



**LegalMetric District Report
Increased Damages Decisions
In Delaware District Court Patent Cases**

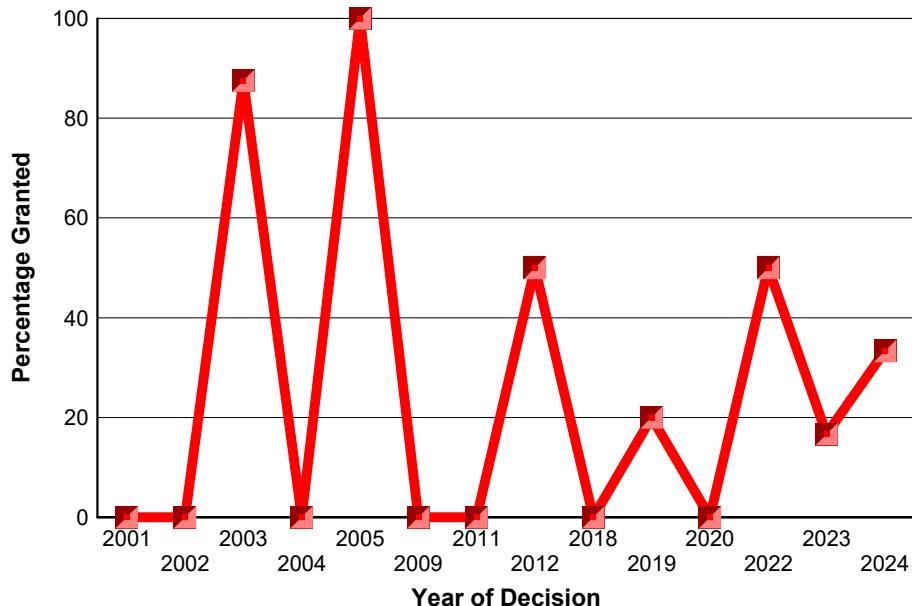
October 2001-October 2025

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Yearly Win Rates on Contested Motions



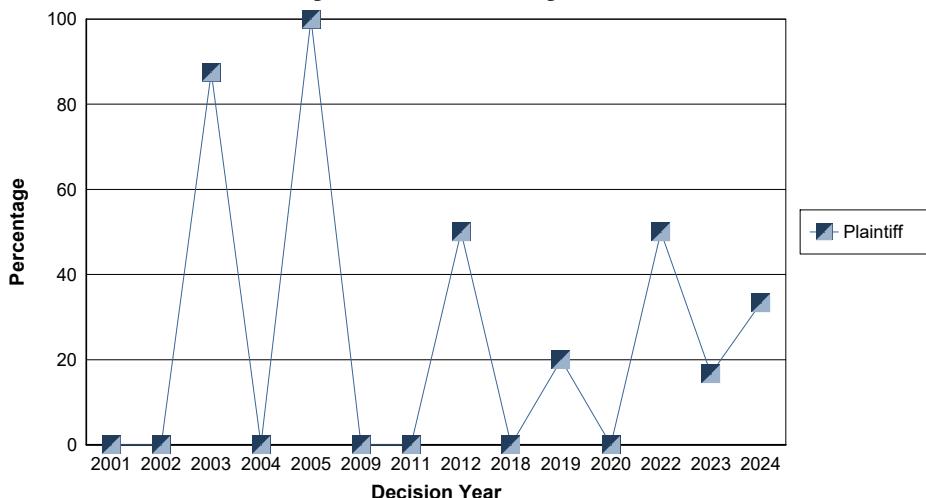
Overview:

This report covers contested increased damages motion decisions in patent cases in Delaware District Court and is based upon 32 decisions in contested motions found in the dockets of the courts. Of these 32 decisions, 8 were granted, 2 were granted in part, and 22 were denied.

Contested Win Rates:

For the period covered by this report, the win rate for movants on contested motions is 28.1%. Variation from year to year is shown in the chart above. Variation by movant is shown below.

Yearly Win Rates by Movant



	Win Rates	Plaintiff
Total	28.1	28.1
2001	0.0	0.0
2002	0.0	0.0
2003	87.5	87.5
2004	0.0	0.0
2005	100.0	100.0

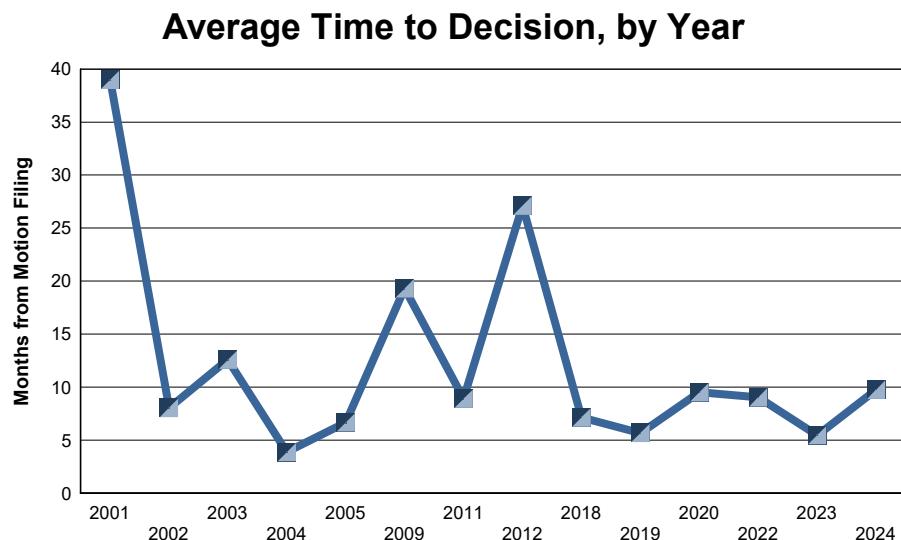
	Counts	Plaintiff
Total	32	32
2001	1	1
2002	1	1
2003	4	4
2004	1	1
2005	1	1

	Win Rates	Plaintiff
2009	0.0	0.0
2011	0.0	0.0
2012	50.0	50.0
2018	0.0	0.0
2019	20.0	20.0
2020	0.0	0.0
2022	50.0	50.0
2023	16.7	16.7
2024	33.3	33.3

	Counts	Plaintiff
2009	1	1
2011	1	1
2012	2	2
2018	4	4
2019	5	5
2020	3	3
2022	2	2
2023	3	3
2024	3	3

Time to Decision:

The average time from motion filing to decision was 10.6 months. For motions that were granted, at least in part, the average time to decision was months. For motions that were denied, the average time to decision was 11.8 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 increased damages motions. The number of decisions found, the number granted, and the number denied are as follows:

Total Decisions: 32

Total Granted: 8 Plaintiff Granted: 8 Defendant Granted: 0

Total Denied: 22 Plaintiff Denied: 22 Defendant Denied: 0

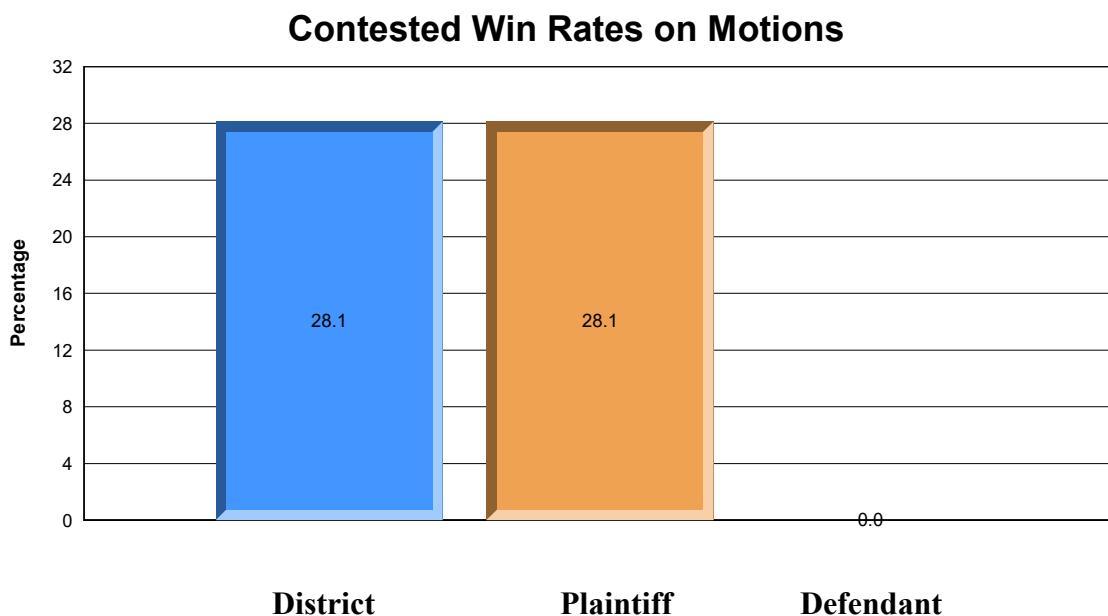
Total Granted in Part, Denied in Part: 2 Plaintiff Granted in Part: 2

Defendant Granted in Part: 0

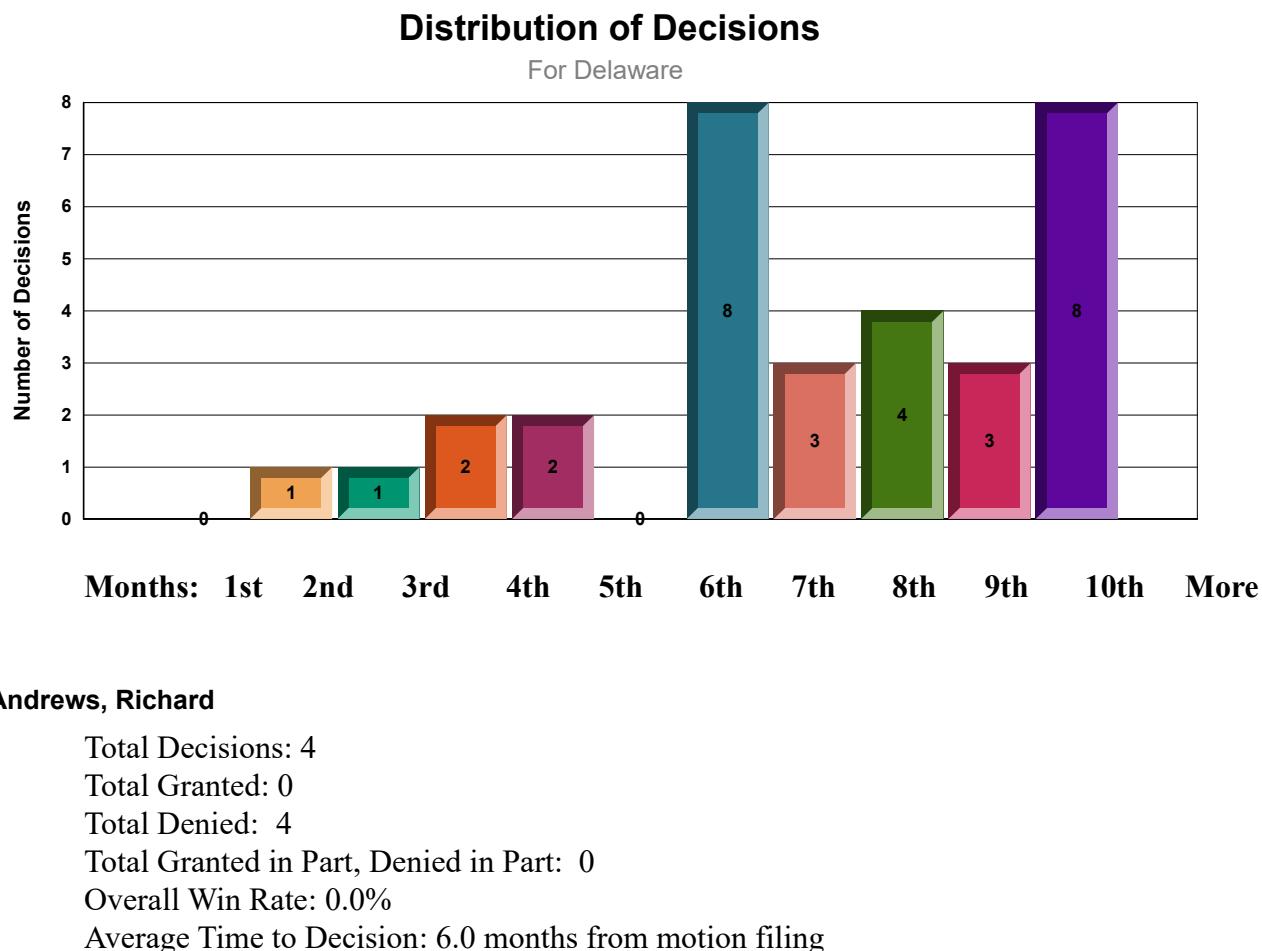
Plaintiff Win Rate: 28.1%

Defendant Win Rate: 0.0%

Overall Win Rate: 28.1%



The average time from motion filing to decision was 10.6 months from motion filing. The distribution of times to decision for these motions is illustrated in the chart below.



Case Number	Movant	Decision	Pendency (months)	Decision Date
1:15cv00709	Plaintiff	Denied	6.09	12/7/2018
1:13cv01534	Plaintiff	Denied	6.91	3/18/2020
1:17cv01390	Plaintiff	Denied	6.68	8/31/2022
1:21cv00091	Plaintiff	Denied	4.21	9/7/2023

Bataillon, Joseph

Total Decisions: 3

Total Granted: 1

Total Denied: 2

Total Granted in Part, Denied in Part: 0

Overall Win Rate: 33.3%

Average Time to Decision: 6.2 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:15cv01031	Plaintiff	Denied	7.80	5/2/2019
1:17cv00014	Plaintiff	Granted	2.96	12/16/2019
1:15cv01031	Plaintiff	Denied	7.80	5/2/2019

Farnan, Joseph

Total Decisions: 4

Total Granted: 2

Total Denied: 2

Total Granted in Part, Denied in Part: 0

Overall Win Rate: 50.0%

Average Time to Decision: 14.6 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:01cv00011	Plaintiff	Granted	8.49	3/31/2003
1:01cv00011	Plaintiff	Granted	7.24	3/31/2003
1:01cv00150	Plaintiff	Denied	3.88	4/12/2004
1:97cv00421	Plaintiff	Denied	38.98	10/10/2001

Hillman, Noel

Total Decisions: 1

Total Granted: 0

Total Denied: 1

Total Granted in Part, Denied in Part: 0

Overall Win Rate: 0.0%

Average Time to Decision: 6.7 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:09cv00636	Plaintiff	Denied	6.68	3/29/2018

Jordan, Kent

Total Decisions: 2

Total Granted: 2

Total Denied: 0

Total Granted in Part, Denied in Part: 0

Overall Win Rate: 100.0%

Average Time to Decision: 17.4 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:99cv00286	Plaintiff	Granted	28.09	4/16/2003
1:03cv01095	Plaintiff	Granted	6.68	12/16/2005

Kennelly, Matthew

Total Decisions: 1

Total Granted: 0

Total Denied: 1

Total Granted in Part, Denied in Part: 0

Overall Win Rate: 0.0%

Average Time to Decision: 1.3 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:17cv01574	Plaintiff	Denied	1.35	8/21/2023

McKelvie, Roderick

Total Decisions: 1

Total Granted: 0

Total Denied: 1

Total Granted in Part, Denied in Part: 0

Overall Win Rate: 0.0%

Average Time to Decision: 8.1 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:99cv00577	Plaintiff	Denied	8.06	3/27/2002

Noreika, Maryellen

Total Decisions: 5

Total Granted: 1

Total Denied: 3

Total Granted in Part, Denied in Part: 1

Overall Win Rate: 30.0%

Average Time to Decision: 10.8 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:18cv00462	Plaintiff	Denied	8.91	3/24/2020
1:16cv00662	Plaintiff	Denied	12.76	11/30/2020
1:18cv01019	Plaintiff	Granted	11.41	9/30/2022
1:19cv01508	Plaintiff	Granted in part, Denied in Part	10.86	3/31/2023
1:19cv01410	Plaintiff	Denied	9.84	9/30/2024

Robinson, Sue

Total Decisions: 1

Total Granted: 1

Total Denied: 0

Total Granted in Part, Denied in Part: 0

Overall Win Rate: 100.0%

Average Time to Decision: 9.1 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:10cv00315	Plaintiff	Granted	9.14	3/13/2012

Sleet, Gregory

Total Decisions: 4

Total Granted: 0

Total Denied: 3

Total Granted in Part, Denied in Part: 1

Overall Win Rate: 12.5%

Average Time to Decision: 11.1 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:01cv00051	Plaintiff	Granted in part, Denied in Part	6.55	8/28/2003
1:04cv00876	Plaintiff	Denied	19.31	1/6/2009
1:08cv00091	Plaintiff	Denied	8.91	2/7/2011
1:14cv00392	Plaintiff	Denied	9.64	3/8/2018

Stark, Leonard

Total Decisions: 4

Total Granted: 0

Total Denied: 4

Total Granted in Part, Denied in Part: 0

Overall Win Rate: 0.0%

Average Time to Decision: 15.3 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:07cv00170	Plaintiff	Denied	45.10	12/3/2012
1:13cv00723	Plaintiff	Denied	6.22	3/30/2018
1:08cv00309	Plaintiff	Denied	6.09	7/22/2019
1:16cv00284	Plaintiff	Denied	3.78	7/18/2019

Williams, Gregory

Total Decisions: 1

Total Granted: 0

Total Denied: 1

Total Granted in Part, Denied in Part: 0

Overall Win Rate: 0.0%

Average Time to Decision: 14.7 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:18cv00392	Plaintiff	Denied	14.74	6/5/2024

Wolson, Joshua

Total Decisions: 1

Total Granted: 1

Total Denied: 0

Total Granted in Part, Denied in Part: 0

Overall Win Rate: 100.0%

Average Time to Decision: 4.7 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:17cv00770	Plaintiff	Granted	4.74	9/17/2024