



Ex Parte Reexamination Filing Data - June 30, 2006

- 1. Total requests filed since start of ex parte reexam on 07/01/81.....8084
 - a. By patent owner 3313 41%
 - b. By other member of public 4606 57%
 - c. By order of Commissioner 165 2%

- 2. Number of filings by discipline
 - a. Chemical Operation 2496 31%
 - b. Electrical Operation 2608 32%
 - c. Mechanical Operation 2980 37%

3. Annual Ex Parte Reexam Filings

| Fiscal Yr. | No. | Fiscal Yr. | No. | Fiscal Yr. | No. | Fiscal Yr. | No. |
|------------|-------------|------------|-----|------------|-----|------------|-----|
| 1981 | 78 (3 mos.) | 1989 | 243 | 1997 | 376 | 2005 | 524 |
| 1982 | 187 | 1990 | 297 | 1998 | 350 | 2006 | 340 |
| 1983 | 186 | 1991 | 307 | 1999 | 385 | | |
| 1984 | 189 | 1992 | 392 | 2000 | 318 | | |
| 1985 | 230 | 1993 | 359 | 2001 | 296 | | |
| 1986 | 232 | 1994 | 379 | 2002 | 272 | | |
| 1987 | 240 | 1995 | 392 | 2003 | 392 | | |
| 1988 | 268 | 1996 | 418 | 2004 | 441 | | |

- 4. Number known to be in litigation.....1895 23%
- 5. Determinations on requests.....7852
 - a. No. granted..... 7160..... 91%
 - (1) By examiner 7054
 - (2) By Director (on petition) 106
 - b. No. denied 692 9%
 - (1) By examiner 657
 - (2) Order vacated 35

| | | | | |
|--|-----------|-----------|-------------|---------|
| 6. Total examiner denials (includes denials reversed by Director)..... | | | | 763 |
| a. Patent owner requester | | | 430 | 56% |
| b. Third party requester | | | 333 | 44% |
| 7. Overall reexamination pendency (Filing date to certificate issue date) | | | | |
| a. Average pendency | | | 22.8 (mos.) | |
| b. Median pendency | | | 17.6 (mos.) | |
| 8. Reexam certificate claim analysis: | Owner | 3rd Party | Comm'r | Overall |
| | Requester | Requester | Initiated | |
| a. All claims confirmed | 23% | 29% | 13% | 26% |
| b. All claims canceled | 7% | 12% | 19% | 10% |
| c. Claims changes | 70% | 59% | 68% | 64% |
| 9. Total ex parte reexamination certificates issued (1981 - present)..... | | | | 5433 |
| a. Certificates with all claims confirmed | | | 1410 | 26% |
| b. Certificates with all claims canceled | | | 554 | 10% |
| c. Certificates with claims changes | | | 3469 | 64% |
| 10. Reexam claim analysis - requester is patent owner or 3rd party; or Comm'r initiated. | | | | |
| a. Certificates _ PATENT OWNER REQUESTER..... | | | | 2360 |
| (1) All claims confirmed | | | 543 | 23% |
| (2) All claims canceled | | | 174 | 7% |
| (3) Claim changes | | | 1643 | 70% |
| b. Certificates _ 3rd PARTY REQUESTER..... | | | | 2934 |
| (1) All claims confirmed | | | 849 | 29% |
| (2) All claims canceled | | | 353 | 12% |
| (3) Claim changes | | | 1732 | 59% |
| c. Certificates _ COMM'R INITIATED REEXAM | | | | 139 |
| (1) All claims confirmed | | | 18 | 13% |
| (2) All claims canceled | | | 27 | 19% |
| (3) Claim changes | | | 94 | 68% |

