

What are the real facts about patent litigation?

PATENT LAWSUITS ARE DECLINING



Patent
Lawsuits
down

40%



ONLY 8%

OF SILICON VALLEY INSIDERS
NAMED THE NEED FOR
PATENT REFORM AS THE

BIGGEST

BARRIER

TO INNOVATION.³

WHITE PATENT
LAWSUITS ARE DOWN 40%,
SEPTEMBER 2014

ARE DOWN 40% FROM
THE PREVIOUS YEAR.²



OVER THE LAST 2 DECADES,
PATENT LITIGATION RATES
HAVE BEEN VERY STEADY.

ONLY ABOUT 2%
OF ALL PATENTS
HAVE BEEN LITIGATED
EACH YEAR SINCE 1991.²



THE SUPREME COURT'S RULING IN
ALICE V. CLS BANK
HAS RESULTED IN THE LOWER COURTS
RAPIDLY INVALIDATING
BAD SOFTWARE PATENTS.¹

Learn about the real threats to
innovation and our economy at:

SavetheInventor.com

Sources:

¹ <https://www.techdirt.com/articles/20141009/05212428777/patent-trolling-has-been-crazy-profitable-thanks-to-supreme-court-new-lawsuits-are-declining.shtml>

² <http://www.iam-magazine.com/blog/Detail.aspx?g=4e39b550-4688-436b-9ffb-bbdc495f62b1>

³ <http://www.theatlantic.com/magazine/archive/2014/11/the-view-from-the-valley/380802/>

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WHILE PATENT LAWSUITS ARE
DOWN 40%, EVEN MORE
SIGNIFICANT IS THAT NPE LAWSUITS
ARE NOW 50/50 WITH NPE LAWSUITS.
A DRAMATIC DECLINE.²



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↓ PATENT CASE FILINGS IN 2014 ARE DOWN 40% FROM THE PREVIOUS YEAR, AND ONLY 50% INVOLVE NON-PRACTICING ENTITIES. A DRAMATIC DECLINE.¹

ONLY 8% OF SILICON VALLEY INSIDERS NAMED THE NEED FOR PATENT REFORM AS A BARRIER TO INNOVATION.²



DESPITE CLAIMS OF AN EXPLOSION IN PATENT CASE FILINGS, LITIGATION RATES HAVE BEEN FALLING SINCE 2013 TO LEVELS SIMILAR TO 2009.³



COURTS ARE SUSPENDING LITIGATION FOR POOR QUALITY PATENTS. NUMBER OF PATENT CASES INVALIDATED IN 2014 DOUBLED FROM THE PREVIOUS YEAR.⁴

Demands for new legislation are high, but the facts don't support the patent abuse narrative.

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Sources:

¹ Masnick, M. (2014, October 13). Patent Trolling Has Been Crazy Profitable, But Thanks To Supreme Court, New Lawsuits Are Declining. Techdirt. <https://www.techdirt.com/articles/20141009/05212428777/patent-trolling-has-been-crazy-profitable-thanks-to-supreme-court-new-lawsuits-are-declining.shtml>

² Quinn, G. (2014, October 23). Patent Trolls are NOT the Biggest Barrier to Innovation. IP Watchdog. <http://www.ipwatchdog.com/2014/10/23/patent-trolls-are-not-the-biggest-barrier-to-innovation/id=51699/>

³ Lloyd, R. (2015, February 5). The trend is clear – patent litigation rates in the US are on the decline. Intellectual Asset Management. <http://www.iam-magazine.com/blog/Detail.aspx?g=653902db-64d0-4b38-a04b-ad26deb92ec0>

⁴ Howard, B. (2015, February 5). Patent case trends and the business of litigation. Lex Machina. <https://lexmachina.com/2015/02/patent-case-trends-business-litigation/>