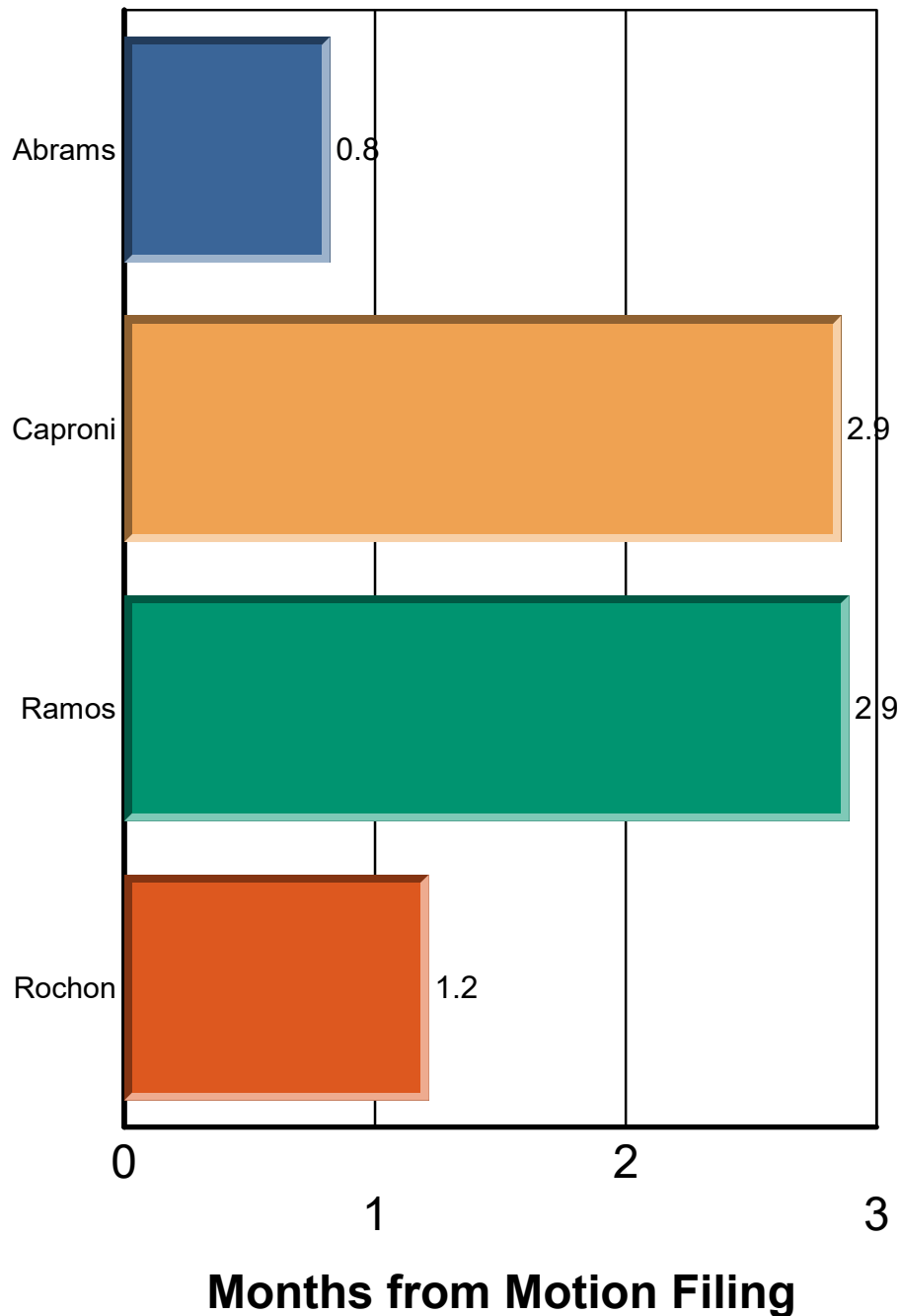
The win rates, by judge, on contested Stay Pending IPR motions are shown below. The win rate for judges with no contested decisions (if any) is left blank.



The average times from motion filing to decision, by judge, on contested Stay Pending IPR motions are shown below. The time for judges with no contested decisions (if any) is left blank.

Average Time to Decision, by Judge

For Stay Pending IPR

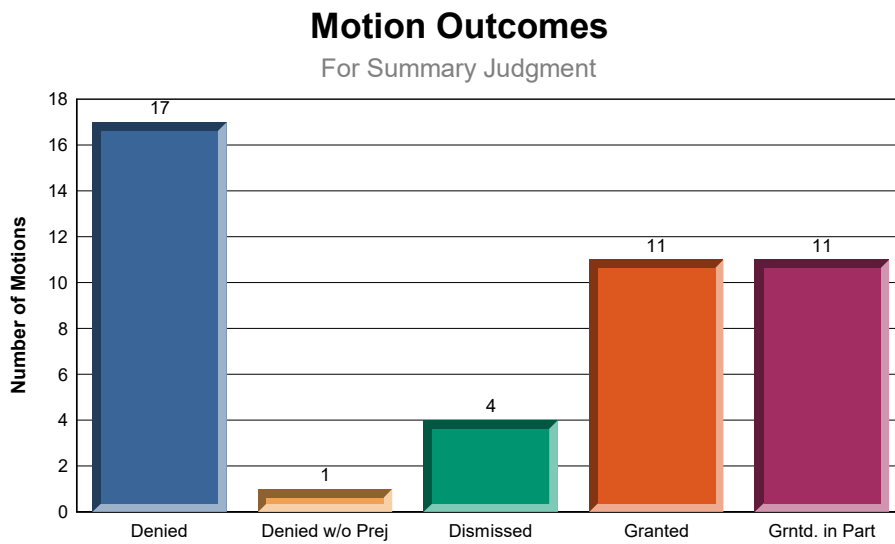


The supporting data for Stay Pending IPR motions is found in the following table:

	Total Motions	Contested Decisions	Win Rate	Time to Decision
District	4	4	100.0	1.9
Abrams	1	1	100.0	0.8
Caproni	1	1	100.0	2.9
Ramos	1	1	100.0	2.9
Rochon	1	1	100.0	1.2

Summary Judgment

The number of Summary Judgment motions by outcome are shown below.

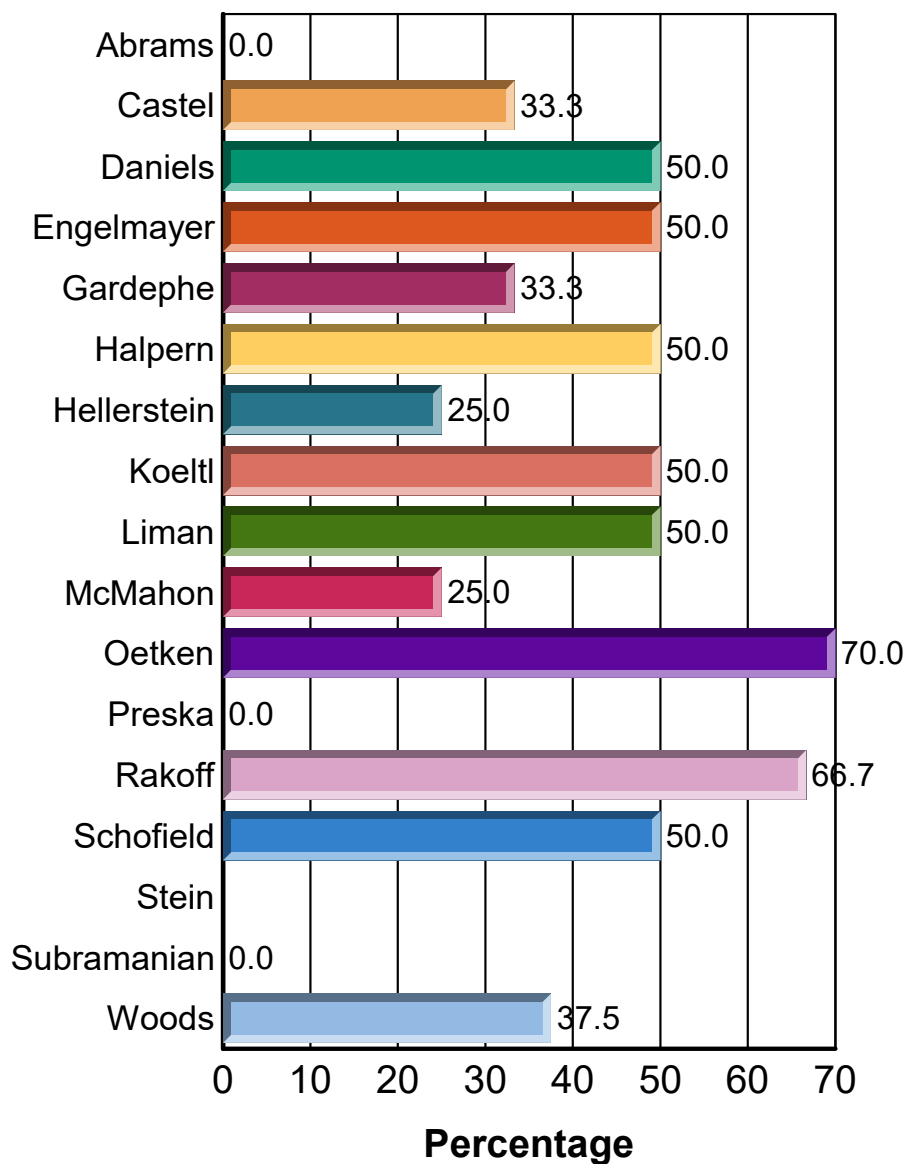


	Total
Total	44
Denied	17
Denied w/o Prej	1
Dismissed	4
Granted	11
Grntd. in Part	11

The win rates, by judge, on contested Summary Judgment motions are shown below. The win rate for judges with no contested decisions (if any) is left blank.

Contested Win Rate

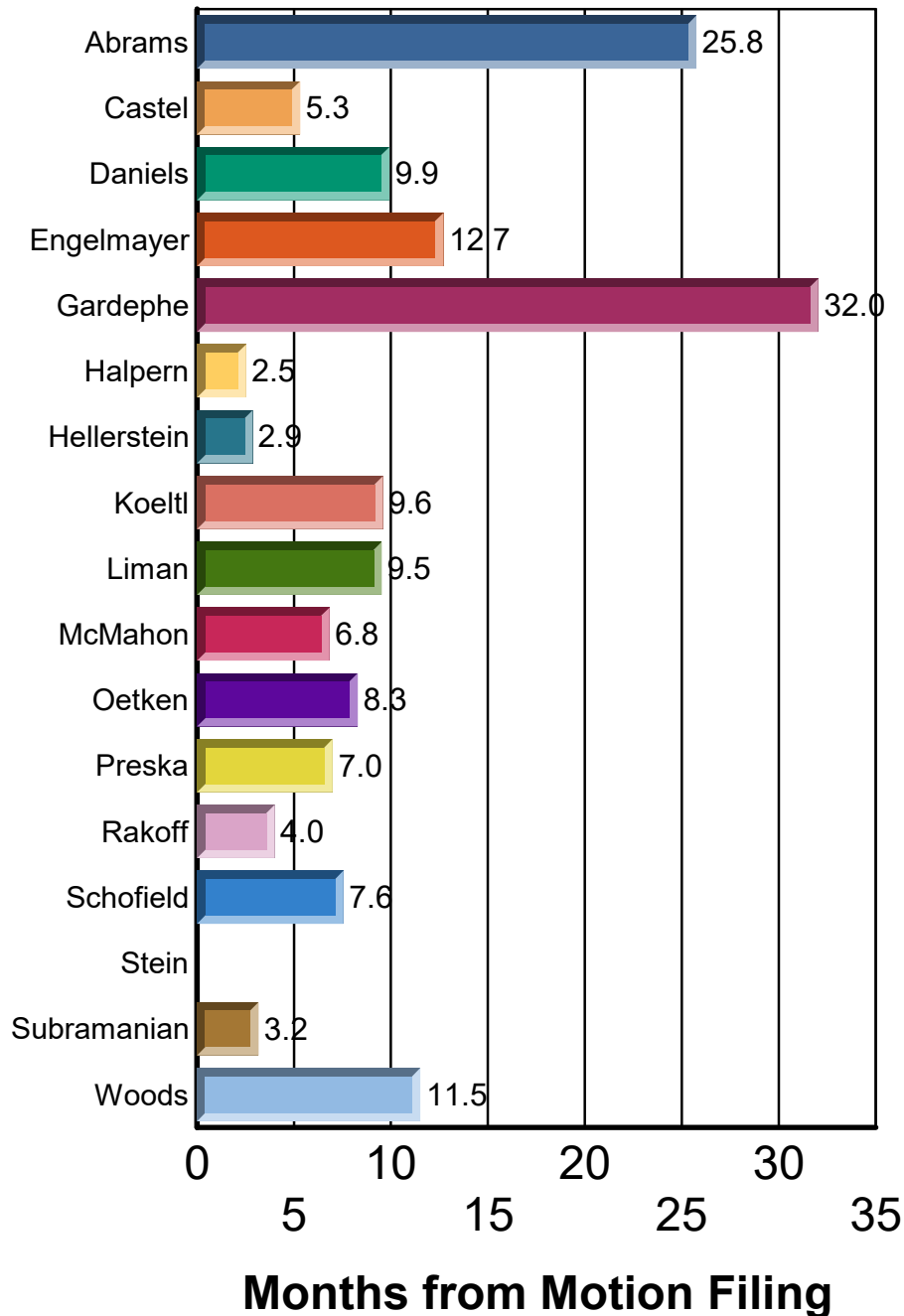
For Summary Judgment



The average times from motion filing to decision, by judge, on contested Summary Judgment motions are shown below. The time for judges with no contested decisions (if any) is left blank.

Average Time to Decision, by Judge

For Summary Judgment

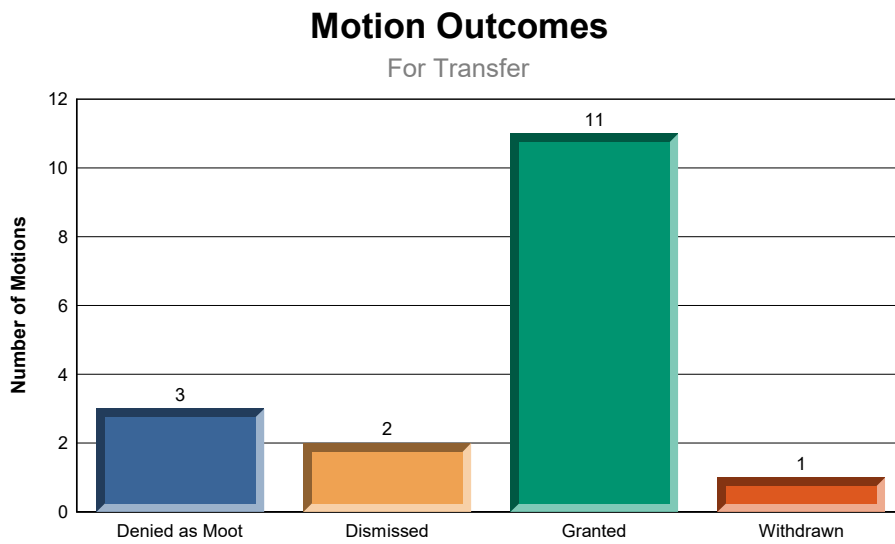


The supporting data for Summary Judgment motions is found in the following table:

	Total Motions	Contested Decisions	Win Rate	Time to Decision
District	44	40	41.3	9.5
Abrams	1	1	0.0	25.8
Castel	3	3	33.3	5.3
Daniels	2	2	50.0	9.9
Engelmayer	1	1	50.0	12.7
Gardephe	3	3	33.3	32.0
Halpern	2	2	50.0	2.5
Hellerstein	2	2	25.0	2.9
Koeltl	2	2	50.0	9.6
Liman	2	2	50.0	9.5
McMahon	3	2	25.0	6.8
Oetken	7	5	70.0	8.3
Preska	1	1	0.0	7.0
Rakoff	3	3	66.7	4.0
Schofield	4	4	50.0	7.6
Stein	1	0		
Subramanian	3	3	0.0	3.2
Woods	4	4	37.5	11.5

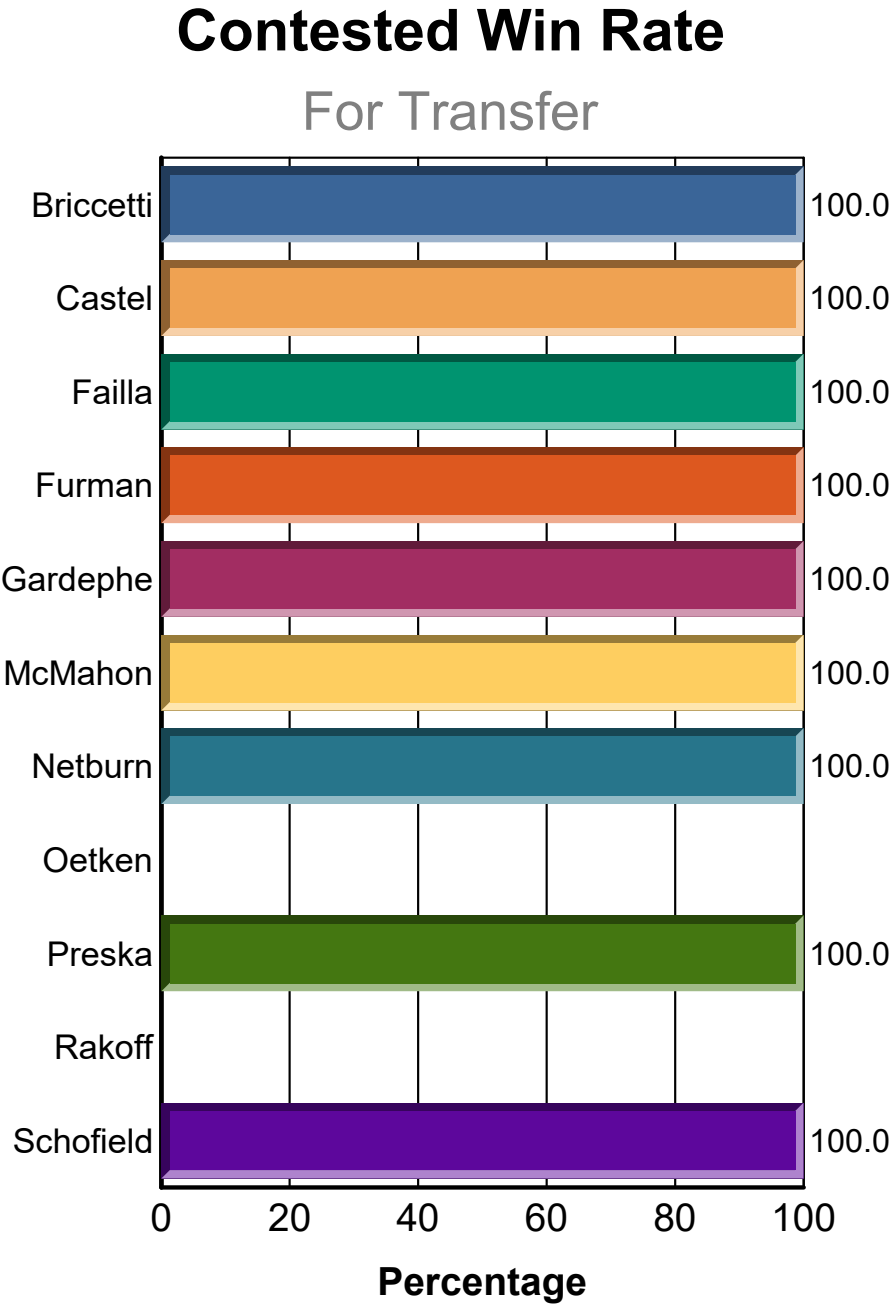
Transfer

The number of Transfer motions by outcome are shown below.



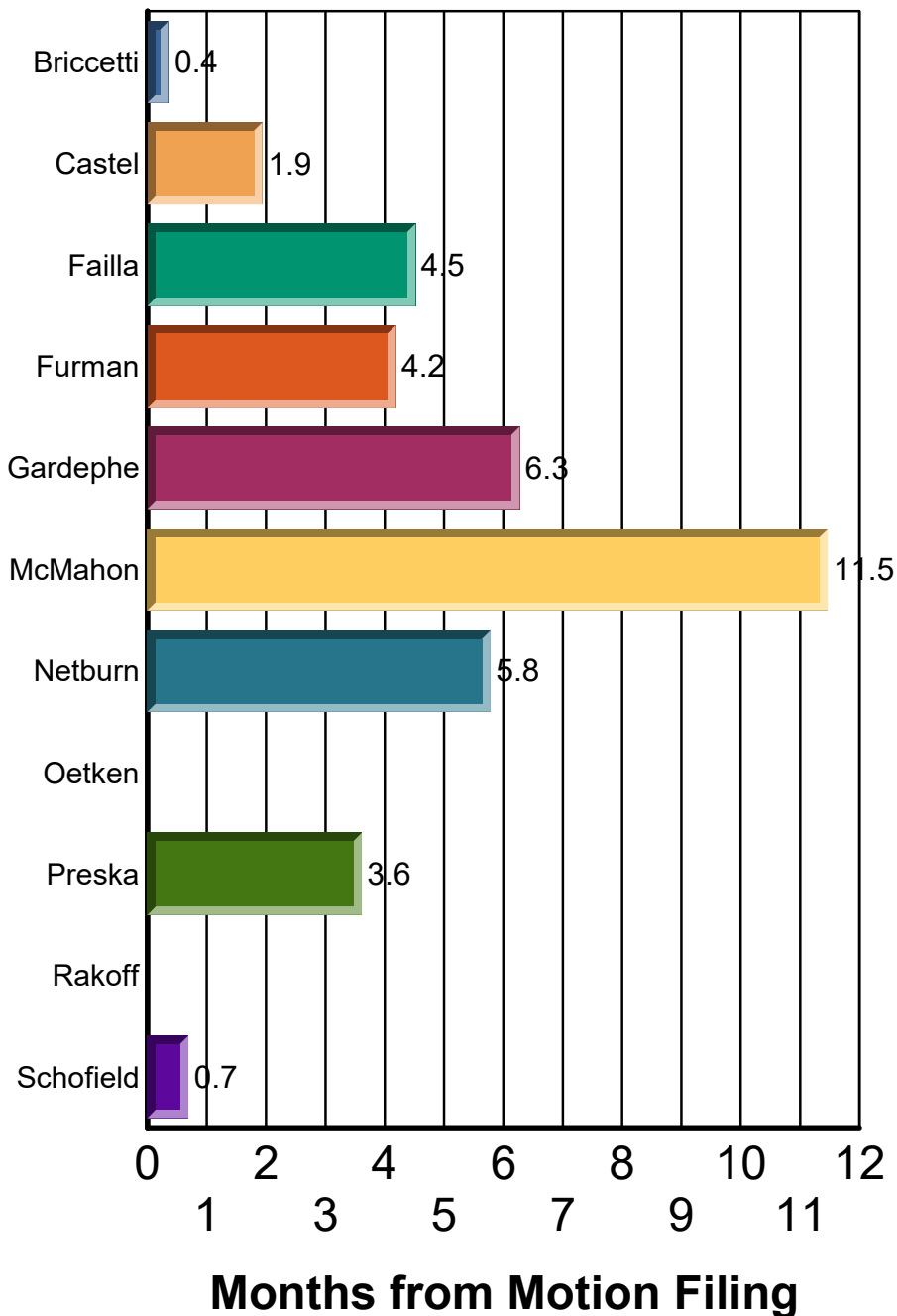
	Total
Total	17
Denied as Moot	3
Dismissed	2
Granted	11
Withdrawn	1

The win rates, by judge, on contested Transfer motions are shown below. The win rate for judges with no contested decisions (if any) is left blank.



The average times from motion filing to decision, by judge, on contested Transfer motions are shown below. The time for judges with no contested decisions (if any) is left blank.

Average Time to Decision, by Judge For Transfer

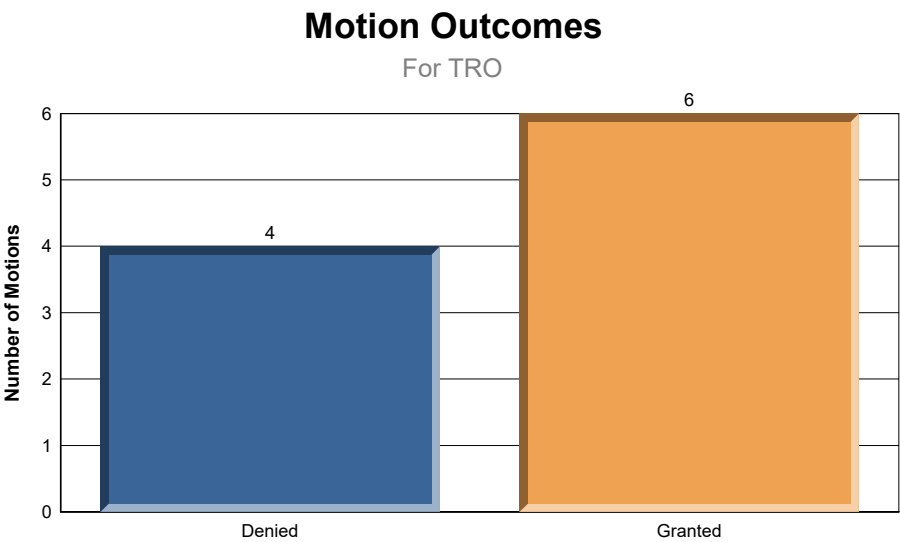


The supporting data for Transfer motions is found in the following table:

	Total Motions	Contested Decisions	Win Rate	Time to Decision
District	17	11	100.0	4.3
Briccetti	1	1	100.0	0.4
Castel	2	1	100.0	1.9
Failla	2	2	100.0	4.5
Furman	3	2	100.0	4.2
Gardephe	1	1	100.0	6.3
McMahon	1	1	100.0	11.5
Netburn	1	1	100.0	5.8
Oetken	1	0		
Preska	1	1	100.0	3.6
Rakoff	1	0		
Schofield	3	1	100.0	0.7

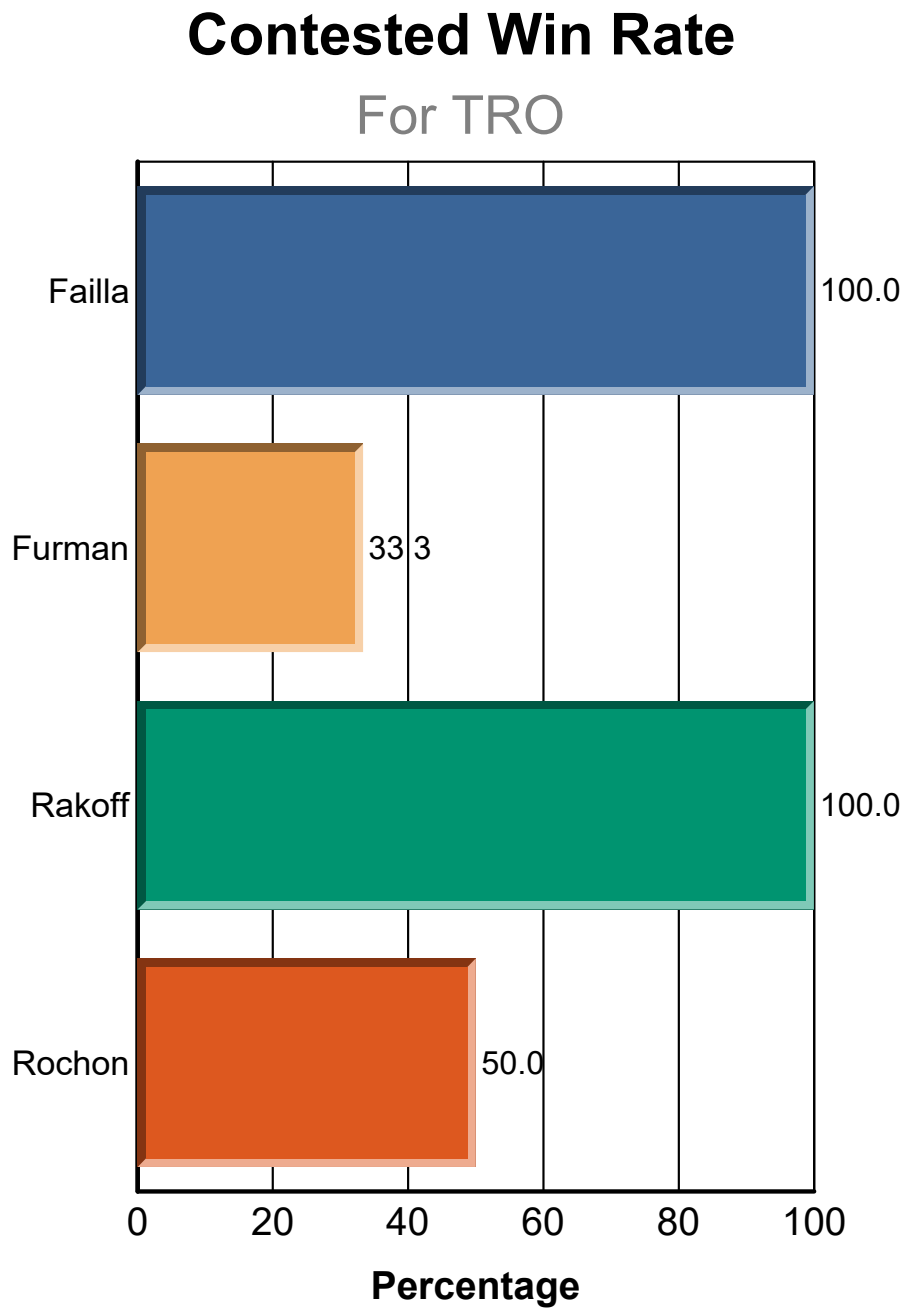
TRO

The number of TRO motions by outcome are shown below.



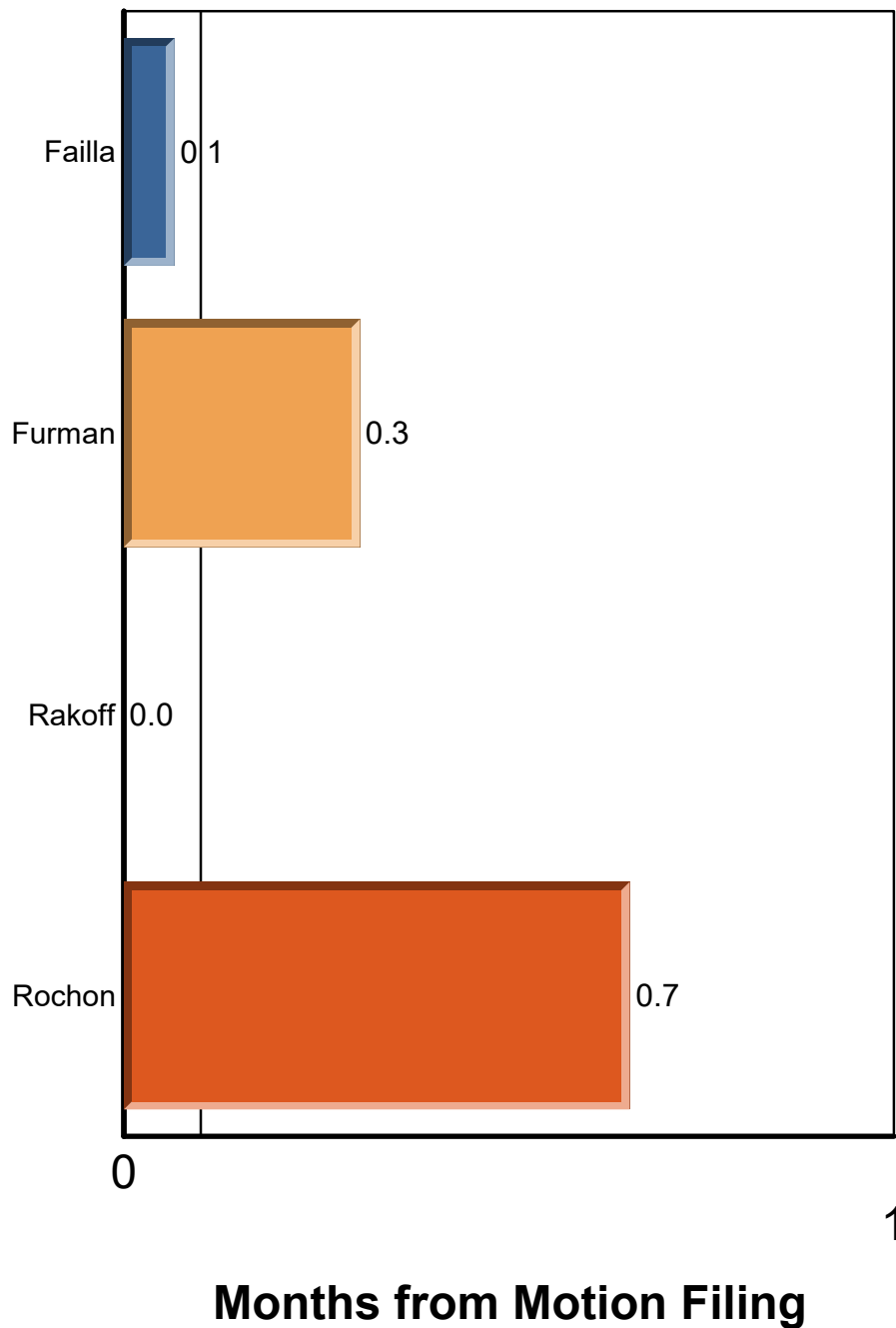
	Total
Total	10
Denied	4
Granted	6

The win rates, by judge, on contested TRO motions are shown below. The win rate for judges with no contested decisions (if any) is left blank.



The average times from motion filing to decision, by judge, on contested TRO motions are shown below. The time for judges with no contested decisions (if any) is left blank.

Average Time to Decision, by Judge For TRO



The supporting data for TRO motions is found in the following table:

	Total Motions	Contested Decisions	Win Rate	Time to Decision
District	10	10	60.0	0.4
Failla	2	2	100.0	0.1
Furman	3	3	33.3	0.3
Rakoff	1	1	100.0	0.0
Rochon	4	4	50.0	0.7