



**LegalMetric Time to Trial Report
District Comparison
Patent Cases
December 2014 to December 2015**

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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 identified on the official court docket.

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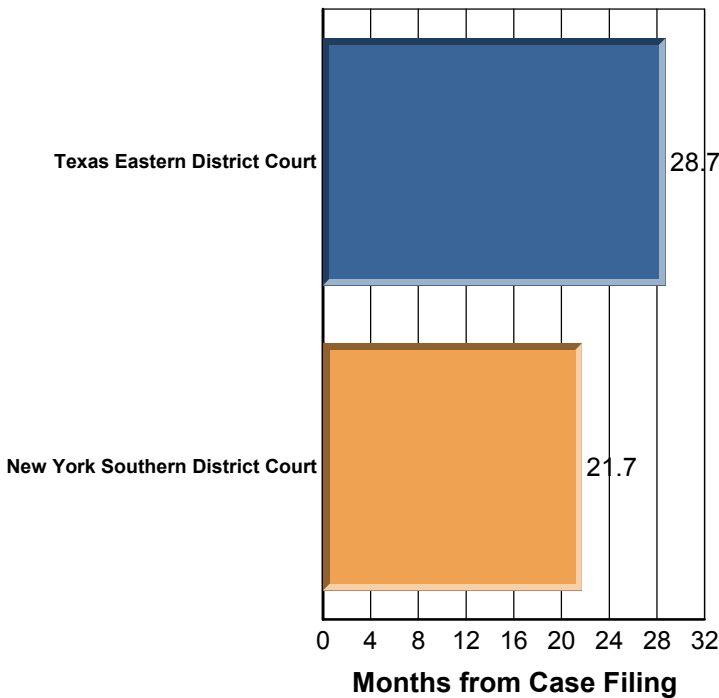
Overview:

The dockets of patent cases in the districts identified below were examined to identify cases from December 2014 to December 2015 in which a trial occurred, whether or not that trial resulted in a verdict. Trials in cases where settlement or mistrial occurred during the trial are, therefore, included in these figures. The time from case filing to the start of trial was then computed. The results are shown below.

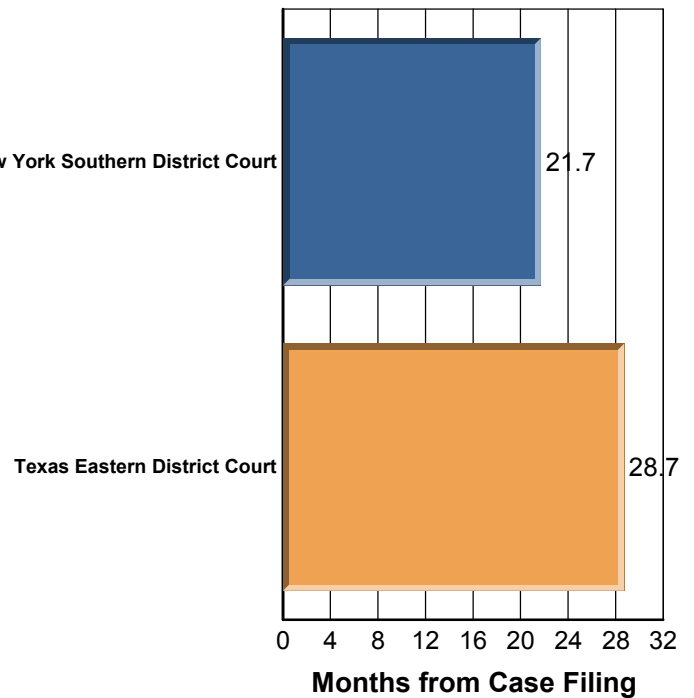
Fastest and Slowest Districts:

The average time from case filing to start of trial was computed for these districts in which a trial occurred. The districts are shown below by slowest to fastest and by fastest to slowest. The median times are shown on the next page. In addition, information about each trial may be found in the separate "District" sections of this report, infra.

Slowest Time to Trial Districts



Fastest Time to Trial Districts



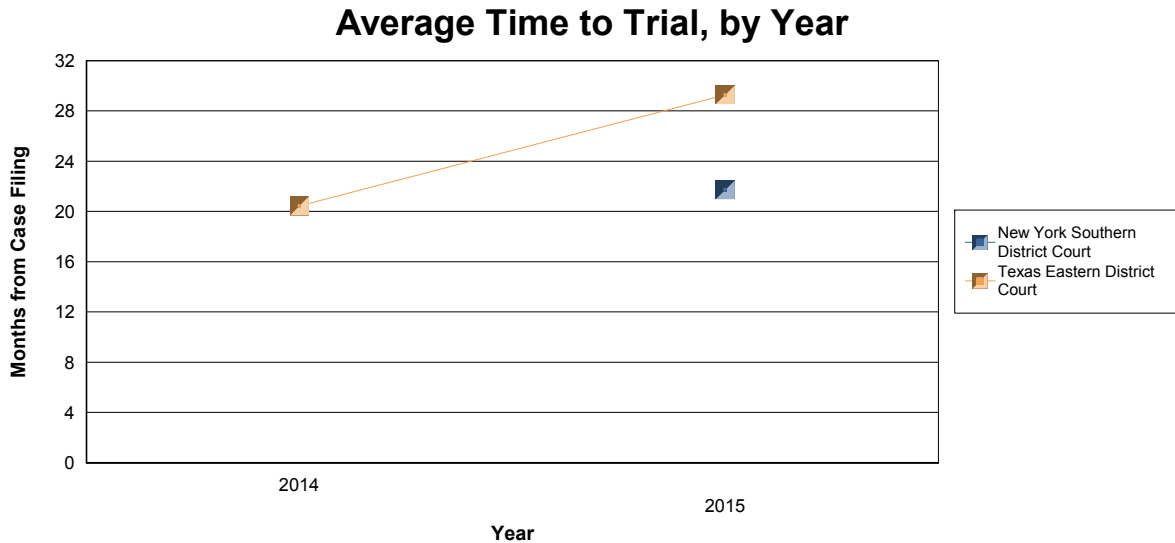
	Time to Trial/Number of Trials
Texas Eastern District Court	28.7 16
New York Southern District Court	21.7 2

	Time/Number
New York Southern District Court	21.7 2
Texas Eastern District Court	28.7 16

	Median Time to Trial/No. of Trials
Texas Eastern District Court	22.6 16
New York Southern District Court	21.7 2

Average Time to Trial, by Year:

The average time from case filing to start of trial by calendar year is shown below. The average and median times are shown in the table following the chart.



		Average	Median
Total		28.0	22.6
New York Southern District Court	Total	21.7	21.7
	2015	21.7	21.7
Texas Eastern District Court	Total	28.7	22.6
	2014	20.4	20.4
	2015	29.3	22.9

Supporting Data, by District:

The supporting data, by district, for this report is contained in the District sections below. Each section is further broken down by judge. For each case, the judge listed is the last judge assigned to the case, who may or may not be the judge who presided over the trial.

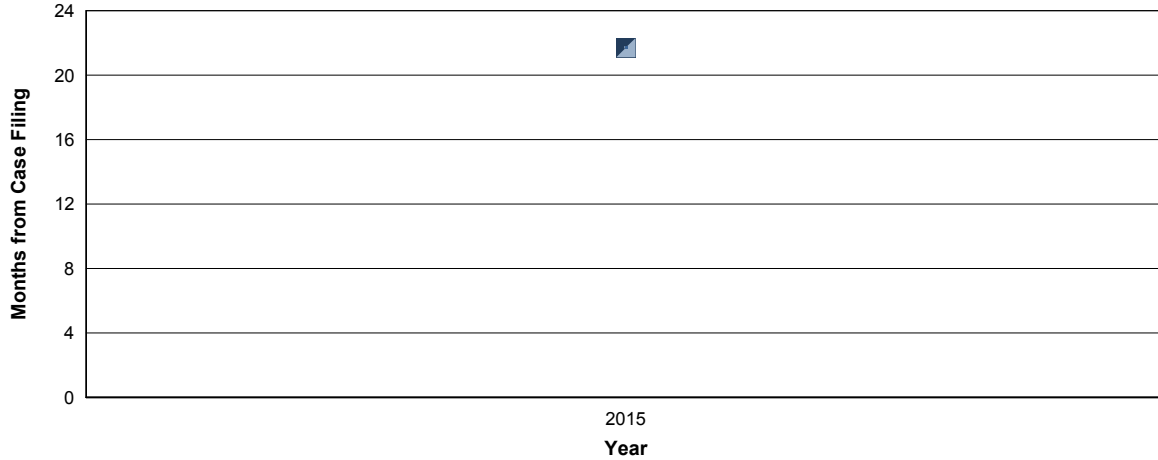
New York Southern District Court

Average Time to Trial, by Year:

The average time from case filing to start of trial in this district was 21.7 months. The variation by calendar year is shown below. Years with no trials are not included in the chart.

Average Time to Trial, by Year

For New York Southern District Court



	Time to Trial	Number of Decisions
Total	21.7	2
Forrest	14.9	1
Griesa	28.5	1

Forrest

<u>Case Name</u>	<u>Time to Trial (months)</u>	<u>Case Number</u>	<u>Start of Trial Date</u>	<u>Date Filed</u>
Regeneron Pharmaceuticals, Inc. v. Merus B.V.	14.9	1:14cv01650	6/8/2015	3/11/2014

Griesa

<u>Case Name</u>	<u>Time to Trial (months)</u>	<u>Case Number</u>	<u>Start of Trial Date</u>	<u>Date Filed</u>
Endo Pharmaceuticals Inc., and Grunenthal GbmH v. Teva Pharmaceuticals USA, Inc., and Barr Laboratories, Inc.	28.5	1:12cv08060	3/23/2015	11/5/2012

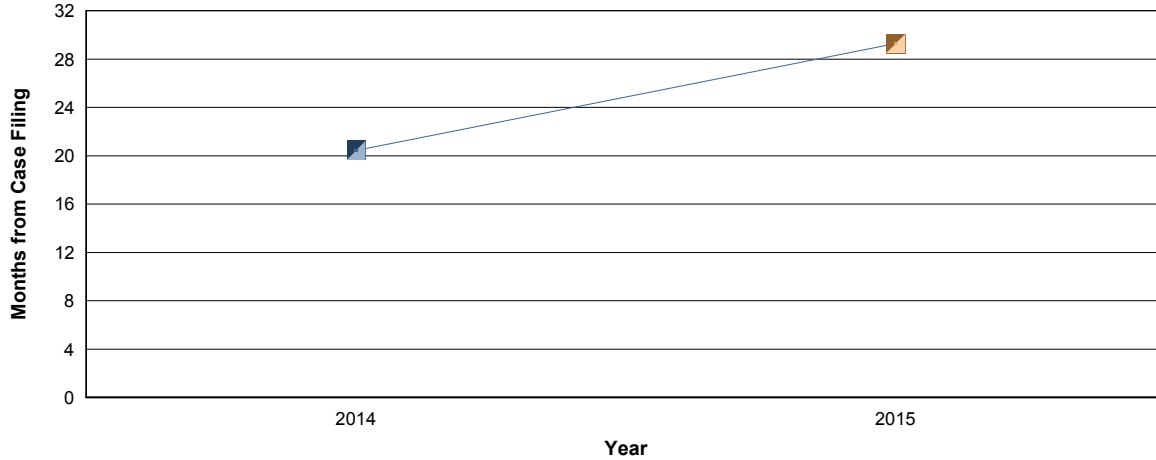
Texas Eastern District Court

Average Time to Trial, by Year:

The average time from case filing to start of trial in this district was 28.7 months. The variation by calendar year is shown below. Years with no trials are not included in the chart.

Average Time to Trial, by Year

For Texas Eastern District Court



	Time to Trial	Number of Decisions
Total	28.7	16
Gilstrap	23.3	9
Payne	20.3	2
Schell	75.2	1
Schneider	40.1	1
Schroeder	31.4	3

Gilstrap

<u>Case Name</u>	<u>Time to Trial (months)</u>	<u>Case Number</u>	<u>Start of Trial Date</u>	<u>Date Filed</u>
Nichia Corporation v. Everlight Electronics Co., Ltd. et al	19.9	2:13cv00702	5/11/2015	9/11/2013
Smartflash LLC et al v. Apple Inc, et al	20.6	6:13cv00447	2/16/2015	5/29/2013
ContentGuard Holdings, Inc. v. Amazon.com Inc. et al	20.9	2:13cv01112	9/14/2015	12/18/2013
SimpleAir, Inc. v. Google Inc. et al	20.9	2:14cv00011	10/7/2015	1/8/2014
DataQuill Limited v. ZTE Corporation et al	21.9	2:13cv00634	6/15/2015	8/16/2013
Promethean Insulation Technology LLC v. Sealed Air Corporation et al	22.2	2:13cv01113	10/26/2015	12/18/2013
Rembrandt Wireless Technologies, LP v. Samsung Electronics Co. LTD., et al	22.9	2:13cv00213	2/9/2015	3/15/2013
Endo Pharmaceuticals Inc et al v. Watson Laboratories Inc	23.9	2:13cv00192	2/26/2015	2/28/2013
Core Wireless Licensing S.a.r.l. v. Apple, Inc.	36.3	6:12cv00100	3/9/2015	2/29/2012

Payne

<u>Case Name</u>	<u>Time to Trial (months)</u>	<u>Case Number</u>	<u>Start of Trial Date</u>	<u>Date Filed</u>
Freeny et al v. Murphy Oil Corporation et al	20.1	2:13cv00791	6/8/2015	10/3/2013
Mobile Telecommunications Technologies, LLC v. Samsung Telecommunications America, LLC	20.4	2:13cv00259	12/15/2014	4/2/2013

Schell

<u>Case Name</u>	<u>Time to Trial (months)</u>	<u>Case Number</u>	<u>Start of Trial Date</u>	<u>Date Filed</u>
Texas Advanced Optoelectronic Solutions, Inc. v. Intersil Corporation	75.2	4:08cv00451	3/3/2015	11/25/2008

Schneider

<u>Case Name</u>	<u>Time to Trial (months)</u>	<u>Case Number</u>	<u>Start of Trial Date</u>	<u>Date Filed</u>
Droplets, Inc. v. eBay, Inc. et al	40.1	2:11cv00401	1/13/2015	9/11/2011

Schroeder

<u>Case Name</u>	<u>Time to Trial (months)</u>	<u>Case Number</u>	<u>Start of Trial Date</u>	<u>Date Filed</u>
Georgetown Rail Equipment Company v. Holland L.P.	23.2	6:13cv00366	4/8/2015	5/1/2013
EVM Systems, LLC v. Rex Medical, L.P. et al	29.8	6:13cv00184	8/17/2015	2/20/2013
NobelBiz, Inc. v. Global Connect, L.L.C.	41.2	6:12cv00244	9/8/2015	4/3/2012