

***Illinois Central District Court***

<p><b>Total Patent Cases:</b> 98 Total/89 Closed          Number of Cases, each Judge: 10 to 28          (Average 16 per Judge)</p>	<p><b>Total Judgments on the Merits:</b> 28          Each Judge: 2 to 8</p>																																				
<p><b>Average Patentee Win Rate:</b> 64%</p> <p><b>Contested Win Rate:</b> 25.0% (3 of 12)          (does not include consent and default judgments)</p> <p><b>Number of Trials:</b> 3          Number, each Judge: 0 to 1          Patentee Win Rate at Trial: 33%</p>	<p style="text-align: center;"><b>Patentee Win Rate by Year</b></p> <table border="1"> <caption>Patentee Win Rate by Year Data</caption> <thead> <tr> <th>Year</th> <th>Percentage</th> </tr> </thead> <tbody> <tr><td>1992</td><td>100</td></tr> <tr><td>1993</td><td>35</td></tr> <tr><td>1994</td><td>100</td></tr> <tr><td>1995</td><td>0</td></tr> <tr><td>1996</td><td>100</td></tr> <tr><td>1997</td><td>0</td></tr> <tr><td>1998</td><td>65</td></tr> <tr><td>1999</td><td>35</td></tr> <tr><td>2000</td><td>65</td></tr> <tr><td>2001</td><td>50</td></tr> <tr><td>2002</td><td>65</td></tr> <tr><td>2003</td><td>100</td></tr> <tr><td>2004</td><td>0</td></tr> <tr><td>2005</td><td>0</td></tr> <tr><td>2006</td><td>0</td></tr> <tr><td>2007</td><td>50</td></tr> <tr><td>2008</td><td>0</td></tr> </tbody> </table>	Year	Percentage	1992	100	1993	35	1994	100	1995	0	1996	100	1997	0	1998	65	1999	35	2000	65	2001	50	2002	65	2003	100	2004	0	2005	0	2006	0	2007	50	2008	0
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<p><b>Average Time to Termination—All Cases:</b> 13.4 months          Average by Judge from 11.5 to 15.1 months</p> <p><b>Average Time to Termination—On the Merits:</b> 17.6 months          Average by Judge from 12.2 to 28.2 months</p>	<p><b>Summary Judgment Activity:</b> 73 summary judgment motions          Activity by Judge: 6 Motions to 24 Motions</p> <p><b>Markman/Claim Construction:</b> 22 Cases          Activity by Judge: 0 Cases to 7 Cases</p> <p><b>Total Appeals:</b> 8</p> <p><b>Complete Affirmance Rate:</b> 75.0% (3 of 4)</p>																																				

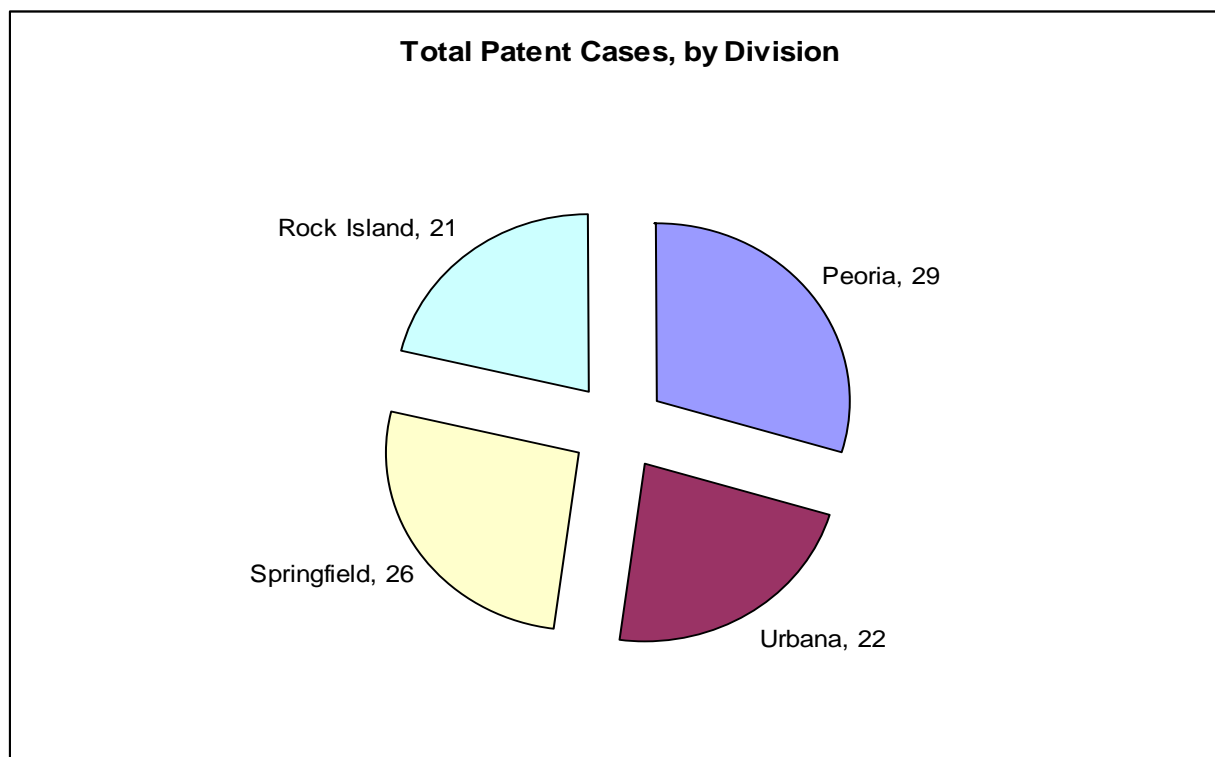
## Case Outcomes

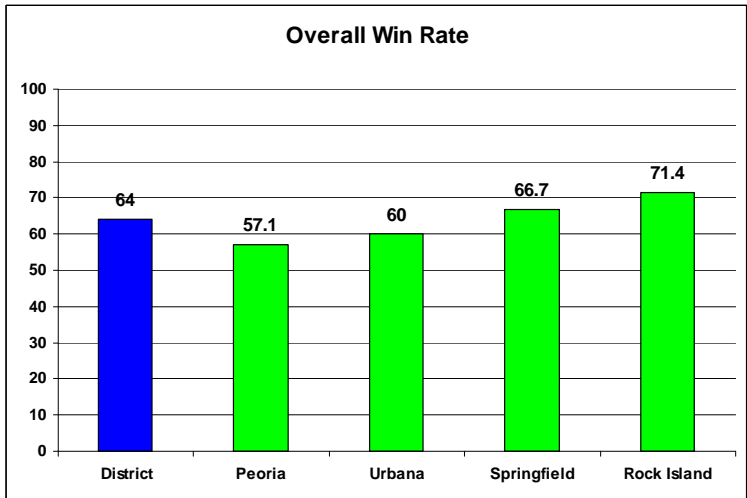
Of the 89 terminated cases,

- 15 (16.9%) were terminated by consent judgment, with an average pendency of 13.8 months
- 1 (1.1%) was terminated by default judgment, with a pendency of 11.3 months
- 2 (2.2%) were terminated by frivolous, with an average pendency of 2.2 months
- 3 (3.4%) were terminated by involuntary dismissal, with an average pendency of 8.6 months
- 1 (1.1%) was terminated by judgment as a matter of law, with a pendency of 55.2 months
- 2 (2.2%) were terminated for lack of jurisdiction, with an average pendency of 0.7 months
- 6 (6.7%) were terminated by miscellaneous settlement, with an average pendency of 14.3 months
- 1 (1.1%) was terminated by stay, with a pendency of 7.4 months
- 5 (5.6%) were terminated by summary judgment, with an average pendency of 21.3 months
- 3 (3.4%) were terminated by transfer, with an average pendency of 8.8 months
- 2 (2.2%) were terminated by bench trial, with an average pendency of 23.6 months
- 1 (1.1%) was terminated by jury trial, with a pendency of 40.5 months
- 47 (52.8%) were terminated by voluntary dismissal, with an average pendency of 12.3 months

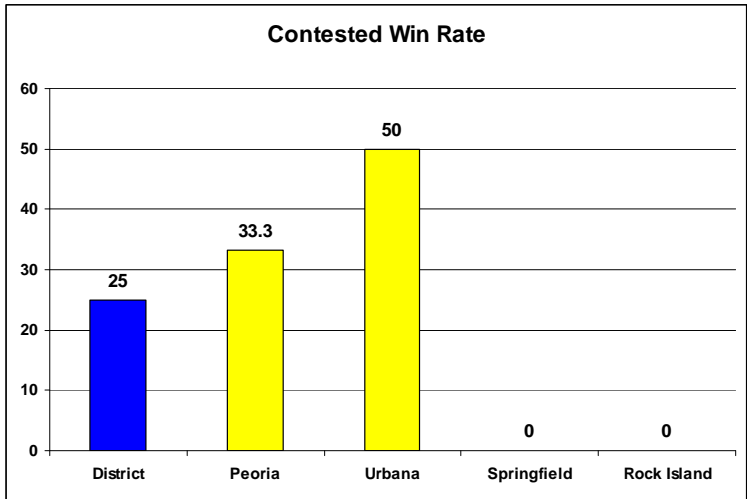
## Breakdown by Division

The breakdown of patent cases by division is illustrated in the following chart:

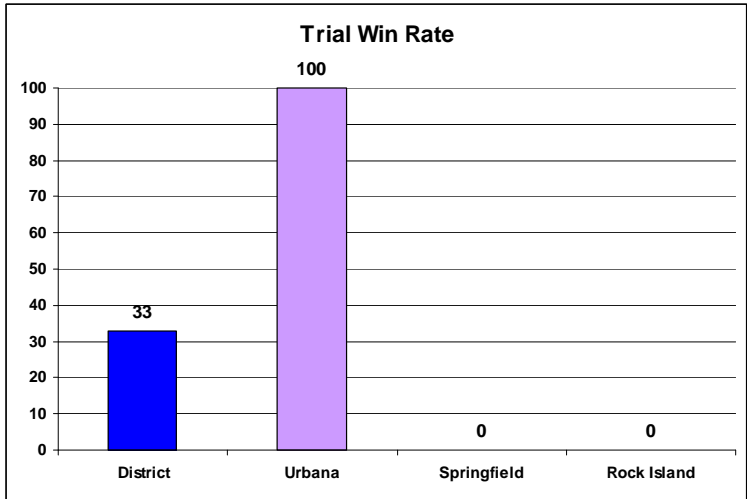




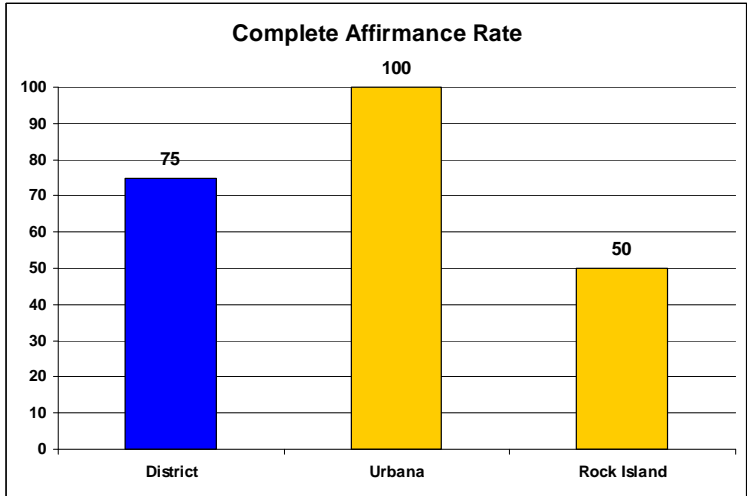
**Overall Win Rates:** The win rate for the District was 64%. The variation by division is shown in the chart to the left. Overall win rate includes consent and default judgments.



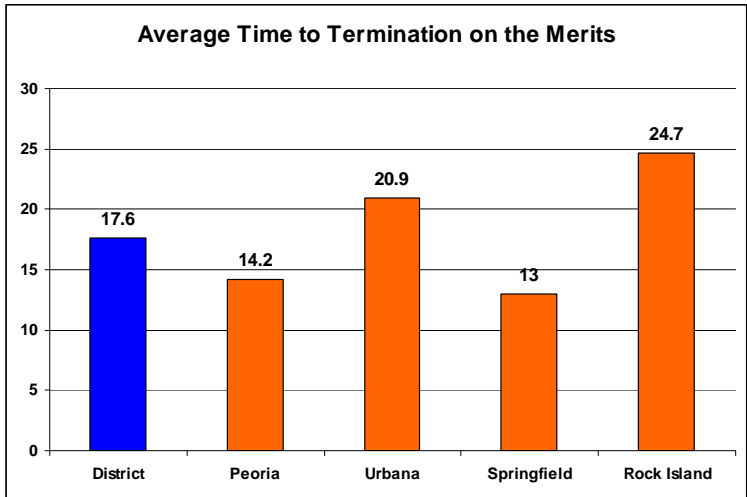
**Contested Win Rates:** The contested win rate (excludes consent and default judgments) for the District was 25.0%. The variation by division can be seen in the chart to the left.



**Win Rate at Trial:** The win rate at trial for the District was 33%. The variation by division can be seen in the chart to the left.



**Complete Affirmance Rate:** The Complete Affirmance Rate (appeals affirmed with no other action, divided by the total number of appeals except for dismissed and pending appeals) for the district was 75.0%. The variation by division can be seen in the chart to the left.



**Time to Termination on the Merits:** The average time from case filing to termination on the merits (includes consent and default judgments) was 17.6 months. The variation by division can be seen in the chart to the left.