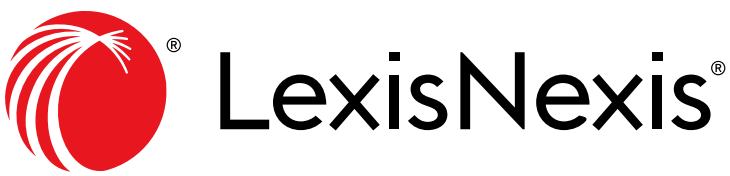
Lex Machina®

Patent Litigation Report 2025



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GOOGLE EXHIBIT 1030
Google LLC v. Telcom Ventures LLC
IPR2025-01349

Introduction

The Lex Machina® Patent Litigation Report 2025 provides a comprehensive overview of patent litigation trends in the United States. This report is designed to help legal professionals, including attorneys, judges, and law firms, understand the current landscape of patent litigation and make informed decisions based on data-driven insights.

The report focuses on cases involving one or more claims of patent infringement, invalidity, or unenforceability brought under 35 USC § 271. False marking, inventorship, or contract cases are not included in the Patent case type. For more details on the parameters of the patent litigation dataset, please see the section on Data and Methodology at the end of the report.

The report primarily compares data spanning the three-year period from the beginning of 2022 through the end of 2024. This report encompasses the 40,156 patent cases that were filed in the U.S. District Courts from 2015 to 2024 (see Figure 1), as well as the 3,891 patent cases that were appealed to the federal circuit courts from 2015 to 2024 (see Figure 5).

We categorize data in the report using the Lex Machina case filter system, which enables users to filter cases by claims and characteristics. This facilitates clear comparisons and delivers valuable insights into litigation trends. This year's report focuses on patent litigation in federal district courts, federal appellate courts, and at the Patent Trial and Appeal Board (PTAB).

The data is filtered to focus on general patent cases, patent cases excluding high-volume plaintiffs (HVPs), Abbreviated New Drug Application (ANDA) cases, design patent cases, Patent Trial and Appeal Board (PTAB) cases, and patent cases before federal appellate courts. Lex Machina users can further apply tags in their own research. HVPs are plaintiffs that file at least 10 patent cases (excluding ANDA cases) within a 365-day period.

This report includes data-driven insights into the behavior of courts, judges, parties, law firms and attorneys. Our Legal Analytics® platform equips litigation professionals to win more cases and win more business. From precise timing metrics that inform legal budgeting to trends among top law firms and leading judges, Lex Machina provides customized insights that supplement traditional research and accumulated experience. These insights help lawyers to prospect for clients, navigate motion & trial strategies, and negotiate settlements intelligently, ultimately giving firms a competitive edge in litigation.

For more information, please see the Data and Methodology section at the end of this report.

Executive Summary

Federal Courts:

Stakes in patent lawsuits have never been higher. Over the past four years, annual patent damages have consistently exceeded $1 billion, with both the number of awards and their monetary value growing year over year. In 2024, patent damages set a new benchmark, with record-breaking total damages alongside the highest number of patent cases with damage awards granted in a single year.

After a notable drop in 2023, patent case filings rebounded in 2024 to levels that align with recent historical averages. This recovery is largely driven by an increase in filings from plaintiffs who are not classified as high-volume plaintiffs, especially in design patent cases.

In 2024, design patent lawsuits accelerated their rapid growth even further. Following a steady decline from 2016 through 2019, the volume of these cases has grown each successive year. With 459 cases filed in 2024, there was a significant 34.2% increase over the number recorded in 2023.

ANDA patent litigation also experienced significant momentum, with a 21.6% increase in filings compared to 2023. Marking the third consecutive year of expansion, ANDA patent litigation has once again captured the attention of pharmaceutical patent litigators after an extended period of decline.

Leading the charge in patent case volume, the Honorable James Rodney Gilstrap and the Eastern District of Texas have reclaimed their top positions. In 2024, Judge Gilstrap was assigned nearly 800 patent cases — over six times the number given to the next closest judge. Notably, although in 2023 he also led district judges, 2024 marks the first year since 2016 in which his three-year average outpaced all his peers.

PTAB:

Between 2022 and 2024, about 58% of PTAB petitions resulted in granted institutions. The number of instituted trials has been steadily rising each year since 2022, likely because of changes in PTO policy like Director Kathi Vidal's decision to scale back the *Fintiv* discretionary denial doctrine. Please note that in March 2025, current USPTO Director Coke Stewart effectively reversed Vidal's policy change via a director review decision in *Motorola Solutions, Inc. v. Stellar, LLC*, IPR2024-01205, -01206, -01207, -01208. This move could lead to further shifts, and Lex Machina will continue to closely monitor these developments.

In terms of patent owners challenged in PTAB proceedings, Jawbone Innovations, LLC led in both 2022 and 2023. However, by 2024, Jawbone had exited the PTAB arena, having not initiated a patent infringement lawsuit in district court since February 2023. Instead, Entropic Communications, LLC emerged as the most frequently petitioned patent owner, following a series of infringement lawsuits it has filed against various cable and communications companies since 2022.

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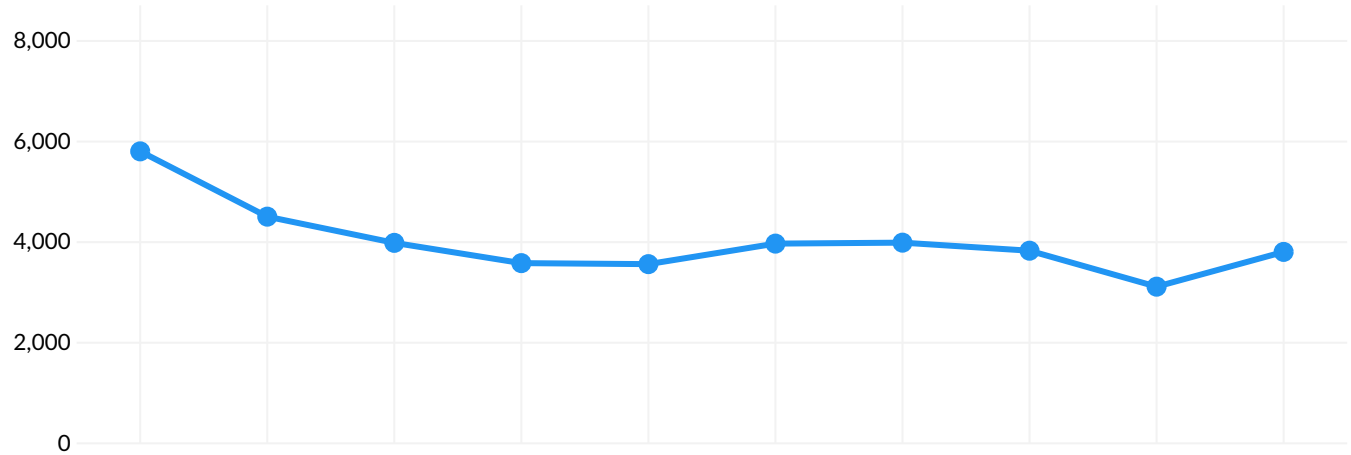
U.S. Federal Courts

Cases Filed

In 2024, patent case filings rebounded following the sharp decline seen in 2023. Whereas plaintiffs filed 3,115 patent complaints in district courts in 2023, that number rose to 3,806 in 2024 – an increase of 22.2%. However, the overall volume of patent complaints in 2024 still fell short of the three-year average of 3,930 filings observed from 2020 through 2022.

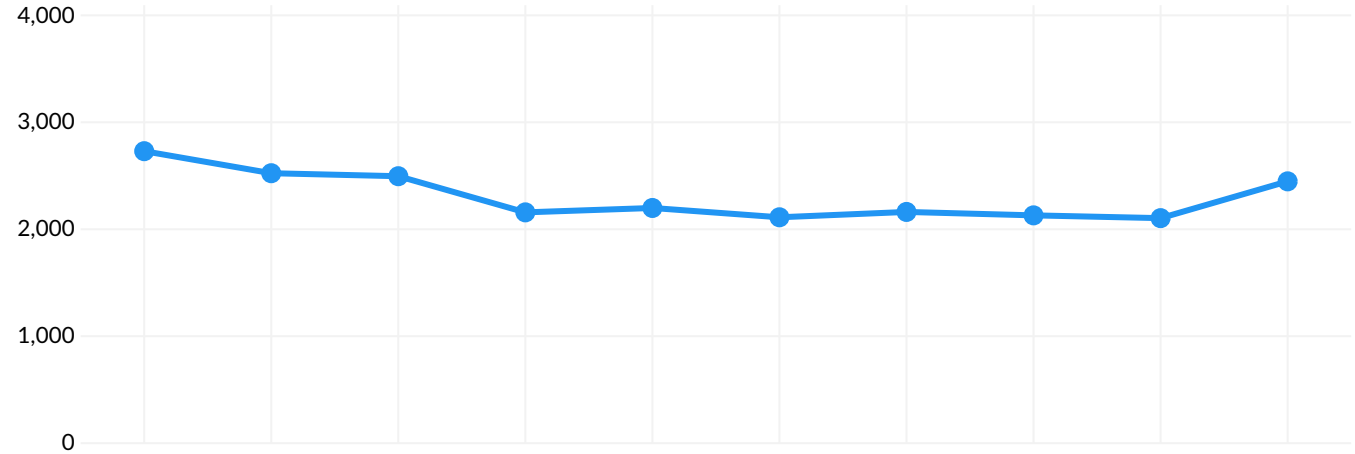
Figure 1: Patent Cases Filed from 2015 to 2024



	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Cases	5,805	4,507	3,986	3,583	3,563	3,971	3,990	3,830	3,115	3,806

The overall increase in patent case volume in district courts is primarily due to a notable surge in filings from plaintiffs who are not classified as high-volume plaintiffs. Between 2017 and 2023, these plaintiffs averaged 2,194 patent lawsuit filings per year, but in 2024, their filings rose to 2,448—an increase of approximately 16.3%.

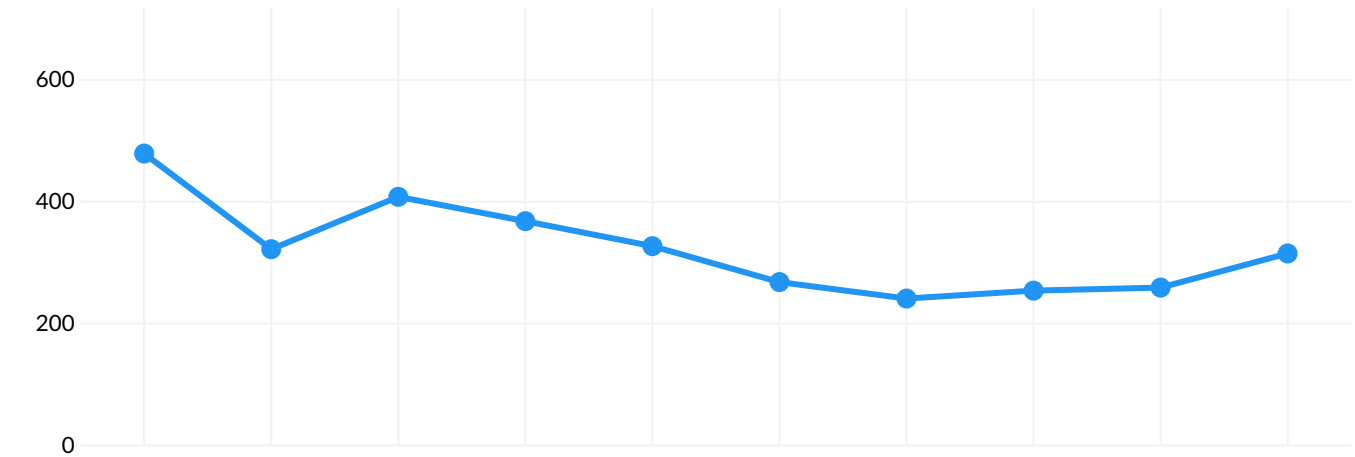
Figure 2: Patent Cases Filed from 2015 to 2024 (excluding High-Volume Plaintiffs)



	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Cases	2,730	2,524	2,496	2,158	2,199	2,112	2,162	2,130	2,104	2,448

ANDA patent case volumes experienced significant growth in 2024, with filed lawsuits increasing by 21.6% compared to 2023. Marking the third consecutive year of expansion, ANDA litigation has once again captured practitioners' attention after an extended period of decline.

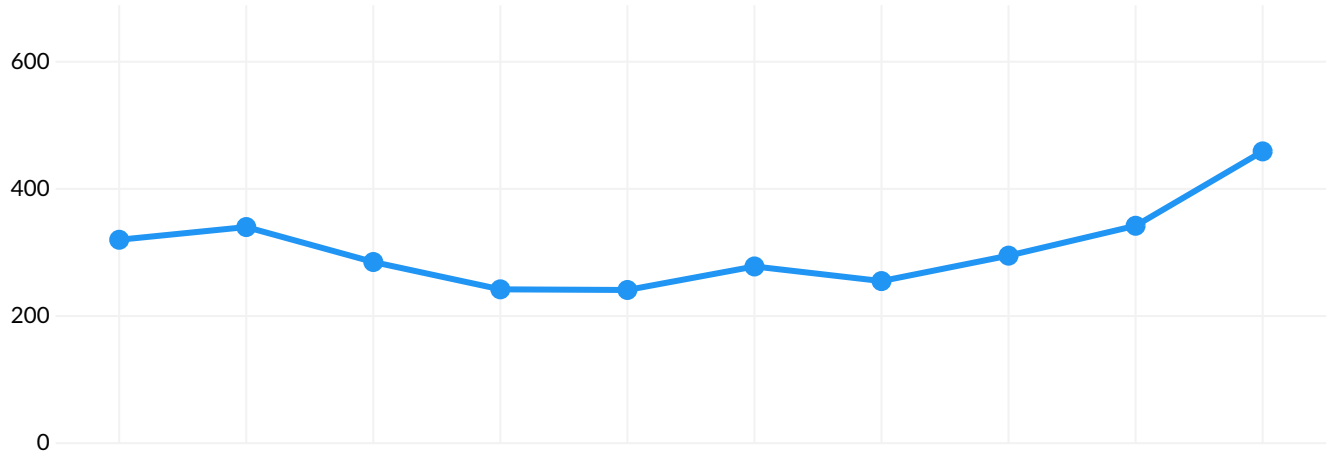
Figure 3: ANDA Patent Cases Filed from 2015 to 2024



	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Cases	479	322	408	368	327	268	241	254	259	315

In 2024, design patent lawsuits accelerated their rapid growth even further. After declining annually from 2016 through 2019, the number of design patent lawsuits has increased significantly each year. In 2022 and 2023, the volume grew by about 16% from the previous year, and the 459 cases filed in 2024 represent a 34.2% increase over 2023.

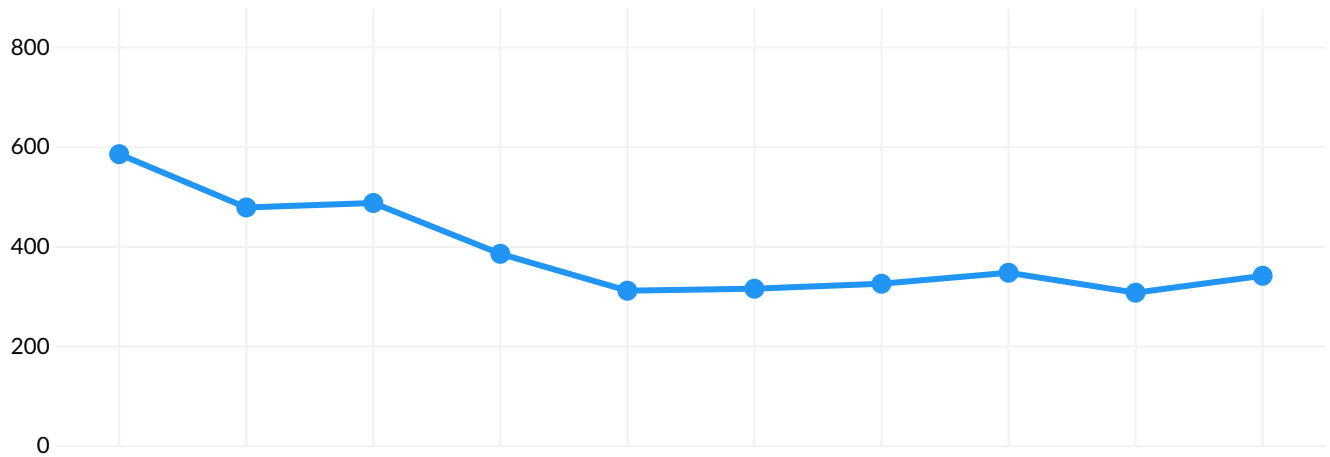
Figure 4: Patent Design Patent Cases Filed from 2015 to 2024



	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Cases	320	340	285	242	241	278	255	295	342	459

The volume of appeals for federal district court decisions on patent issues has remained remarkably steady since 2019. From 2019 through 2024, the annual average was roughly 325 appeals, with no individual year deviating by more than 23 cases from that mean. Although 2023 saw a relatively low number of patent appeals, filings rebounded in 2024 with 342 appeals.

Figure 5: Federal Patent Appellate Cases Docketed from 2015 to 2024



	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Cases	586	479	488	386	312	316	326	348	308	342

Most Active Districts

Before the 2017 US Supreme Court decision in *T.C. Heartland*, patent infringement plaintiffs consistently favored the Eastern District of Texas as their forum of choice. However, from 2018 through 2023, filings increasingly shifted to the Western District of Texas and the District of Delaware. Although these three venues continue to lead in US patent litigation case load, the Eastern District of Texas's emphatic return to the top is remarkable.

Figure 6: Most Active Districts by Cases Filed from 2022 to 2024

District	2022	2023	2024	Total	Percent
E.D.Tex.	470	627	1,069	**2,166**	20.1%
W.D.Tex.	878	519	375	**1,772**	16.5%
D.Del.	668	428	395	**1,491**	13.9%
N.D.Ill.	216	235	426	**877**	8.2%
C.D.Cal.	223	176	196	**595**	5.5%
D.N.J.	114	131	228	**473**	4.4%
N.D.Cal.	139	127	117	**383**	3.6%
S.D.N.Y.	119	85	106	**310**	2.9%
N.D.Tex.	87	65	75	**227**	2.1%
S.D.Fla.	79	63	75	**217**	2.0%

Most Active Judges

The Honorable James Rodney Gilstrap reclaimed his position as the nation's leading jurist in patent case volume over the past three years. In 2024, he was assigned nearly 800 patent cases — over six times the number given to the next closest judge. Although in 2023 he also led district judges, 2024 marks the first year since 2016 that his three-year average outpaced all other district judges.

Figure 7: Most Active Judges by Cases Filed from 2022 to 2024

Judge	District	2022	2023	2024	Total	Percent
James Rodney Gilstrap	E.D.Tex.	364	451	795	**1,610**	15.0%
Alan D Albright	W.D.Tex.	702	214	124	**1,040**	9.7%
Colm Felix Connolly	D.Del.	167	108	84	**359**	3.3%
Richard Gibson Andrews	D.Del.	182	105	62	**349**	3.2%
Maryellen Noreika	D.Del.	149	113	79	**341**	3.2%
Gregory Brian Williams	D.Del.	123	90	64	**277**	2.6%
Robert William Schroeder III	E.D.Tex.	25	80	153	**258**	2.4%
Robert Lee Pitman	W.D.Tex.	56	86	73	**215**	2.0%
Jennifer Lynne Hall	D.Del.	41	46	98	**185**	1.7%
Amos Louis Mazzant III	E.D.Tex.	50	66	65	**181**	1.7%

Most Active Parties

The most active patent litigation plaintiffs in recent years have been primarily entities focused on monetizing patent portfolios. Cedar Lane Technologies Inc., which led case filings in 2021 and 2022, saw a significant drop in filings in 2023 and 2024. In contrast, Patent Armory Inc. experienced a rapid rise in filings, leading in both 2023 and 2024. Notably, Rabicoff Law most frequently filed patent lawsuits on behalf of both Patent Armory Inc. and Cedar Lane Technologies Inc.

Figure 8: Most Active Plaintiffs by Cases Filed from 2022 to 2024

Party	2022	2023	2024	Total	Districts
Patent Armory Inc.	0	87	124	**211**	17
Cedar Lane Technologies Inc.	176	23	3	**202**	18
Bell Semiconductor, LLC	102	12	1	**115**	15
Linfo IP, LLC	25	13	48	**86**	11
VDPP, LLC	5	22	58	**85**	14
Torus Ventures LLC	0	0	84	**84**	4
AML IP, L.L.C.	17	20	41	**78**	7
Deckers Outdoor Corporation	18	25	21	**64**	9
mCom IP, LLC	16	31	10	**57**	11
InnoMemory, LLC	16	7	30	**53**	3

Large technology companies continued to be the most frequently sued defendants in federal district court patent cases, with Samsung entities once again leading in case volume. In 2024, Samsung Electronics America, Inc. was named as a defendant in 62 new patent cases. That was well over the number filed against the next most frequently targeted defendant, Amazon.com, Inc., which faced 44 new cases.

Figure 9: Most Active Defendants by Cases Filed from 2022 to 2024

Party	2022	2023	2024	Total	Districts
Samsung Electronics America, Inc.	51	45	62	**158**	5
Samsung Electronics Co., Ltd.	42	36	54	**132**	5
Google LLC	51	45	34	**130**	14
Apple Inc.	36	34	34	**104**	15
Amazon.com, Inc.	32	23	44	**99**	21
Aurobindo Pharma Ltd.	18	16	27	**61**	2
AT&T Corp.	16	23	20	**59**	9
Microsoft Corporation	24	15	20	**59**	10
Walmart Inc.	20	20	19	**59**	21
Aurobindo Pharma USA, Inc.	19	12	24	**55**	2

Most Active Firms and Attorneys

Lex Machina extracts raw counsel data from dockets & court filings, then structures it to generate detailed analytics on law firms and individual attorneys. This section highlights the most active law firms for both plaintiffs and defendants, as well as the most active individual attorneys. Because law firms and attorneys often specialize in various practice areas, tagging different case types enables users to assess opposing counsel's experience with specific claims. The tables below also include a column showing the percentage of cases filed by HVPs over the past three years.

Rabicoff Law led plaintiff representation by filing the highest number of patent cases in both 2023 and 2024, mostly on behalf of high-volume plaintiffs. Meanwhile, Garteiser Honea continued its rapid ascendance with 192 patent lawsuits in 2024, predominantly representing HVPs. In contrast, The Chong Law Firm, once a prolific filer, has largely withdrawn from the patent litigation arena, having filed no patent lawsuits since 2023.

Figure 10: Most Active Law Firms Representing Plaintiffs by Cases Filed from 2022 to 2024

Firm	2022	2023	2024	Total	Districts	HVP
Rabicoff Law	164	258	597	**1,019**	26	86.5%
Ramey	332	260	257	**849**	22	66.5%
Garteiser Honea	67	133	192	**392**	20	67.3%
Devlin Law Firm	199	97	57	**353**	27	62.6%
Morris, Nichols, Arsht & Tunnell	102	111	76	**289**	3	1.7%
The Chong Law Firm	249	4	0	**253**	9	83.0%
Direction IP Law	133	39	65	**237**	21	75.5%
Rozier Hardt McDonough	39	74	105	**218**	23	44.5%
McKool Smith	143	46	20	**209**	21	55.0%
Fabricant	91	37	60	**188**	5	54.8%

Fish & Richardson followed by Gillam & Smith were the most active law firms representing patent defendants over the last three years, each having appeared on behalf of defendants in over twice as many patent cases as the third-highest firm DLA Piper.

Figure 11: Most Active Law Firms Representing Defendants by Cases Filed from 2022 to 2024

Firm	2022	2023	2024	Total	Districts	HVP
Fish & Richardson	272	141	222	**635**	38	65.2%
Gillam & Smith	148	159	195	**502**	9	29.1%
DLA Piper	103	58	61	**222**	25	40.1%
The Dacus Firm	69	67	66	**202**	5	33.7%
Perkins Coie	95	39	58	**192**	30	32.8%
Morris, Nichols, Arsht & Tunnell	74	59	50	**183**	5	20.2%
Winston & Strawn	76	62	45	**183**	16	30.1%
Alston & Bird	51	59	37	**147**	18	46.3%
Duane Morris	46	41	53	**140**	21	31.4%
Greenberg Traurig	49	49	42	**140**	22	27.1%

Most Active Attorneys

In 2024, attorney Isaac Phillip Rabicoff led the field as he represented the most patent plaintiffs and became the first attorney since 2022 to serve as counsel for over 1,000 patent cases in federal district courts. Perennial fixture William Peterson Ramey III followed closely behind. Meanwhile, the partners at Garteiser Honea filed cases prolifically on behalf of patent claimants, while once-heavy filer Jimmy C. Chong has stepped back from filing new patent lawsuits.

Figure 12: Most Active Attorneys Representing Plaintiffs by Cases Filed from 2022 to 2024

Attorney	2022	2023	2024	Total	Law Firm
Isaac Phillip Rabicoff	164	257	597	**1,018**	Rabicoff Law
William Peterson Ramey III	331	258	254	**843**	Ramey
Jeffrey Eugene Kubiak	91	146	125	**362**	Ramey The Kubiak Law Firm
Randall Thomas Garteiser	58	109	180	**347**	Garteiser Honea
Michael Scott Fuller	53	94	167	**314**	Garteiser Honea
Christopher Alan Honea	41	96	153	**290**	Garteiser Honea
Jimmy C. Chong	249	4	0	**253**	The Chong Law Firm
David Randolph Bennett	133	39	65	**237**	Direction IP Law
Jack B. Blumenfeld	90	99	47	**236**	Morris, Nichols, Arsht & Tunnell
James Francis McDonough III	38	74	95	**207**	Heninger Garrison Davis Rozier Hardt McDonough

On the defendants' side in patent cases, Melissa Richards Smith from Gillam & Smith was the individual attorney who defended her clients against the highest number of patent cases in both 2023 and 2024. Neil J. McNabnay, Lance E. Wyatt Jr., and Noel Franco Chakkalakal from Fish & Richardson showed notable growth in their patent litigation defense practices.

Figure 13: Most Active Attorneys Representing Defendants by Cases Filed from 2022 to 2024

Attorney	2022	2023	2024	Total	Law Firm
Melissa Richards Smith	145	156	194	**495**	Gillam & Smith
Neil J. McNabnay	181	87	161	**429**	Fish & Richardson
Deron R. Dacus	69	67	66	**202**	Ramey & Flock The Dacus Firm
Lance E. Wyatt Jr.	69	26	101	**196**	Fish & Richardson
Ricardo J. Bonilla	90	46	43	**179**	Fish & Richardson
Eric Hugh Findlay	33	43	56	**132**	Findlay Craft
Noel Franco Chakkalakal	44	29	34	**107**	Fish & Richardson
Adam Edward Urbanczyk	14	40	36	**90**	Au
Jack B. Blumenfeld	33	34	16	**83**	Morris, Nichols, Arsht & Tunnell
Andrew Thompson Gorham	29	38	12	**79**	Fish & Richardson Gillam & Smith
Shaun William Hassett	26	33	20	**79**	McGuireWoods Potter Minton

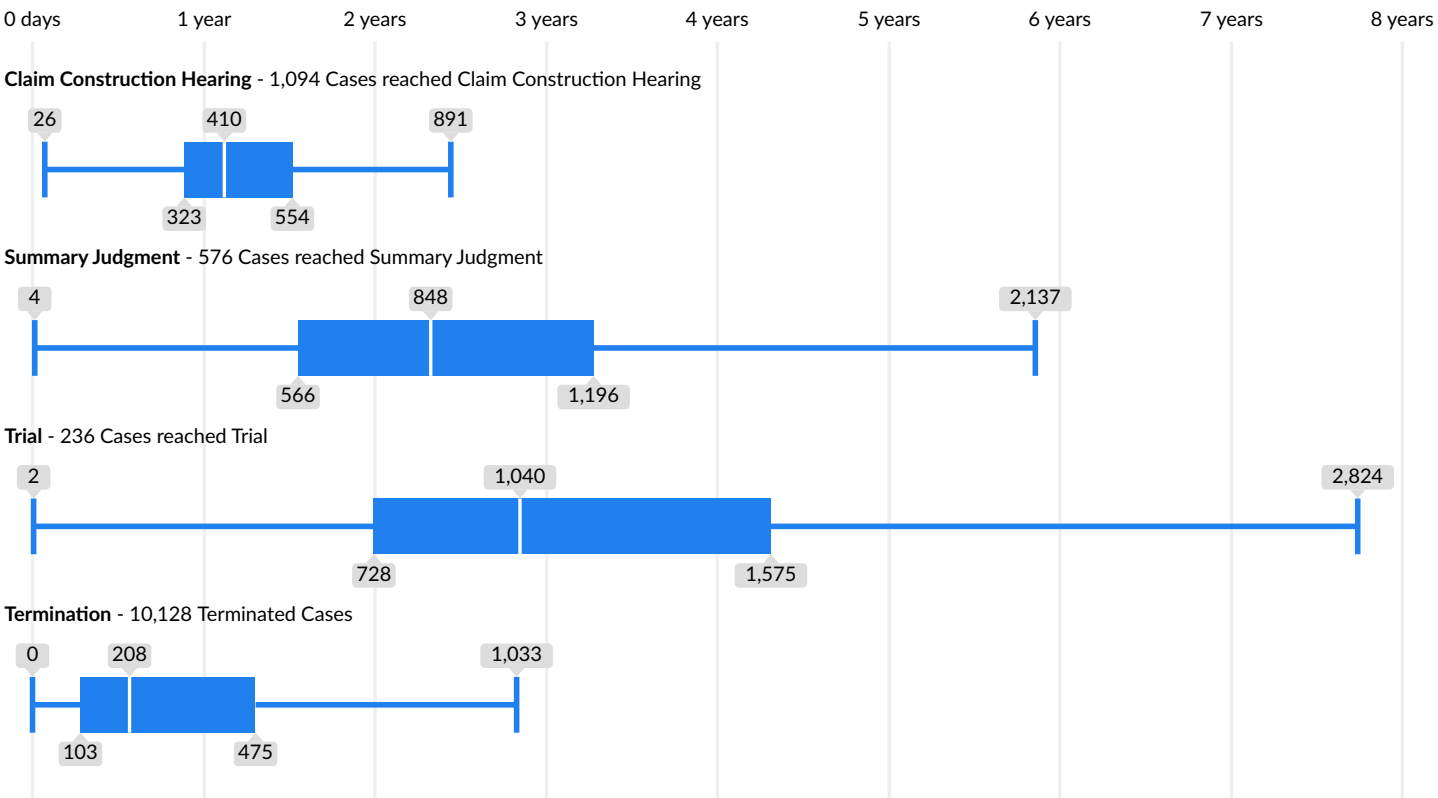
Timing

This section contains figures with timing analytics. Lex Machina provides case timing data to certain milestones, which is often used for forecasting, calendaring, and budgeting. In viewing boxplots, the lines represent the lower and upper quartiles, and the box represents the middle 50% of cases with the median number highlighted in the center (more information is in the Understanding Boxplots section at the end of this report).

Note that the range of time it takes to get to trial is particularly wide. For further insights on timing, practitioners should consider other information like the issues, venue, and parties involved.

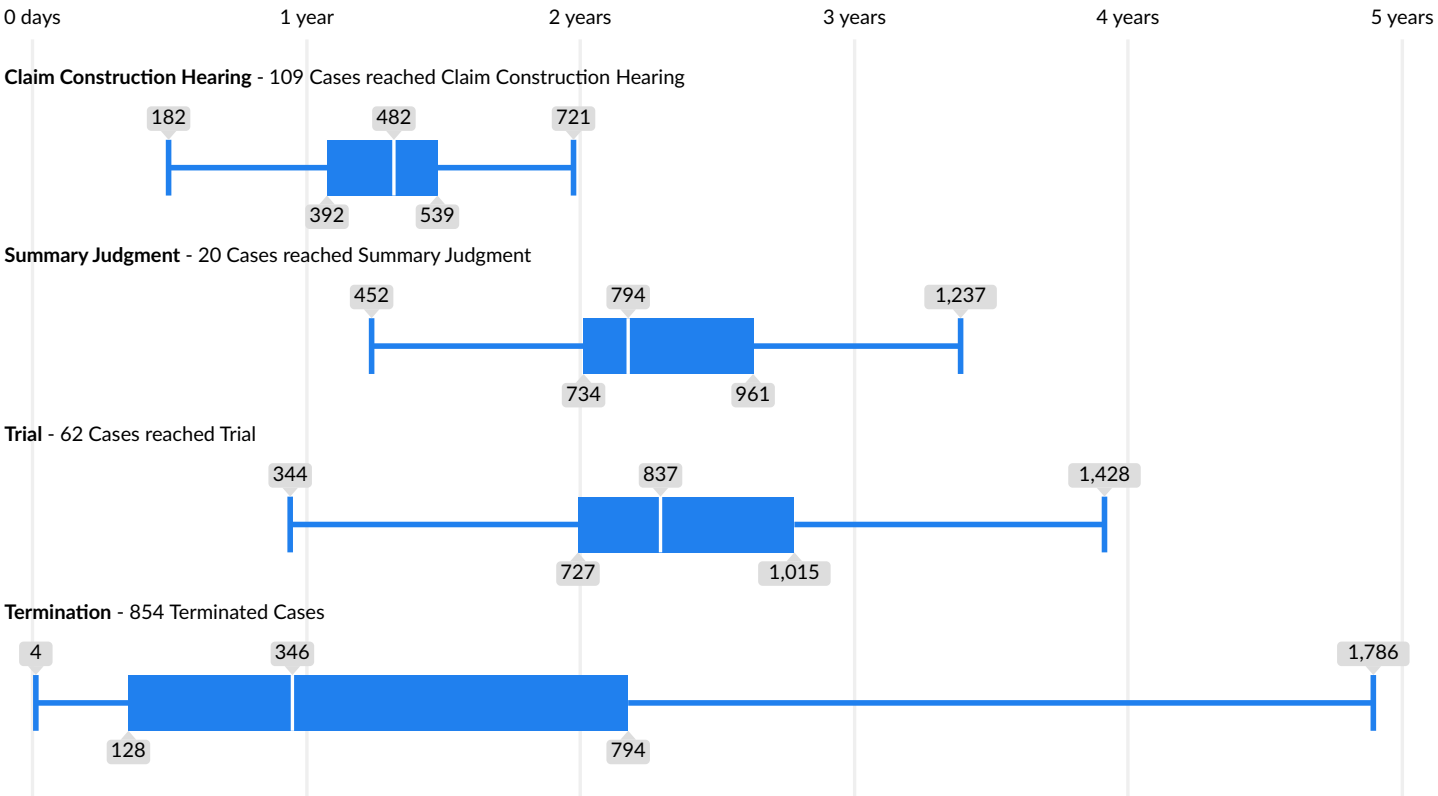
For non-ANDA patent cases terminated in the three-year period from 2022 to 2024, the median time to claim construction hearing was 410 days, while the median time to a summary-judgment decision was 848 days. The median time to trial was 1,040 days, and the median time to termination was 208 days.

Figure 14: Time to Events in Patent Cases Terminated from 2022 to 2024 (excluding ANDA Cases)



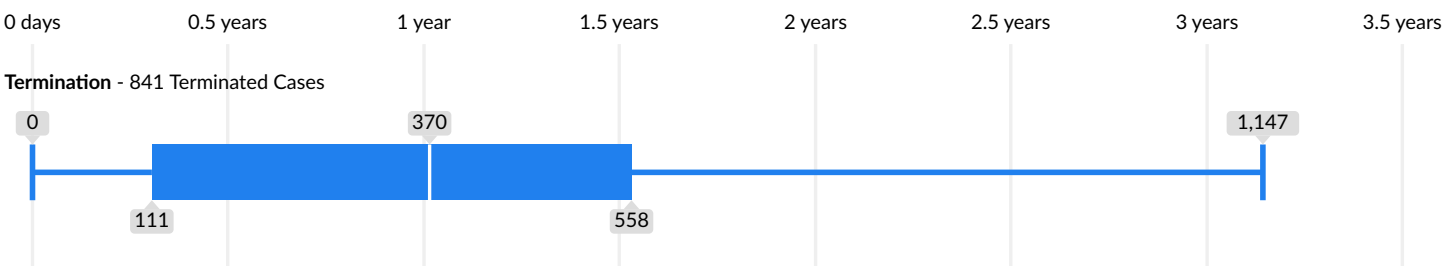
Although ANDA patent cases tend to take longer to reach a claim construction hearing, these cases tend to move faster following that milestone. For ANDA patent cases terminated in the three-year period from 2022 to 2024, the median time to claim construction hearing was 482 days, while the median time to a summary-judgment decision was 794 days. The median time to trial was 837 days.

Figure 15: Time to Events in ANDA Patent Cases Terminated from 2022 to 2024



Patent-originating federal appellate cases terminated in a median time of over one year after filing in the federal appellate court. It's an interesting uptick: Time from filing the appeal to receiving a decision had decreased in 2022 and 2023 following pandemic-era court slowdowns.

Figure 16: Time to Termination in Patent-Originating Federal Appellate Cases Terminated from 2022 to 2024

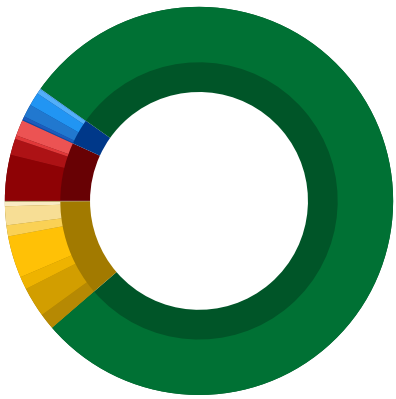


Case Resolutions

Lex Machina provides comprehensive intelligence on case resolutions for patent cases in federal district & appellate courts terminated in the three-year period from 2022 to 2024. For district court case outcomes, settlements and procedural resolutions appear on the right, while party wins are presented on the left. These wins are further divided into claimant wins and claim defendant wins, reflecting resolutions at various stages of litigation.

In district court non-ANDA patent cases terminated in the past three years, about 90% were resolved through settlements or procedural rulings rather than on substantive grounds. When cases were resolved at trial, patent claimants prevailed more than three times as often as defendants (135 to 41). More patent claimants won via default judgment in 2022-2024 compared to any other means, with most of those cases having been design patent suits filed against alleged counterfeiters named as Schedule “A” defendants.

Figure 17: District Court Case Resolutions for non-ANDA Cases Terminated from 2022 to 2024



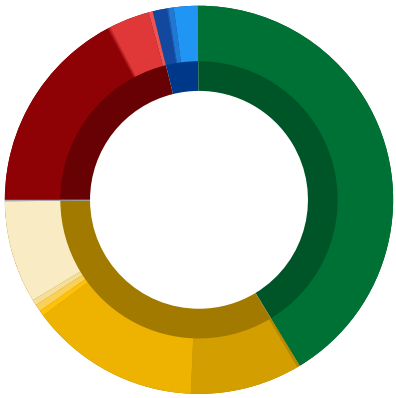
Claimant Win	**690**	**7%**
Default Judgment	387	4%
Consent Judgment	136	1%
Judgment on the Pleadings	2	0%
Summary Judgment	30	0%
Trial	135	1%
Judgment as a Matter of Law	0	0%
Decision on Bankruptcy Appeal	0	0%
Claim Defendant Win	**304**	**3%**
Default Judgment	8	0%
Consent Judgment	28	0%
Judgment on the Pleadings	108	1%
Summary Judgment	112	1%
Trial	41	0%
Judgment as a Matter of Law	7	0%
Decision on Bankruptcy Appeal	0	0%

Likely Settlement	**7,986**	**79%**
Likely Settlement	7,986	79%
Class Action Settlement	0	0%
Procedural Resolution	**1,144**	**11%**
Contested Dismissal	136	1%
Dismissal	253	2%
Consolidation	108	1%
Severance	0	0%
Interdistrict Transfer	354	3%
Intradistrict Transfer	93	1%
Stay	159	2%
Multidistrict Litigation	37	0%
Sealed	1	0%
Appeal Pending	3	0%
No Case Resolution	**4**	**0%**
Open Cases	0	0%
Other	4	0%

Federal district court cases based on ANDA patent cases have looked quite different procedurally. Aside from the lack of cases resolving with a default judgment, settlements in ANDA cases are also more likely to resolve with consent judgments, rather than other means that do not result in a record of judgment against an individual or entity. Defendants have also fared better in ANDA patent trials compared to other patent cases, with defendants having won in 37% of cases (29 to 17).

Figure 18: District Court Case Resolutions for ANDA Cases Terminated from 2022 to 2024

Claimant Win	**181**	**21%**
Default Judgment	0	0%
Consent Judgment	147	17%
Judgment on the Pleadings	1	0%
Summary Judgment	1	0%
Trial	29	3%
Judgment as a Matter of Law	3	0%
Decision on Bankruptcy Appeal	0	0%
Claim Defendant Win	**32**	**4%**
Default Judgment	0	0%
Consent Judgment	10	1%
Judgment on the Pleadings	1	0%
Summary Judgment	4	0%
Trial	17	2%
Judgment as a Matter of Law	0	0%
Decision on Bankruptcy Appeal	0	0%

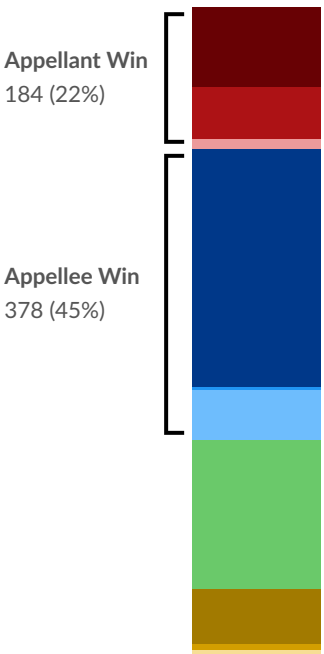


Likely Settlement	**354**	**41%**
Likely Settlement	354	41%
Class Action Settlement	0	0%
Procedural Resolution	**287**	**34%**
Contested Dismissal	2	0%
Dismissal	78	9%
Consolidation	121	14%
Severance	0	0%
Interdistrict Transfer	4	0%
Intradistrict Transfer	5	1%
Stay	4	0%
Multidistrict Litigation	73	9%
Sealed	0	0%
Appeal Pending	0	0%
No Case Resolution	**1**	**0%**
Open Cases	0	0%
Other	1	0%

In Figure 19, wins for appellants/appellees appear on the left, while settlement and procedural resolutions are shown on the right. A bar graph at the bottom displays the reversal rate for district court cases that concluded with a substantive decision (either reversed or affirmed). Over the past three years, patent appeals decided on the merits had a 36% reversal rate.

Figure 19: Federal Appellate Case Resolutions for Patent-Originating Cases Terminated from 2022 to 2024

All Resolutions



Reversed or Affirmed	Cases	%
Reversed	104	12%
Affirmed / Reversed in Part	68	8%
Affirmed	309	37%
Total	481	57%

Appealability Resolution	Cases	%
Appealability Granted	0	0%
Appealability Denied	5	1%
Total	5	1%

Miscellaneous	Cases	%
Granted (Other)	12	1%
Denied (Other)	64	8%
Total	76	9%

Likely Settlement	Cases	%
Likely Settlement	194	23%
Total	194	23%

Procedural Resolution	Cases	%
Dismissal	72	9%
Consolidation	0	0%
Transfer	8	1%
Other Ruling	0	0%
Remand	4	0%
Total	84	10%

No Resolution	Cases	%
Open Cases	0	0%
Pending	0	0%
Total	0	0%

Reversal Rate of Reversed or Affirmed Cases

36%
Reversal rate

64%
Affirmance rate

The reversal rate is calculated by dividing the number of cases (172) that were either ● Reversed (104) or ● Affirmed / Reversed in Part (68) by the total number of cases (481) that were ● Reversed, ● Affirmed / Reversed in Part, or ● Affirmed (309).

Findings

Lex Machina tracks civil litigation findings at various stages to help legal professionals gauge relative likelihoods for securing favorable outcomes. Our Legal Analytics platform also categorizes findings by judge or court, enabling attorneys to tailor their strategies accordingly. The figures below present the number of cases with findings at each stage, along with overall totals. Note that the columns may not add up to the value shown in the "Any" column because a case can have findings at multiple judgment events (e.g., summary judgment and trial). This list is not exhaustive of all findings available on the platform, although analyzing cases terminated between 2022 and 2024 reveals trends and data-driven insights.

Figure 20 displays the number of cases with patent findings at various judgment events over the past three years. Figure 21 delves into the specific reasons patents were found invalid during the same period. For these figures, findings from claim-construction orders are counted as summary judgment findings.

Figure 20: Patent Findings by Judgment Event for Cases Terminated from 2022 to 2024

Findings	Default Judgment	Consent Judgment	Judgment on the Pleadings	Summary Judgment	Trial	Judgment as a Matter of Law	Any Judgment Event
Infringement	442	156	1	36	148	3	748
No Infringement	6	62	31	172	103	12	347
Invalidity	8	4	107	157	47	4	316
No Invalidity	29	119	1	69	144	5	350
Unenforceability	5	1	0	1	2	0	9
No Unenforceability	28	110	3	21	15	0	176

Courts invalidated patents most frequently on the grounds that a given patent was directed towards an ineligible subject matter, primarily found at judgment on the pleadings. The next most common finding was on the grounds of indefiniteness, a conclusion typically reached during claim construction (which is combined with summary judgment for the purposes of the findings in this section).

Figure 21: Patent Invalidity Reasons by Judgment Event for Cases Terminated from 2022 to 2024

Findings	Default Judgment	Consent Judgment	Judgment on the Pleadings	Summary Judgment	Judgment as a Matter of Law	Trial	Any Judgment Event
101 Subject Matter	0	0	107	34	1	2	142
102 Anticipation / Novelty	7	2	0	12	15	2	38
102(f) Derivation (pre-AIA)	0	0	0	1	0	0	1
103 Obviousness	2	1	0	7	29	0	39
112 Definiteness	0	0	0	102	1	1	104
112 Enablement	0	0	0	3	4	1	8
112 Written Description	0	1	0	5	5	1	12
132, 251, 255, 305 Defective Correction	0	0	0	2	0	0	2
Obviousness-Type Double Patenting	0	0	0	0	1	0	1
No Invalidity Reason Specified	1	0	0	3	8	0	12

Damages

Figure 22 summarizes the total patent damages awarded annually (excluding fees, costs, and interest) from 2015 to 2024. For each year, the first columns list the number of cases with damages as well as total damages awarded. The "Amount" column includes only awards that have not been reversed on appeal.

Over the past four years, annual patent damages have exceeded $1 billion, and the number of cases receiving awards has grown over the last five years. In 2024, both the highest total damages and the greatest number of awarded cases were recorded within this ten-year period.

Because the appeal process is time-consuming, recent figures for reversed damage awards may change. Lex Machina will continue to track these awards to determine whether they ultimately stand or are reversed.

Figure 22: Total Patent Damages Awarded from 2015 to 2024 (excluding Fees and Interest) (Millions)

Year	Cases	Amount	Reversed Cases	Reversed Amount
2024	94	$4,351	—	—
2023	82	$3,638	—	—
2022	68	$2,818	1	$5
2021	57	$1,217	1	$2,175
2020	36	$518	6	$3,899
2019	50	$774	7	$781
2018	58	$1,235	6	$545
2017	61	$700	8	$385
2016	53	$547	8	$30
2015	43	$338	12	$446

Lex Machina monitors various types of damages along with the corresponding amounts awarded across different judgment events. Lex Machina annotates certain types of damages specific to patent cases: Reasonable Royalty, Lost Profits, and Enhanced Damages. Attorneys' Fees / Costs, Other / Mixed Damage Types, and Prejudgment Interest are annotated generally within Lex Machina.

Figure 23: Total Patent Damages by Type Awarded from 2022 to 2024 (Millions)

Type	Cases	Awarded	DFJ	CJ	Verdict	Merits
Reasonable Royalty	170	$9,282	$20	$8	$9,213	$41
Lost Profits	40	$851	$9	$18	$821	$3
Enhanced Damages	28	$623	$3	$10	$4	$606
Attorneys' Fees / Costs	197	$110	$2	$28	—	$81
Other / Mixed Damage Types	46	$51	$14	$2	$33	$2
Prejudgment Interest	44	$343	$8	$72	—	$263

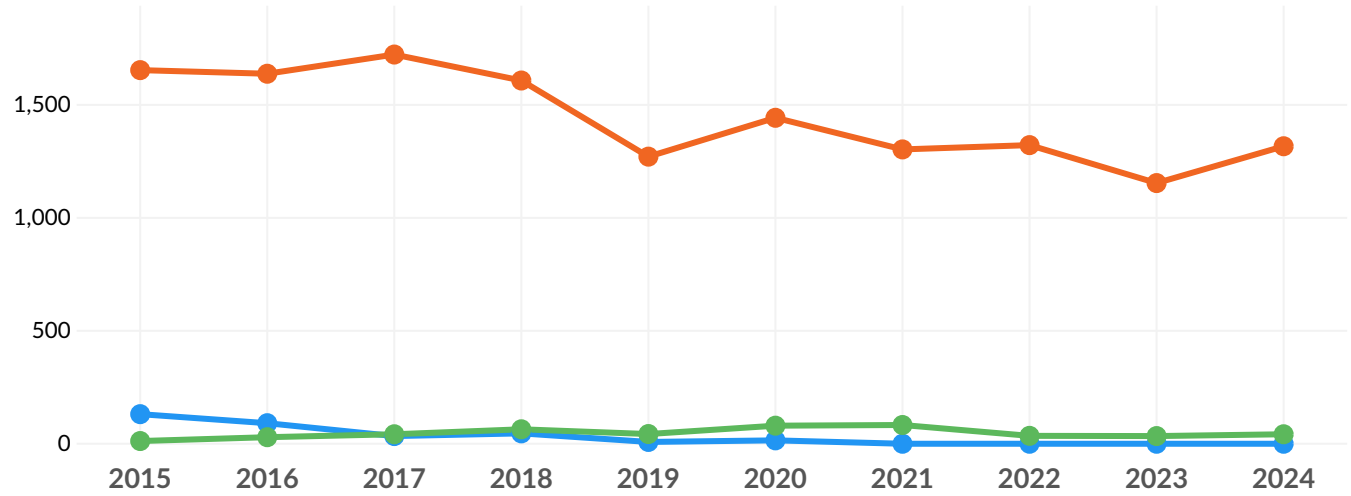
Patent Trial and Appeal Board

PTAB Filings

The number of PTAB petitions each year remained relatively steady from 2014 to 2018. After a drop in petitions in 2019, petitions stabilized at a lower range of numbers through 2024.

In 2019, the decline in PTAB petitions was largely driven by the USPTO and the Federal Circuit Court revising patent review standards across venues and implementing policies to reduce redundant reviews. Relatedly, the modest rise in filings in 2020 may have been influenced by a clarification of the standards set forth in 2019, along with the relative resilience of PTAB during the pandemic, which enhanced its appeal as a dispute-resolution venue in 2020. Note that there are no covered business method ("CBM") filings in recent years because CBM review ended in September 2020.

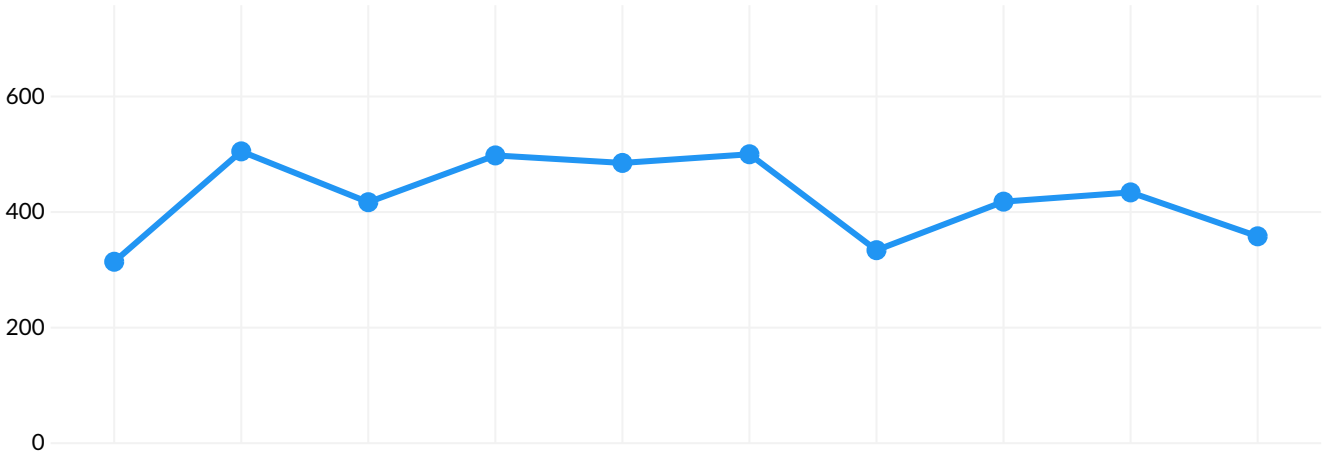
Figure 24: PTAB Petitions Filed from 2015 to 2024



	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
CBM	131	91	34	46	8	15	0	0	0	0
IPR	1,654	1,638	1,723	1,608	1,271	1,443	1,303	1,322	1,154	1,317
PGR	12	29	42	64	43	80	83	35	34	42

Federal Court of Appeals cases originating from PTAB petitions peaked in 2016, dropped in 2017, and then remained steady until another decline in 2021. A modest drop from 2023 to 2024 suggests that the annual appeal volume from 2021 through 2024 may now reflect a new normal.

Figure 25: Federal Court of Appeals Cases Originating from PTAB Filed from 2015 to 2024



	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Cases	314	505	417	498	485	500	334	418	434	358

Most Active Parties (PTAB)

This section reviews the parties with the highest number of PTAB trial appearances from 2022 to 2024 based on petition filings over the three-year period. The right-hand columns list the number of patents at issue and the number of administrative patent judges presiding over trials involving the specific party.

Major technology companies continue to petition PTAB most frequently, with Samsung entities having petitioned PTAB in 2024 more often than the next-closest company.

Figure 26: Most Active Petitioners by Trials Petitioned from 2022 to 2024

Party	2022	2023	2024	Total	Patents	APJs
Samsung Electronics Co., Ltd.	136	102	114	**352**	291	99
Samsung Electronics America, Inc.	101	94	109	**304**	255	96
Apple Inc.	138	45	63	**246**	186	79
Google LLC	96	54	84	**234**	184	84
Ericsson, Inc	14	19	41	**74**	71	49
Amazon.com, Inc.	34	9	29	**72**	54	46
Meta Platforms, Inc.	26	34	5	**65**	57	38
Nokia Corporation	12	12	41	**65**	63	45
Cisco Systems, Inc.	13	26	25	**64**	58	45
Dell Technologies Inc.	19	16	28	**63**	44	37
Microsoft Corporation	26	15	22	**63**	53	49
T-Mobile USA, Inc.	8	15	40	**63**	49	36

In both 2022 and 2023, Jawbone Innovations, LLC led the list of patent owners defending their patents in PTAB proceedings. However, by 2024 the company had exited the arena, having not filed a patent infringement lawsuit in district court since February 2023. Instead, Entropic Communications, LLC emerged as the most frequently petitioned patent owner in 2024, following a series of patent infringement lawsuits that the company has filed against major cable and satellite dish companies since 2022.

Figure 27: Most Active Patent Owners by Trials Petitioned from 2022 to 2024

Party	2022	2023	2024	Total	Patents	APJs
Jawbone Innovations, LLC	35	34	0	**69**	9	8
Greenthread, LLC	8	21	14	**43**	6	11
AlmondNet, Inc.	24	1	17	**42**	17	11
Open Text Corporation	4	35	0	**39**	14	9
Telefonaktiebolaget LM Ericsson	32	0	6	**38**	38	10
Entropic Communications, LLC	0	3	34	**37**	21	12
Intent IQ, LLC	21	1	15	**37**	17	11
Webroot, Inc.	4	33	0	**37**	15	9
Intellectual Ventures II LLC	20	0	12	**32**	21	18
Proxense, LLC	0	0	31	**31**	10	7

Most Active Law Firms (PTAB)

This section examines the law firms that appeared in the highest number of PTAB trials from 2022 to 2024. The right-hand columns display the percentage of cases in which each firm represented petitioners, the number of patents at issue, and the number of administrative patent judges they appeared before. As with the list of the most active law firms representing district court defendants, Fish & Richardson led in trials petitioned during this period, followed by Finnegan, Henderson, Farabow, Garrett & Dunner, then Baker Botts.

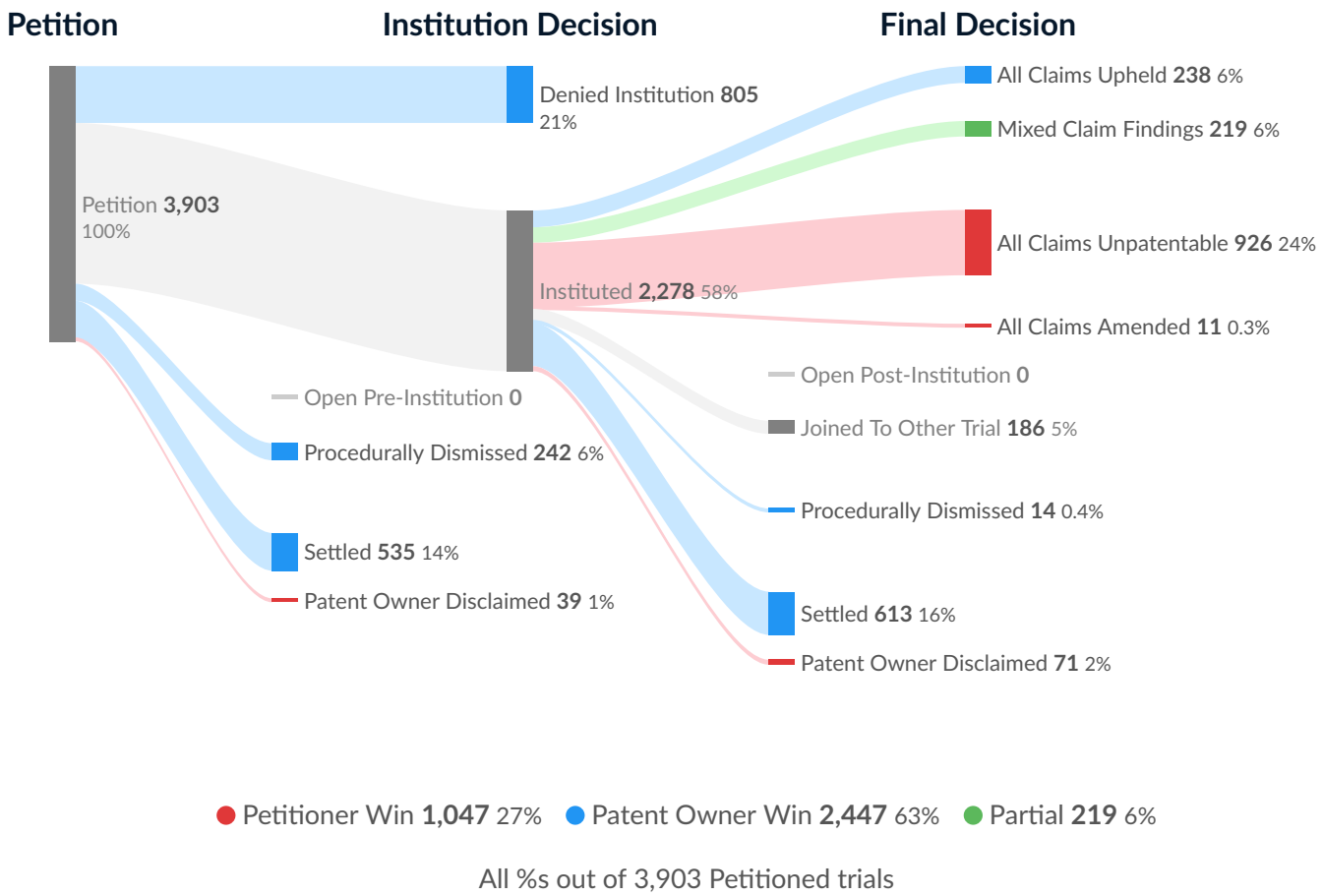
Figure 28: Most Active Firms by Trials Petitioned from 2022 to 2024

Party	2022	2023	2024	Total	For Petitioner	Patents	APJs
Fish & Richardson	144	146	183	**473**	81.4%	386	133
Finnegan, Henderson, Farabow, Garrett & Dunner	130	88	97	**315**	69.2%	276	128
Baker Botts	94	69	48	**211**	64.5%	173	97
Russ August & Kabat	90	41	70	**201**	0.5%	120	61
McKool Smith	61	68	67	**196**	16.3%	117	80
Perkins Coie	60	59	71	**190**	77.4%	159	99
Sterne, Kessler, Goldstein & Fox	70	31	65	**166**	45.2%	135	94
Haynes and Boone	77	32	52	**161**	87.0%	144	92
Fabricant	57	79	18	**154**	0.6%	74	48
Quinn Emanuel Urquhart & Sullivan	42	50	57	**149**	71.8%	141	88

PTAB Trial Flow

The trial flow analytics below illustrate the progression of PTAB trials from petition through various stages, concluding with a summary of outcomes. For trials ending between 2022 and 2024, 58% of PTAB petitions were granted institution. Instituted trials have increased each year since 2022 -- likely influenced by PTO Director Kathi Vidal's scaling back of the *Fintiv* discretionary denial doctrine. The number of instituted PTAB trials has steadily increased each year since 2021. Please note that in March 2025, current USPTO Director Coke Stewart effectively reversed Vidal's policy change via a director review decision in *Motorola Solutions, Inc. v. Stellar, LLC*, IPR2024-01205, -01206, -01207, -01208. This move could lead to further shifts, and Lex Machina will continue to closely monitor these developments.

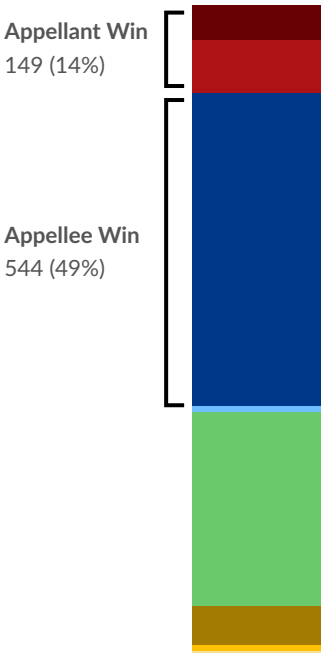
Figure 29: PTAB Trial Flow for Trials Terminated from 2022 to 2024



Between 2022 and 2024, 22% of PTAB appeals were reversed — a rate that has remained remarkably steady in recent years.

Figure 30: Federal PTAB Appellate Cases Terminated from 2022 to 2024

All Resolutions



Reversed or Affirmed	Cases	%
Reversed	59	5%
Affirmed / Reversed in Part	90	8%
Affirmed	534	48%
Total	683	62%

Appealability Resolution	Cases	%
Appealability Granted	0	0%
Appealability Denied	0	0%
Total	0	0%

Miscellaneous	Cases	%
Granted (Other)	0	0%
Denied (Other)	10	1%
Total	10	1%

Likely Settlement	Cases	%
Likely Settlement	331	30%
Total	331	30%

Procedural Resolution	Cases	%
Dismissal	67	6%
Consolidation	9	1%
Transfer	0	0%
Other Ruling	0	0%
Remand	2	0%
Total	78	7%

No Resolution	Cases	%
Open Cases	0	0%
Pending	0	0%
Total	0	0%

Reversal Rate of Reversed or Affirmed Cases

22%
Reversal rate

78%
Affirmance rate

The reversal rate is calculated by dividing the number of cases (149) that were either ● Reversed (59) or ● Affirmed / Reversed in Part (90) by the total number of cases (683) that were ● Reversed, ● Affirmed / Reversed in Part, or ● Affirmed (534).

Data and Methodology

This Lex Machina report presents data from our Legal Analytics platform. Using machine learning and technology-assisted attorney review, raw data is extracted from sources including PACER. The raw data is then cleaned, tagged, structured, and loaded in our proprietary platform. This report is prepared by the Lex Machina product team using charts and graphs from the platform. Commentary is provided by internal legal experts.

Lex Machina supplements and corrects primary data from PACER in a variety of ways, including:

- Correcting errors ranging from spelling mistakes to complex data problems
- Normalizing data on judges, parties, law firms, and attorneys
- Extracting records of law firms and attorneys not found in docket reports
- Tagging and categorizing cases
- Annotating case resolutions, damages, and dispositive rulings

What Kinds of Data Does Lex Machina Offer?

Lex Machina maintains a specialized database containing information about litigation in the U.S. District Courts, many state courts, the U.S. Patent and Trademark Office's Patent Trial and Appeal Board, the U.S. International Trade Commission, the U.S. Bankruptcy Courts, and the U.S. Federal Courts of Appeals. On a daily basis, Lex Machina requests and receives data from the various courts' PACER systems on new cases and docket entries filed. Our automated systems ensure the completeness and consistency of this data before analyzing it in conjunction with other data sources.

This document was published in June 2025. The Lex Machina platform updates daily; therefore, any numbers in this report will change as new cases get added to PACER with new information. This report is meant to provide trends and general research information as of the date of publication.

What is a Patent Case?

A case with one or more claims involving patent infringement, invalidity, or unenforceability brought under 35 USC § 271. False marking, inventorship, or contract cases are not included in the patent case type.

What are the Patent Case Tags?

Lex Machina uses machine learning and natural language processing to create case tags that identify certain claims in a case. In patent, case tags to identify these common types of claims include:

ANDA — Patent cases prompted by the filing of an ANDA or paper NDA that includes a Paragraph IV Certification (incentivized by the Hatch-Waxman Act's first to file exclusivity provisions for prospective generic drug makers).

High-Volume Plaintiff — Patent cases in which a plaintiff (or defendant in a declaratory judgment case) is a high-volume filer, meaning that the party has filed at least 10 patent cases (excluding ANDA cases) within a 365-day period. Once a party is determined to be a high-volume filer, this tag applies to all of the party's patent cases (excluding ANDA cases) in which the party is a plaintiff (or defendant in a declaratory judgment case), regardless of when the cases were filed. This behavior-based classification focuses objectively on a party's tendency towards mass litigation, and it avoids the inherent subjectivity and ambiguity of classifying parties as Non-Practicing Entities (NPEs) or Patent Assertion Entities (PAEs). Thus, while this tag primarily applies to cases with NPEs or PAEs, the tag also applies to cases with operating companies that file a significant volume of patent cases.

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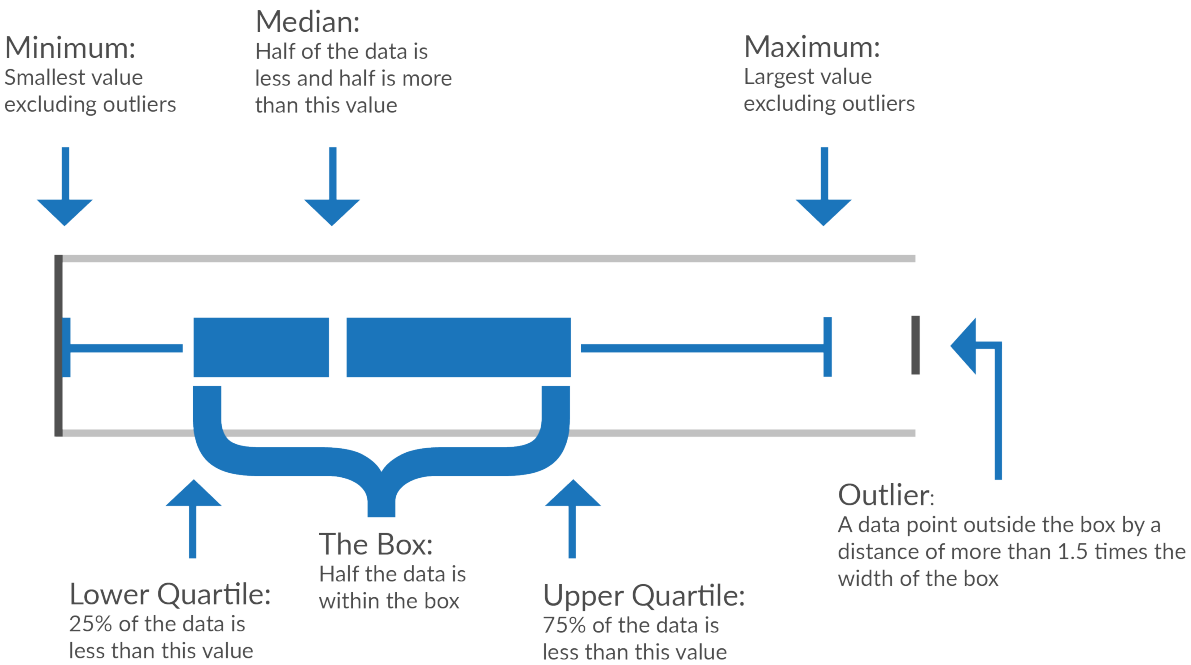
Understanding Box Plots

Analytics from Lex Machina use a data visualization known as the box plot to convey information about the timing of significant events in a case. A box plot summarizes a series of data points to help you understand the shape or distribution of the values in those points. The box plot is drawn based on five numbers: the median, the upper and lower quartiles, and the whiskers for a distribution.



The four observations below explain the significance of a box plot:

Median
The middle dividing line of the box splits the data points evenly so that 50% fall to either side. It's a form of average that gives a single number representation of what to reasonably expect.

Box bounds
The box encloses the middle-most 50% of the data points (from the 25th percentile to the 75th), with 25% of the data points falling outside to either side. This makes the box a good representation of the range one can reasonably expect.

Box compressed or elongated
A more compressed box means that more data points fall into a smaller range of time and therefore are more consistent; in contrast, a longer box means that the data points are spread out over a wider time period and are therefore less predictable.

Whiskers
Whiskers are drawn to show the outside bounds of reasonable expectation, beyond which data points are considered outliers. By statistical convention, box plots define outliers as points beyond more than 1.5 times the width of the box (sometimes called the "interquartile range").