

Quarter ending 9/30/10

## Reexaminations - FY 2010



### Pending Reexaminations

	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Preprocessing	87	83	58	64
Awaiting Order/Denial	96	109	128	156
Between Order and First Action on the Merits	343	279	271	278
Between FAOM and NIRC	1345	1395	1377	1378
Between NIRC and Publication of Certificate	162	197	207	218
Total	2033	2063	2041	2094

### Volume of Proceedings

	YTD Through Quarter 1	YTD Through Quarter 2	YTD Through Quarter 3	YTD Through Quarter 4
Filings	242	470	728	1061
Ex Parte	168	344	539	780
Inter Partes	74	126	189	281
Orders Granting Reexamination	205	396	586	831
Ex Parte Orders	153	282	423	607
Inter Partes Orders	52	114	163	224
Denials	10	23	45	62
Ex Parte Denials	10	22	40	55
Inter Partes Denials		1	5	7
First Actions on the Merits	186	451	643	877
Ex Parte FAOMs	122	319	451	621
Inter Partes FAOMs	64	132	192	256
Notices of Intent to Issue a Reexamination Certificate	183	389	610	850
Ex Parte NIRCs	165	351	549	760
Inter Partes NIRCs	18	38	61	90
Reexamination Certificates	254	445	624	859
Ex Parte Certificates	224	395	560	771
Inter Partes Certificates	30	50	64	88

### Timing of proceedings

	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Average Months from Filing to Order	1.9	1.9	1.6	1.8
Average Months to Ex Parte Order	1.9	1.8	1.6	1.7
Average Months to Inter Partes Order	2.2	2.1	1.8	2.0
Average Months from Filing to Denial	2.0	1.9	1.6	1.7
Average Months to Ex Parte Denial	2.0	2.0	1.7	1.6
Average Months to Inter Partes Denial		1.6	1.1	1.8
Average Months from Filing to FAOM	6.5	6.9	6.2	6.4
Average Months to Ex Parte FAOM	7.6	7.8	7.4	7.5
Average Months to Inter Partes FAOM	4.4	4.2	3.6	3.3
Average Months from Filing to NIRC	24.1	24.1	28.2	26.1
Average Months to Ex Parte NIRC	23.0	23.8	27.4	25.0
Average Months to Inter Partes NIRC	34.6	26.9	34.8	33.5
Average Months from Filing to Certificate	31.8	27.6	28.5	30.5
Average Months to Ex Parte Certificate	31.1	26.5	28.4	29.7
Average Months to Inter Partes Certificate	37.3	37.3	29.5	37.6

Source: Filings from ex parte and inter partes historical statistics.

Pendency, First action, NIRC ("Notice of Intent to Issue a Reexamination Certificate") and Certificate data from PALM.

Note: This data is recorded by reexamination control number. Where proceedings are merged, the merged proceeding will appear as multiple instances. For this reason the certificate count will not match the number of individual reexamination certificates published in the Official Gazette.

## Reexaminations - FY 2009



Pending Reexaminations	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Preprocessing	42	77	56	89
Awaiting Order/Denial	127	110	127	101
Between Order and First Action on the Merits	438	373	339	323
Between FAOM and NIRC	1336	1356	1373	1349
Between NIRC and Publication of Certificate	171	224	207	258
Total	2114	2140	2102	2120

### Volume of Proceedings

	YTD Through Quarter 1	YTD Through Quarter 2	YTD Through Quarter 3	YTD Through Quarter 4
Filings	222	441	676	916
Ex Parte	154	308	481	658
Inter Partes	68	133	195	258
Orders Granting Reexamination	191	392	583	794
Ex Parte Orders	153	288	427	576
Inter Partes Orders	38	104	156	218
Denials	17	27	41	51
Ex Parte Denials	10	18	29	38
Inter Partes Denials	7	9	12	13
First Actions on the Merits	195	449	686	910
Ex Parte FAOMs	154	332	519	701
Inter Partes FAOMs	41	117	167	209
Notices of Intent to Issue a Reexamination Certificate	137	372	581	822
Ex Parte NIRCs	130	338	521	735
Inter Partes NIRCs	7	34	60	87
Reexamination Certificates	171	346	571	797
Ex Parte Certificates	160	324	527	724
Inter Partes Certificates	11	22	44	73

### Timing of proceedings

	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Average Months from Filing to Order	2.0	1.8	1.8	1.9
Average Months to Ex Parte Order	1.9	1.7	1.7	1.8
Average Months to Inter Partes Order	2.3	2.1	1.9	2.1
Average Months from Filing to Denial	2.4	2.2	1.6	1.7
Average Months to Ex Parte Denial	2.1	2.3	1.7	1.8
Average Months to Inter Partes Denial	2.8	1.8	1.0	1.0
Average Months from Filing to FAOM	9.5	8.7	7.7	7.5
Average Months to Ex Parte FAOM	10.3	10.6	8.7	8.2
Average Months to Inter Partes FAOM	6.1	4.2	3.7	4.7
Average Months from Filing to NIRC	24.2	28.9	28.3	25.8
Average Months to Ex Parte NIRC	23.5	28.1	28.2	24.7
Average Months to Inter Partes NIRC	36.6	35.2	29.3	34.5
Average Months from Filing to Certificate	32.9	31.0	33.8	31.1
Average Months to Ex Parte Certificate	32.3	31.1	33.0	30.5
Average Months to Inter Partes Certificate	41.7	28.9	41.7	35.2

Source: Filings from ex parte and inter partes historical statistics.

Pendency, First action, NIRC ("Notice of Intent to Issue a Reexamination Certificate") and Certificate data from PALM.

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# Reexaminations - FY 2008



## Pending Reexaminations

	Quarter 1*	Quarter 2*	Quarter 3*	Quarter 4
Preprocessing				
Awaiting Order/Denial				
Between Order and First Action on the Merits				
Between FAOM and NIRC				
Between NIRC and Publication of Certificate				
Total				

## Volume of Proceedings

	YTD Through Quarter 1*	YTD Through Quarter 2*	YTD Through Quarter 3*	YTD Through Quarter 4
Filings	210	412	615	848
Ex Parte	165	330	487	680
Inter Partes	45	82	128	168
Orders Granting Reexamination	185	372	579	768
Ex Parte Orders	153	305	468	626
Inter Partes Orders	32	67	111	142
Denials	7	20	41	48
Ex Parte Denials	5	13	33	40
Inter Partes Denials	2	7	8	8
First Actions on the Merits	182	400	613	895
Ex Parte FAOMs	157	334	506	752
Inter Partes FAOMs	25	66	107	143
Notices of Intent to Issue a Reexamination Certificate	138	249	377	504
Ex Parte NIRCs	131	234	357	471
Inter Partes NIRCs	7	15	20	33
Reexamination Certificates	175	279	408	597
Ex Parte Certificates	174	273	392	575
Inter Partes Certificates	1	6	16	22

## Timing of proceedings

	Quarter 1*	Quarter 2*	Quarter 3*	Quarter 4
Average Months from Filing to Order	2.0	2.0	1.8	1.9
Average Months to Ex Parte Order	1.9	1.9	1.8	1.8
Average Months to Inter Partes Order	2.3	2.3	2.1	2.2
Average Months from Filing to Denial	2.2	2.3	2.5	1.6
Average Months to Ex Parte Denial	2.1	2.1	2.5	1.6
Average Months to Inter Partes Denial	2.7	2.8	1.9	
Average Months from Filing to FAOM	10.8	10.9	11.2	11.3
Average Months to Ex Parte FAOM	12.0	12.2	12.5	12.1
Average Months to Inter Partes FAOM	3.5	5.1	5.6	6.3
Average Months from Filing to NIRC	24.2	26.4	25.5	26.3
Average Months to Ex Parte NIRC	23.5	26.3	25.4	25.2
Average Months to Inter Partes NIRC	36.6	27.5	28.2	38.5
Average Months from Filing to Certificate	32.9	31.6	37.6	31.8
Average Months to Ex Parte Certificate	32.9	31.3	38.0	31.7
Average Months to Inter Partes Certificate	27.2	38.3	32.7	36.0

Source: Filings from ex parte and inter partes historical statistics.

Pendency, First action, NIRC ("Notice of Intent to Issue a Reexamination Certificate") and Certificate data from PALM.

Note: This data is recorded by reexamination control number. Where proceedings are merged, the merged proceeding will appear as multiple instances. For this reason the certificate count will not match the number of individual reexamination certificates published in the Official Gazette.

\*Prior to the fourth quarter of FY 2008, PALM data was retrieved as of April 2009. Starting in the fourth quarter of 2008, data is from the end of the respective quarter.

# Reexaminations - FY 2007



## Pending Reexaminations

	Quarter 1	Quarter 2	Quarter 3	Quarter 4*
Preprocessing				
Awaiting Order/Denial				
Between Order and First Action on the Merits				
Between FAOM and NIRC				
Between NIRC and Publication of Certificate				
Total				

## Volume of Proceedings

	YTD Through Quarter 1	YTD Through Quarter 2	YTD Through Quarter 3	YTD Through Quarter 4*
Filings				769
Ex Parte				643
Inter Partes				126
Orders Granting Reexamination				693
Ex Parte Orders				575
Inter Partes Orders				118
Denials				20
Ex Parte Denials				19
Inter Partes Denials				1
First Actions on the Merits				499
Ex Parte FAOMs				416
Inter Partes FAOMs				83
Notices of Intent to Issue a Reexamination Certificate				417
Ex Parte NIRCs				409
Inter Partes NIRCs				8
Reexamination Certificates				394
Ex Parte Certificates				391
Inter Partes Certificates				3

## Timing of proceedings

	Quarter 1	Quarter 2	Quarter 3	Quarter 4*
Average Months from Filing to Order				2.0
Average Months to Ex Parte Order				2.0
Average Months to Inter Partes Order				2.4
Average Months from Filing to Denial				2.1
Average Months to Ex Parte Denial				2.1
Average Months to Inter Partes Denial				
Average Months from Filing to FAOM				12.3
Average Months to Ex Parte FAOM				14.2
Average Months to Inter Partes FAOM				3.2
Average Months from Filing to NIRC				28.3
Average Months to Ex Parte NIRC				28.3
Average Months to Inter Partes NIRC				27.7
Average Months from Filing to Certificate				39.6
Average Months to Ex Parte Certificate				39.9
Average Months to Inter Partes Certificate				27.1

Source: Filings from ex parte and inter partes historical statistics.

Pendency, First action, NIRC ("Notice of Intent to Issue a Reexamination Certificate") and Certificate data from PALM.

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\*Prior to the fourth quarter of FY 2008, PALM data was retrieved as of April 2009. Starting in the fourth quarter of 2008, data is from the end of the respective quarter.