



LegalMetric Federal Circuit Report

Patent Cases

July, 1995 through June 19, 2009

This report contains confidential and proprietary information of LegalMetric, Inc. Use of this information by anyone other than the purchaser (or, if the purchaser is a law firm, the purchaser's client), or disclosure of this information, without the consent of LegalMetric, Inc. is prohibited.

The information contained in this report is obtained from the official records of the federal courts. No attempt has been made to correct that data. For example, clerical and typographical errors occurring in the original court records are not corrected in this report.

LegalMetric, Inc. is not a law firm, does not provide legal advice, and is not engaged in the practice of law. No attorney-client relationship exists between LegalMetric, Inc. and any user of its products. LegalMetric provides statistical and analytical information to anyone who desires to purchase that information. Any purchaser of LegalMetric products who wants legal advice should hire an attorney.

Table of Contents

Introduction.....	4
Overview.....	5
I. Legal Issues	6
A. Attorney’s Fees	6
B. Claim Construction	10
1. By Type, Ruling Below, and Technology	10
2. By Judge.....	13
3. By Year.....	17
C. Damages	18
1. By Ruling Below	18
2. By Judge.....	19
3. By Year	22
4. Enhanced Damages.....	23
D. Exceptional Case and Willful Infringement.....	29
E. Infringement	39
1. Doctrine of Equivalents	45
2. Literal.....	49
3. By Technology	53
4. By Year.....	54
F. Injunctions	55
1. Preliminary Injunctions.....	55
2. Permanent Injunctions	59
G. Validity and Enforceability.....	63
1. Anticipation	67
2. Best Mode.....	71
3. Enablement	75
4. Indefiniteness.....	79
5. Obviousness.....	83
6. Written Description	87
7. Inequitable Conduct.....	91
II. Judges.....	95
Judge Archer	100
Judge Bryson.....	104
Judge Clevenger.....	108
Judge Dyk	112
Judge Friedman.....	116
Judge Gajarsa	120
Judge Linn.....	124
Judge Lourie.....	128
Judge Mayer.....	132
Judge Michel.....	136
Judge Moore.....	140

Judge Newman.....	144
Judge Plager.....	148
Judge Prost.....	152
Judge Rader.....	156
Judge Schall.....	160