



LegalMetric Individual Judge Motion Report Expert/Daubert Motion Decisions in Judge Stark Patent Cases

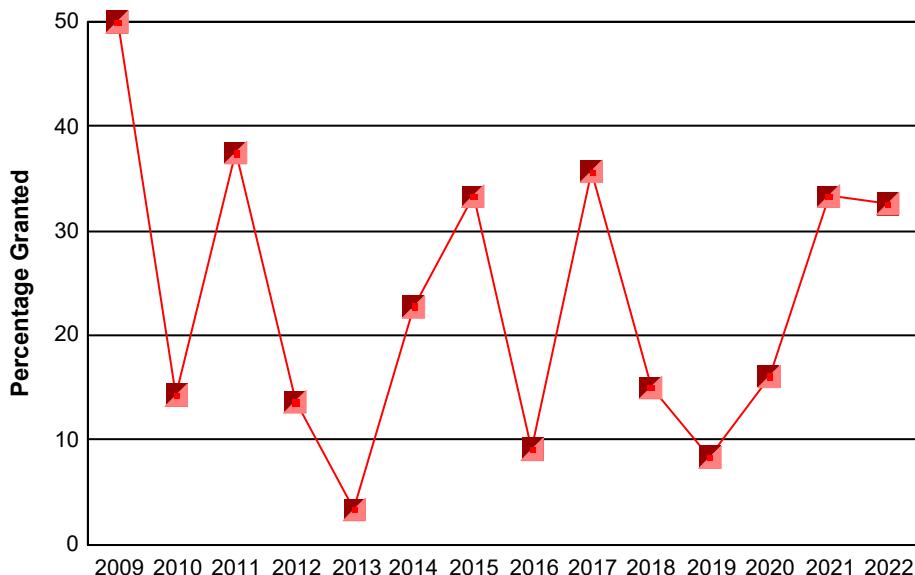
December 2009-October 2025

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Win Rates on Contested Motions

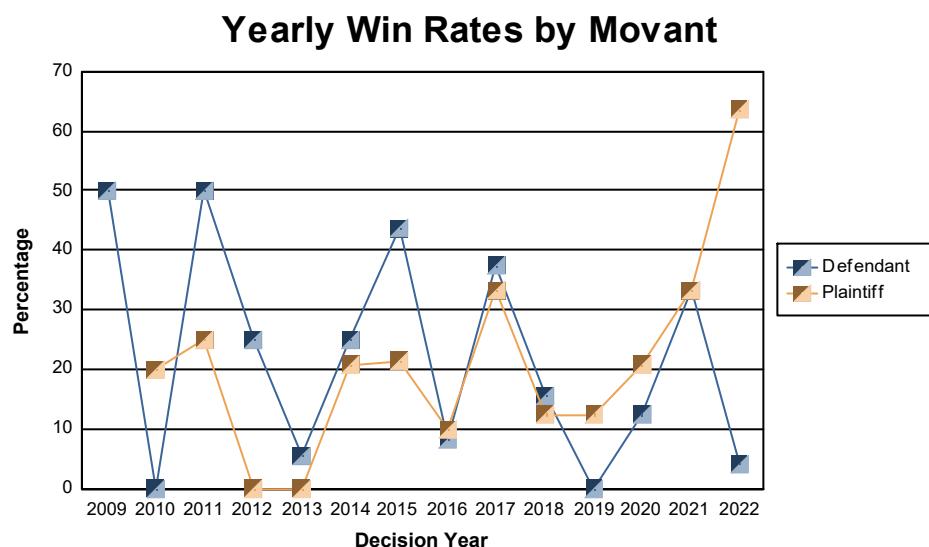


Overview:

This report covers Expert/Daubert decisions in patent cases in Delaware district court since December 11, 2009 and is based upon 211 decisions by Judge Stark in contested Expert/Daubert motions found in the dockets of the court. Of these 211 decisions, 30 were granted, 31 were granted in part, and 150 were denied.

Contested Win Rates:

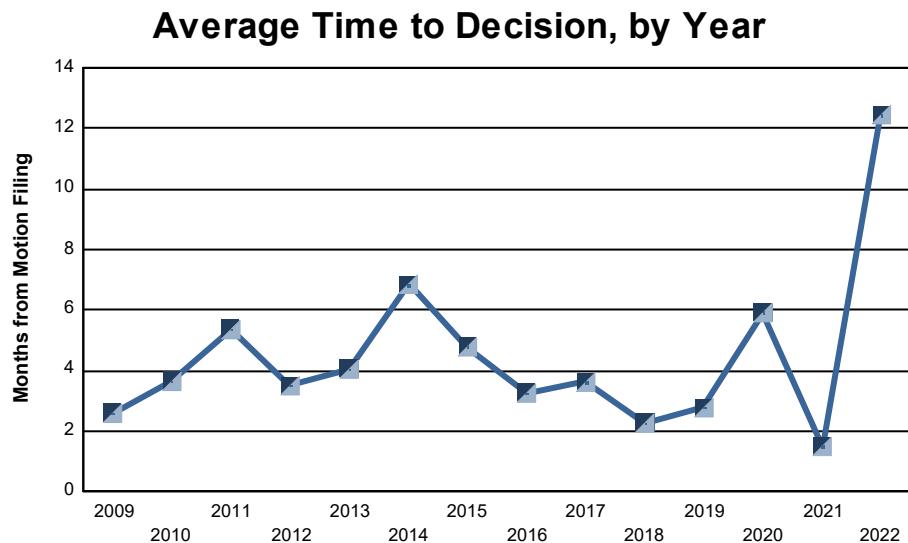
For the period covered by this report, the win rate for movants on contested motions is 21.6%. Variation from year to year and by movant is shown below.



	Win Rates		Defendant		Plaintiff	
	Win Rate	No. of Decisions	Win Rate	No. of Decisions	Win Rate	No. of Decisions
Total	21.6	211	19.9	118	23.7	93

Time to Decision:

The average time from motion filing to decision was 5.1 months. For motions that were granted, at least in the average time to decision was 5.4 months. For motions that were denied, the average time to decision was 4.9 months. The variation from year to year in time to decision is shown below.



Additional information about these districts may be found below.

Delaware

The dockets of patent cases in Delaware were examined to identify decisions on contested Expert/Daubert motions by Judge Stark. The number of decisions found, the number granted, and the number denied are as follows:

Total Decisions: 211

Total Granted: 30 Plaintiff Granted: 15 Defendant Granted: 15

Total Denied: 150 Plaintiff Denied: 64 Defendant Denied: 86

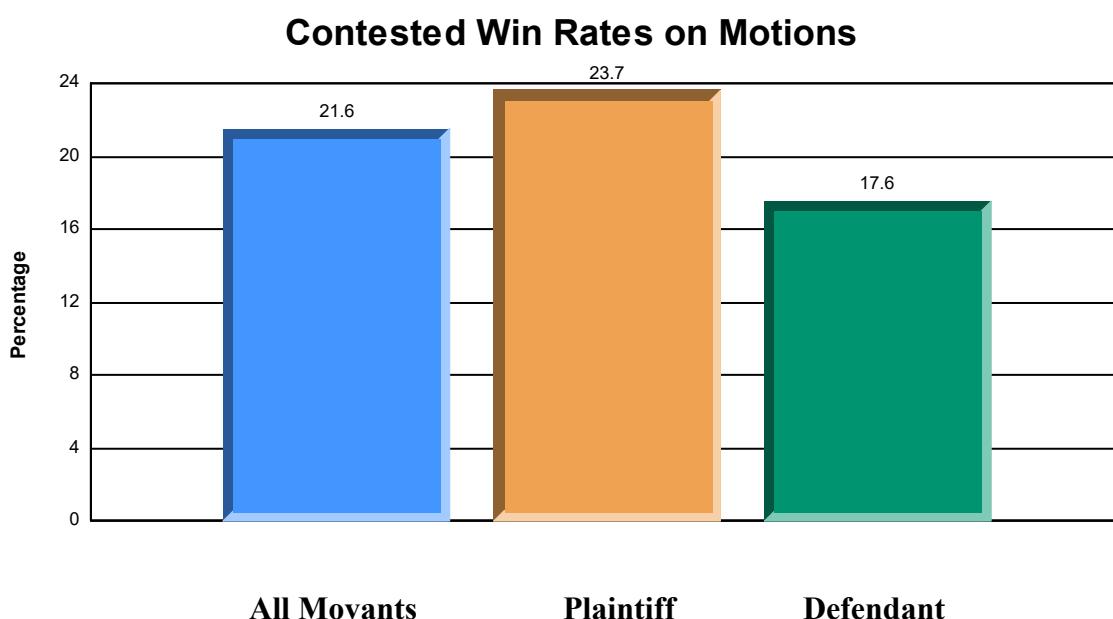
Total Granted in Part, Denied in Part: 31 Plaintiff Granted in Part: 14

Defendant Granted in Part: 9

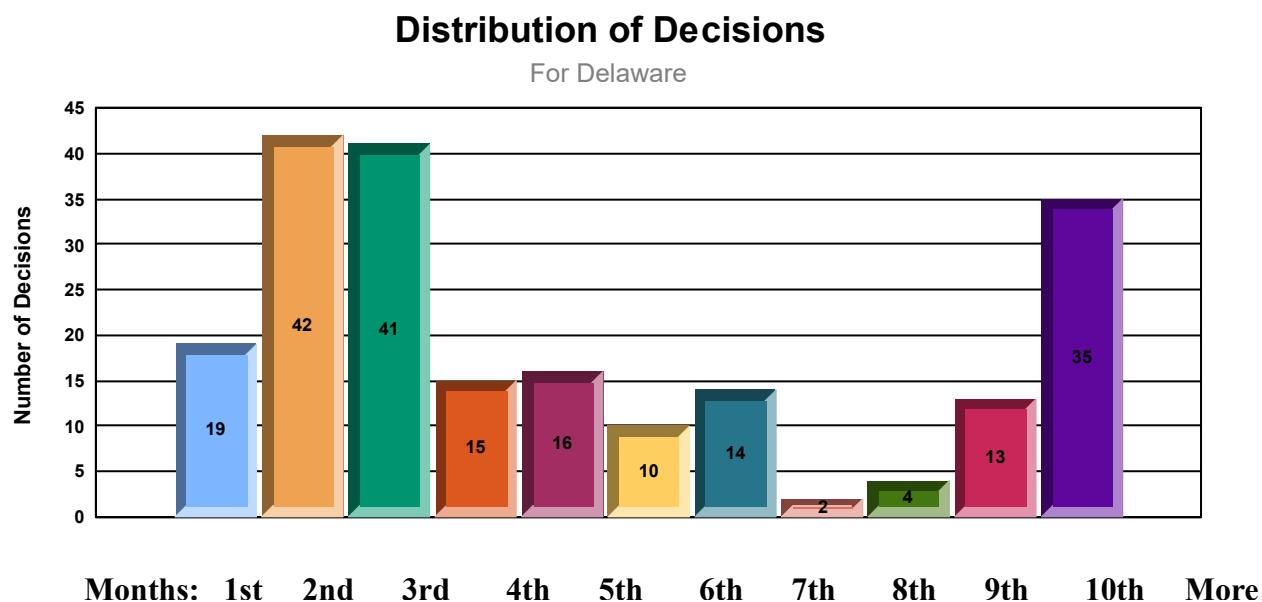
Plaintiff Win Rate: 23.7%

Defendant Win Rate: 17.6%

Overall Win Rate: 21.6%



The average time from motion filing to decision was 5.1 months from motion filing. The distribution of time decision for these motions is illustrated in the chart below.



Stark, Leonard

Total Decisions: 211

Total Granted: 30

Total Denied: 150

Total Granted in Part, Denied in Part: 31

Overall Win Rate: 21.6%

Average Time to Decision: 5.1 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:08md01949	Defendant	Granted in part, Denied in Part	2.60	12/11/2009
1:07cv00468	Plaintiff	Granted	11.74	11/23/2010
1:06cv00601	Plaintiff	Denied without Prejudice	5.03	6/10/2010
1:08cv00862	Plaintiff	Denied without Prejudice	1.28	6/28/2010
1:08cv00862	Plaintiff	Denied without Prejudice	1.28	6/28/2010
1:08cv00862	Plaintiff	Granted in part, Denied in Part	9.80	3/14/2011
1:08cv00862	Plaintiff	Denied	9.80	3/14/2011
1:09cv00185	Defendant	Denied	0.72	7/16/2010
1:09cv00605	Defendant	Denied	0.26	5/26/2010
1:08cv00309	Plaintiff	Denied	5.23	10/5/2010
1:08cv00309	Defendant	Granted	1.02	4/18/2011
1:09cv00598	Defendant	Denied	0.82	9/16/2011
1:10cv00045	Plaintiff	Denied	3.19	3/8/2012
1:10cv00063	Plaintiff	Denied	2.96	6/14/2012
1:10cv00063	Defendant	Denied	2.96	6/14/2012
1:10cv00063	Defendant	Denied	2.96	6/14/2012
1:10cv00063	Plaintiff	Denied	2.96	6/14/2012
1:09cv00190	Plaintiff	Denied	5.00	11/6/2012
1:09cv00190	Defendant	Denied	5.00	11/6/2012
1:09cv00190	Plaintiff	Denied	5.00	11/6/2012

1:09cv00080	Plaintiff	Granted in part, Denied in Part	19.54	3/31/2014
1:09cv00354	Plaintiff	Denied	10.13	3/29/2013
1:09cv00354	Defendant	Denied	10.13	3/29/2013
1:09cv00354	Defendant	Denied	10.13	3/29/2013
1:10cv00915	Defendant	Granted in part, Denied in Part	2.80	11/14/2012
1:10cv00915	Defendant	Granted	2.80	11/14/2012
1:11cv00652	Defendant	Granted in part, Denied in Part	2.99	5/15/2013
1:11cv00652	Defendant	Denied	2.99	5/15/2013
1:11cv00652	Plaintiff	Denied	2.99	5/15/2013
1:11cv00652	Plaintiff	Denied	2.99	5/15/2013
1:11cv00652	Defendant	Denied	2.99	5/15/2013
1:10cv00004	Defendant	Denied	2.76	2/1/2013
1:10cv00004	Defendant	Denied	2.76	2/1/2013
1:10cv00004	Defendant	Denied	1.51	2/1/2013
1:11cv00733	Defendant	Denied	0.43	5/2/2013
1:10cv00849	Defendant	Denied	9.14	7/2/2014
1:10cv00849	Defendant	Denied	9.14	7/2/2014
1:10cv01067	Defendant	Denied	10.00	4/14/2014
1:10cv01067	Plaintiff	Denied	9.54	3/31/2014
1:10cv01067	Plaintiff	Granted in part, Denied in Part	9.54	3/31/2014
1:11cv00595	Defendant	Denied without Prejudice	6.68	3/21/2014
1:11cv00595	Plaintiff	Denied without Prejudice	6.64	3/21/2014
1:11cv00704	Plaintiff	Denied	2.66	10/22/2013
1:11cv00704	Plaintiff	Denied	2.66	10/22/2013
1:11cv00704	Plaintiff	Denied	2.66	10/22/2013
1:12cv01581	Defendant	Denied	10.00	4/14/2014
1:12cv01581	Plaintiff	Denied	10.00	4/14/2014
1:12cv01581	Plaintiff	Denied	10.00	4/14/2014

1:09cv00525	Defendant	Granted in part, Denied in Part	1.22	2/27/2014
1:10cv01065	Defendant	Granted	4.77	4/14/2014
1:10cv01065	Plaintiff	Denied	5.33	5/1/2014
1:11cv01249	Plaintiff	Granted	2.27	1/23/2014
1:11cv01249	Defendant	Denied	2.27	1/23/2014
1:12cv00081	Plaintiff	Denied	4.61	7/18/2014
1:12cv00081	Plaintiff	Denied	6.64	9/18/2014
1:12cv00081	Defendant	Granted	6.64	9/18/2014
1:11cv00515	Defendant	Denied	12.57	9/28/2015
1:11cv00515	Defendant	Granted	14.44	11/24/2015
1:11cv00582	Defendant	Denied	2.30	12/23/2014
1:11cv00582	Plaintiff	Granted in part, Denied in Part	2.30	12/23/2014
1:11cv00582	Plaintiff	Denied	2.27	12/23/2014
1:11cv01259	Defendant	Granted	9.44	4/13/2015
1:11cv01259	Plaintiff	Denied	9.44	4/13/2015
1:12cv00540	Defendant	Granted	1.84	3/20/2015
1:12cv00540	Plaintiff	Granted in part, Denied in Part	1.84	3/20/2015
1:12cv00081	Defendant	Denied	0.95	5/29/2015
1:13cv00723	Plaintiff	Denied	0.86	8/17/2015
1:13cv00917	Defendant	Denied	3.22	9/21/2015
1:11cv00515	Defendant	Granted in part, Denied in Part	0.49	12/2/2015
1:12cv00274	Defendant	Denied	1.91	1/27/2016
1:13cv00723	Plaintiff	Denied	2.89	12/8/2015
1:13cv00723	Plaintiff	Granted in part, Denied in Part	3.49	12/8/2015
1:12cv00540	Plaintiff	Denied	0.63	6/8/2015
1:13cv01279	Defendant	Denied	0.36	10/5/2015
1:11cv01259	Plaintiff	Granted in part, Denied in Part	9.44	4/13/2015

1:13cv00843	Defendant	Denied	3.26	3/25/2016
1:14cv00121	Defendant	Denied	0.82	2/9/2016
1:09cv00080	Plaintiff	Granted	0.33	4/18/2016
1:13cv00304	Defendant	Granted in part, Denied in Part	4.11	8/25/2016
1:13cv00843	Defendant	Denied	7.27	10/18/2016
1:13cv01987	Defendant	Denied	1.58	7/26/2016
1:13cv01987	Plaintiff	Denied	1.58	7/26/2016
1:12cv00193	Plaintiff	Denied	1.68	6/3/2016
1:13cv01632	Plaintiff	Denied	1.68	6/3/2016
1:13cv01633	Plaintiff	Denied	8.06	12/7/2016
1:13cv01987	Plaintiff	Denied	1.84	7/26/2016
1:09cv00080	Defendant	Granted in part, Denied in Part	4.14	10/31/2016
1:09cv00080	Defendant	Denied	4.14	10/31/2016
1:09cv00080	Defendant	Denied	1.48	8/15/2016
1:09cv00080	Defendant	Denied	1.48	8/15/2016
1:09cv00080	Plaintiff	Denied	1.78	8/15/2016
1:09cv00080	Plaintiff	Denied	1.78	8/15/2016
1:09cv01007	Defendant	Denied	6.25	12/30/2016
1:09cv01007	Plaintiff	Denied	6.25	12/30/2016
1:09cv01007	Plaintiff	Denied	6.25	12/30/2016
1:14cv00028	Plaintiff	Denied	6.25	1/12/2017
1:14cv00028	Plaintiff	Granted	6.25	1/12/2017
1:12cv00193	Defendant	Granted in part, Denied in Part	5.00	1/31/2017
1:13cv01632	Defendant	Granted in part, Denied in Part	5.20	2/6/2017
1:15cv00799	Defendant	Denied	5.20	2/6/2017
1:11cv00515	Plaintiff	Denied	2.76	2/10/2017
1:12cv00193	Defendant	Granted	4.64	1/31/2017

1:13cv00440	Defendant	Denied without Prejudice	3.78	2/13/2017
1:13cv01632	Defendant	Granted	4.84	2/6/2017
1:13cv01633	Plaintiff	Denied	2.57	1/31/2017
1:13cv01668	Defendant	Denied	2.96	2/14/2017
1:13cv00723	Defendant	Granted	3.59	6/20/2017
1:13cv01636	Defendant	Granted	1.41	1/31/2017
1:14cv00377	Plaintiff	Denied	3.09	6/1/2017
1:14cv00377	Defendant	Denied	3.09	6/1/2017
1:14cv00878	Defendant	Denied	4.38	6/9/2017
1:14cv00878	Plaintiff	Granted	4.38	6/9/2017
1:14cv01487	Plaintiff	Denied	1.58	4/17/2017
1:15cv00137	Defendant	Denied	7.24	9/21/2017
1:15cv00137	Plaintiff	Denied	6.78	9/21/2017
1:11cv00515	Defendant	Denied	2.76	2/10/2017
1:14cv01445	Defendant	Granted in part, Denied in Part	3.52	1/27/2017
1:13cv00239	Plaintiff	Denied	2.20	8/1/2017
1:13cv00723	Defendant	Granted in part, Denied in Part	2.27	7/20/2017
1:13cv00723	Plaintiff	Granted in part, Denied in Part	2.27	7/20/2017
1:15cv00114	Plaintiff	Granted in part, Denied in Part	1.35	6/6/2017
1:13cv00239	Plaintiff	Granted	0.10	8/17/2017
1:15cv00669	Defendant	Denied	2.07	9/14/2017
1:15cv00819	Defendant	Denied	6.05	5/24/2018
1:15cv00819	Defendant	Denied	5.53	5/8/2018
1:16cv00187	Defendant	Granted in part, Denied in Part	3.59	5/22/2018
1:16cv00187	Plaintiff	Denied	1.02	2/22/2018
1:16cv00122	Defendant	Denied	3.13	6/8/2018
1:08cv00309	Defendant	Denied	1.51	10/9/2018

1:08cv00309	Plaintiff	Granted in part, Denied in Part	1.51	10/9/2018
1:08cv00309	Defendant	Denied without Prejudice	1.51	10/9/2018
1:12cv00540	Defendant	Denied	1.81	10/25/2018
1:15cv00379	Defendant	Granted in part, Denied in Part	1.18	8/2/2018
1:15cv00788	Defendant	Granted in part, Denied in Part	1.18	8/2/2018
1:16cv00122	Defendant	Denied	0.36	6/19/2018
1:16cv00284	Plaintiff	Denied	4.08	1/2/2019
1:16cv00284	Plaintiff	Denied	2.89	11/27/2018
1:16cv00284	Defendant	Granted	2.89	11/27/2018
1:13cv00723	Defendant	Denied	1.38	12/27/2018
1:13cv00723	Defendant	Denied	1.38	12/27/2018
1:13cv00723	Plaintiff	Denied	1.38	12/27/2018
1:13cv00723	Defendant	Denied	1.25	11/19/2018
1:15cv00379	Defendant	Denied	2.99	12/10/2018
1:15cv00788	Defendant	Denied	2.99	12/10/2018
1:15cv01158	Plaintiff	Denied	1.91	3/21/2019
1:17cv00189	Plaintiff	Granted in part, Denied in Part	5.23	10/21/2019
1:17cv00775	Defendant	Denied	10.92	3/2/2020
1:17cv00775	Plaintiff	Denied	10.92	3/2/2020
1:13cv01353	Defendant	Granted in part, Denied in Part	5.10	1/14/2020
1:13cv01353	Plaintiff	Denied	5.10	1/14/2020
1:17cv00374	Defendant	Denied	2.47	10/21/2019
1:17cv01386	Defendant	Denied	13.19	10/28/2020
1:17cv01386	Defendant	Denied	13.19	10/28/2020
1:17cv01386	Plaintiff	Denied	1.48	8/1/2019
1:18cv00021	Defendant	Granted in part, Denied in Part	3.72	1/21/2020
1:18cv00021	Plaintiff	Denied	3.72	1/21/2020

1:18cv00021	Plaintiff	Denied	3.72	1/21/2020
1:17cv00275	Plaintiff	Denied	2.99	2/21/2020
1:17cv01353	Plaintiff	Granted in part, Denied in Part	2.99	2/21/2020
1:17cv01730	Defendant	Denied	1.55	12/4/2019
1:18cv00412	Defendant	Denied	5.33	5/27/2020
1:18cv00412	Defendant	Denied	6.38	5/27/2020
1:18cv00412	Plaintiff	Granted in part, Denied in Part	6.38	5/27/2020
1:18cv00390	Plaintiff	Granted	2.57	2/6/2020
1:18cv00172	Defendant	Denied	3.19	4/21/2020
1:16cv00706	Defendant	Denied	1.94	4/17/2020
1:16cv00706	Plaintiff	Denied	1.38	3/4/2020
1:17cv00082	Defendant	Denied	8.62	10/2/2020
1:17cv00083	Defendant	Denied	8.62	10/2/2020
1:17cv00084	Defendant	Denied	8.62	10/2/2020
1:17cv01646	Plaintiff	Granted in part, Denied in Part	6.78	8/14/2020
1:18cv00088	Defendant	Granted	1.64	6/25/2020
1:18cv00088	Defendant	Denied	1.18	6/25/2020
1:12cv01601	Defendant	Granted	1.35	1/25/2021
1:12cv01601	Plaintiff	Denied	2.01	1/25/2021
1:13cv00919	Defendant	Granted	1.35	1/25/2021
1:17cv00083	Defendant	Denied	1.48	4/5/2021
1:17cv00083	Plaintiff	Granted	13.36	4/1/2022
1:18cv00073	Defendant	Denied	0.86	11/18/2020
1:18cv00412	Plaintiff	Granted	4.90	3/31/2021
1:12cv01595	Defendant	Denied	13.13	4/8/2022
1:12cv01595	Plaintiff	Denied	13.13	4/8/2022
1:12cv01597	Plaintiff	Granted	12.86	3/31/2022
1:12cv01597	Defendant	Denied	12.86	3/31/2022
1:12cv01597	Defendant	Denied	12.86	3/31/2022
1:12cv01601	Plaintiff	Granted	12.86	3/31/2022

1:12cv01601	Plaintiff	Denied	12.86	3/31/2022
1:12cv01601	Defendant	Denied	12.86	3/31/2022
1:12cv01601	Defendant	Denied	12.86	3/31/2022
1:12cv01602	Plaintiff	Granted	12.86	3/31/2022
1:12cv01602	Defendant	Denied	12.86	3/31/2022
1:12cv01602	Defendant	Denied	12.86	3/31/2022
1:13cv00919	Plaintiff	Granted	13.13	4/8/2022
1:13cv00919	Plaintiff	Denied	12.86	3/31/2022
1:13cv00919	Defendant	Denied	13.13	4/8/2022
1:13cv00919	Defendant	Denied	13.13	4/8/2022
1:13cv00920	Plaintiff	Granted	12.86	3/31/2022
1:13cv00920	Defendant	Denied	12.86	3/31/2022
1:13cv00920	Defendant	Denied	12.86	3/31/2022
1:13cv00920	Plaintiff	Granted	12.86	3/31/2022
1:18cv00976	Defendant	Denied	0.95	8/4/2021
1:20cv00125	Defendant	Denied	0.59	10/25/2021
1:20cv00125	Plaintiff	Denied	0.56	10/25/2021
1:20cv00125	Defendant	Denied	0.36	10/25/2021
1:20cv00125	Plaintiff	Denied	1.18	1/13/2022
1:19cv00742	Defendant	Denied	0.39	1/8/2020
1:17cv01386	Plaintiff	Denied	13.19	10/28/2020
1:17cv01386	Plaintiff	Denied	13.19	10/28/2020
1:17cv00083	Defendant	Granted in part, Denied in Part	13.36	4/1/2022