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Ex Parte Reexamination Filing Data - June 30, 2010

Table with 5 main categories: 1. Total requests filed since start of ex parte reexam on 07/01/81 (10782 total), 2. Number of filings by discipline (3019 Chemical, 3895 Electrical, 3697 Mechanical, 171 Design), 3. Annual Ex Parte Reexam Filings (table with columns for Fiscal Yr. and No. from 1981 to 2010), 4. Number known to be in litigation (3443, 32%), 5. Decisions on requests (10296 total, 9467 granted (92%), 829 denied (8%)).

1Of the requests received in FY 2010, 16 requests have not yet been accorded a filing date, and preprocessing of 55 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for Ex Parte and Inter Partes Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).

6.	Total examiner denials (includes denials reversed by Director).....				907
	a. Patent owner requester		451		50%
	b. Third party requester		456		50%
7.	Overall reexamination pendency (Filing date to certificate issue date)				
	a. Average pendency		25.4 (mos.)		
	b. Median pendency		20.0 (mos.)		
8.	Reexam certificate claim analysis:	<u>Owner</u>	<u>3<sup>rd</sup> Party</u>	<u>Comm'r</u>	<u>Overall</u>
		<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>	
	a. All claims confirmed	22%	25%	12%	23%
	b. All claims cancelled	8%	13%	23%	12%
	c. Claims changes	70%	62%	65%	65%
9.	Total <i>ex parte</i> reexamination certificates issued (1981 – present) .....				7586
	a. Certificates with all claims confirmed		1786		23%
	b. Certificates with all claims canceled		877		12%
	c. Certificates with claims changes		4923		65%
10.	Reexam claim analysis – requester is patent owner or 3 <sup>rd</sup> party or Commissioner initiated.				
	a. Certificates – PATENT OWNER REQUESTER .....				2910
	(1) All claims confirmed		634		22%
	(2) All claims canceled		250		8%
	(3) Claim changes		2026		70%
	b. Certificates – 3 <sup>rd</sup> PARTY REQUESTER .....				4524
	(1) All claims confirmed		1134		25%
	(2) All claims canceled		592		13%
	(3) Claim changes		2798		62%
	c. Certificates – COMMISSIONER INITIATED REEXAM .....				152
	(1) All claims confirmed		18		12%
	(2) All claims canceled		35		23%
	(3) Claim changes		99		65%