



LegalMetric Summary Judgment Motions in Trademark Cases Excerpt

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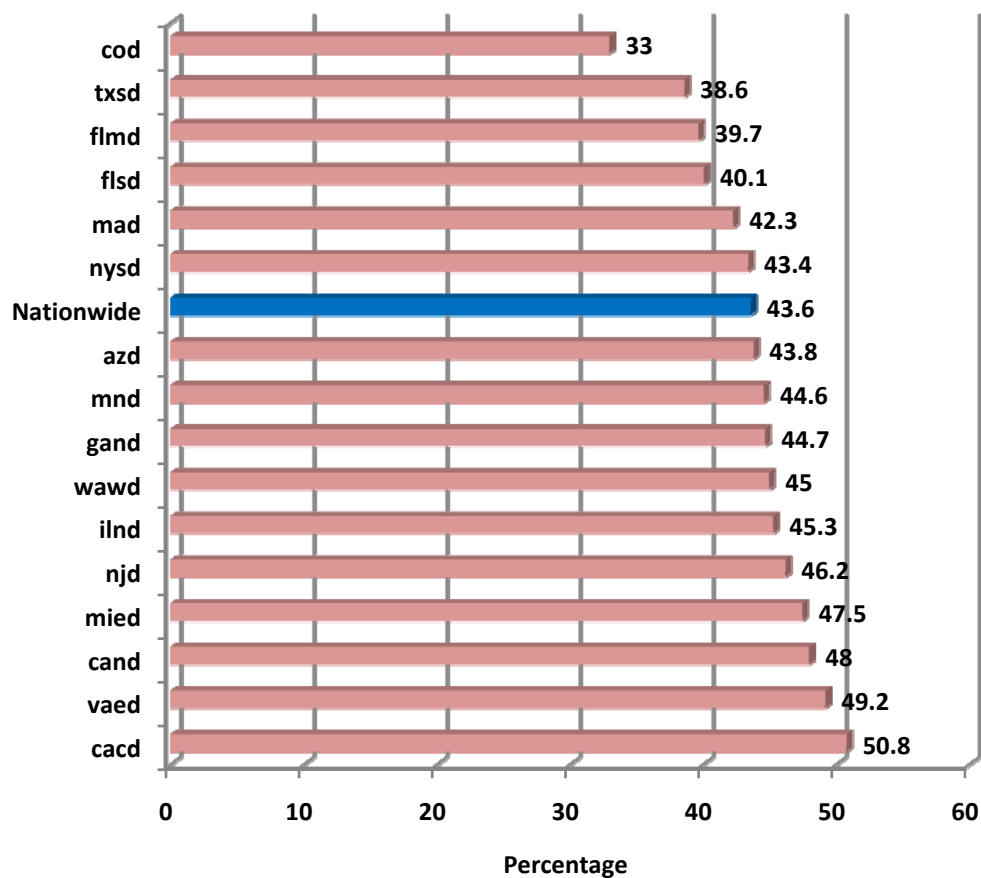
Table of Contents

Summary Judgment Win Rates (Dispositive and Non-Dispositive).....	3
Time to Decision on Summary Judgment Motions	7
Percentage of Cases Terminated by Summary Judgment.....	10

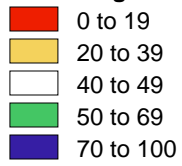
Summary Judgment Win Rates (Dispositive and Non-Dispositive)

The contested win rate on summary judgment motions nationwide is 43.6%. In those districts with at least 100 decided motions, the average contested win rate varies from 33% (District of Colorado) up to 50.8% (Central District of California).

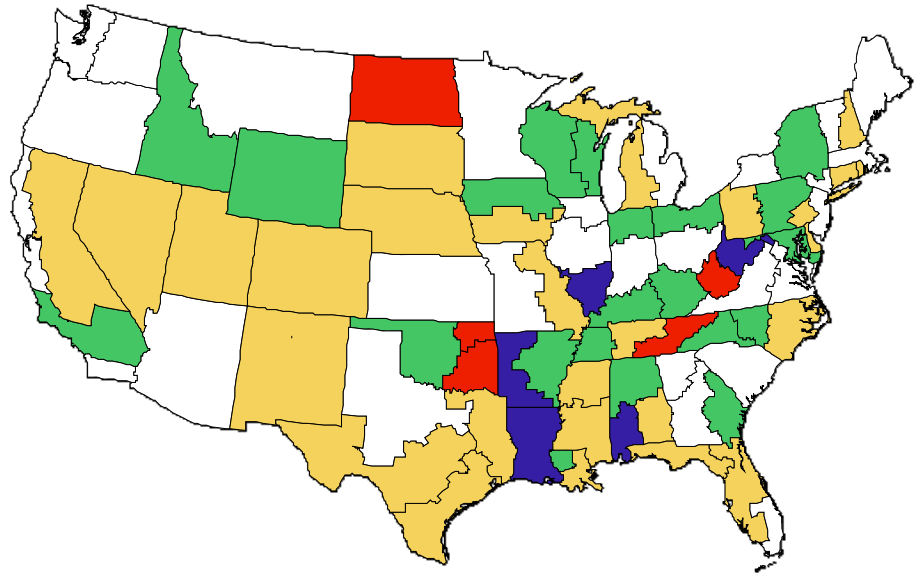
Summary Judgment Motion Win Rates-at Least 100 Decided Motions



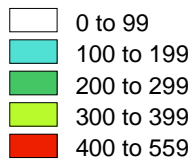
Sum. Judg. Win Rate



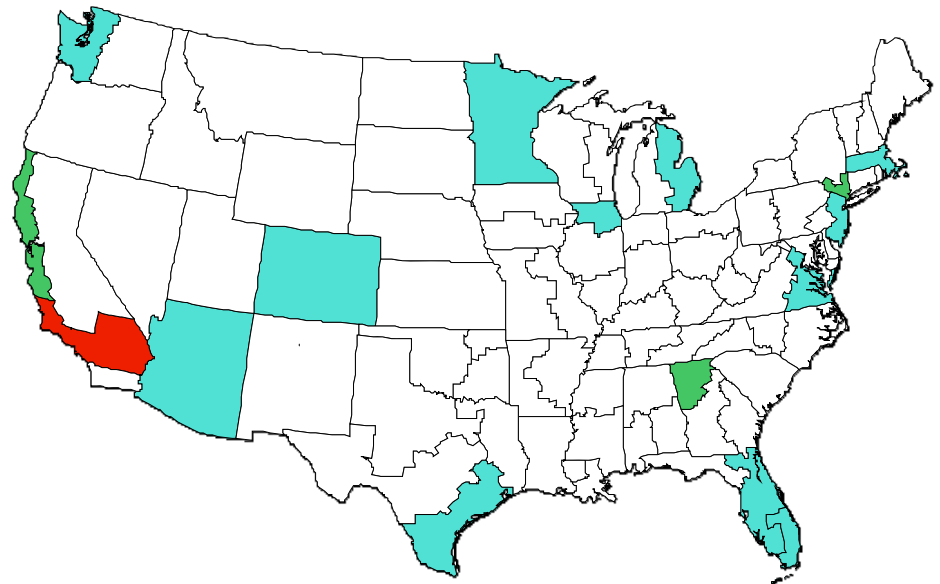
The win rate on summary judgment motions is illustrated at right, by district, and shown below in tabular form.



Number Sum.Judg.



The number of summary judgment decisions, by district, is illustrated at right and shown below in tabular form.



Note: The National Trademark Litigation Report includes similar maps for case win rates and time to termination, preliminary injunction win rates and time to decision, and summary judgment win rates and time to decision, among others.

The average contested win rate for summary judgment motions for all districts is shown below:

Court	Summary Judgment Motion Win Rates	Number of Summary Judgment Motion Decisions
almd	28.6	7
alnd	62.5	8
alsd	100	3
ared	52.2	23
arwd	75	4
azd	43.8	105
cacd	50.8	559
caed	32.4	34
cand	48	225
casd	40.3	77
cod	33	103
ctd	35.5	93
dcd	50	20
ded	37.5	8
flmd	39.7	131
flnd	35.7	28
flsd	40.1	147
gamd	42.9	14
gand	44.7	228
gasd	58.3	12
iand	50	4
iasd	35.3	17
idd	50	14
ilcd	45.2	31
ilnd	45.3	137
ilsd	75	4
innd	55.2	29
insd	47.8	23
ksd	46.7	30
kyed	66.7	3
kywd	50	40
laed	38.6	57
lamd	66.7	3
lawd	80	15
mad	42.3	142
mdd	51.2	84
med	45.5	11
mied	47.5	183

miwd	38.1	42
mnd	44.6	168
moed	29.2	48
mowd	43.8	32
msnd	21.1	19
mssd	35	20
mtd	42.9	7
nced	33.3	48
ncmd	53.8	13
ncwd	50	12
ndd	0	1
ned	25	8
nhd	36.4	11
njd	46.2	145
nmd	38.9	18
nvd	25	28
nyed	32.3	65
nynd	50	48
nysd	43.4	290
nywd	43.8	32
ohnd	53.7	82
ohsd	47.3	55
oked	n/a	0
oknd	0	1
okwd	66.7	27
ord	44	25
paed	30	80
pamd	58.3	12
pawd	36	50
rid	30	10
scd	42.6	47
sdd	38.1	21
tned	10	10
tnmd	35	60
tnwd	50	4
txed	25	4
txnd	40.8	76
txsd	38.6	189
txwd	36.6	41
utd	28.7	87
vaed	49.2	118
vawd	46.7	15
vtd	40	5
waed	40	5

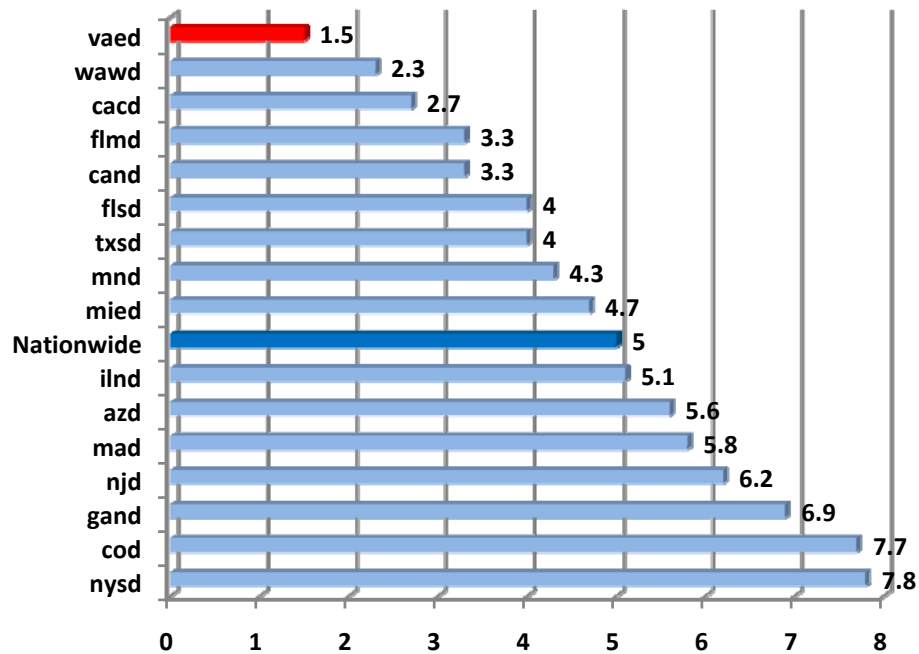
wawd	45	100
wied	54.8	31
wiwd	56.2	16

wvnd	100	1
wvsd	0	2
wyd	50	2

Time to Decision on Summary Judgment Motions

The average time from motion filing to decision on summary judgment motions nationwide is 5.0 months. In those districts with at least 100 decided motions, the average time from motion filing to decision varies from 1.5 months (Eastern District of Virginia) up to 7.8 months (Southern District of New York).

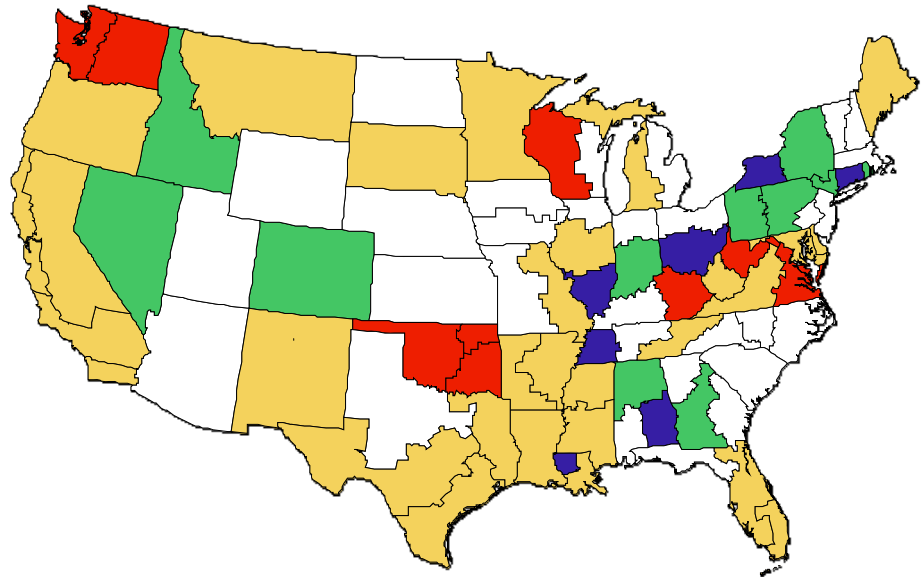
Average Pendency for Summary Judgment Motions--at Least 100 Decided Motions



Time to Decision

- 0 to 2
- 2 to 4
- 5 to 6
- 7 to 9
- 9 to 12

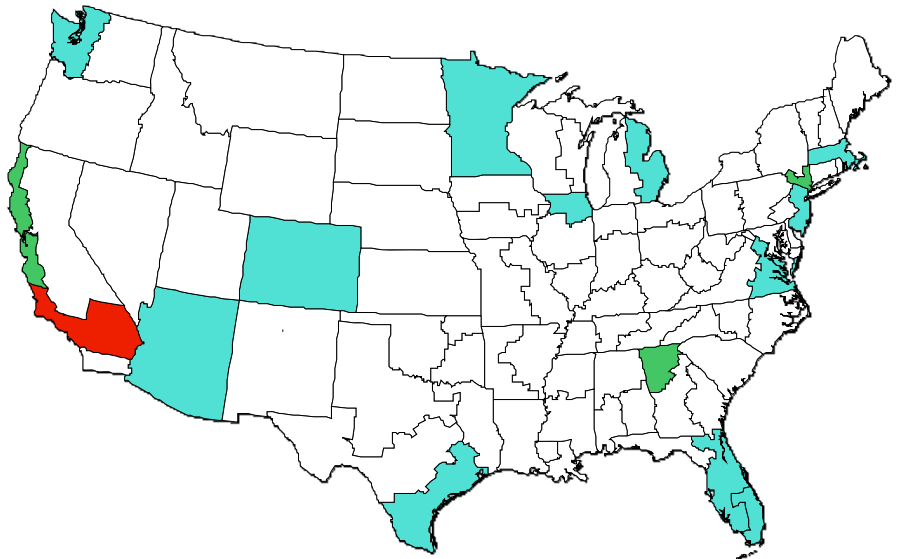
The average time from motion filing to decision (in months) for summary judgment motions is illustrated at right and shown in tabular form below.



Number Sum.Judg.

- 0 to 99
- 100 to 199
- 200 to 299
- 300 to 399
- 400 to 559

The number of summary judgment decisions, by district, is illustrated at right and shown below in tabular form.



Note: The National Trademark Litigation Report includes similar maps for case win rates and time to termination, preliminary injunction win rates and time to decision, and summary judgment win rates and time to decision, among others.

The average time to decision for summary judgment motions for all districts is shown below:

Court	Total Summary Judgment Decisions	Average Time from Filing to Decision (months)
almd	7	11.6
alnd	8	7.1
alsd	3	5.3
ared	23	2.6
arwd	4	2.9
azd	105	5.6
cacd	559	2.7
caed	34	2.9
cand	225	3.3
casd	77	3.7
cod	103	7.7
ctd	93	9.9
dcd	20	7.8
ded	8	4.6
flmd	131	3.3
flnd	28	5.1
flsd	147	4
gamd	14	8.9
gand	228	6.9
gasd	12	4.7
iand	4	5
iasd	17	5.4
idd	14	7
ilcd	31	4
ilnd	137	5.1
ilsd	4	10.6
innd	29	6.5
insd	23	8.8
ksd	30	5.8
kyed	3	2.3
kywd	40	5.7
laed	57	3.2
lamd	3	10.9
lawd	15	3.9
mad	142	5.8
mdd	84	4

med	11	3.6
mied	183	4.7
miwd	42	4.1
mnd	168	4.3
moed	48	3.6
mowd	32	5.3
msnd	19	3
mssd	20	3.9
mtd	7	3.8
nced	48	5.5
ncmd	13	6.1
ncwd	12	6.8
ndd	1	5.2
ned	8	4.8
nhd	11	5.7
njd	145	6.2
nmd	18	3
nvd	28	7.7
nyed	65	5.6
nynd	48	8.1
nysd	290	7.8
nywd	32	11.3
ohnd	82	5.9
ohsd	55	10.4
oked	0	0
oknd	1	2
okwd	27	2.1
ord	25	4.6
paed	80	4.8
pamd	12	7.1
pawd	50	7.5
rid	10	7.4
scd	47	5.2
sdd	21	4.2
tned	10	3.9
tnmd	60	6.4
tnwd	4	11.4
txed	4	2.9
txnd	76	5.2
txsd	189	4
txwd	41	2.8

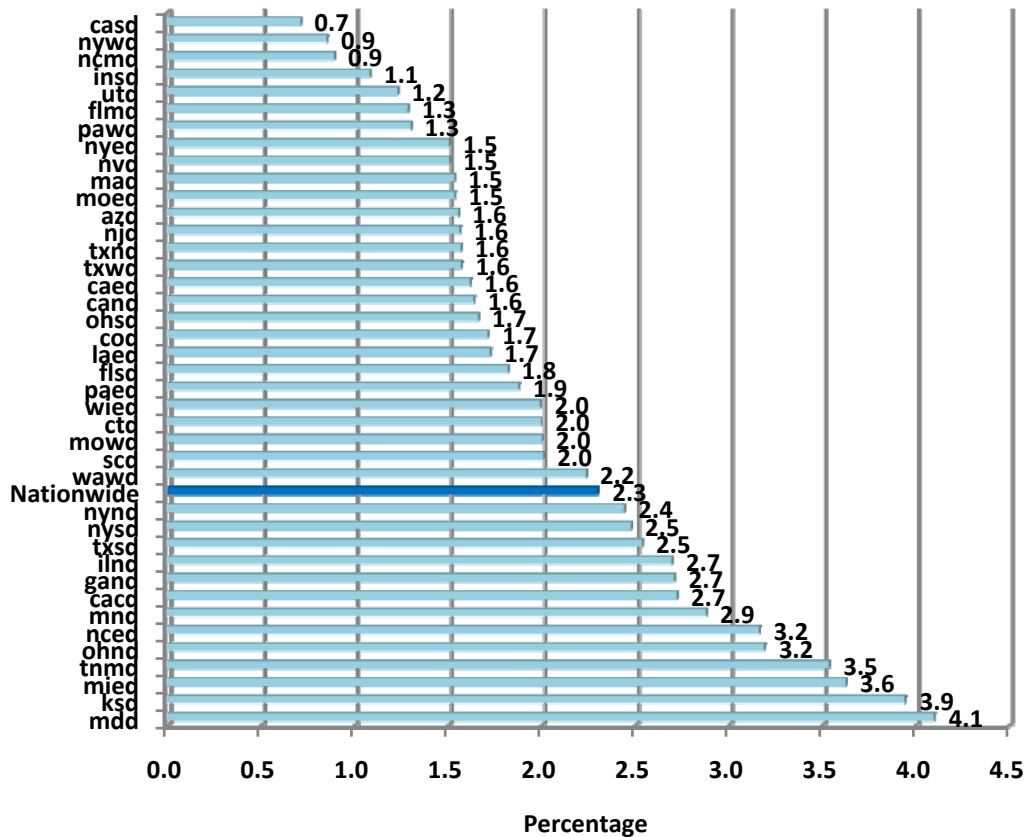
utd	87	5.5
vaed	118	1.5
vawd	15	2.8
vtd	5	4.9
waed	5	1.8
wawd	100	2.3

wied	31	6.4
wiwd	16	2.2
wvnd	1	1.8
wvsd	2	3.8
wyd	2	4.9

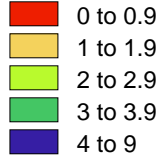
Percentage of Cases Terminated by Summary Judgment

The average percentage of trademark cases terminated by summary judgment nationwide is 2.3%. In those districts with at least 200 closed cases, the average percentage of cases terminated by summary judgment varies from 0.7% (Southern District of California) up to 4.1% (District of Maryland).

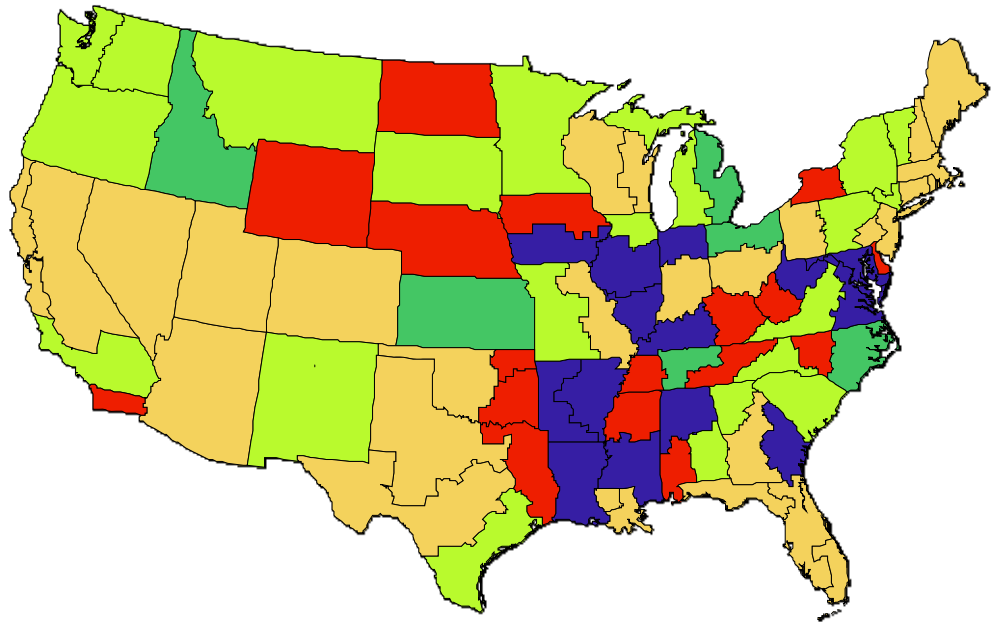
Percentage of Cases Terminated by Summary Judgment-at Least 200 Closed Cases



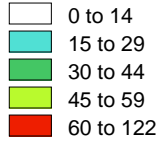
% SJ Terms.



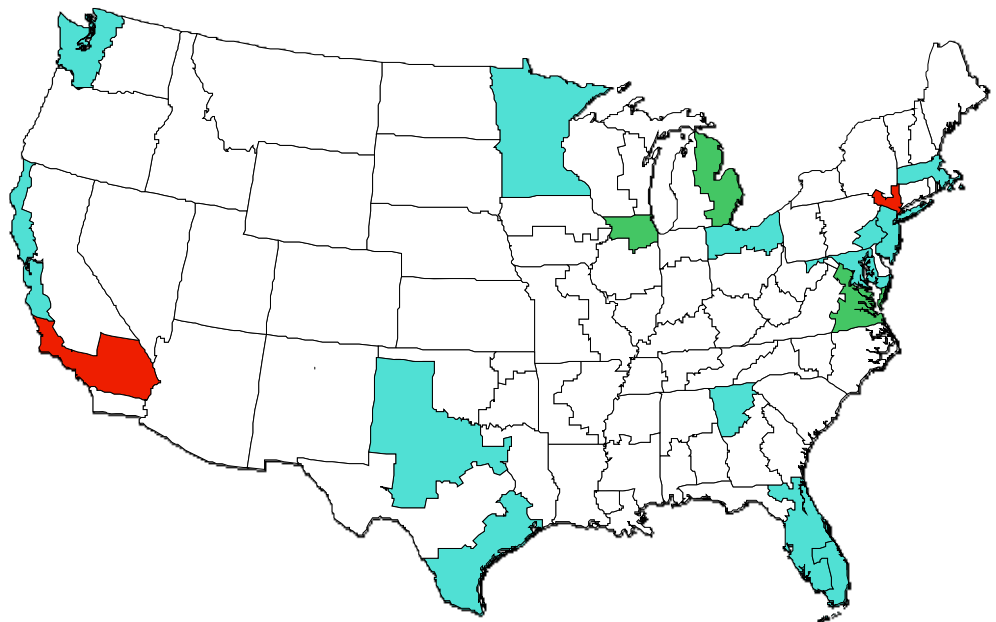
The percentage of cases terminated by summary judgment, by district, is illustrated at right and shown in tabular form below.



Number of SJ Terms.



The number of terminations by summary judgment is illustrated to the right, and shown in tabular form below.



Note: The National Patent Litigation Report includes similar maps for case win rates and time to termination, preliminary injunction win rates and time to decision, and summary judgment win rates and time to decision, among others.

The percentage of terminations by summary judgment for all districts is shown below:

Court	% of Cases Terminated by Summary Judgment	Number of Cases Terminated by Summary Judgment
akd	0.0	0
almd	2.3	1
alnd	7.5	3
alsd	0.0	0
ared	6.6	6
arwd	9.4	3
azd	1.6	14
cacd	2.7	122
caed	1.6	6
cand	1.6	26
casd	0.7	5
cod	1.7	12
ctd	2.0	9
dcd	5.4	9
ded	0.0	0
flmd	1.3	17
flnd	1.9	2
flsd	1.8	25
gamd	1.2	1
gand	2.7	24
gasd	4.6	3
hid	5.3	6
iand	0.0	0
iasd	4.2	5
idd	3.8	3
ilcd	4.1	6
ilnd	2.7	37
ilsd	4.9	2
innd	4.3	5
insd	1.1	4
ksd	3.9	8

kyed	0.0	0
kywd	4.3	6
laed	1.7	4
lamd	1.8	1
lawd	5.5	4
mad	1.5	16
mdd	4.1	22
med	1.6	1
mied	3.6	40
miwd	2.1	4
mnd	2.9	26
moed	1.5	5
mowd	2.0	4
msnd	0.0	0
mssd	4.7	4
mtd	2.1	1
nced	3.2	8
ncmd	0.9	2
ncwd	2.0	4
ndd	0.0	0
ned	0.8	1
nhd	1.6	2
njd	1.6	19
nmd	2.3	2
nvd	1.5	4
nyed	1.5	20
nynd	2.4	6
nysd	2.5	77
nywd	0.9	2
ohnd	3.2	17
ohsd	1.7	7
oked	0.0	0
oknd	0.0	0
okwd	2.0	3
ord	2.6	4

paed	1.9	17
pamd	2.7	4
pawd	1.3	3
prd	4.0	4
rid	1.6	2
scd	2.0	6
sdd	2.9	1
tned	0.9	1
tnmd	3.5	10
tnwd	1.0	1
txed	0.0	0
txnd	1.6	15
txsd	2.5	24

txwd	1.6	7
utd	1.2	7
vaed	5.0	44
vawd	2.4	2
vtd	2.1	1
waed	2.1	1
wawd	2.2	19
wied	2.0	5
wiwd	1.8	3
wvnd	5.9	1
wvsd	0	0
wyd	0.0	0