LegalMetric

LegalMetric District Report
Louisiana Eastern District Court
in Patent Cases

January 2020-January 2025

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The information contained in this report is obtained from the official docket records of the federal courts. No attempt has been made to correct that data. For example, cases may be misclassified in the official docket records. In addition, cases are classified only by the primary cause of action. Cases having multiple causes of action are analyzed only under the primary cause of action identitied on the official court docket.

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Overview

This report covers the patent cases of the judges in the Louisiana Eastern District Court as of January 2025 .

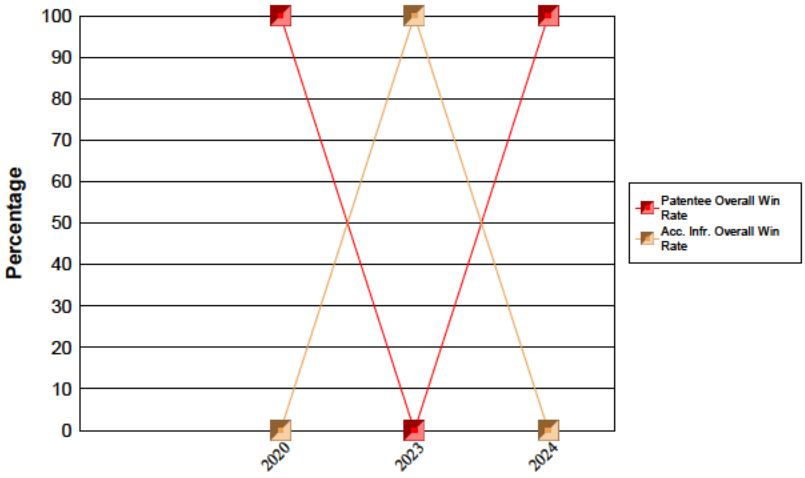
The number of cases, judgments, contested judgments, and trials for this court are shown below.

	Number
Total Cases	9
Open Cases	0
Closed Cases	9
Judgments	3
Contested Judgmnts	2
Trials	1
Bench	0
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	13.1
Judgments	27.1
Contested	36.4
Trial	40.8
Bench	
Jury	40.8

Patentee and Accused Infringer Overall Win Rate by Year

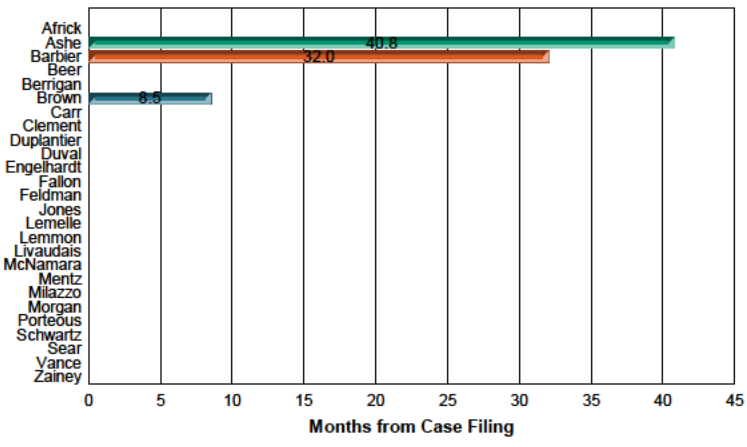


	Pat. Win Rate
Overall	66.7
Contested	50.0
Trial	100.0
Bench	
Jury	100.0

	Accused Win Rate
Overall	33.3
Contested	50.0
Trial	0.0
Bench	
Jury	0.0

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.

Average Time to Termination by Judgment



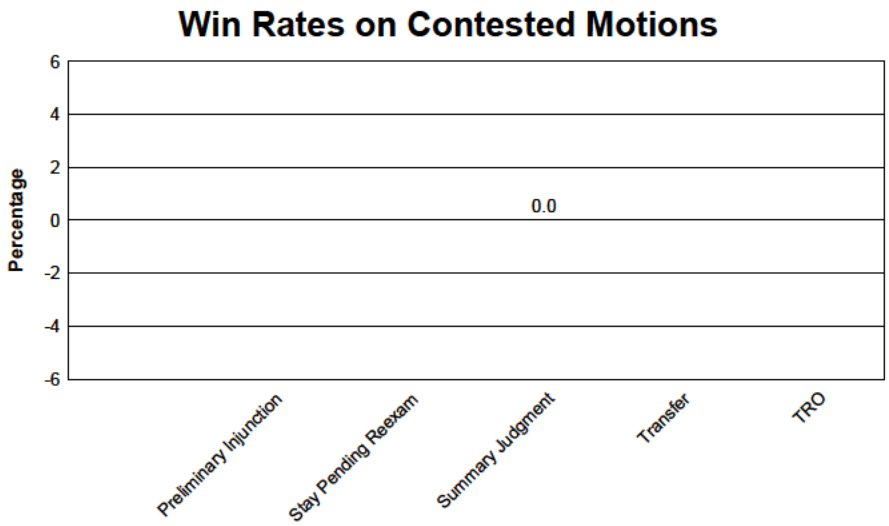
Larger Version in Body of Report

The average and median award amounts for this district are:

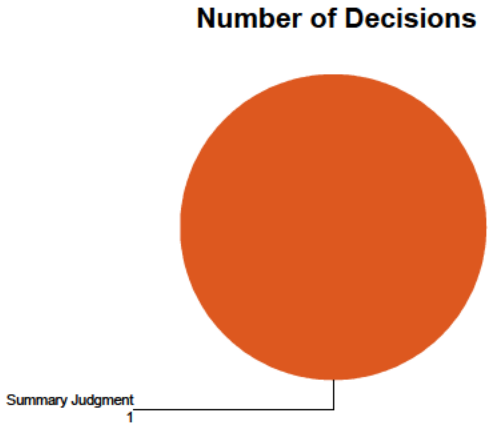
Average: $6,453,748
Median: $6,453,748

Appeals:	Number of Appeals	Complete Affirmance Rate
Total	1	100.0

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.



	Number of Decisions
Summary Judgment	1



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			100.0	1
Louisiana Eastern	**Total**		100.0	1
	Feldman	**Total**	100.0	1
		Judgment on the Pleadings	100.0	1

Home Field Advantage?

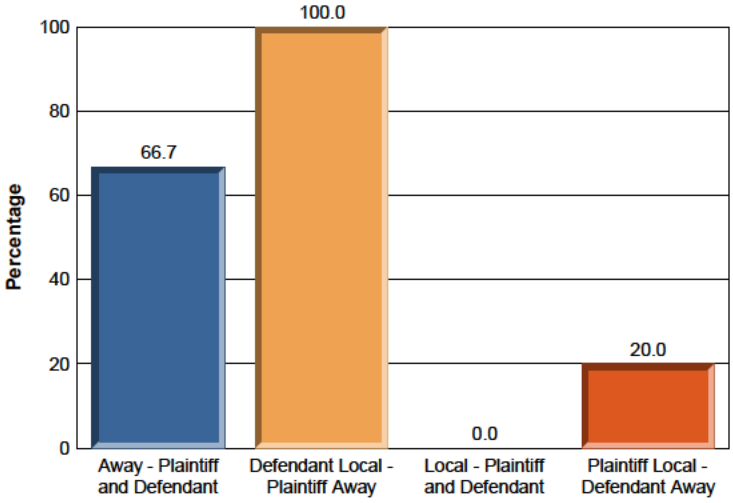
The plaintiff and defendant contested win rates in Louisiana Eastern District Court are shown below, broken out by party location:

> (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).

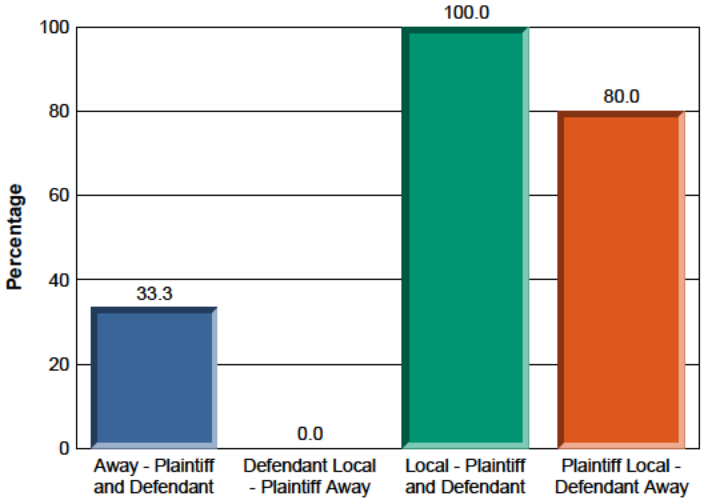
Not all courts fit the expected pattern of favoring local plaintiffs. Many courts in fact show a distinct preference for non-local plaintiffs.

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.

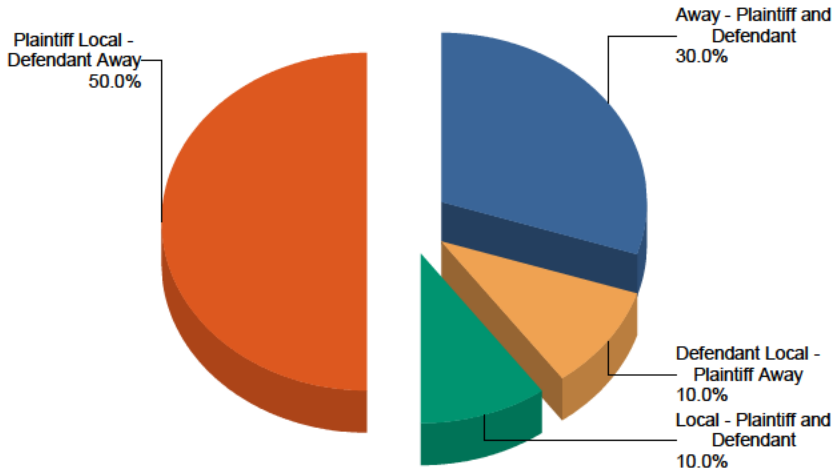
Plaintiff Win Rate, by Party Location



Defendant Win Rate, by Party Location

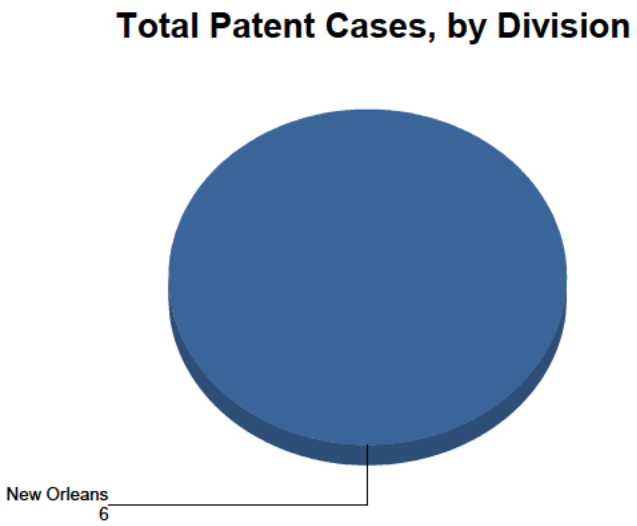


Fraction of Contested Judgments, by Party Location



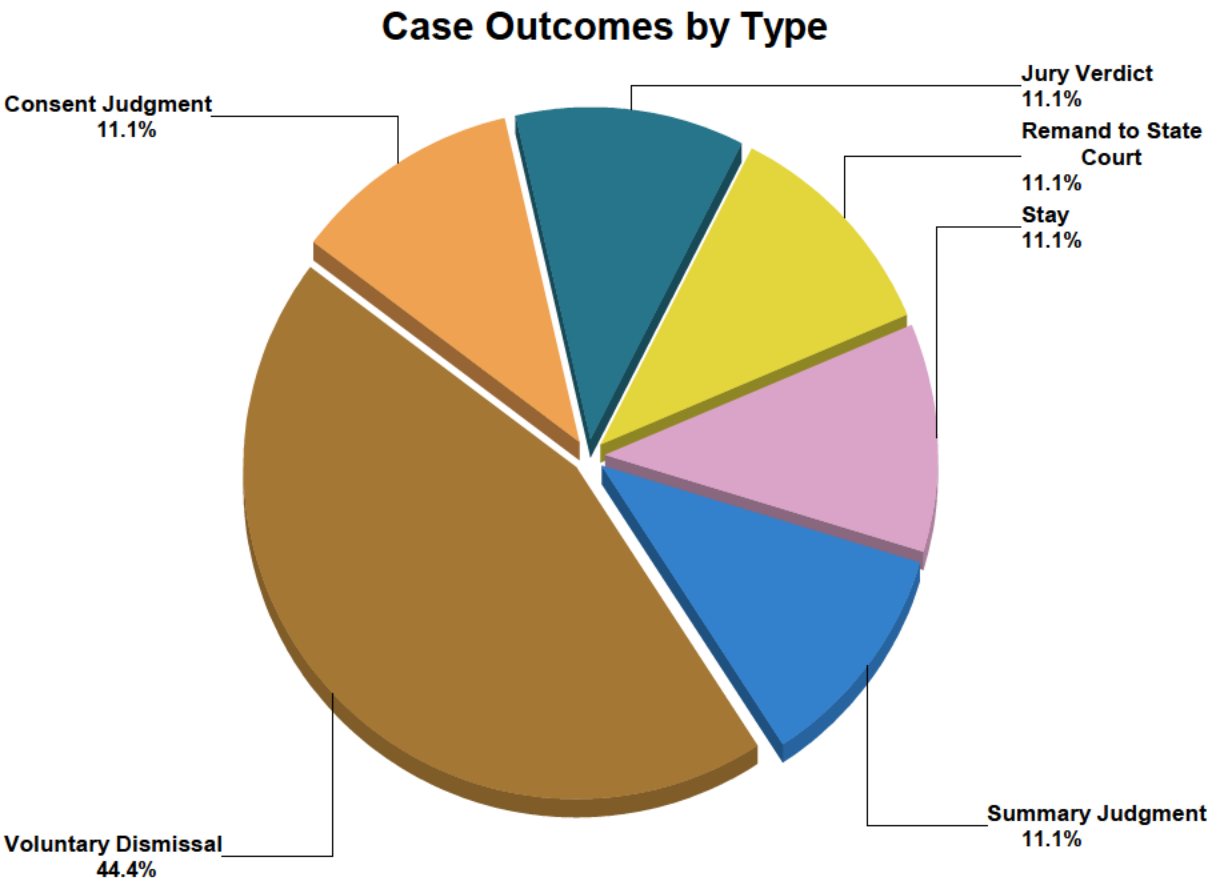
Breakdown by Division

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



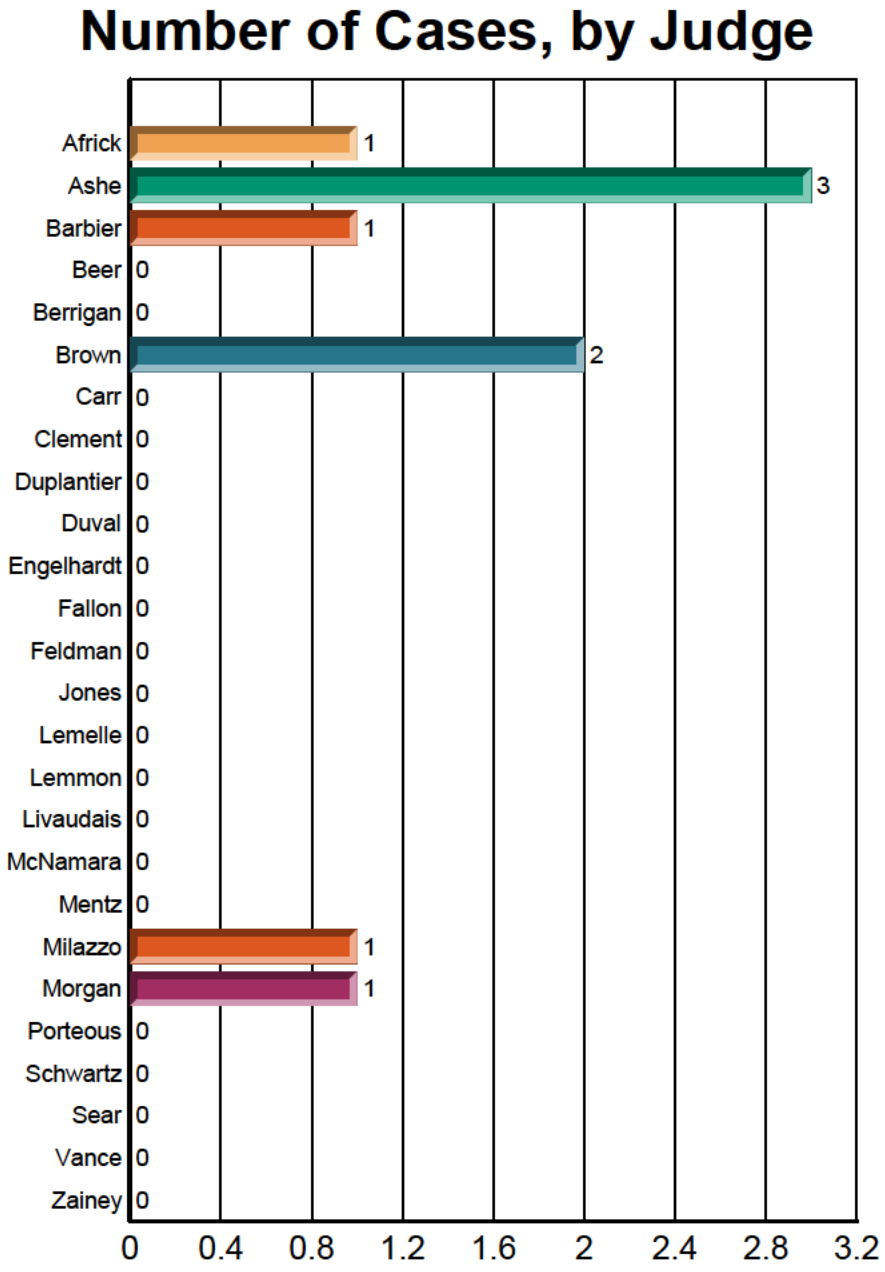
Breakdown by Case Outcome

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.

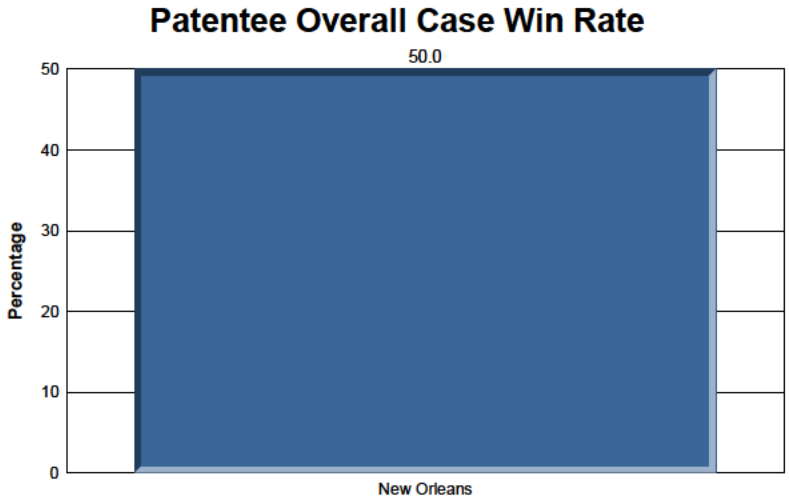


	All Cases
District	9
Africk	1
Ashe	3
Barbier	1
Brown	2
Milazzo	1
Morgan	1

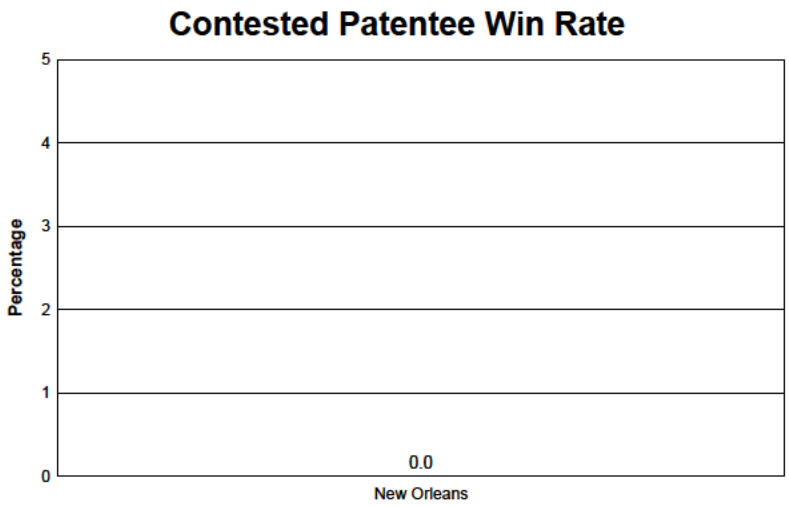
Divisional Comparisons

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.

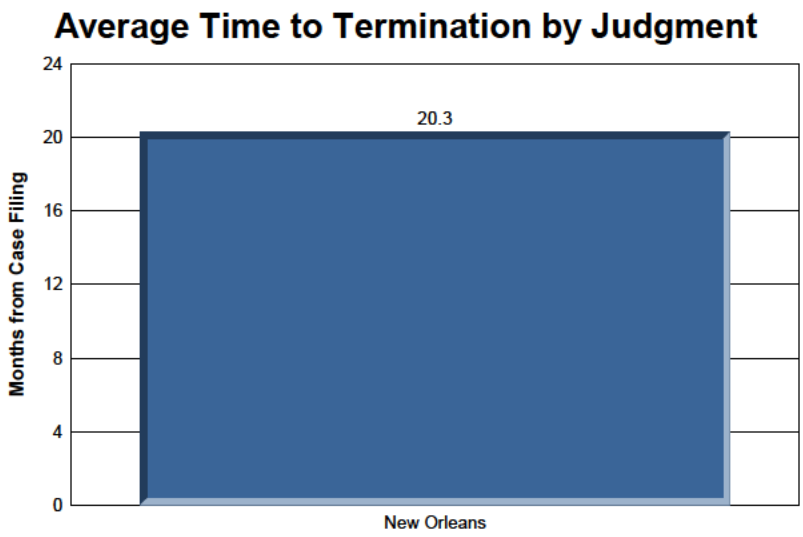
	Plaintiff Win Rate/ No. of Judgments	
District	50.0	2
New Orleans	50.0	2



	Contested Win Rate/ Number Contested	
District	0.0	1
New Orleans	0.0	1

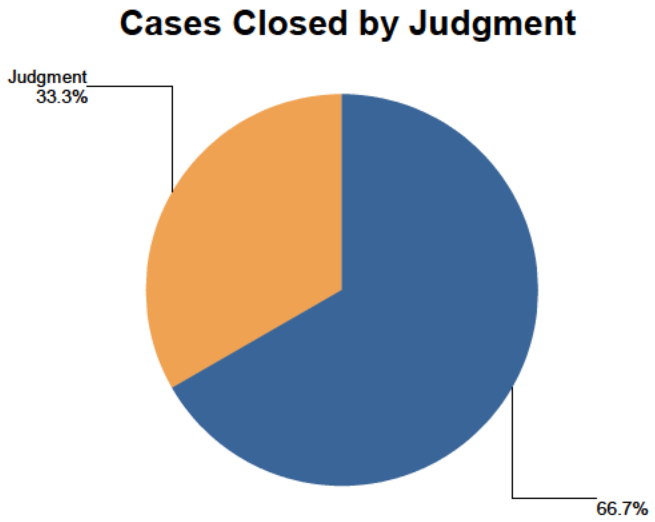


	Time to Term./ Number of Judgmts.	
District	20.3	2
New Orleans	20.3	2



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.

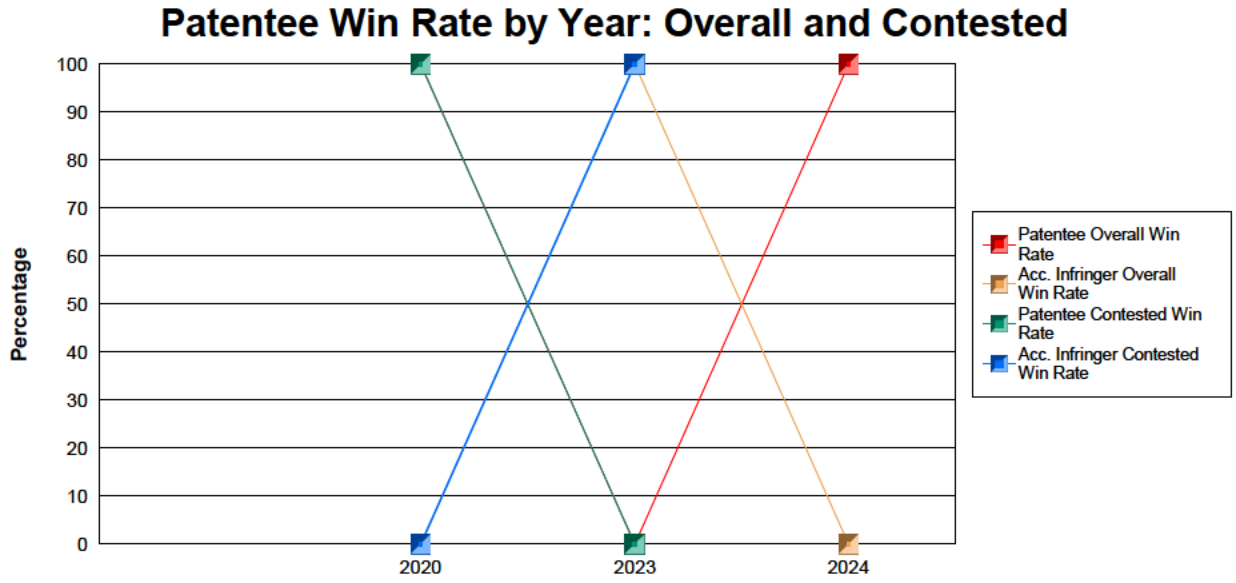


The number of judgments by each outcome, the overall patentee win rate, the contested patentee win rate, and the trial win rate for each outcome are shown below. Note that the overall win rate includes consent and default judgments, whereas the contested win rate does not include consent and default 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.

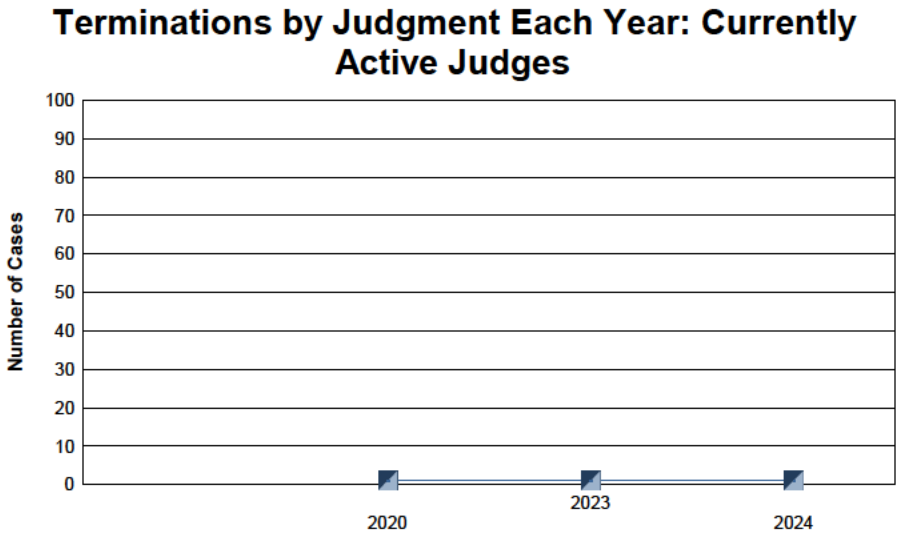
	Number of Judgments	Overall Win Rate	Contested Win Rate	Trial Win Rate
Consent Judgment	1	100.0		
Jury Verdict	1	100.0	100.0	100.0
Summary Judgment	1	0.0	0.0	

Win Rates by Year

The following chart shows the patentee overall win rate and contested win rate for the active judges in the Louisiana Eastern 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 Louisiana Eastern District Court is shown in the following chart:

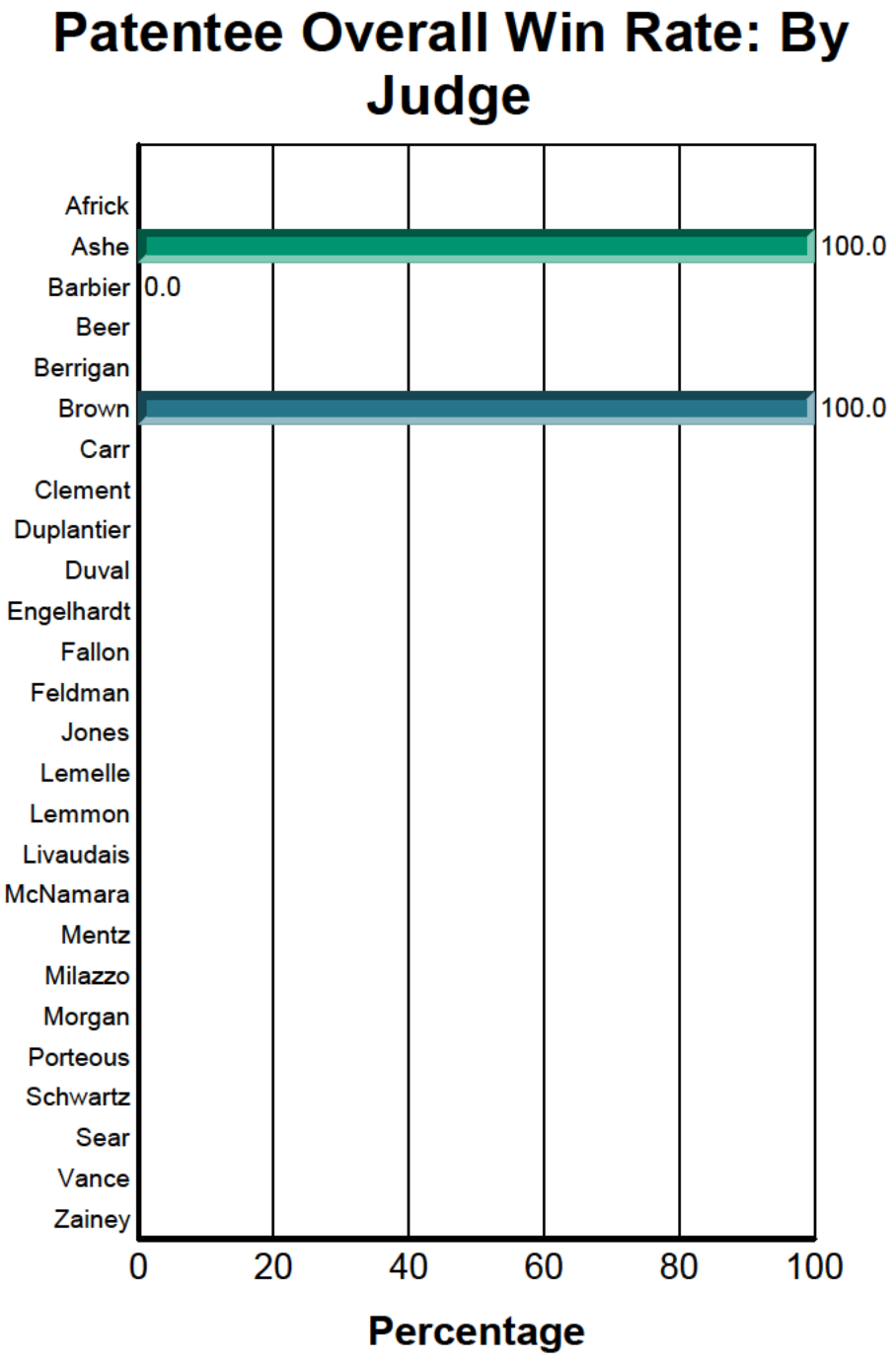


The actual number of judgments, number of patentee "wins", and the corresponding win rates are shown below. In this report, a judgment entered in favor of both the plaintiff and the defendant on their respective patent infringement claims is counted as "1/2" a win for each party. This could happen, for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

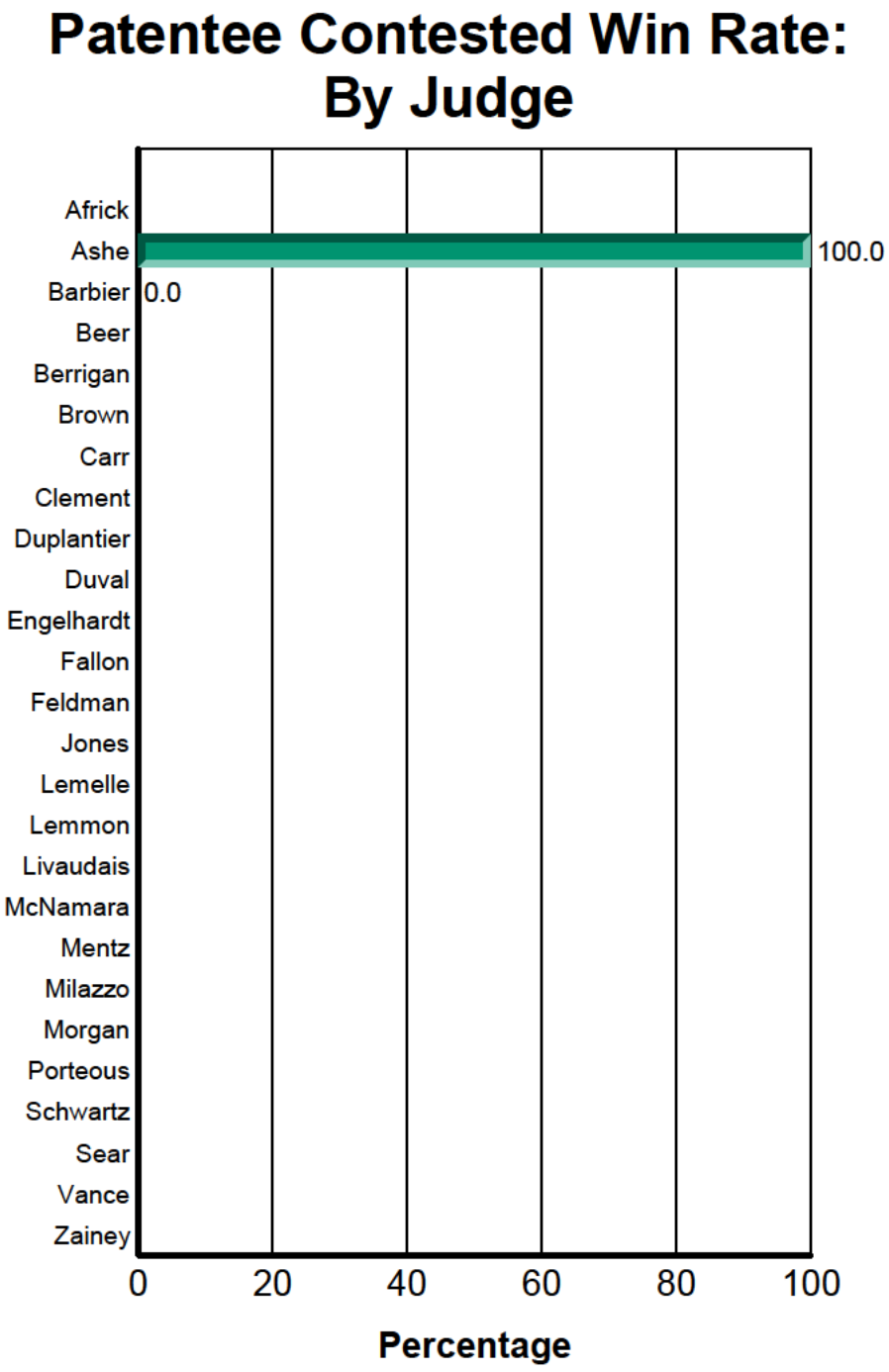
	Patentee Wins	Total Decisions	Patentee Win Rate	Acc. Infr. Win Rate
2020	1	1	100.0	0.0
2023	0	1	0.0	100.0
2024	1	1	100.0	0.0

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.



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.

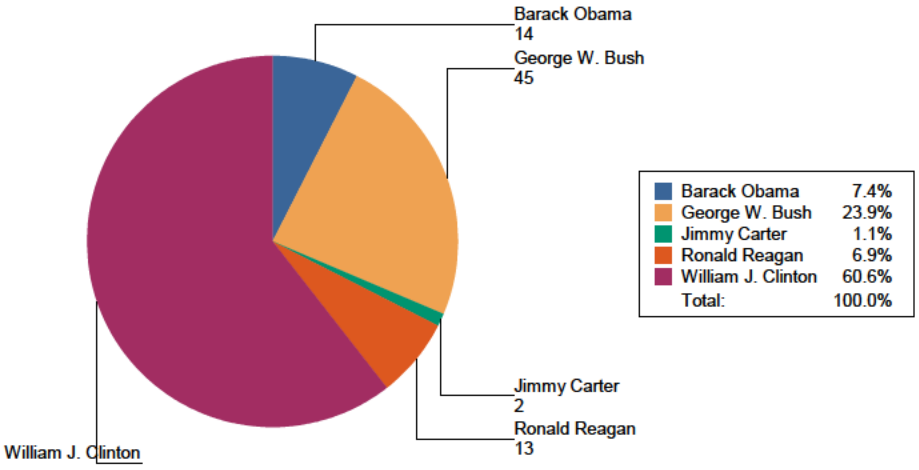


The table below includes the patentee overall and contested win rates for each active judge, along with the number of terminations by judgment and by contested judgment by that judge in patent cases during the period covered by this report. Judges with no judgments are not included.

	Overall Win Rate	Number of Judgments	Contested Win Rate	Contested Judgments
Total	66.7	3	50.0	2
Ashe	100.0	1	100.0	1
Barbier	0.0	1	0.0	1
Brown	100.0	1		0

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.

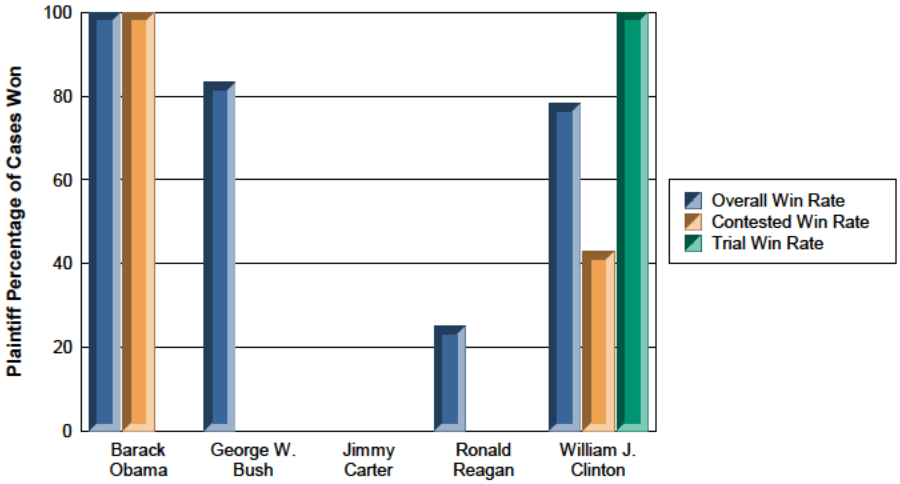
Number of Cases - by Nominating President



Number of Cases: The number of cases assigned to active jduges 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).

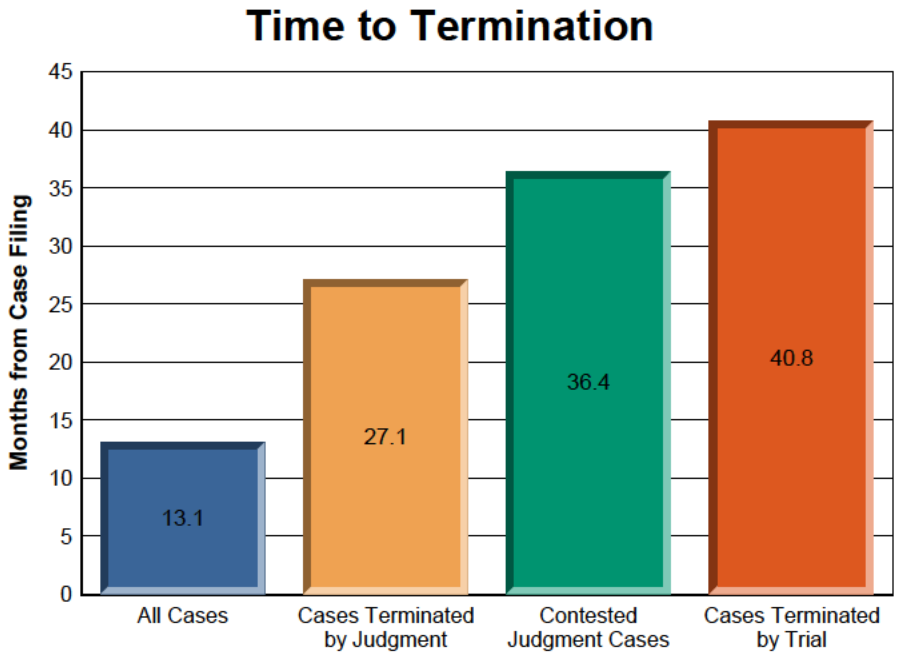
Win Rates by Nominating President



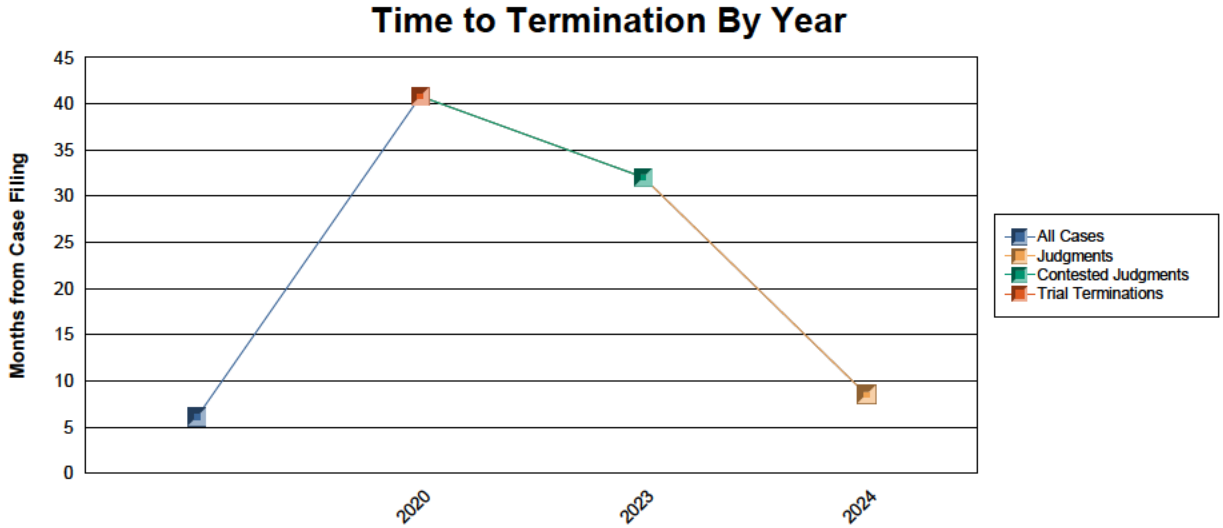
	Total					
	Overall Win Rate	**# of Judgments**	**Contested Win Rate**	**# of Contested Judgments**	**Trial Win Rate**	**# of Trial Jugements**
Barack Obama	100.0	2	100.0	1		0
George W. Bush	83.3	6	0.0	1		0
Jimmy Carter		0		0		0
Ronald Reagan	25.0	4	0.0	3		0
William J. Clinton	78.3	23	42.9	7	100.0	2

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.

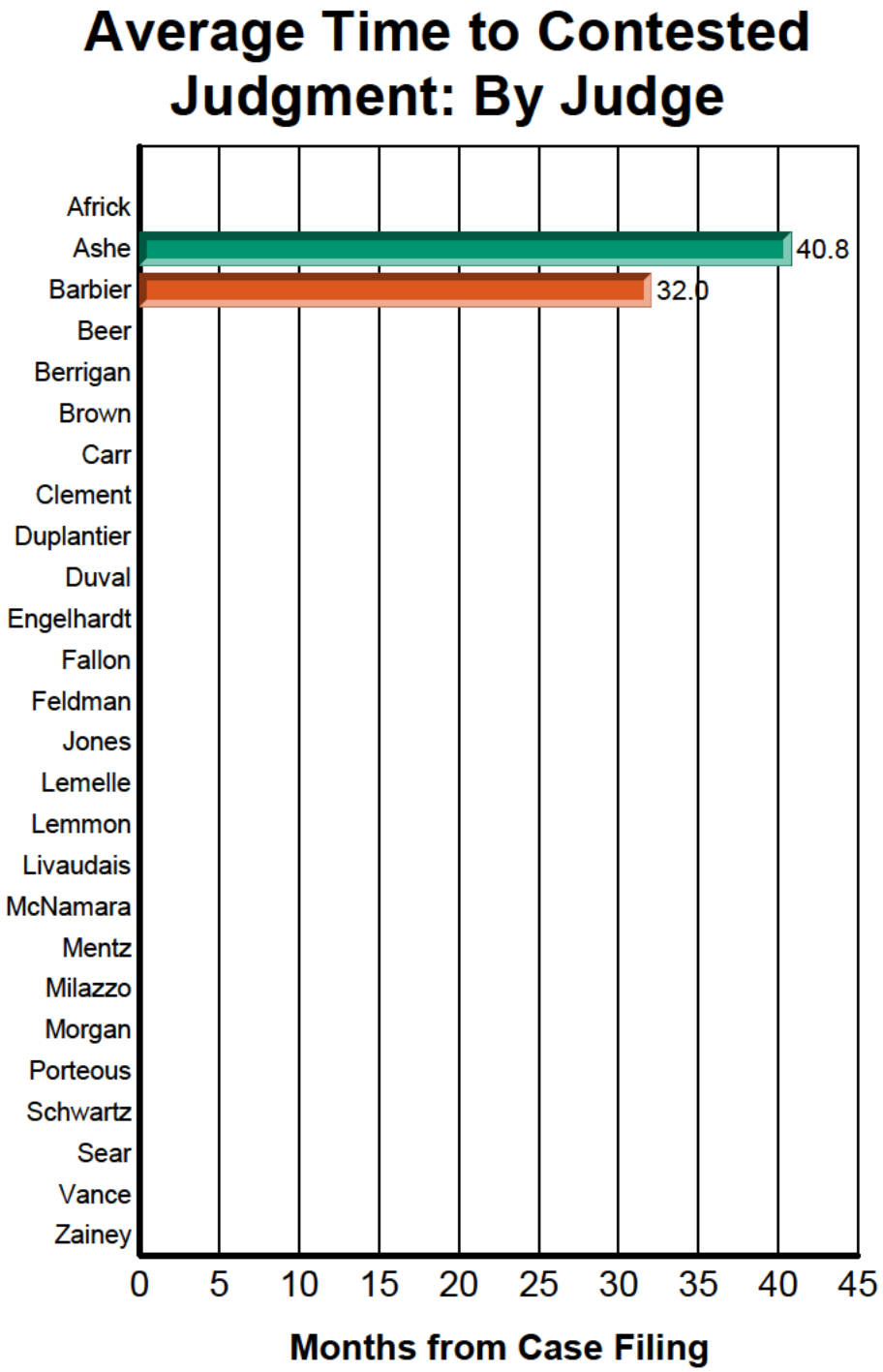


The average time from case filing to termination for all closed cases by year, for all cases terminated by judgment, for all cases terminated by contested judgment, and for all cases terminated by trial covered by this report are shown below.



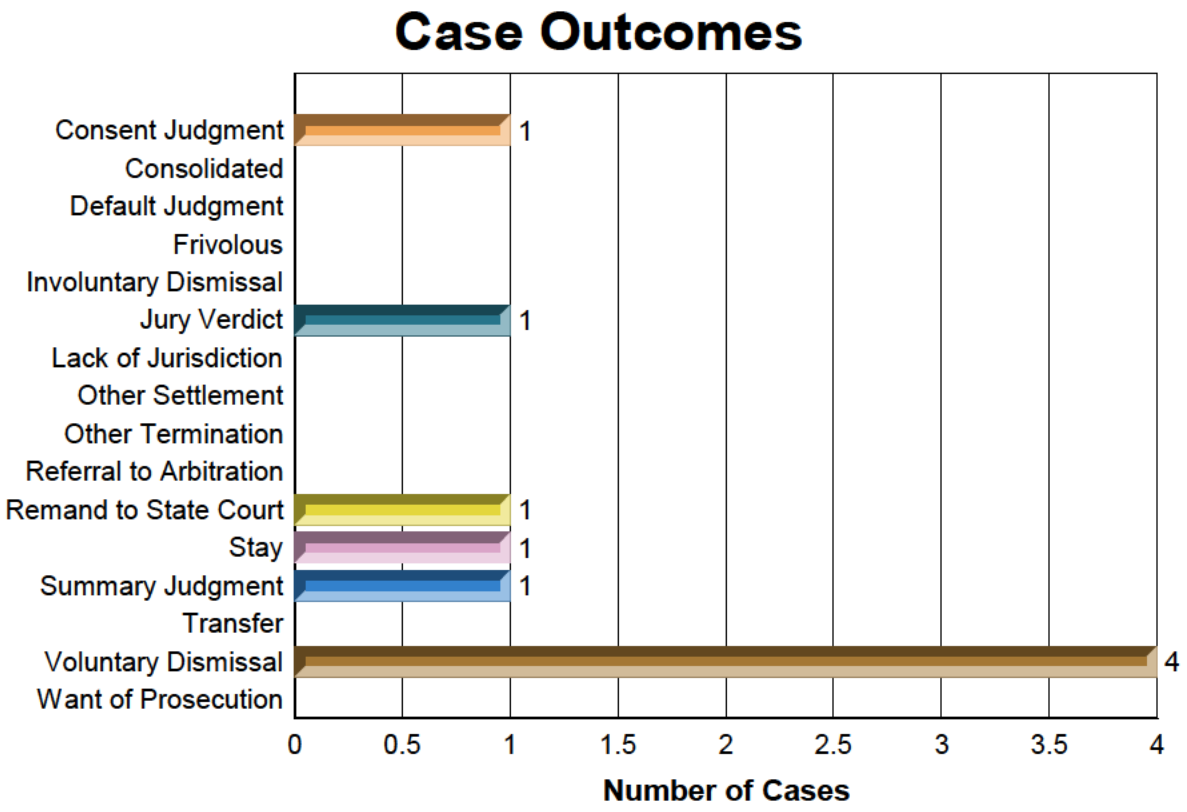
Time to Contested Judgment: By Judge

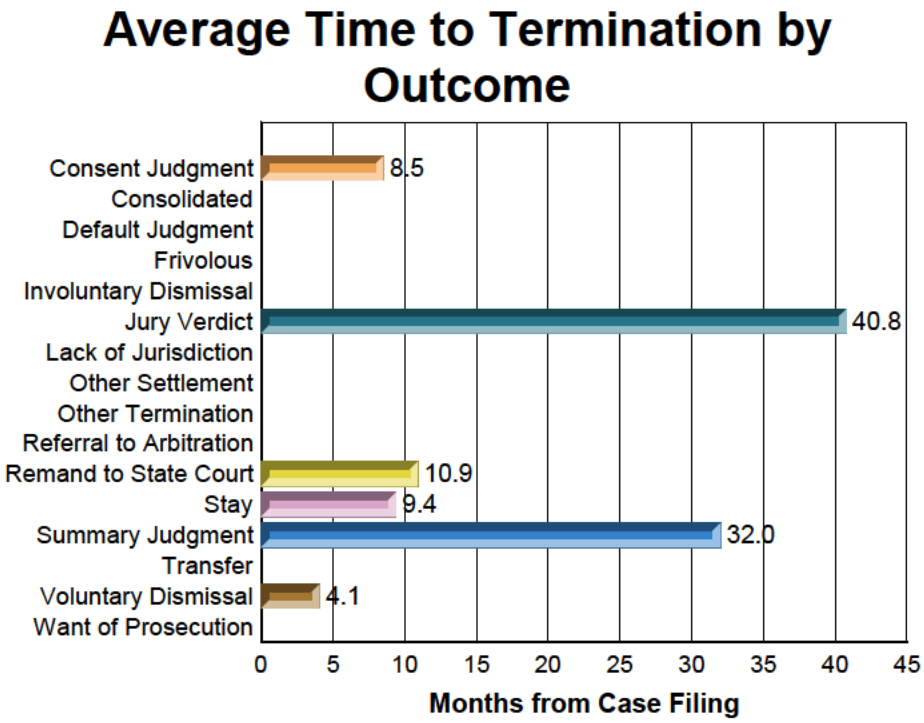
The average time from case filing to contested judgment for the active judges in this district is shown in the chart below.



Average Time to Termination by Case Outcomes

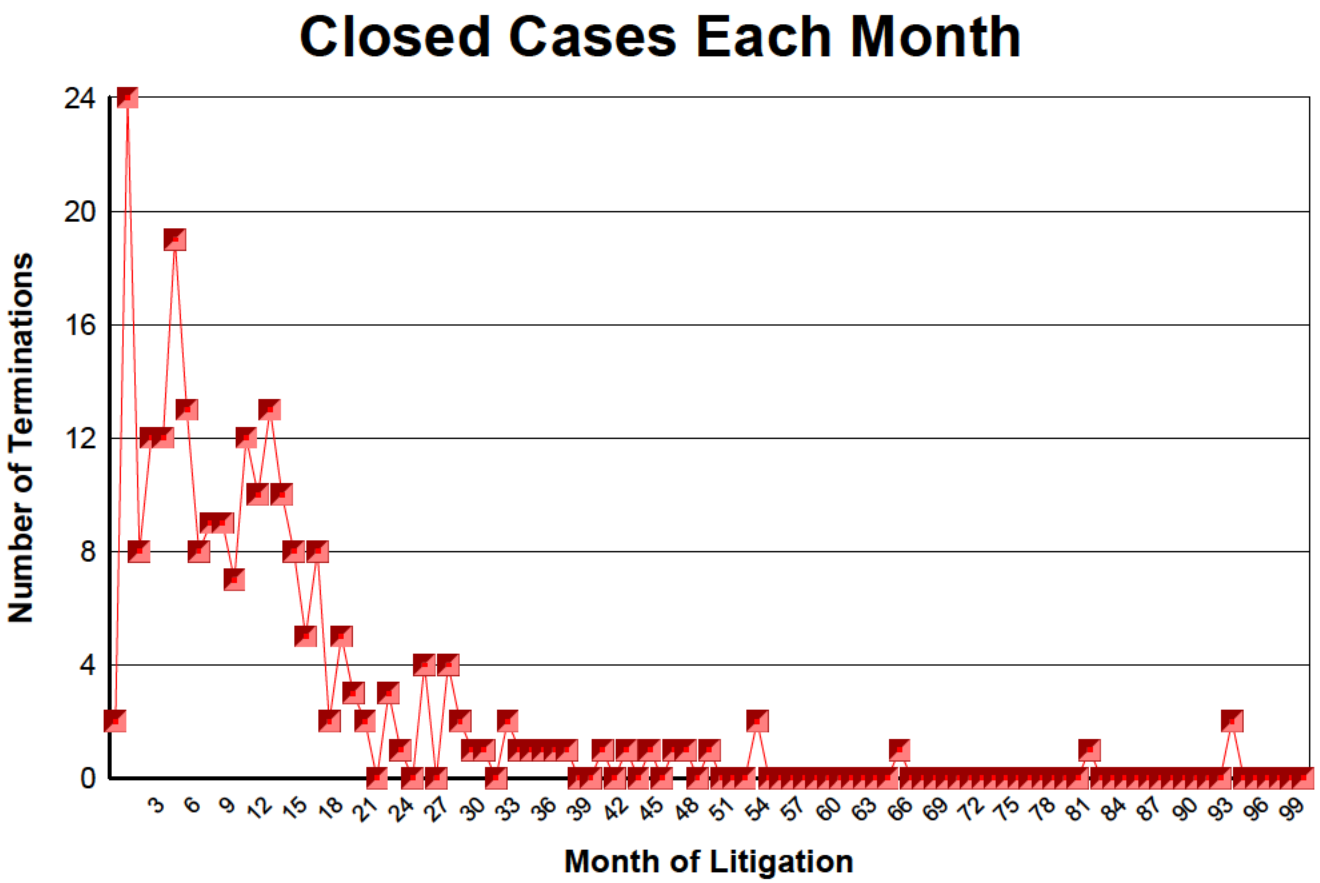
The number of cases terminated by each outcome for the active judges in this district is shown in the chart below, and the average time to termination for each outcome is shown in the second chart below.





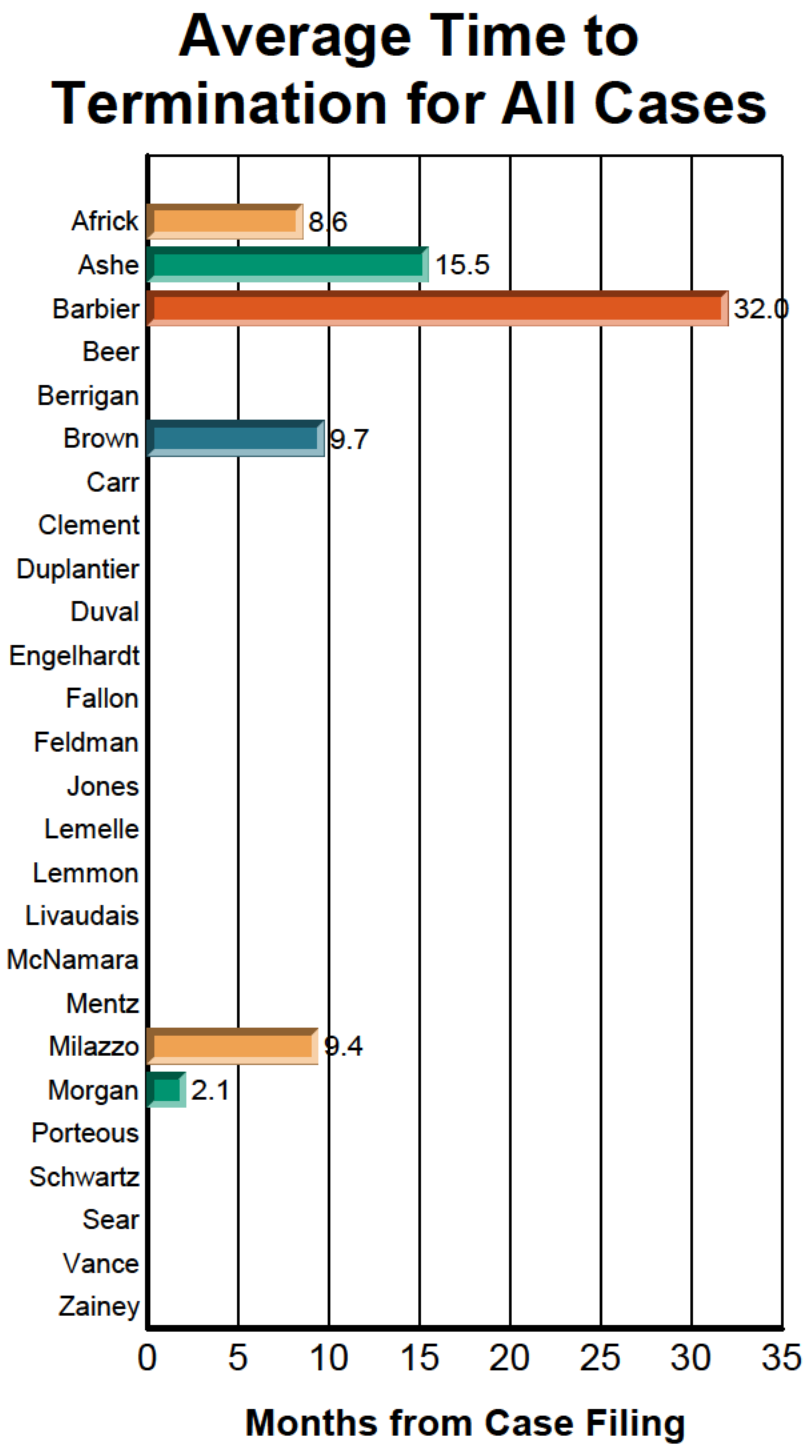
Termination by Month of Litigation

An overview of when terminations typically occur is found in the following chart, which shows the number of patent cases in the Louisiana Eastern 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.



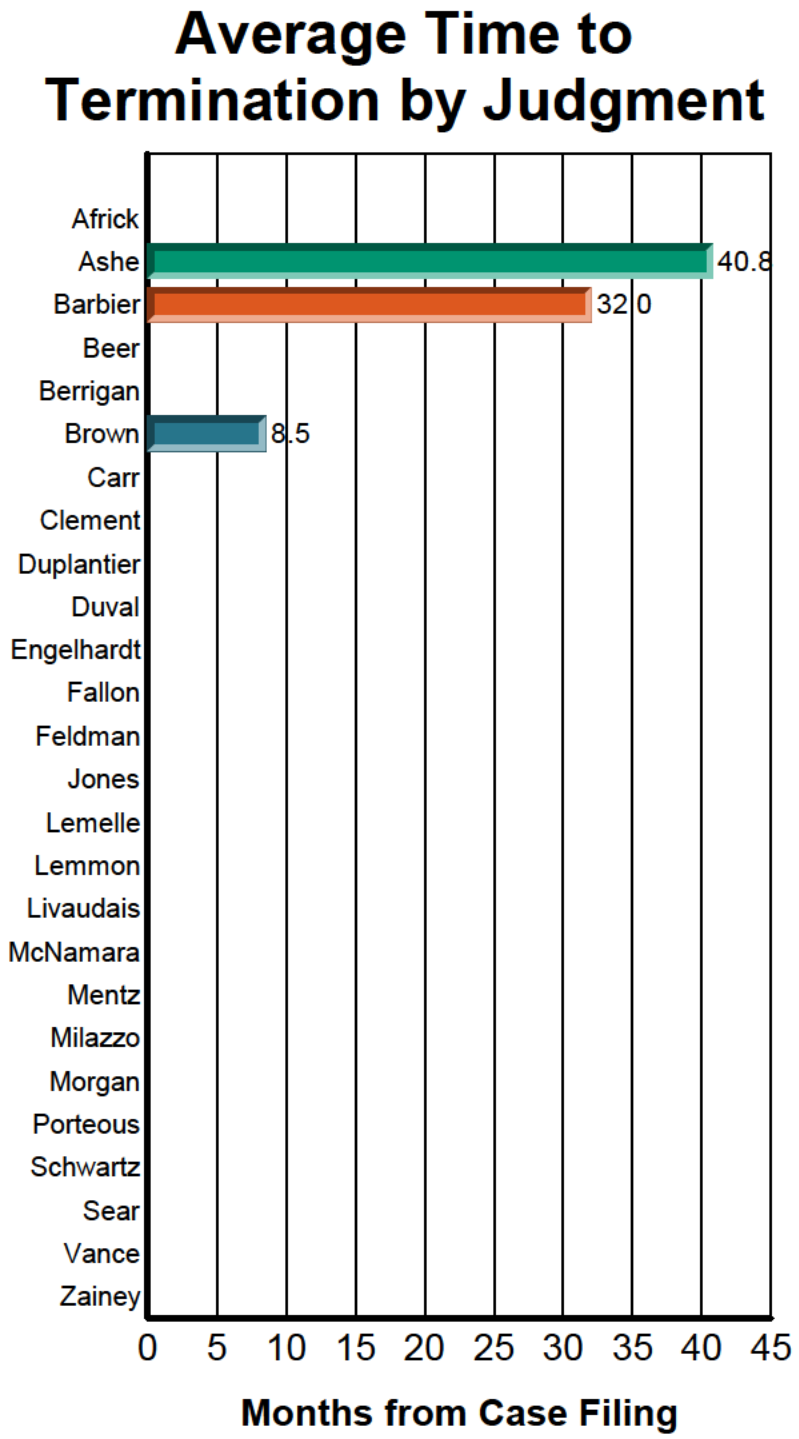
Average Pendency for All Cases: By Judge

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



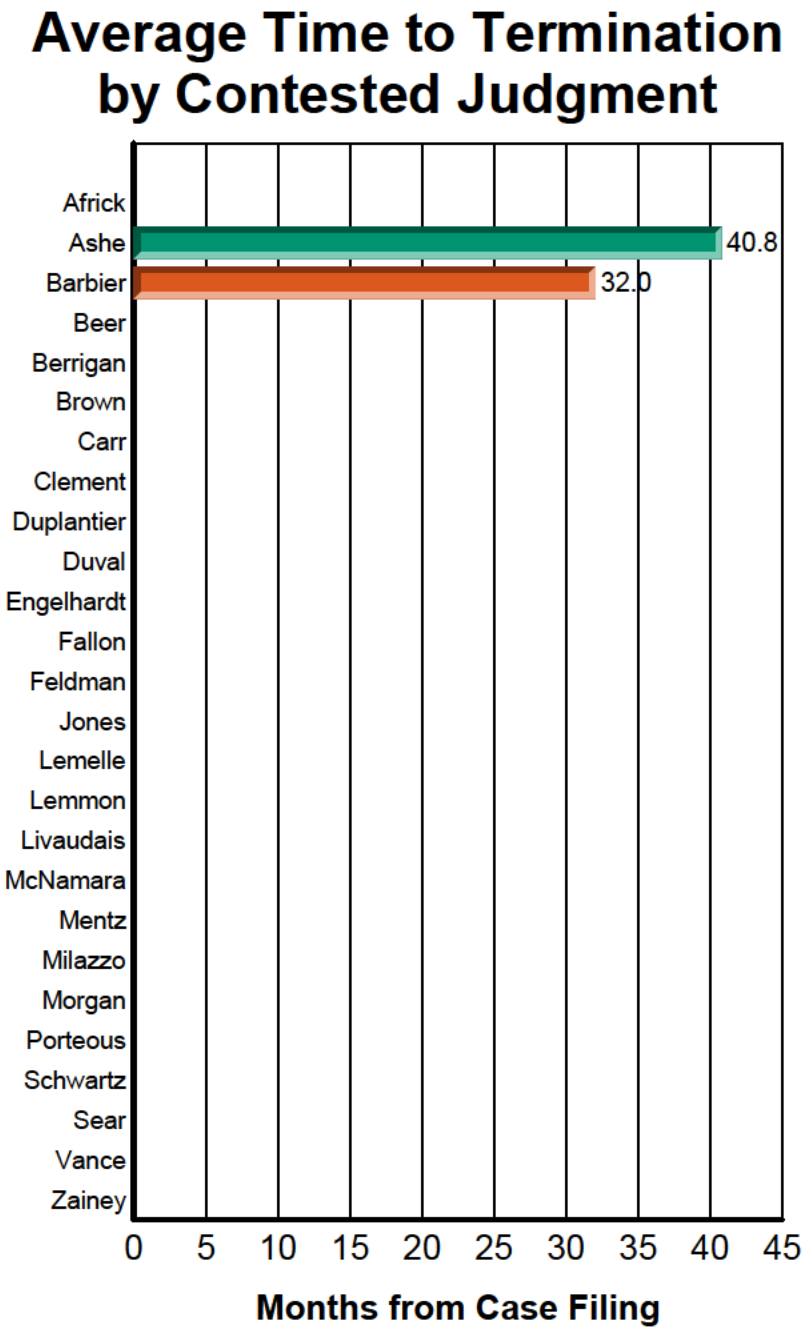
Average Pendency for Cases Terminated by Judgment: By Judge

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



Average Pendency for Cases Terminated by Contested Judgment: By Judge

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



Case and Judgment Outcomes

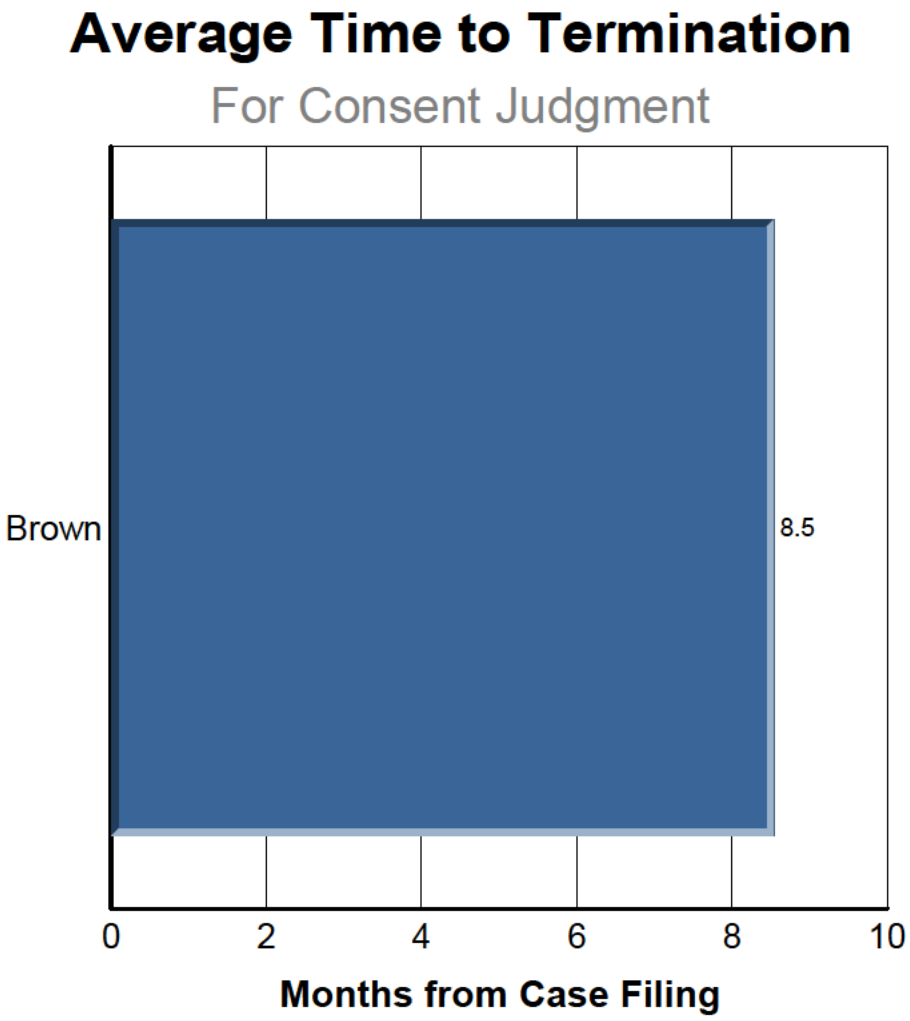
The number of outcomes by judgment, the patentee win rate for those outcomes, and the average time to termination for those outcomes for this court are shown below, broken out by type of outcome.

	Number of Judgments	Pat. Win Rate	Average Time to Termination
Total	2	50.0	20.3
Consent Judgment	1	100.0	8.5
Summary Judgment	1	0.0	32.0

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

Consent Judgment

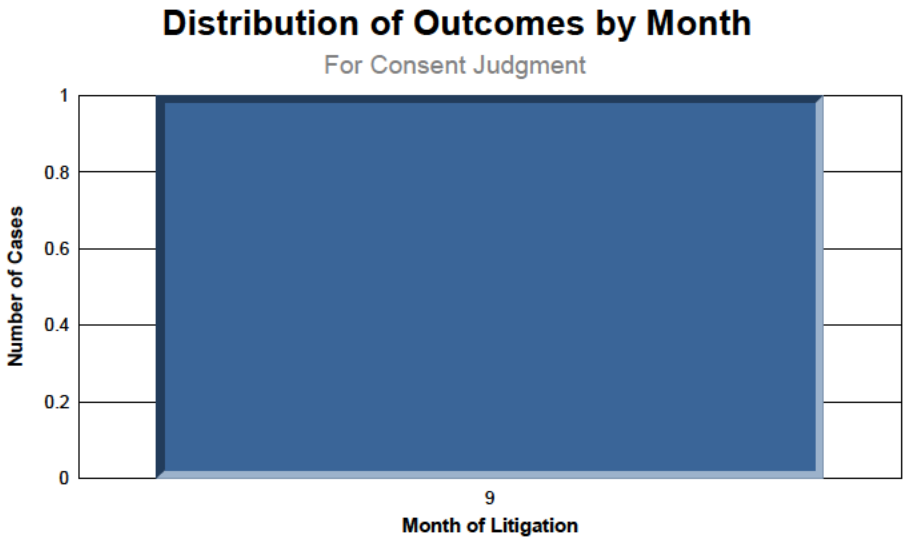
The number of Consent Judgment outcomes and the average time to termination by that outcome are shown below for the district and for each judge who has at least one such outcome.



	Average Time to Termination	Number of Cases
District	8.5	1
Brown	8.5	1

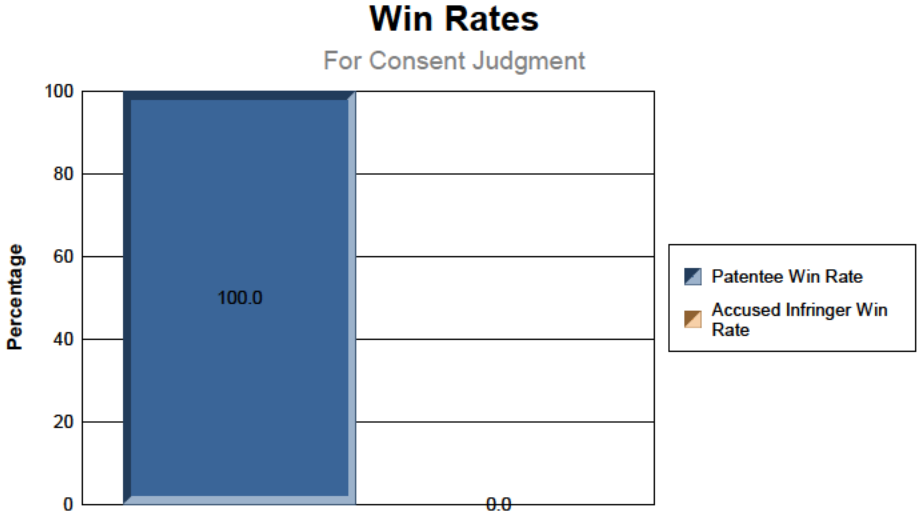
Consent Judgment

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



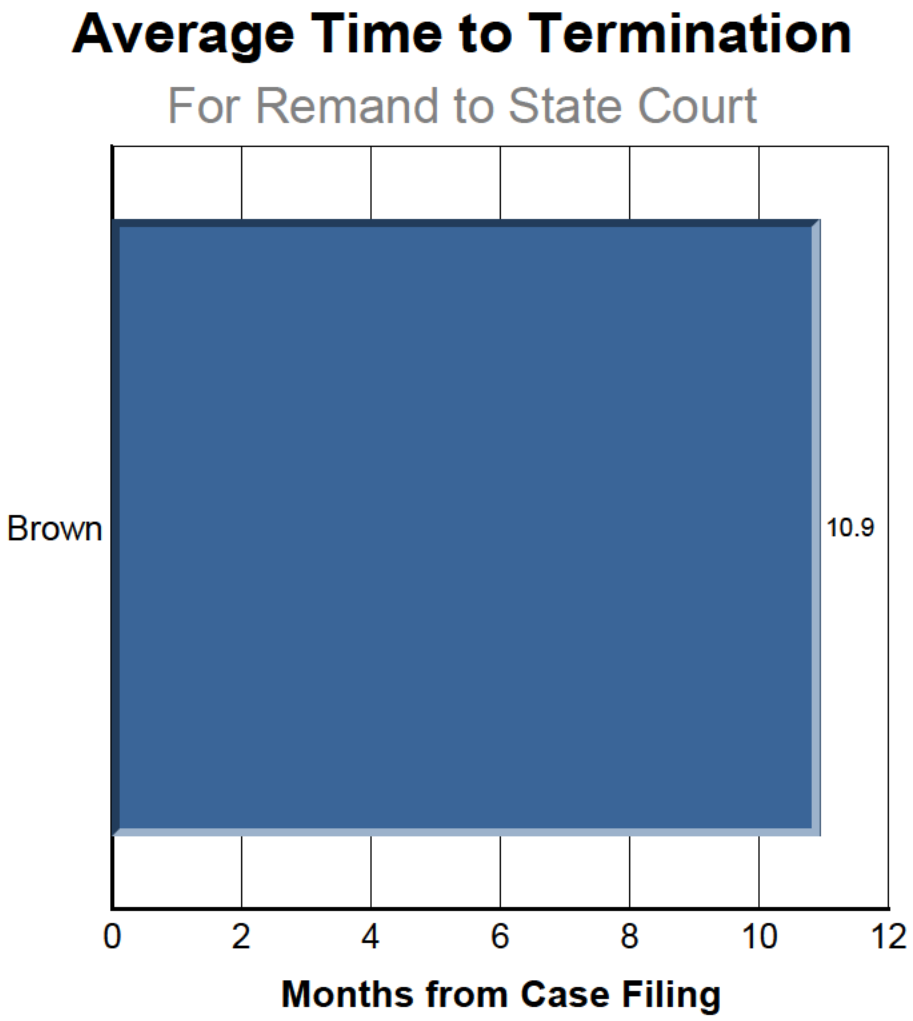
Consent Judgment

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



Remand to State Court

The number of Remand to State Court 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.

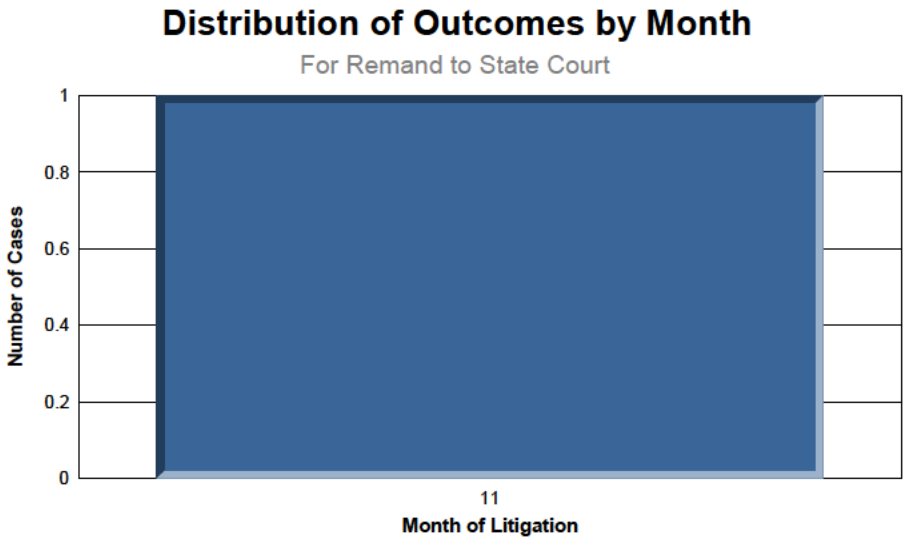


Remand to State Court

	Average Time to Termination	Number of Cases
District	10.9	1
Brown	10.9	1

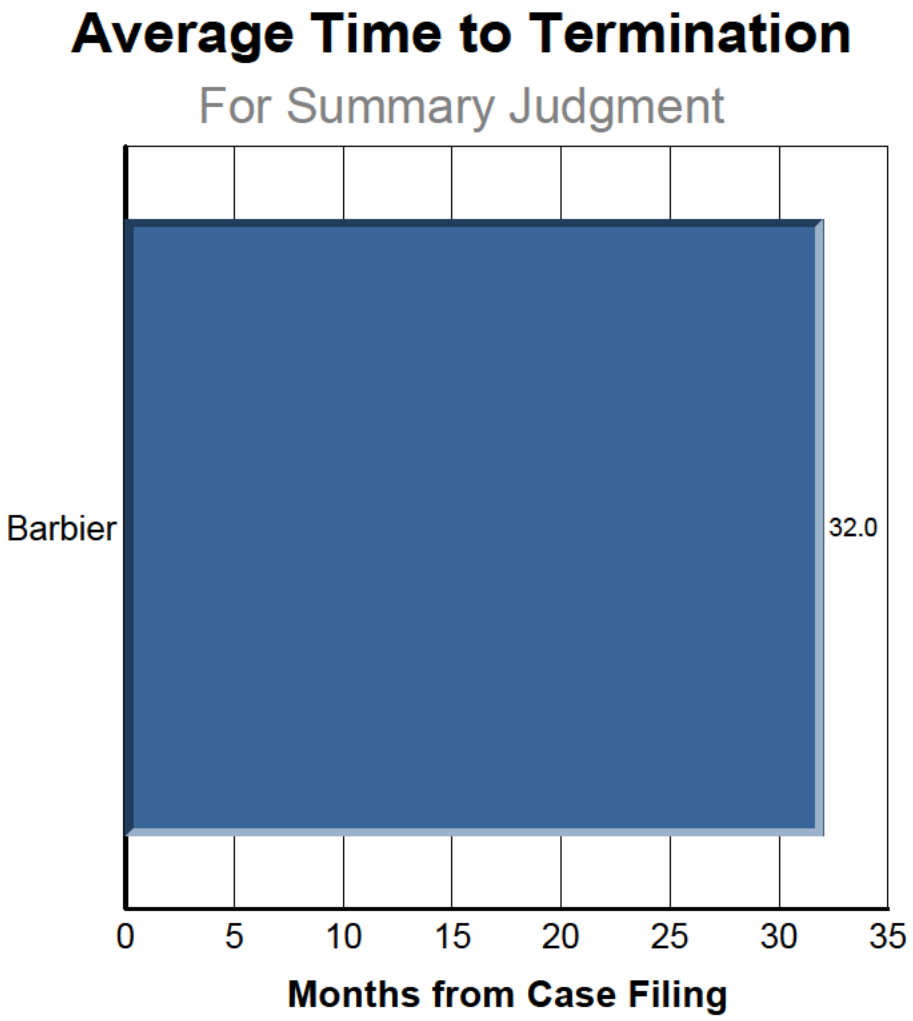
Remand to State Court

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.



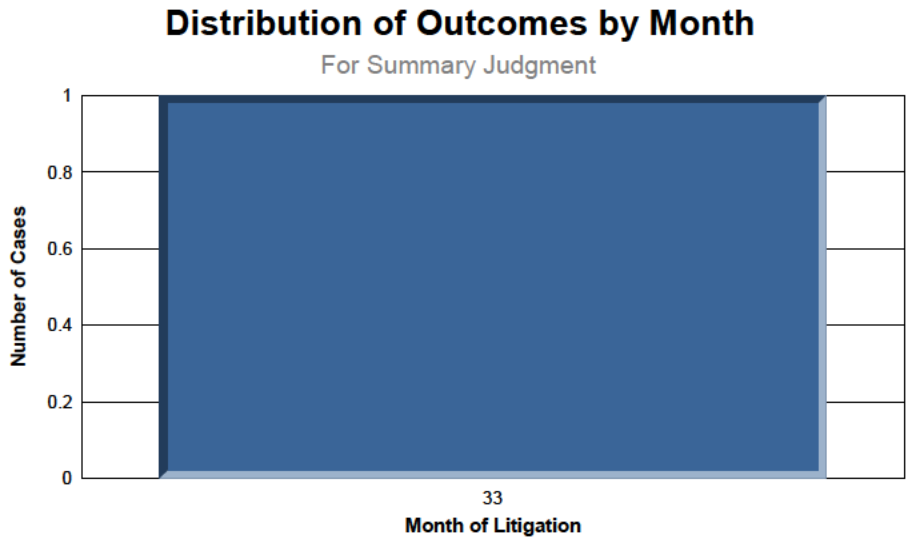
Summary Judgment

	Average Time to Termination	Number of Cases
District	32.0	1
Barbier	32.0	1

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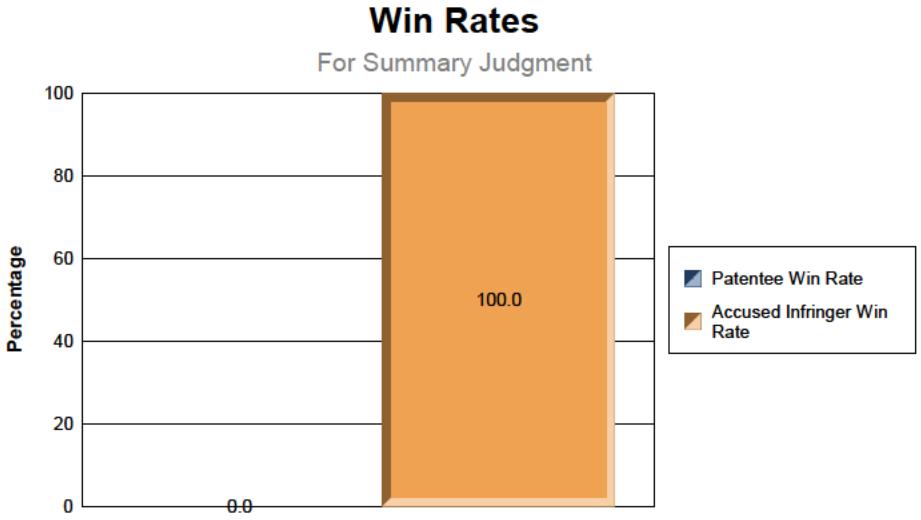
Summary Judgment

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.



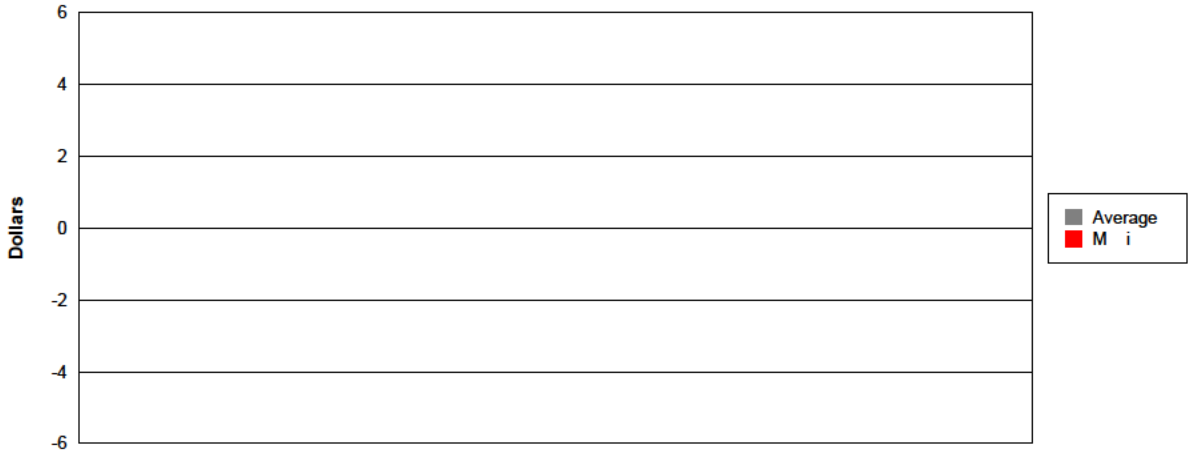
Summary Judgment

Case Number	Judge	Prevailing Party	Pendency	Case Name
2:20cv03135	Barbier	Accused Infringer	32.0	Wilco Marsh Buggies and Draglines Inc v. Weeks Marine, Inc.

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.

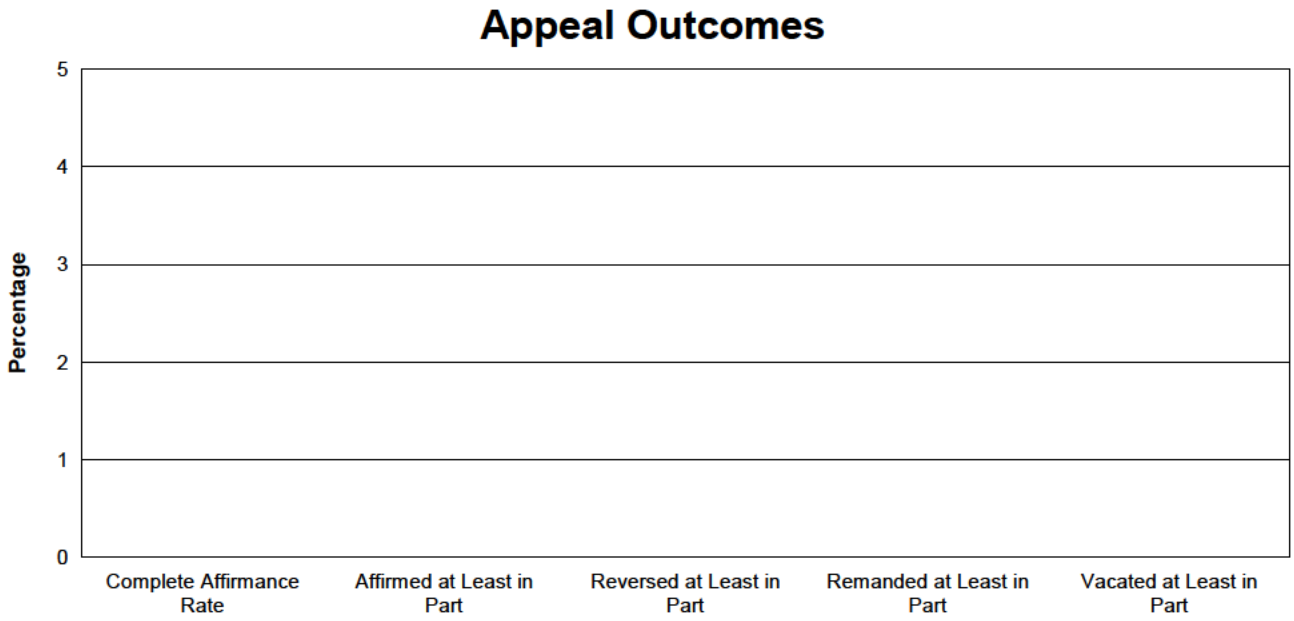
Award Amounts by Case Outcome Type



Case Number	Case Name	Date of Award or Settlement	Judge	Case Outcomes	Award Amounts

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.



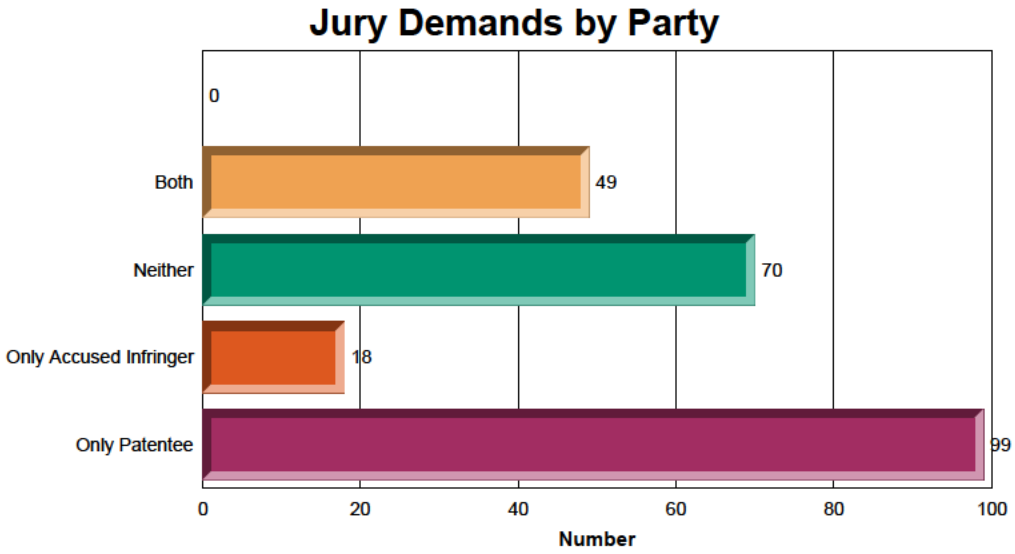
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Case Name	Case Number	Judge	Result of Appeal

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Jury Demands

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



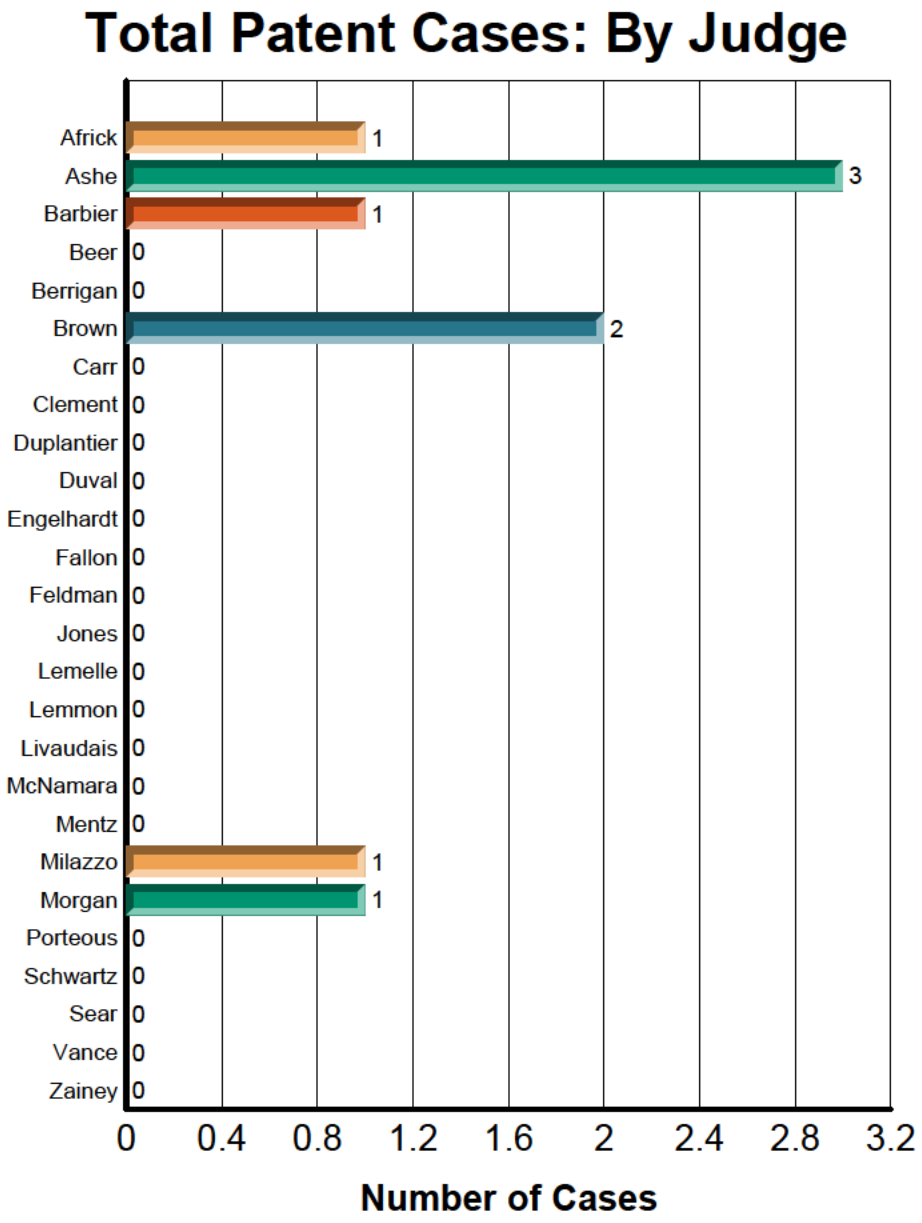
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Experience

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.

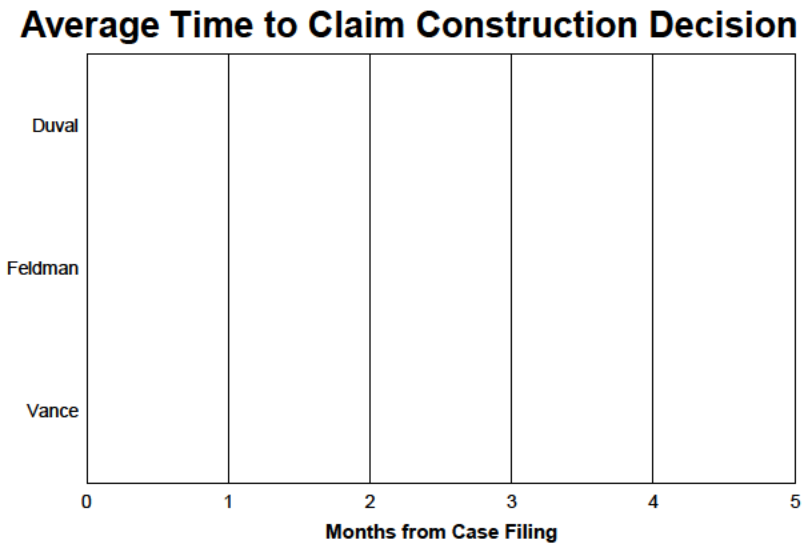


	Total Number of Cases	Number of Closed Cases	Number of Open Cases
Total	9	9	0
Africk	1	1	0
Ashe	3	3	0
Barbier	1	1	0
Brown	2	2	0
Milazzo	1	1	0
Morgan	1	1	0

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.

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

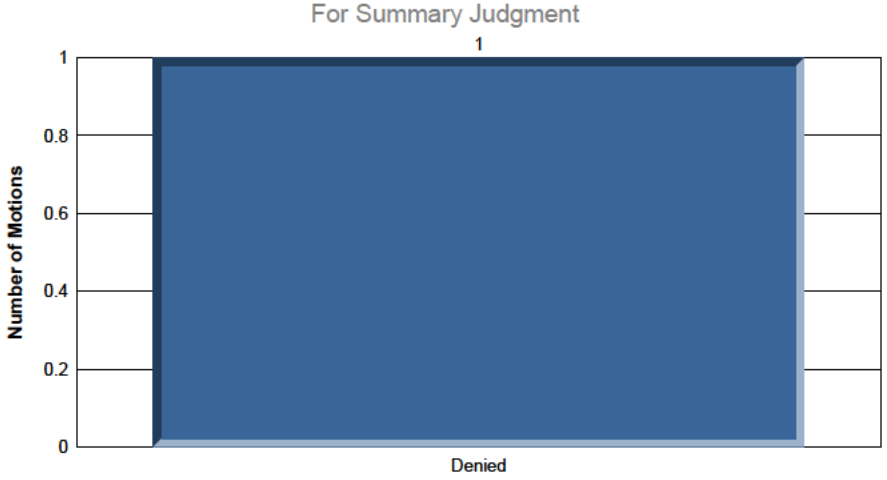


Motion Outcomes

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.

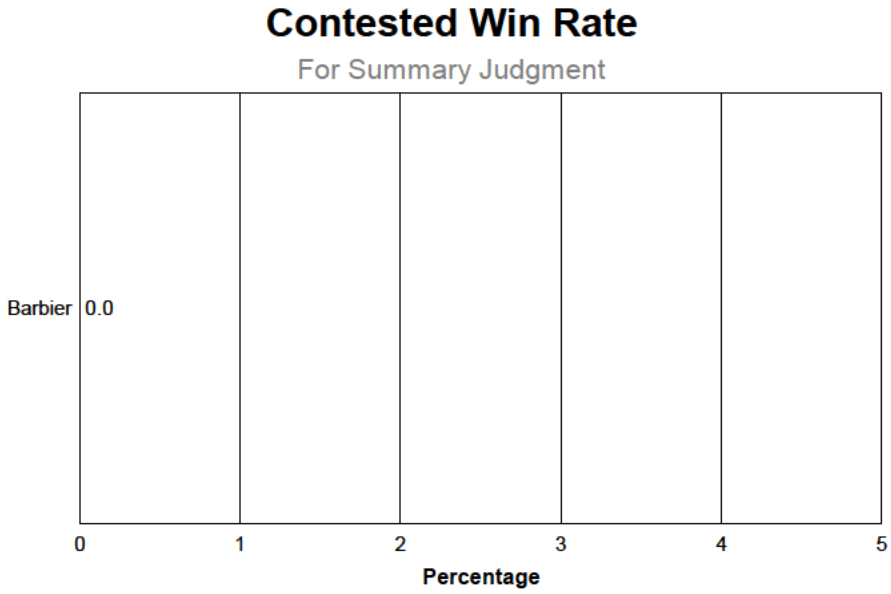
Summary Judgment

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

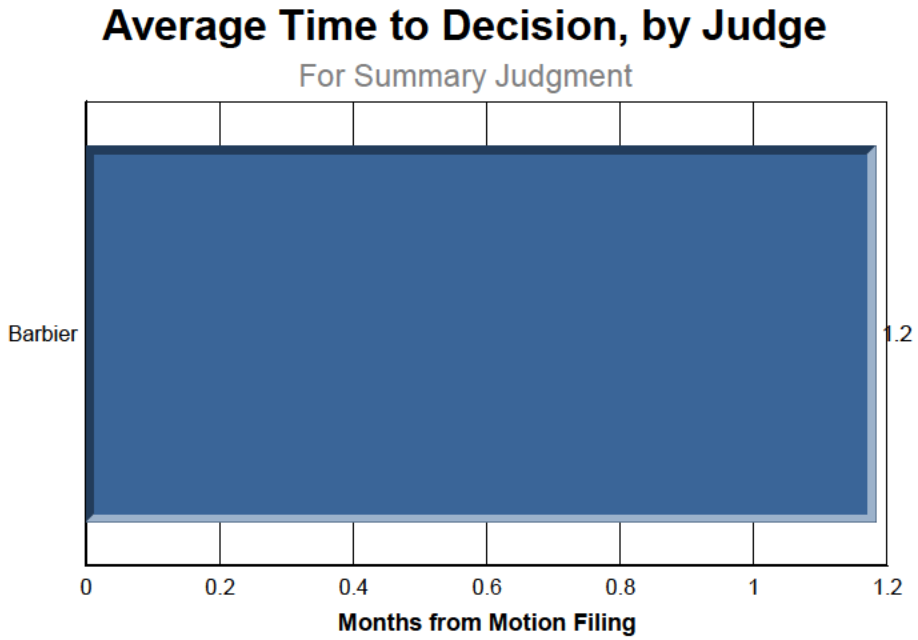


	Total
Total	1
Denied	1

The win rates, by judge, on contested Summary Judgment motions are shown below. The win rate for judges with nc contested decisions (if any) is left blank.



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.



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

	Total Motions	Contested Decisions	Win Rate	Time to Decision
District	1	1	0.0	1.2
Barbier	1	1	0.0	1.2