



LegalMetric Custom Report
Samsung IPR Win Rates
July 21, 2016

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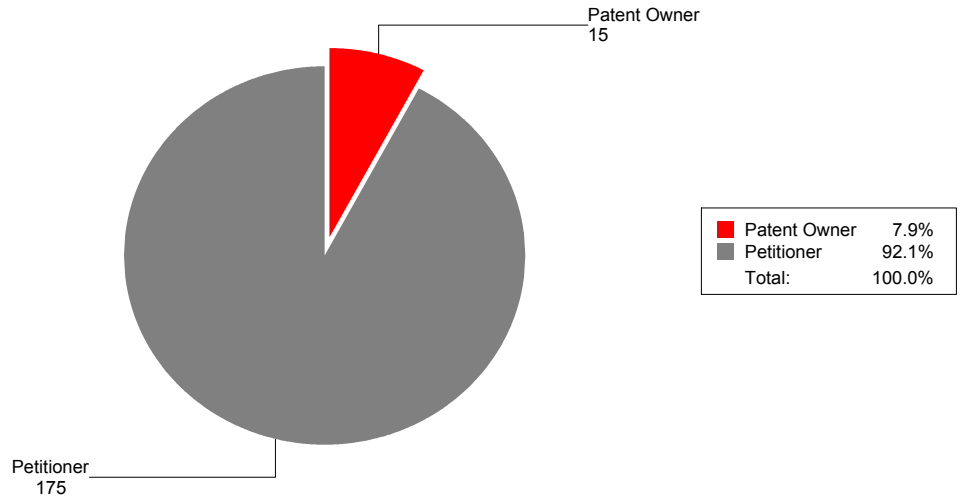
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Samsung Overview

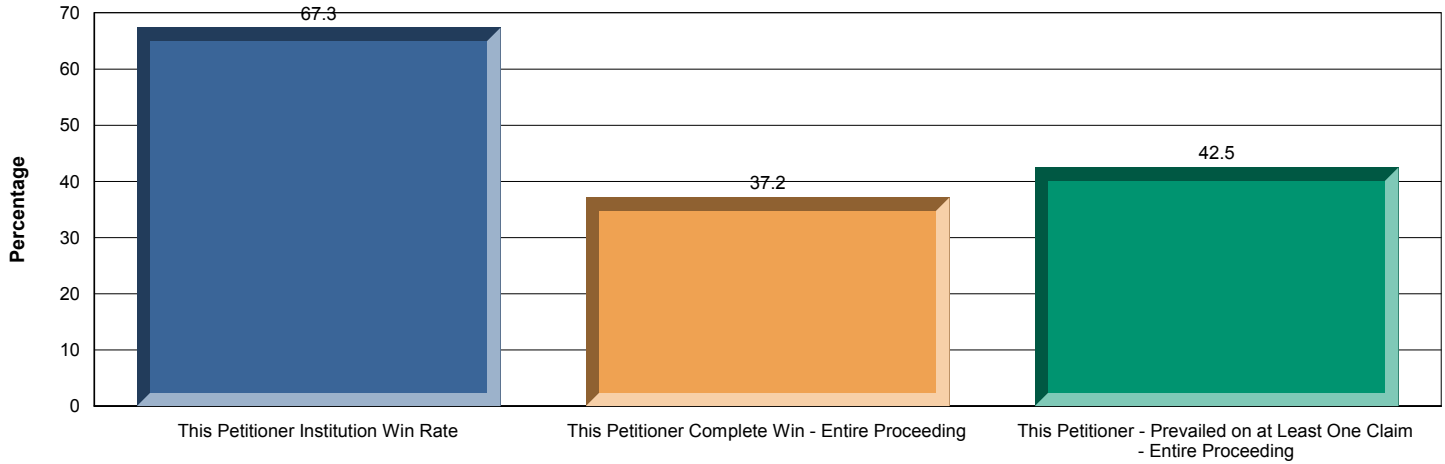
Summary: The records of the USPTO Inter Partes Review proceedings were examined to identify those proceedings in which Samsung was a patent owner or a petitioner. The breakdown of number of proceedings by type of party is shown in the chart to the right.

Patent Owner and Petitioner Proceedings



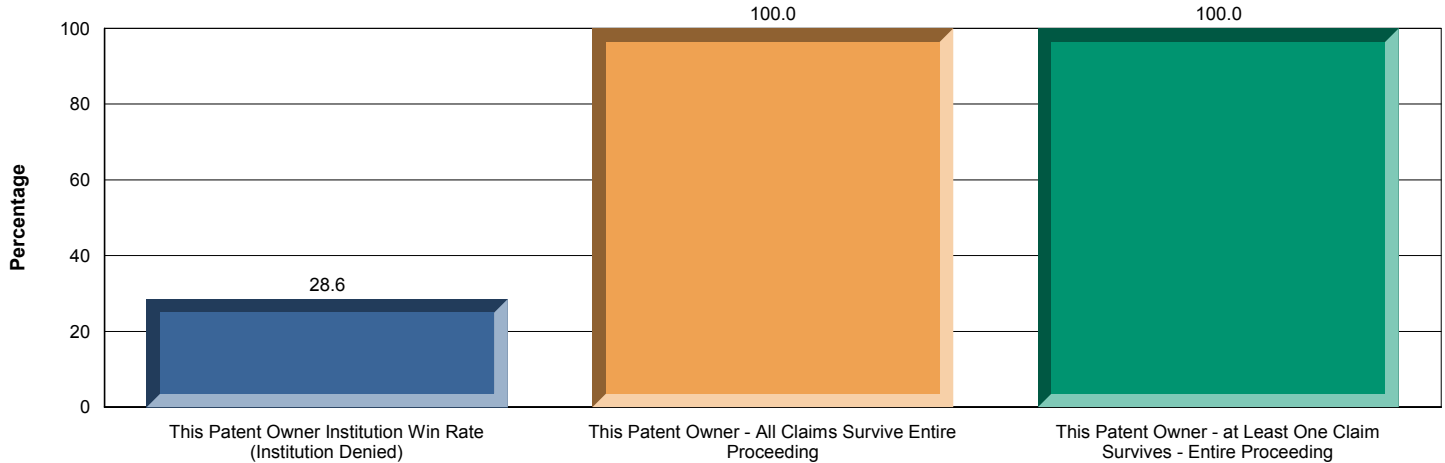
Institution and Entire Proceeding Win Rates

This Petitioner



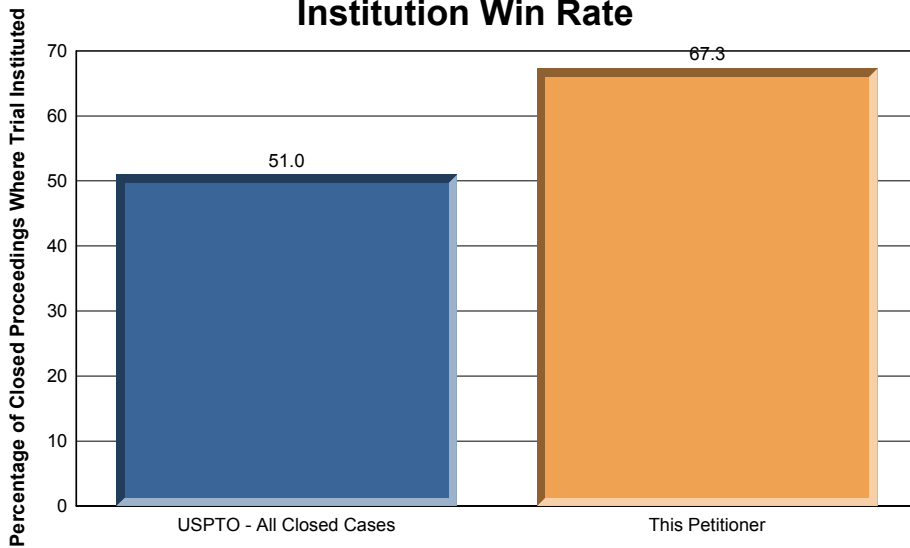
Institution, Post-Institution and FWD Win Rates

This Patent Owner



Samsung Petitioner

Institution Win Rate



Samsung as Petitioner: The records of the USPTO Inter Partes Review proceedings were examined to identify proceedings filed by Samsung and to compare various metrics. For example, the chart to the left compares the institution win rate for closed cases where Samsung was the petitioner with figures from the USPTO dated July 31, 2016. A breakout of the Samsung institution win rate figures by technology (USPTO Technology Centers) is shown in the table below.

	Total	
	Samsung Institution Win Rate	Samsung Petitions - Number of Closed Proceedings and Institution Decisions
Total/Tech Center	67.3	150
1100	100.0	1
1700	100.0	1
2100	53.8	13
2300	100.0	1
2400	100.0	3
2600	59.7	77
2700	83.3	12
2800	72.2	36
3600	100.0	2
3700	100.0	4

Samsung Petitioner

Number of Claims for Which Institution is Granted: The table to the right shows the total number of claims challenged by Samsung, the total number of claims for which trial was instituted in those petitions, and the percentage of claims challenged for which trial was instituted. The overall figures in the first row are followed by a breakout by technology (Tech Center).

	Total		
	Samsung Petitioner Number of Claims Challenged	Samsung Petitioner Number of Claims Instituted	% of claims for which Trial is Instituted
Total	2007	1315	65.5
1100	14	14	100.0
1700	11	10	90.9
2100	361	210	58.2
2300	17	17	100.0
2400	41	41	100.0
2600	888	510	57.4
2700	145	129	89.0
2800	425	279	65.6
3600	12	12	100.0
3700	93	93	100.0

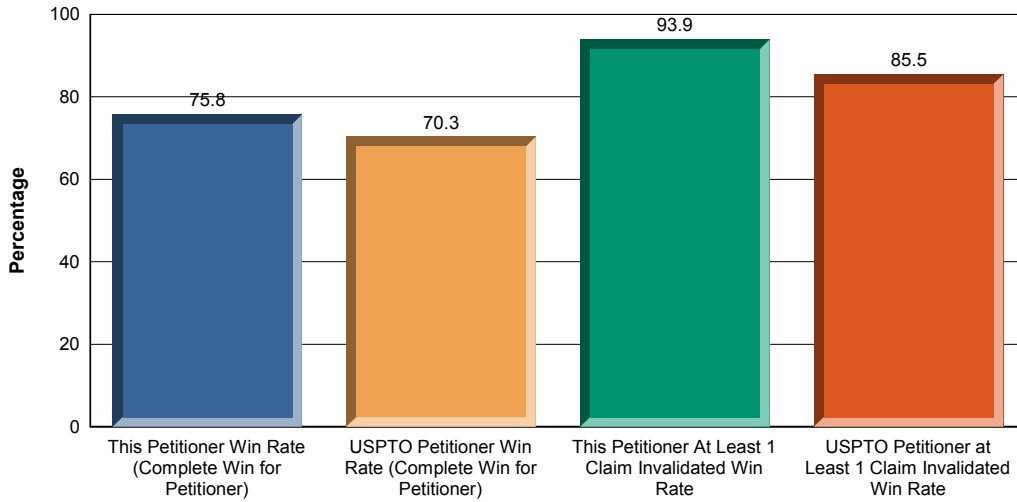
Settlements (Pre- and Post-Institution): The table below shows the number of settlements in these Samsung proceedings, both as a raw number and as a percentage of all Samsung closed proceedings.

	Total			
	Samsung Pre-Institution Settlements as % of All Samsung Closed Petitions	Number of Pre-Institution Settlements	Samsung Post-Institution Settlements as % of All Samsung Closed	Number of Post-Institution Settlements
Total	10.1	12	11.8	14

Samsung Petitioner

Samsung FWD Petitioner Win Rates: The chart and table below show the Samsung petitioner Final Written Decision win rates at trial for Samsung petitions and the corresponding USPTO numbers. Terminations by Request for Adverse Judgement are not included in these figures. The "Petitioner Win Rate" below includes only cases where **all** the instituted claims were held to be unpatentable after institution. The "Petitioner At Least 1 Claim Invalidated Win Rate", on the other hand, includes all cases where the petition resulted in at least one instituted claim being cancelled. The "At Least 1" situation includes those cases where all the claims were invalidated, so the "At Least 1" figures are greater than the "Petitioner Win Rate" figures.

Petitioner Win Rates at FWD

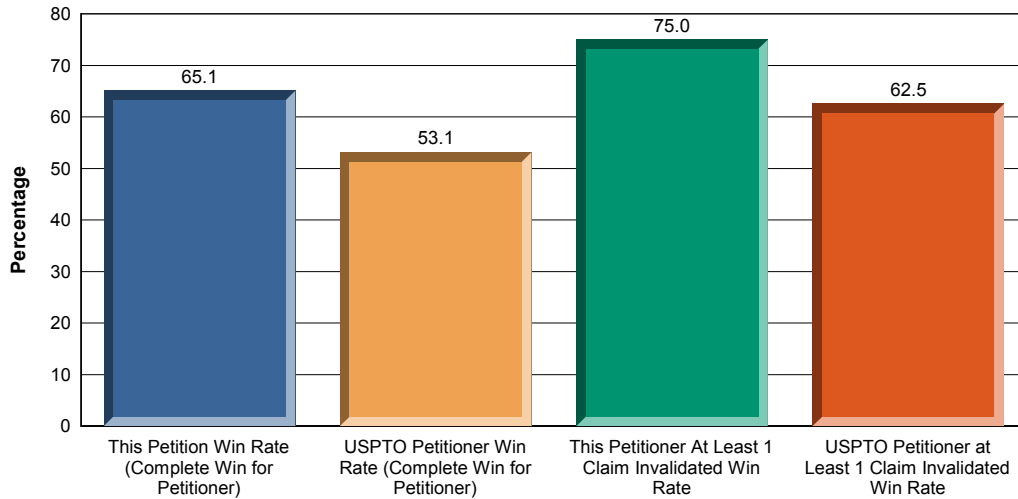


Total				
	This Petitioner Complete Petitioner Win Rate at FWD	USPTO Complete Petitioner Win Rate at FWD	This Petitioner Wins on At Least Some Claims Rate	USPTO Petitioner Wins on At Least Some Claims Rate
Total	75.8	70.3	93.9	85.5

Samsung Petitioner

Samsung Post-Institution Petitioner Win Rates: The chart and table below show the Samsung petitioner win rates after Institution for Samsung petitions and the corresponding USPTO numbers. Note that this includes not only FWD terminations, but also Settlements after Grant, Requests for Adverse Judgment and similar outcomes. The "Petitioner Win Rate" below includes only cases where **all** the instituted claims were held to be unpatentable after institution. The "Petitioner At Least 1 Claim Invalidated Win Rate", on the other hand, includes all cases where the petition resulted in at least one instituted claim being cancelled. The "At Least 1" situation includes those cases where all the claims were invalidated, so the "At Least 1" figures are greater than the "Petitioner Win Rate" figures.

Petitioner Win Rates after Institution



Total				
	This Petitioner Complete Post-Institution Win Rate	Nationwide Post-Institution Complete Petitioner Win Rate	This Petitioner At Least One Claim Cancelled Partial Win Rate	Nationwide Post-Institution Petitioner WinRate on at Least 1 Claim
Total	65.1	53.1	75.0	62.5

Samsung Petitioner

Petitioner Win Rates (Post-Institution v. FWD) broken out by Technology (Tech Center) and Number of Claims:

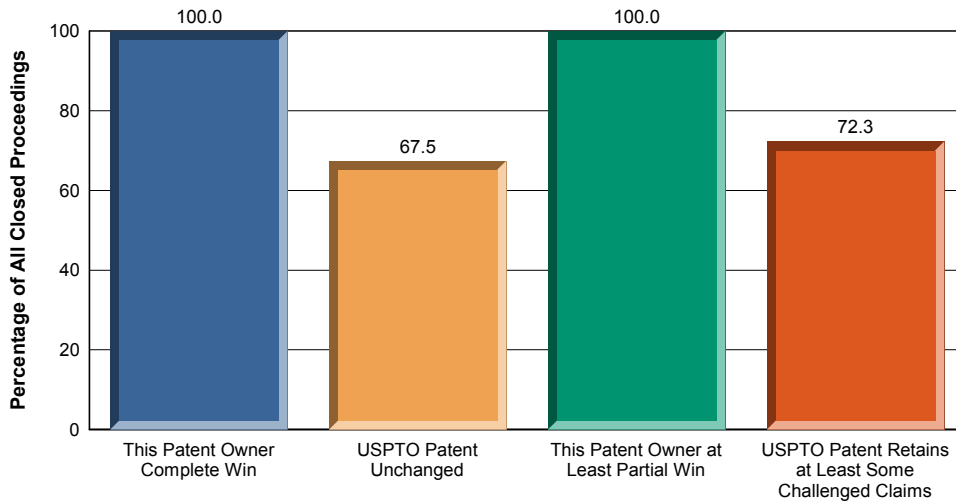
The petitioner (Post-Institution and FWD) win rates for the Samsung petitions are broken out below, first FWD and then for all Post-Institution terminations.

	Total			
	Complete Petitioner Win Rate At FWD	Petitioner Wins on at Least 1 Claim at FWD	Post Institution Petitioner Complete Win Rate	Post Institution Petitioner Partial Win Rate
Total	75.8	93.9	65.1	75.0
1100				
1700			0.0	0.0
2100	50.0	100.0	50.0	100.0
2300			0.0	0.0
2400			100.0	100.0
2600	92.9	100.0	64.5	67.7
2700	42.9	71.4	33.3	55.6
2800	75.0	100.0	90.9	100.0
3600				
3700	100.0	100.0	100.0	100.0

Samsung Patent Owner

Samsung As Patent Owner: The patent owner prevails in part when at least one claim is not cancelled and prevails completely when no claims are cancelled. There are many ways this can happen. If no trial is instituted, under this definition, the patent owner has prevailed unless it has requested adverse judgment against itself. If a trial is instituted, the patent can still prevail by final written decision (FWD), by settlement before FWD, by dismissal before FWD, or by request for adverse judgment by the petitioner. The chart below shows the partial and complete patent owner win rates for all proceedings in which Samsung was the patent owner, followed by the table breaking out the Samsung patent owner win rates by technology/Tech Center.

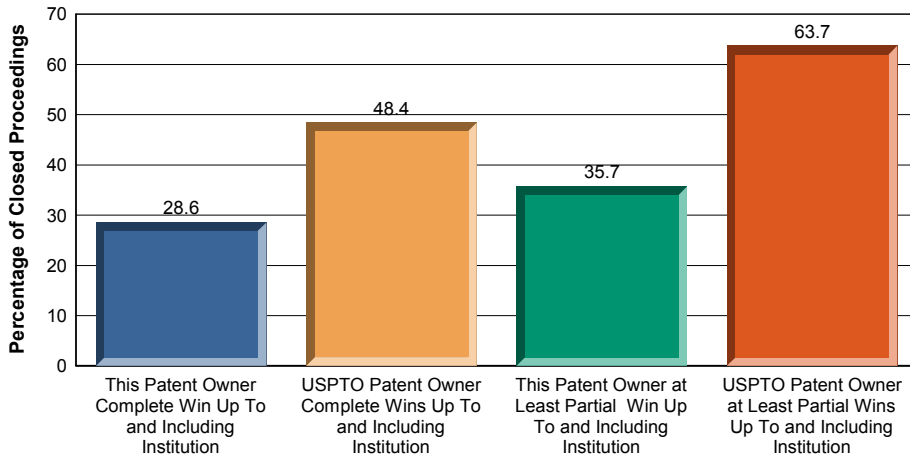
Patent Owner Prevailing Over Entire IPR Process



	Total		
	Samsung Patent Owner Complete Win	Samsung Patent Owner Number of Decisions	Samsung Patent Owner at least partial win
Total/Tech Center	100.0	10	100.0
1100		0	
1700		0	
2100	100.0	1	100.0
2300		0	
2400		0	
2600		0	
2700	100.0	1	100.0
2800	100.0	8	100.0
3600		0	
3700		0	

Samsung Patent Owner

Patent Owner Win Rate Up To (and including) Institution Decision



Up to and Including Institution: The records of the USPTO Inter Partes Review proceedings were examined to identify proceedings in which Samsung was the patent owner. The chart to the left compares the patent owner win rates for cases up to and including institution where Samsung was the patent owner with figures from the USPTO dated July 31, 2016. A breakout of the Samsung patent owner institution win rate figures by technology (USPTO Technology Centers) is shown in the table below.

	Total		
	Samsung Patent Owner Complete Win up to Institution	Samsung Number of Institution Decisions and Closed Proceedings	Samsung Patent Owner at Least Partial Win up to Institution
Total/Tech Center	28.6	14	35.7
1100		0	
1700		0	
2100	100.0	1	100.0
2300		0	
2400		0	
2600	0.0	2	0.0
2700	0.0	1	100.0
2800	30.0	10	30.0
3600		0	
3700		0	

Samsung Patent Owner

Number of Claims for Which Institution is Granted: The table to the right shows the total number of claims challenged by a petitioner where Samsung was the patent owner (and corresponding figures where Samsung was the petitioner), the total number of claims for which trial was instituted in those petitions, and the percentage of claims challenged for which trial was instituted. The overall figures in the first row are followed by a breakout by technology (Tech Center).

	Samsung Patent Owner			Samsung Petitioner		
	# of Claims Challenged	# of Claims for Which Trial is Initiated	Percentage of Challenged Claims Initiated	# of Claims Challenged	# of Claims for Which Trial is Initiated	Percentage of Challenged Claims Initiated
Total	150	113	75.3	2007	1315	65.5
1100	0	0	0.0	14	14	100.0
1700	0	0	0.0	11	10	90.9
2100	5	0	0.0	361	210	58.2
2300	0	0	0.0	17	17	100.0
2400	0	0	0.0	41	41	100.0
2600	24	24	100.0	888	510	57.4
2700	6	3	50.0	145	129	89.0
2800	115	86	74.8	425	279	65.6
3600	0	0	0.0	12	12	100.0
3700	0	0	0.0	93	93	100.0

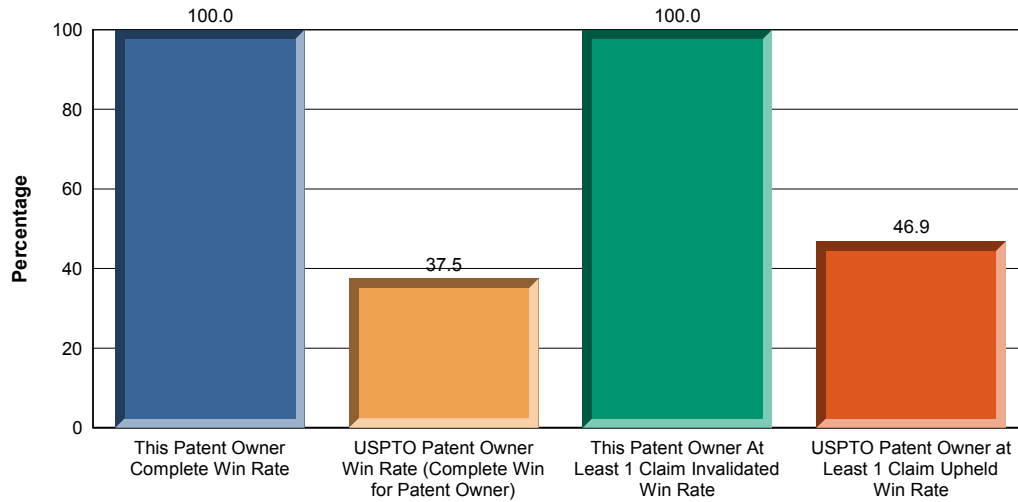
Settlements (Pre- and Post-Institution): The table below shows the number of settlements in these Samsung patent owner proceedings, both as a raw number and as a percentage of all closed Samsung patent owner proceedings.

	Total			
	Samsung Pre-Institution Settlements as % of All Samsung Patent Owner Petitions	Number of Pre-Institution Settlements	Samsung Post-Institution Settlements as % of All Closed Samsung Patent	Number of Post-Institution Settlements
Total	0.0	0	60.0	6

Samsung Patent Owner

Samsung Post-Institution Patent Owner Win Rates: The chart and table below show the Samsung patent owner post-institution win rates for petitions where Samsung was the patent owner and the corresponding USPTO numbers. The "Patent Owner Win Rate" below includes only cases where **all** the instituted claims were patentable after institution. The "Patent Owner At Least 1 Claim Upheld Win Rate", on the other hand, includes all cases where the petition resulted in at least one instituted claim being upheld. The "At Least 1" situation includes those cases where all the claims were upheld, so the "At Least 1" figures are greater than the "Patent Owner Win Rate" figures.

Patent Owner Win Rates Post-Institution



Total				
	Samsung Complete Patent Owner Win Rate after Institution	USPTO Complete Patent Owner Win Rate after Institution	Samsung Patent Owner Wins on At Least Some Claims	USPTO Patent Owner Wins on At Least Some Claims
Total	100.0	37.5	100.0	46.9

Samsung Patent Owner

Patent Owner Win Rates (Post-Institution) broken out by Technology (Tech Center) and Number of Claims: The patent owner (post-Institution) win rates for the Samsung patent owner proceedings are broken out below.

	Total		
	Complete Patent Owner Win Rate	Number of Closed Post-Institution Proceedings	Patent Owner Wins on at Least 1 Claim
Total	100.0	6	100.0
1100		0	
1700		0	
2100		0	
2300		0	
2400		0	
2600		0	
2700	100.0	1	100.0
2800	100.0	5	100.0
3600		0	
3700		0	

	Total	
	Complete Patent Owner Win Rate	Patent Owner Wins on at Least 1 Claim
Total	100.0	100.0
	100.0	100.0

Samsung Patent Owner

Patent Owner Win Rates in Final Written Decision: The chart and table below show the patent owner win rates at FWD for Samsung patent owner proceedings (if any) and the corresponding USPTO numbers. The "Patent Owner Win Rate" below includes only cases where **all** the instituted claims were held to be unpatentable. The "Patent Owner At Least 1 Patentable Claim", on the other hand, includes all cases where the petition resulted in at least one instituted claim being upheld. The "At Least 1" situation includes those cases where all the claims were upheld, so the "At Least 1" figures are greater than the "Patent Owner Win Rate" figures.

Samsung as patent owner had no proceedings terminated by Final Written Decision as of the date of this report.