

Docket Navigator Decathlon

Answer Key



1. How many times has the claim term “individual” been construed in a U.S. district court case? What were the definitions and for which cases/patents were they construed?

Answer

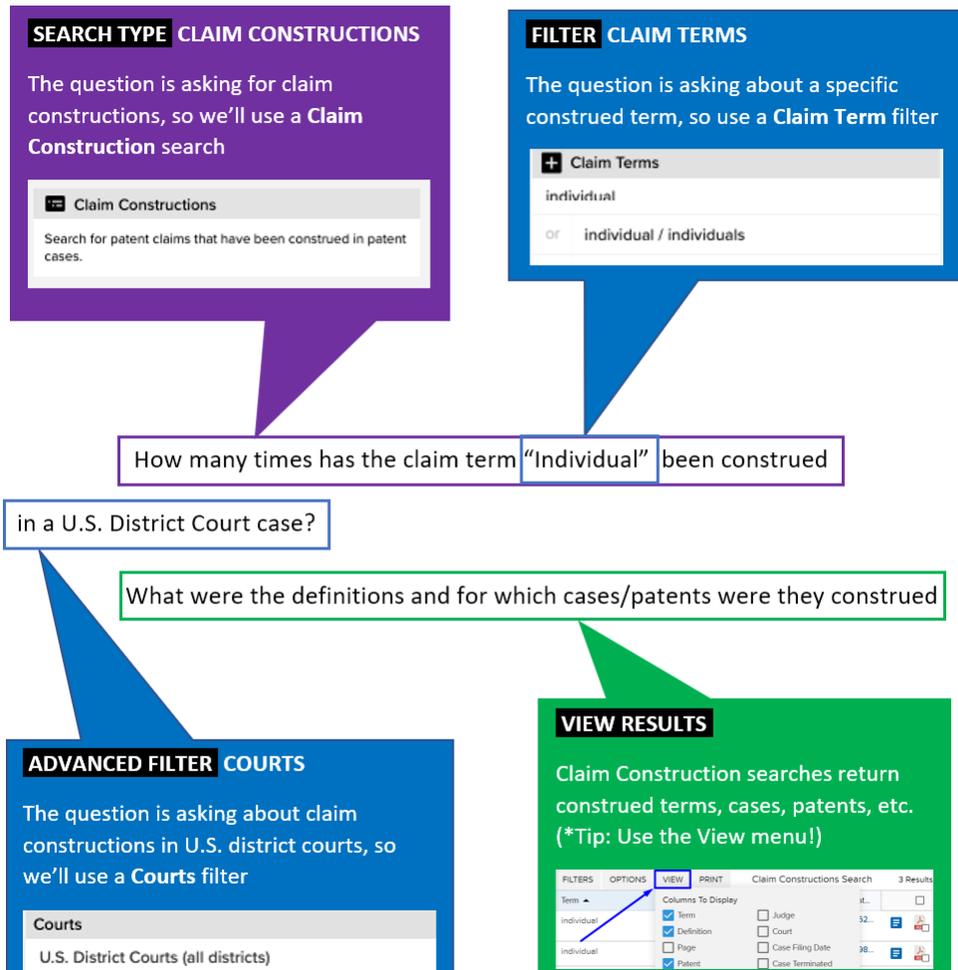
3 times:

1. Construed in *Hewlett-Packard, et al v. Gateway Inc* to mean “spaced apart from one another and not joined to one another” (Patent no. 5625532)
2. Construed in *BASCOM Global Internet Services, Inc. v. AT&T Inc.* to mean “separate or discrete” (Patent no. 5987606)
3. Construed in *Minton v. NASD, et al* to mean “no restriction or limitation on the identity of the traders” (Patent no. 6014643)

Overview

When converting a real-world question into a Docket Navigator query, the first step is to consider what type of information answers the question. If the question calls for a list of cases, a **Cases** search will provide the answer. If the question calls for a list of patents, use a **Patents** search.

Since this question asks for the construction of claim terms and their definitions, we’ll use a **Claim Constructions** search. This search type allows you to filter for construed claim terms by judge, jurisdiction, etc. Other aspects of the question can be addressed with **Filters** within a Documents search, as shown in the diagram below.



STEP 1 – SEARCH TYPE

On the [main search page](#), under the Custom Search section, select a **Claim Constructions** search

Custom Search
Generate a list of Cases, Documents (or several other Custom Search types) that match the filters you select.

Select a Custom Search based on the type of information you are looking for. For example, if you want to see a list of cases involving a company or group of companies, select "Cases." If you want to see a list of court orders or pleadings, select "Documents." Select "Show All Search Types" to see other Custom Search options.

Cases
Search for cases in federal courts, the ITC and the PTAB.
Search For Cases

Documents
Search for pleadings and orders filed in patent cases.
Search For Documents

HIDE SEARCH TYPES

- Patents**: Search for patents asserted in federal courts, the ITC, and the PTAB.
- Accusations**: Search for accusations about infringement, validity, or enforceability of patents.
- Docket Sheets**: Search the text of docket sheets for patent cases.
- Remedies**: Search for monetary awards, injunctions, attorney fees, and other remedies.
- Parties**: Search for parties involved in patent cases.
- Firms**: Search for law firms appearing in patent cases.
- Attorneys**: Search for attorneys appearing in patent cases.
- Determinations**: Search for determinations of patent infringement, invalidity, or enforceability.
- PTAB Institutions**: Search for institutions of investigation for AIA proceedings in the PTAB.
- Claim Constructions**: Search for patent claims that have been construed in patent cases. (Highlighted with a red box and arrow)

***Note:** If the Claim Construction search is not visible on your screen, click "Show All Search Types"

Custom Search
Generate a list of Cases, Documents (or several other Custom Search types) that match the filters you select.

Select a Custom Search based on the type of information you are looking for. For example, if you want to see a list of cases involving a company or group of companies, select "Cases." If you want to see a list of court orders or pleadings, select "Documents." Select "Show All Search Types" to see other Custom Search options.

Cases
Search for cases in federal courts, the ITC and the PTAB.
Search For Cases

Documents
Search for pleadings and orders filed in patent cases.
Search For Documents

SHOW ALL SEARCH TYPES (Highlighted with a red box and arrow)

STEP 2 – FILTERS:

Using the **Claim Terms** filter, select "Exactly," type 'Individual' and select that claim term (and its homologue: 'Individual/Individuals') from the drop-down menu

Patent Library

Filters for Terms | Advanced Filters

Find a list of Claim Constructions

Claim Terms
 individual
 Select All
 individual
 individual bid ceiling
 individual button
 individual buttons
 individual controlled access network account
 individual control values
 individual doses
 individual header
 individual hydraulic drive motors ...
 individual / individuals
 individualized rule set

Patent Type
begin typing

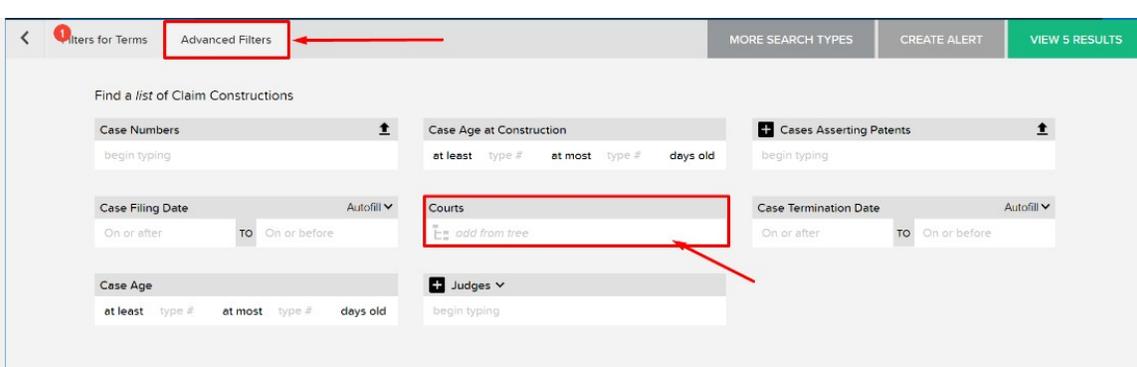
Construction Date Autofill
On or after TO On or before

Judges
begin typing

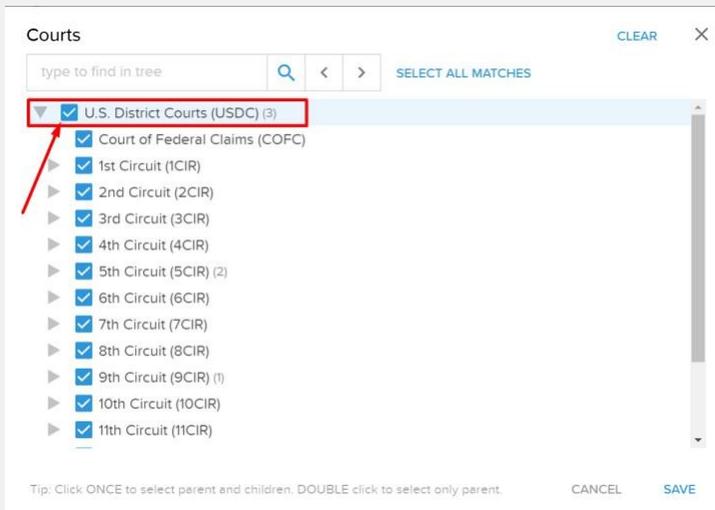
Parties Affiliates
begin typing

Under Advanced Filters tab* select the **Courts** filter

***Note:** If you don't see a filter on the main filters page, it's probably on the Advanced Filters tab!

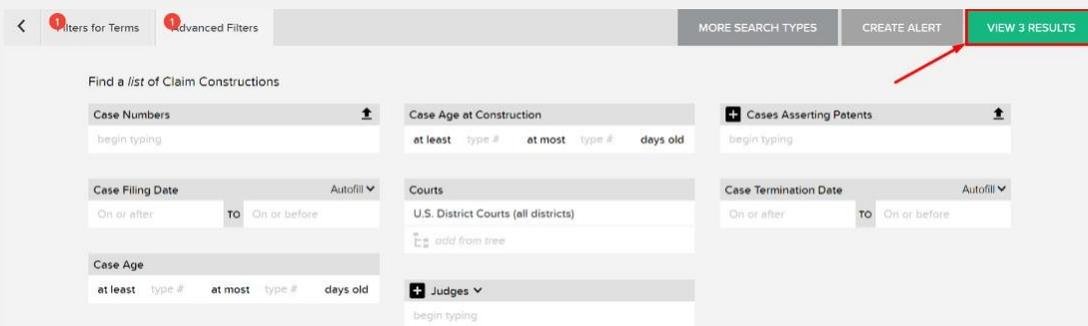


Select *U.S. District Courts (USDC)*. Clicking the box next to that option will automatically select all of the individual U.S. district courts

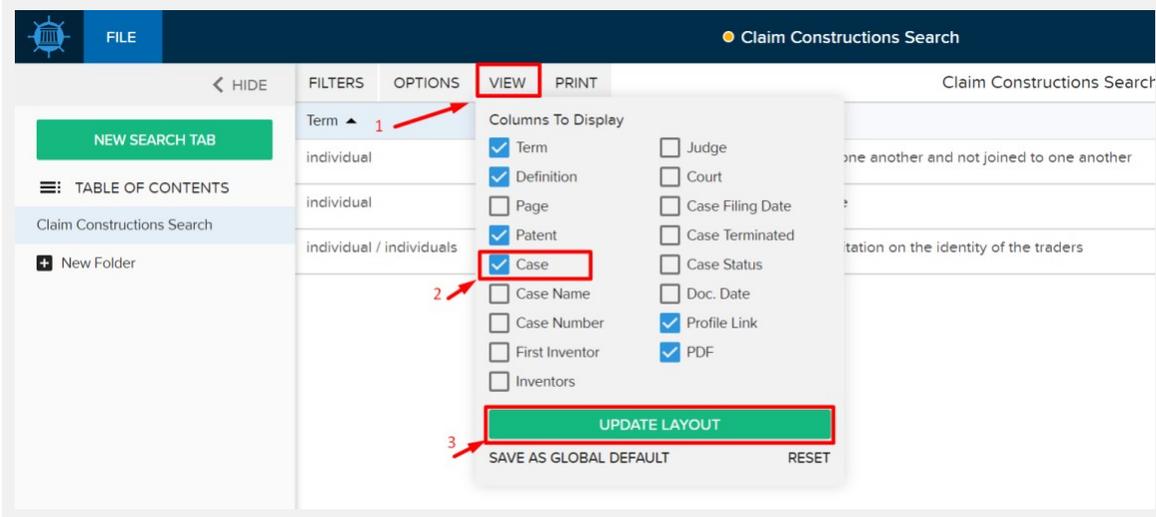


STEP 3 – VIEW RESULTS

Click “View 3 Results” to view the search results



On the search results page, click “View” and select “Case” to display case names in the search results. Then click “Update Layout”



The search results now display the three types of information requested: patent numbers, definitions, and case name

Term	Definition	Patent	Case
individual	spaced apart from one another and not joined to one another	5625532	Hewlett-Packard, et al v. Gateway Inc 3-04-cv-00613 (CASD)
individual	separate or discrete	5987606	BASCOM Global Internet Services, Inc. ... 3-14-cv-03942 (TXND)
individual / individuals	no restriction or limitation on the identity of the traders	6014643	Minton v. NASD, et al 9-00-cv-00019 (TXED)

***ProTip:** You can edit the filters by clicking the “Filters” button

Claim Constructions Filters

Claim Terms

exactly individual

OR exactly individual / individuals

Courts

U.S. District Courts (all districts)

EDIT FILTERS

Related Filters

- ▶ Judges
- ▶ Patents
- ▶ Patent Type
- ▶ Construction Date
- ▶ Case Filing Date
- ▶ Case Status
- ▶ Case Termination Date

Term	Definition	Patent	Case
individual	spaced apart from one another and not joined to one another	5625...	Hewlett-Packard, et al v.... 3-04-cv-00613 (CASD)
individual	separate or discrete	5987...	BASCOM Global Intern... 3-14-cv-03942 (TXND)
individual / individuals	no restriction or limitation on the identity of the traders	6014...	Minton v. NASD, et al 9-00-cv-00019 (TXED)

2. From Jun. 1st, 2014 - Jun. 1st, 2019, how many U.S. district court decisions have addressed motions for summary judgment asserting patent invalidity based on lack of patentable subject matter under 35 USC § 101? How many of those were granted?

Answer

156 Decisions - 74 Granted

When converting a real-world question into a Docket Navigator query, the first step is to consider what type of information answers the question. If the question calls for a list of cases, a **Cases** search will provide the answer. If the question calls for a list of patents, use a **Patents** search.

Overview

This question is asking for a count of “decisions” (i.e., Orders), so a **Documents** search will provide the answer. Other aspects of the question can be addressed with **Filters** within a Documents search, as shown in the diagram below.



STEP 1 – SEARCH TYPE

On the [main search page](#), select a **Documents** search

Custom Search
Generate a list of Cases, Documents (or several other Custom Search types) that match the filters you select.

Select a Custom Search based on the type of information you are looking for. For example, if you want to see a list of cases involving a company or group of companies, select "Cases." If you want to see a list of court orders or pleadings, select "Documents." Select "Show All Search Types" to see other Custom Search options.

Cases
Search for cases in federal courts, the ITC and the PTAB.
Search For Cases

Documents
Search for pleadings and orders filed in patent cases.
Search For Documents

SHOW ALL SEARCH TYPES

STEP 2 – FILTERS:

Overview

Patent Library

Filters for Documents Advanced Filters MORE SEARCH TYPES CREATE ALERT VIEW 156 RESULTS

Find a list of Documents

Document Types

Posture of Motion: Motion by a Party
Type of Document: Motion for Summary Judgment -- Patent Invalid
Result of Motion: begin typing
Legal Issue: Unpatentable Subject Matter (35 ...)

ADD ANOTHER DOCUMENT TYPE FILTER USING OR

Parties Affiliates Judges Document Filing Date: June 1, 2014 To June 1, 2019
Firms Document Text Case Status

Using the **Posture of Motion** filter, select *Motion by a Party*

Posture of Motion

begin typing

Select All

Motion by a Party

Stipulated/Agreed

Ex Parte / Emergency

Sua Sponte

Motion to Reconsider

Motion for Leave to File

Using the **Type of Document** filter, select *Motion for Summary Judgment – Patent Invalid*

Type of Document CLEAR X

motion for summary judgment 23 matches SELECT ALL MATCHES

Motions to Alter Scope of Patent

Claim Construction

Dispositive Motions

Motion for Leave to File Summary Judgment Motion

Motion for Summary Judgment – Infringement

Motion for Summary Judgment – Noninfringement

Motion for Summary Judgment – Patent Invalid

Motion for Summary Judgment – Patent Not Invalid

Using the **Legal Issue** filter, select *Unpatentable Subject Matter (35 USC § 101)*

Legal Issue CLEAR X

unpatentable subject matter 1 matches [SELECT ALL MATCHES](#)

- Invalidity
 - Presumption of Validity
 - Corroboration
 - First-Inventor-to-File
- Priority Date
- Prior Art
- Unpatentable Subject Matter (35 USC § 101)**
- Anticipation (35 USC § 102)

STEP 3 – VIEW RESULTS

Click “View 156 Results” to view the search results

[2 Filters for Documents](#) [Advanced Filters](#) [MORE SEARCH TYPES](#) [CREATE ALERT](#) [VIEW 156 RESULTS](#)

Find a *list* of Documents

Document Types			
Posture of Motion Motion by a Party <input type="text"/> begin typing	Type of Document Motion for Summary Judgment -- P... <input type="text"/> add from tree	Result of Motion <input type="text"/> begin typing	Legal Issue Unpatentable Subject Matter (35 U... <input type="text"/> add from tree
ADD ANOTHER DOCUMENT TYPE FILTER USING OR			
<input type="checkbox"/> Parties begins with <input type="text"/> begin typing	<input type="checkbox"/> Affiliates <input type="text"/> begin typing	<input type="checkbox"/> Judges <input type="text"/> begin typing	Document Filing Date June 1, 2014 TO June 1, 2019 <input type="text"/> Autofill

3. From Nov. 1st, 2012 - Jun. 1st, 2019, how many rulings on requests for rehearing of an IPR institution decision have there been? How many of those were granted?

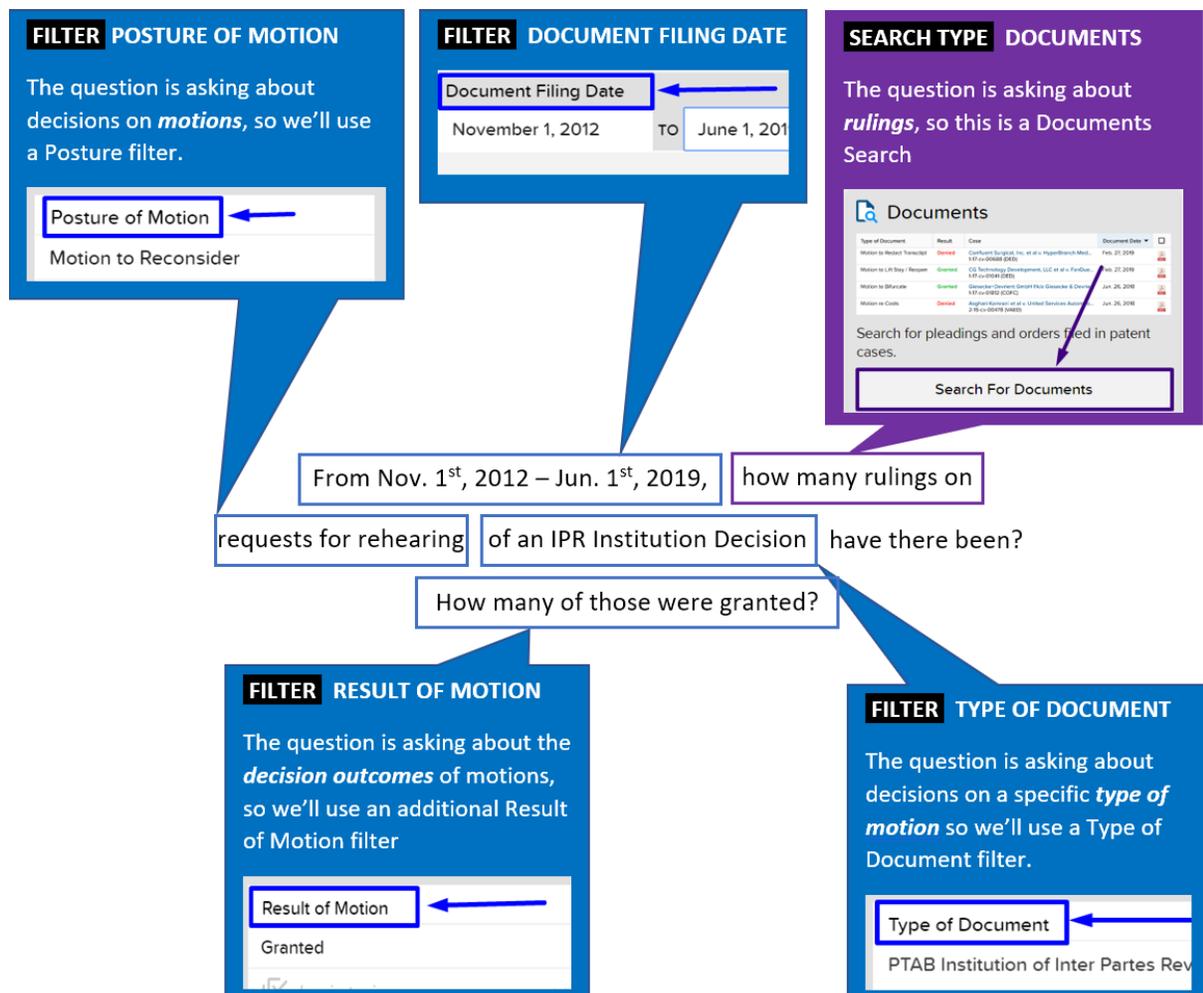
Answer

1132 Rulings – 41 Granted

When converting a real-world question into a Docket Navigator query, the first step is to consider what type of information answers the question. If the question calls for a list of cases, a **Cases** search will provide the answer. If the question calls for a list of patents, use a **Patents** search.

Overview

This question is asking for a count of “rulings” (i.e., Orders), so a **Documents** search will provide the answer. Other aspects of the question can be addressed with **Filters** within a Documents search, as shown in the diagram below. The tricky part of this question is recognizing that a “request for rehearing” of IPR decisions doesn’t call for a separate document type – but rather the *same* document type (*PTAB Institution of Inter Partes Review*) with a *Motion to Reconsider* posture. If you caught that, kudos!



STEP 1 – SEARCH TYPE

On the [main search page](#), select a **Documents** search

Custom Search
Generate a list of Cases, Documents (or several other Custom Search types) that match the filters you select.

Select a Custom Search based on the type of information you are looking for. For example, if you want to see a list of cases involving a company or group of companies, select "Cases." If you want to see a list of court orders or pleadings, select "Documents." Select "Show All Search Types" to see other Custom Search options.

Cases

Case	Active Judge	Case Filing Date
Extrima Technologies, LLC v. Steel Drill Specialists, LLC 4:19-cv-00539 (TXSD)	Lynn N. Hughes	Feb. 15, 2019
Concept Pharmaceuticals, Inc. v. Teva Pharmaceuticals USA, Inc. et al 2:19-cv-05656 (NLD)	Susan D. Wigenton	Feb. 27, 2019
BAH Cyber Technologies LLC v. Eastman Kodak Company 6:19-cv-06912 (NYWC)	Charles J. Simons	Jun. 26, 2018
Superior Tire & Rubber Corp. v. Medtronic Ag Technologies, LLC 1:19-cv-05027 (PAWD)	Susan Paradise Baxter	Jun. 26, 2018

Search for cases in federal courts, the ITC and the PTAB.

Search For Cases

Documents

Type of Document	Result	Case	Document Date
Motion to Reelect Transferee	Denied	Confluent Surgical, Inc. et al v. HyperBranch Med... 1:17-cv-00688 (DEJ)	Feb. 22, 2019
Motion to Lift Stay / Reopen	Granted	CG Technology Development, LLC et al v. FandD... 1:17-cv-01049 (SDJ)	Feb. 27, 2019
Motion to Discontinue	Granted	Gleason Dental GmbH v. Gleason & Devine... 1:17-cv-01812 (JCDFC)	Jun. 26, 2018
Motion re Costs	Denied	Alghisani et al v. United Services Automob... 2:18-cv-00478 (GMEC)	Jun. 26, 2018

Search for pleadings and orders filed in patent cases.

Search For Documents

HIDE
SEARCH TYPES

STEP 2 – FILTERS:

Overview

Using the **Posture of Motion** filter, select *Motion to Reconsider*

Using the **Type of Document** filter, select *PTAB Institution of Inter Partes Review*

2 Filters for Documents Advanced Filters Use Previous Search Results MORE SEARCH TYPES **VIEW 1132 RESULTS**

Find a list of Documents

Document Types

Posture of Motion Motion to Reconsider <input type="checkbox"/> begin typing	Type of Document PTAB Institution of Inter Partes Re... <input type="checkbox"/> add from tree	Result of Motion <input checked="" type="checkbox"/> begin typing	Legal Issue <input type="checkbox"/> add from tree
--	--	--	---

or another Document Types

Posture of Motion <input checked="" type="checkbox"/> begin typing	Type of Document <input type="checkbox"/> add from tree	Result of Motion <input checked="" type="checkbox"/> begin typing	Legal Issue <input type="checkbox"/> add from tree
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Parties **Affiliates** **Judges**

begin typing begin typing

Document Filing Date Autofill

November 1, 2012 TO June 1, 2019

Posture of Motion

- begin typing
- Select All
- Motion by a Party (7366)
- Stipulated/Agreed (1)
- Ex Parte / Emergency
- Sua Sponte (2)
- Motion to Reconsider (1132)**
- Motion for Leave to File (1)

Type of Document CLEAR X

PTAB institution 7 matches **SELECT ALL MATCHES**

- Patent Owner Response
- Institution of Review (1132)
 - PTAB Procedural Challenge to Institution (CBM)
 - PTAB Procedural Challenge to Institution (IPR)
 - PTAB Procedural Challenge to Institution (PGR)
 - PTAB Institution of Inter Partes Review (1132)**
 - PTAB Institution of Covered Business Method Review

Using the **Document Filing Date** filter, enter the relevant dates

Document Filing Date Autofill ▼
November 1, 2012 TO June 1, 2019

STEP 3 – VIEW RESULTS

Click “View 1132 Results” to view the search results.

2 Filters for Documents Advanced Filters Use Previous Search Results MORE SEARCH TYPES VIEW 1132 RESULTS

Find a list of Documents

Document Types			
Posture of Motion	Type of Document	Result of Motion	Legal Issue
Motion to Reconsider	PTAB Institution of Inter Partes Revi...	begin typing	add from tree
begin typing	add from tree		

or another Document Types

Posture of Motion	Type of Document	Result of Motion	Legal Issue
begin typing	add from tree	begin typing	add from tree

Click **Filters** → **Related Filters** to view a breakdown of the Order Results

Documents Filters < HIDE FILTERS OPTIONS VIEW PRINT Documents Search 1132 Results

Postures of Motion	Type of Document	Result of M...	Date	Case Number	Court	
Motion to Reconsider	PTAB Institution of Inter Partes Review	Denied	May 29, 2019	IPR2018-00745	PTAB	
Invalidity Obviousness (35 USC § 103) Comparing Claims & Prior Art (Obviousness) The Board denied petitioner's request for rehearing of the decision to deny institution of <i>inter partes</i> review. "Petitioner asserts that we did not consider how the phrase would be read by one with ordinary skill in the art and overlooked contrary evidence in the record. . . . But merely disclosing software per se or software per se plus generic hardware to execute the software fails to set forth sufficient structure, as we discussed in the Decision. But for rare exceptions not applicable here for reasons explained in the Decision, the structure for a computer-implemented function is the 'algorithm' by which the software performs. . . . The claims here do not specify the algorithm by which the computer program operates to perform the recited function. The prosecution history cited by Petitioner is not contrary to our determination."						
Invalidity Obviousness (35 USC § 103) Comparing Claims & Prior Art (Obviousness) The Board denied petitioner's request for rehearing of the decision to deny institution of <i>inter partes</i> review. "We acknowledged that the specification refers to the module generating assembly as a 'computer program' and explained that a computer program does not set forth sufficient structure. . . . [T]he algorithm by which the module generating assembly performs its recited function is not specified in the claims. That is true notwithstanding that the claims recite, for the module generating assembly, an input and an output, and a function to be performed, e.g., creating the output. Some data go in, and some data come out. That does not identify any algorithm used to process the input to produce the output."						
PTAB Institution of Inter Partes Review						
Denied						
May 28, 2019						
IPR2018-01756						
PTAB						
PTAB Grounds for review: IPR PTAB Institution discretionary (37 CFR § 42.108) The Board denied petitioner's request for rehearing of the decision to deny institution of <i>inter partes</i> review and rejected petitioner's argument that the Board erred in exercising its discretion to deny the petition under 35 U.S.C. § 314(a). "[Petitioner] argues we erred in denying the Petition because we failed to provide a reasoned balancing of the [General Plastic Industrial Co., Ltd. v. Canon Kabushiki Kaisha, IPR2016-01357, slip op. Paper 19 (PTAB Sept. 6, 2017)] factors, and instead focused exclusively on the similarity of the prior art and arguments presented in the Apple I.						

Related Filters

- Result of Order
 - Denied (1030)
 - Granted (41)
 - Denied in part granted in part (36)

***Frequent Mistakes:** Searching using the “PTAB Rehearing” legal issue instead of the legal posture “Motion to Reconsider.”

4. From Jun. 1st, 2014 - Jun. 1st, 2019, how many rulings on original, contested motions to stay pending IPR have there been? What was the percentage of grants for those in 2018?

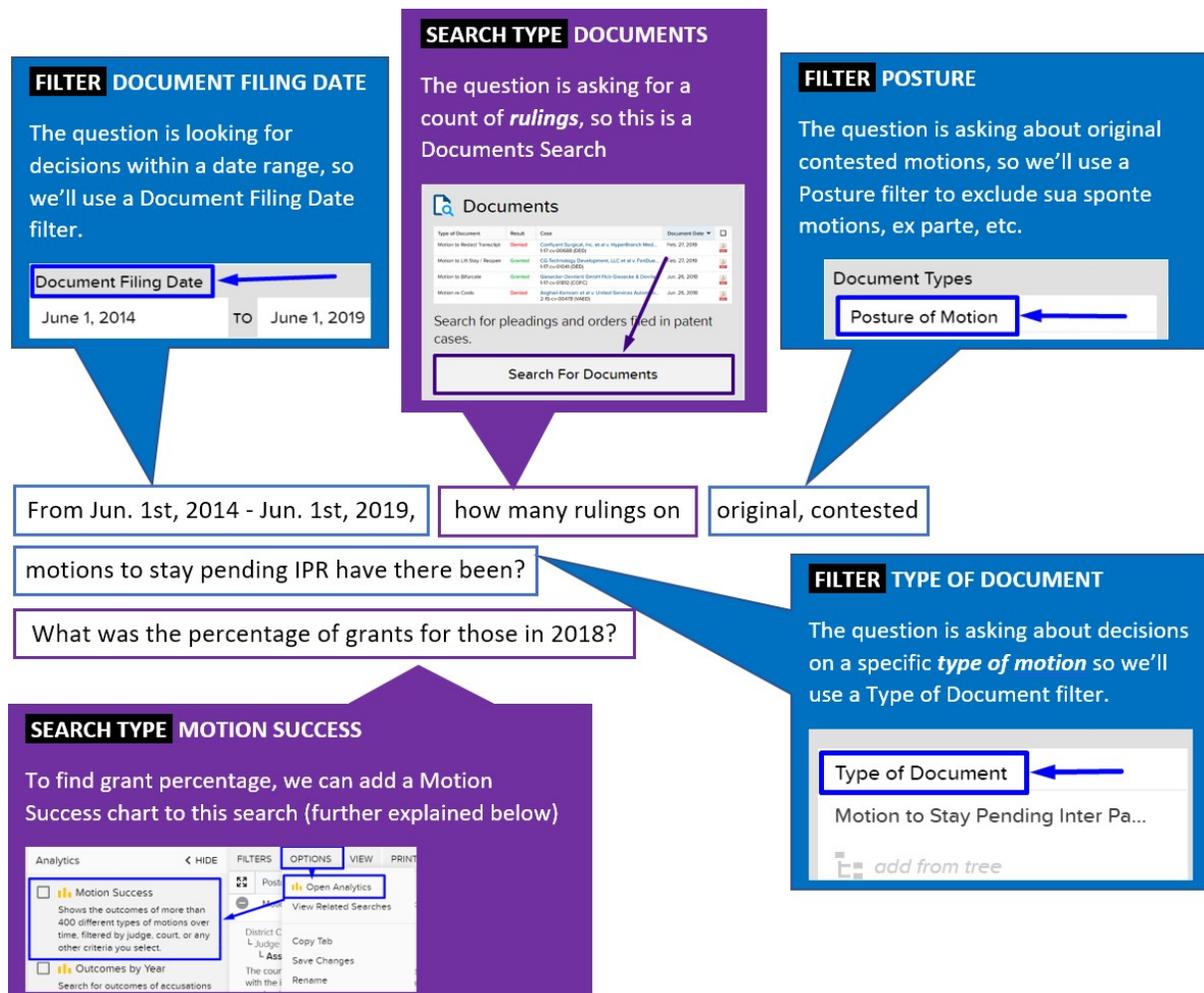
Answer

915 rulings, with a 47% grant rate in 2018

When converting a real-world question into a Docket Navigator query, the first step is to consider what type of information answers the question. If the question calls for a list of cases, a **Cases** search will provide the answer. If the question calls for a list of patents, use a **Patents** search.

Overview

This question is asking for a count of “rulings” (i.e., Orders), so a **Documents** search will provide the answer. Other aspects of the question can be addressed with **Filters** within a Documents search, as shown in the diagram below. The tricky part is catching that “original, contested motions” means filtering under **Posture of Motion** for “Motion by a Party” and “Emergency” motion types (excluding stipulated, *ex parte*, *sua sponte* motions, etc. which are not original contested motions). To find the success rates for the motions, create a chart showing those orders broken down by year using **Options** → **Open Analytics** → **Motion Success**.



STEP 1 – SEARCH TYPE

On the [main search page](#), select a **Documents** search

Custom Search
Generate a list of Cases, Documents (or several other Custom Search types) that match the filters you select.

Select a Custom Search based on the type of information you are looking for. For example, if you want to see a list of cases involving a company or group of companies, select "Cases." If you want to see a list of court orders or pleadings, select "Documents." Select "Show All Search Types" to see other Custom Search options.

Cases			
Case	Active Judge	Case Filing Date	
Enterra Technologies, LLC v. Shell Off-Specifiers, LLC 4:10-cv-00539 (PTAB)	Lynn M. Hughes	Feb. 6, 2009	
Corning Incorporated, Inc. v. Tele. Pharmaceutials USA, Inc. et al. 2:10-cv-02666 (NJD)	Susan D. Wigenton	Feb. 27, 2010	
Alkam Corp., Technologies LLC v. Eastman Kodak Company 6:10-cv-05192 (NYVCD)	Charles J. Simeonis	Jun. 26, 2010	
Superior Tire & Rubber Corp. v. Neethrom Aj Technologies, LLC 1:10-cv-00237 (DABD)	Susan Paradise Bader	Jun. 26, 2010	

Search for cases in federal courts, the ITC and the PTAB.
Search For Cases

Documents			
Type of Document	Result	Case	Document Date
Motion to Revoke Trademark	Denied	Corfluent Surgical, Inc. et al v. Hype-Bench Med... 1:11-cv-00638 (DSD)	Feb. 27, 2010
Motion to Lift Stay / Reopen	Granted	CSA Technology Development, LLC et al v. FirstDuc... 1:11-cv-01041 (SDNY)	Feb. 27, 2010
Motion to Discontinue	Granted	GlaxoSmithKline LLC v. Hycos & Devis... 1:11-cv-01012 (DCNY)	Jun. 26, 2010
Motion re Costs	Denied	Augusti Karam et al v. United Services Automate... 2:10-cv-00470 (DABD)	Jun. 26, 2010

Search for pleadings and orders filed in patent cases.
Search For Documents

HIDE SEARCH TYPES

STEP 2 – FILTERS:

Overview

Using the **Posture of Motion** filter, select *Motion by a Party*; *Emergency/Ex Parte*

Using the **Type of Document** filter, select *Motion to Stay Pending Inter Partes Review*

2 Filters for Documents | Advanced Filters | Use Previous Search Results | MORE SEARCH TYPES | **VIEW 915 RESULTS**

Find a list of Documents

Document Types

Posture of Motion Motion by a Party or Ex Parte / Emergency begin typing	Type of Document Motion to Stay Pending Inter Partes... add from tree	Result of Motion begin typing	Legal Issue add from tree
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or another Document Types

Posture of Motion begin typing	Type of Document add from tree	Result of Motion begin typing	Legal Issue add from tree
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Parties | **Affiliates** | **Judges**

Document Filing Date: June 1, 2014 TO June 1, 2019

Posture of Motion

- Select All
- Motion by a Party (907)
- Stipulated/Agreed (558)
- Ex Parte / Emergency (8)
- Sua Sponte (24)
- Motion to Reconsider (16)

Type of Document CLEAR X

motion to stay pending inter 4 matches SELECT ALL MATCHES

- Challenging Pleadings
- Stay (1604)
 - Motion to Stay Pending Reexamination
 - Motion to Stay Pending Supplemental Examination
 - Motion to Stay Pending Post-Grant Review
 - Motion to Stay Pending CBM Review
 - Motion to Stay Pending Inter Partes Review (1604)
 - Motion to Stay Pending Reissue

Using the **Document Filing Date** filter, enter the relevant dates

Document Filing Date Autofill ▾
June 1, 2014 TO June 1, 2019

STEP 3 – VIEW RESULTS

Click “View 915 Results” to view the search results

2 Filters for Documents Advanced Filters Use Previous Search Results MORE SEARCH TYPES VIEW 915 RESULTS

Find a list of Documents

Document Types

Posture of Motion Motion by a Party or Ex Parte / Emergency begin typing ▾	Type of Document Motion to Stay Pending Inter ... add from tree	Result of Motion begin typing ▾	Legal Issue add from tree
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To find grant percentages, click **Options** → **Open Analytics** → **Motion Success**

Analytics < HIDE FILTERS OPTIONS VIEW PRINT

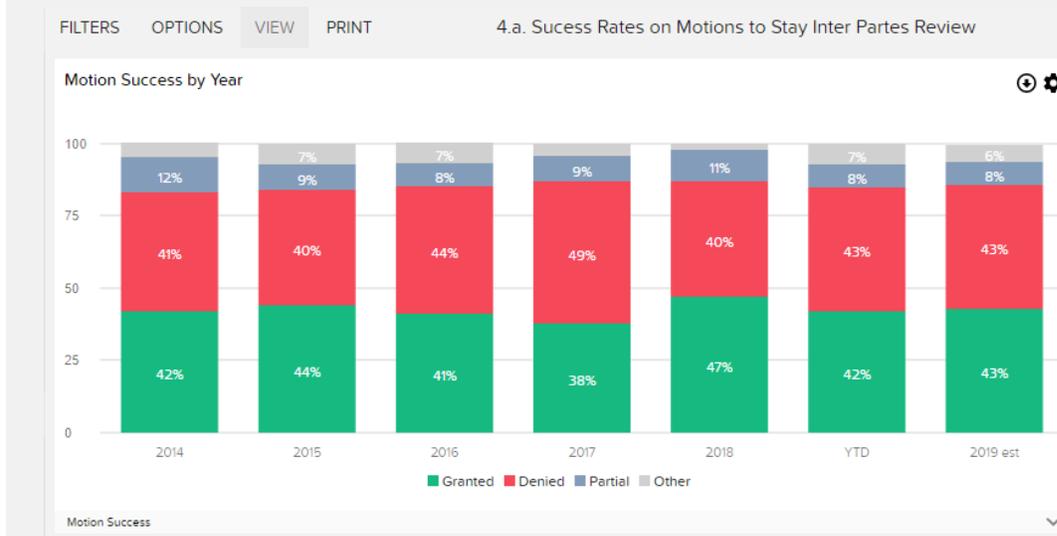
Motion Success
Shows the outcomes of more than 400 different types of motions over time, filtered by judge, court, or any other criteria you select.

Outcomes by Year
Search for outcomes of accusations about infringement, validity, or enforceability of patents.

OPEN TABS

- Open Analytics
- View Related Searches
- Copy Tab
- Save Changes
- Rename
- Save To
- Delete Tab
- Download Selected
- Export Tab to XLS

That will open a new tab with a motion success chart of that data



***Frequent Mistakes:** Failing to add a Posture of Motion filter to exclude uncontested motions

5. In cases filed from Jun. 1st, 2014 - Jun. 1st, 2019, how many patents has Apple Inc. asserted in U.S. district court cases? Were any found infringed?

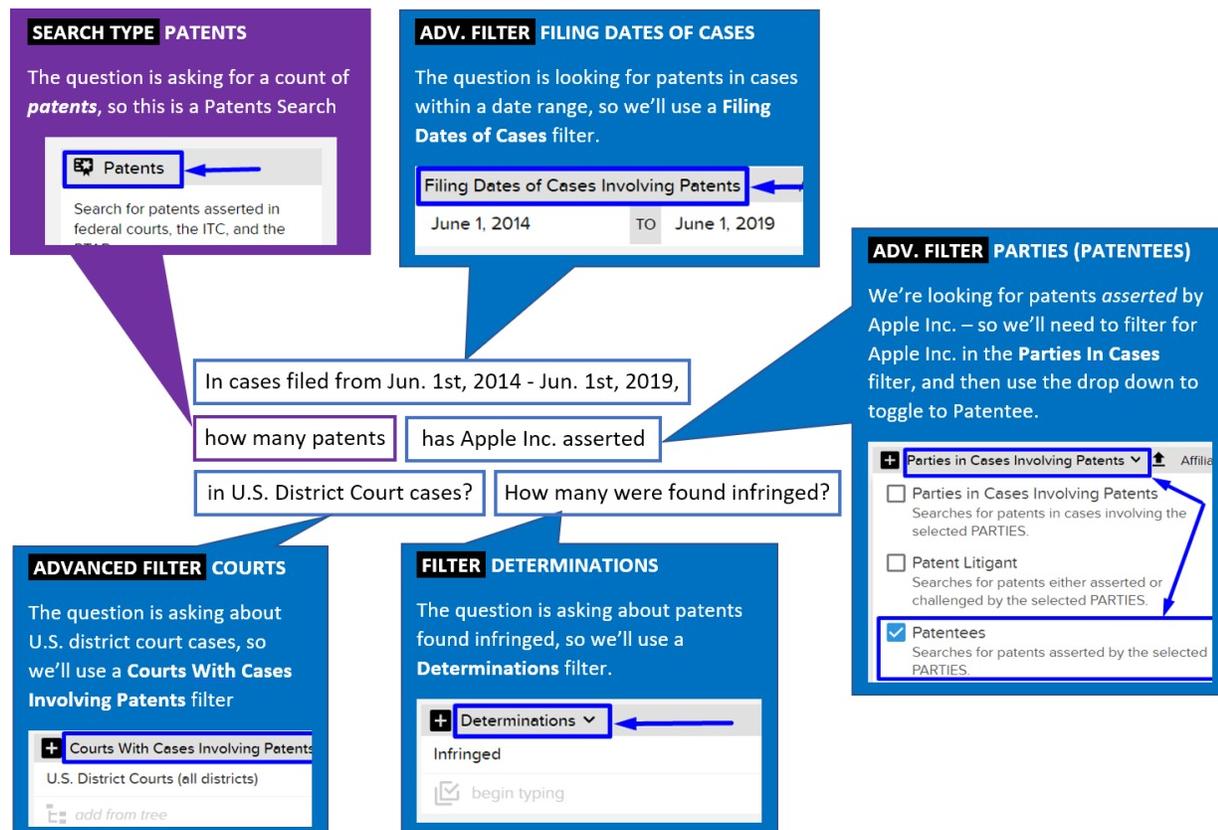
Answer

16 patents asserted, 0 found infringed.

When converting a real-world question into a Docket Navigator query, the first step is to consider what type of information answers the question. If the question calls for a list of cases, a **Cases** search will provide the answer. If the question calls for a list of patents, use a **Patents** search.

Overview

This question is asking for a count of patents, so a **Patents** search will provide the answer. Other aspects of the question can be addressed with **Filters** within a Patents search, as shown in the diagram below. The trick here is recognizing that the patents Apple ‘has asserted’ means searching for Apple as the Patentee. In a Patents search, filters for **Parties** are under the **Advanced Filters** page – just remember to click the drop-down and switch the filter-type to ‘Patentees.’ Once you add the date and court filters (also on the **Advanced Filters** page), you’re all set!



STEP 1 – SEARCH TYPE

On the [main search page](#), select a **Patents** search

The screenshot shows the 'Custom Search' interface. At the top, it says 'Generate a list of Cases, Documents (or several other Custom Search types) that match the filters you select.' Below this, there are two main sections: 'Cases' and 'Documents'. The 'Cases' section has a table with columns for Case, Active Judge, and Case Filing Date. The 'Documents' section has a table with columns for Type of Document, Result, Case, and Document Date. A red box highlights the 'HIDE SEARCH TYPES' button in the top right. Below these sections are several filter categories: Patents, Accusations, Docket Sheets, Remedies, Parties, Firms, Attorneys, and Determinations. A red arrow points from the 'Patents' filter to the 'Patents' section header.

STEP 2 – FILTERS:

Overview

Using the **Parties** filter, enter Apple Inc. and select "Patentees" using the dropdown

Using the **Court with Cases Involving Patents** filter, select *U.S. District Courts*

Using the **Case Filing Date** filter, enter the relevant dates

The screenshot shows the 'Advanced Filters' section of the search interface. It includes a search bar for 'Patent Text' and a 'Patent Type' dropdown. There are several filter categories: 'Patent Litigants', 'Patent Litigant Firms', 'Patent Litigant Attorneys', 'Cases Involving Patents', 'Courts With Cases Involving Patents', and 'Filing Dates of Cases Involving Patents'. A red box highlights the 'Patent Litigants' filter, and another red box highlights the 'Patent Litigants' dropdown menu, which is open to show options like 'Parties in Cases Involving Patents', 'Patent Litigant', 'Patentees' (checked), and 'Patent Challengers'. A red box also highlights the 'Courts With Cases Involving Patents' filter, which is open to show options like 'U.S. District Courts (some districts)'. A red box highlights the 'Filing Dates of Cases Involving Patents' filter, which is set to 'June 1, 2014' to 'June 1, 2019'. A 'VIEW 16 RESULTS' button is visible in the top right. Below the filters, the 'Courts With Cases Involving Patents' section is shown, with a search bar and a list of court options: 'U.S. District Courts (USDC)' (checked), 'Federal Circuit (CAFC) Limited Scope', 'International Trade Commission (ITC)', and 'Patent Trial and Appeal Board (PTAB) (9)'. A 'Filing Dates of Cases Involving Patents' filter is also visible at the bottom, set to 'June 1, 2014' to 'June 1, 2019'.

STEP 3 – VIEW RESULTS

Click “View 16 Results” to view the search results.

Click **Filters** → **Related Filters** → **Determinations** to view a breakdown of patent Determinations

The screenshot displays a patent search interface. At the top right, a green button labeled "VIEW 16 RESULTS" is highlighted with a red box and a red arrow. Below this, the search results are displayed in a table format. The table has columns for "Patent Name" and "Patent Number". The results are filtered by "Patent Type" (Patent) and "Patent Technologies" (Not invalid (1)).

Patents Filters < HIDE **FILTERS** OPTIONS VIEW PRINT

Patent Name	Patent Number
Patent	Patent
Apple Inc.	7355905
Courts With Cases Involving Patents	7383453
U.S. District Courts (some districts)	7548584
Filing Dates of Cases Involving Patents	7551546
Jun. 1st, 2014 - Jun. 1st, 2019	7760559
	8085814
	8090026
	8098534
	8271812
	8433940

Related Filters

- Patent Type
- Patent Technologies
- Determinations**
 - Not invalid (1)

APPLY

6. What was the PTAB institution success rate for Banner & Witcoff in 2018 when they represented the Patent Owner?

Answer

6 Institutions granted; 4 Institutions denied.

Since the question is asking about PTAB institution success rates, you might be tempted to use a **PTAB Institutions** search, or a **Documents** search for *PTAB Institution of _____*. While both of those searches will ultimately lead to the right answer, there is quicker solution here: a **Motion Success** chart

Overview

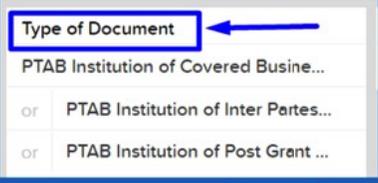
To build a **Motion Success** chart, start by clicking on the chart-type on the homepage (under Analytics). The trick for the filters is recognizing that the patents Apple 'has asserted' means searching for Apple as the Patentee. In a Patents search, filters for **Parties** are under the **Advanced Filters** page – just remember to click the drop-down and switch the filter-type to 'Patentees.'

Shortcut Alert!

If you're familiar with our Database, you may recognize that **PTAB Institution Success Rates** is one of the pre-built charts in the Firm Profiles. You can access that chart with just a few clicks either directly through the **Firm Profile**, or, starting from an existing binder, you can select that chart tab individually to add to your binder!

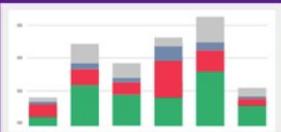
FILTER TYPE OF DOCUMENT

The question is asking about rulings on *institution events*, so we'll use a Type of Document filter.



SEARCH TYPE MOTION SUCCESS

Since this question is looking for institution *success rates*, we'll use a **Motion Success** Chart (under the Analytics section of the main search page)



What was the PTAB institution success rate for Banner & Witcoff in 2018 when they represented the Patent Owner

FILTER FIRMS (PATENTEE FIRMS)

We're looking for institution success for a Firm when they represented a specific type of client (Patent Owner) - we'll need to filter for Banner & Witcoff in the Firms filter, and then use the drop down to toggle to **Patentee Firm**.



STEP 1: SEARCH TYPE

On the [main search page](#), select a **Motion Success** chart under **Analytics**



STEP 2: FILTERS

Using the **Firms** filter, enter *Banner & Witcoff* and select “Patentee Firms” using the dropdown

The Patente Firm filter dropdown menu shows the following options:

- Firms
Counts only documents in cases in which the selected FIRMS represented a party.
- Patente Firms
Counts only documents in cases in which the selected FIRMS represented a patente.
- Patente Challenger Firms
Counts only documents in cases in which the selected FIRMS represented a patente challenger.

A red box highlights the 'Patente Firms' option.

Using the **Posture of Motion** filter, select *Motion by a Party*

The Posture of Motion filter dropdown menu shows the following options:

- Select All
- Motion by a Party (69)
- Stipulated/Agreed
- Ex Parte / Emergency
- Sua Sponte

A red box highlights the 'Motion by a Party (69)' option.

Using the **Type of Document** filter, select *PTAB Institution of [IPR/CBM/PGR]*

The Type of Document filter dropdown menu shows the following options:

- Patent Owner Preliminary Response
- Patent Owner Response
- Institution of Review (62)
 - PTAB Procedural Challenge to Institution (CBM)
 - PTAB Procedural Challenge to Institution (IPR)
 - PTAB Procedural Challenge to Institution (PGR)
 - PTAB Institution of Inter Partes Review (62)
 - PTAB Institution of Covered Business Method Review
 - PTAB Institution of Post Grant Review

A red box highlights the selected options.

STEP 3: VIEW RESULTS

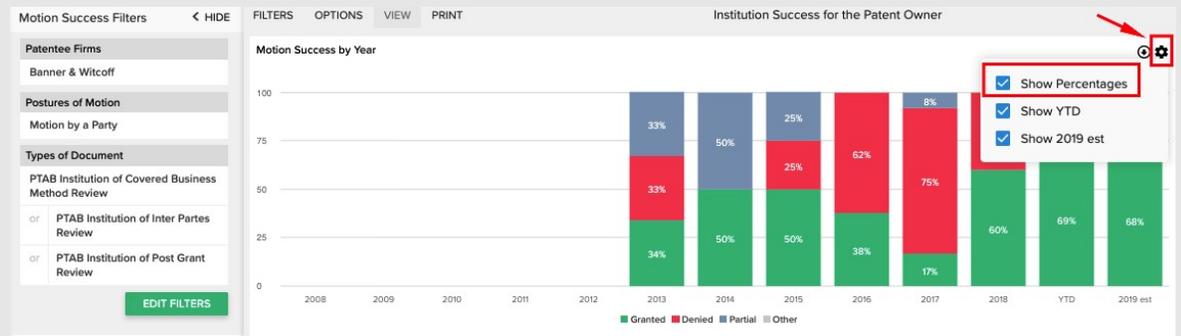
Click “View 69 Results” to view the search results.

The search results page shows the following filters:

- Document Types: Posture of Motion (Motion by a Party)
- Type of Document: PTAB Institution of Covered Business Method Review, PTAB Institution of Inter Partes Review, PTAB Institution of Post Grant Review
- Result of Motion: (empty)
- Legal Issue: (empty)

The 'View 69 Results' button is highlighted with a red box.

***Protip**: Use the gear icon on the chart to toggle to show percentages



7. For ITC cases that terminated from Jan. 1st, 2014 - Jan. 31st, 2018, what were the accusation outcomes for Finnegan's patent owner clients?

Answer

380 Accusations (breakdown in binder)

When converting a real-world question into a Docket Navigator query, the first step is to consider what type of information answers the question. If the question calls for a list of cases, a **Cases** search will provide the answer. If the question calls for a list of patents, use a **Patents** search.

Overview

This question is asking for Outcomes of Accusations, so we'll use an Accusations search type. Accusations data is unique Docket Navigator and basically corresponds to the claims in a lawsuit (Accusations) and the resolution of those claims (Outcomes). More complete definitions can be found in our [User Guide](#). Other aspects of the question can be addressed with **Filters** within an Accusation search, as shown in the diagram below.

FILTER COURTS

The question is asking about cases in the ITC, so we'll use a **Court** filter. In this context "court" includes any tribunal that resolves disputes.



Courts
International Trade Commission

ADVANCED FILTER CASE TERMINATION DATE

The question is looking for decisions within a date range, so we'll use a **Case Termination Date** filter.

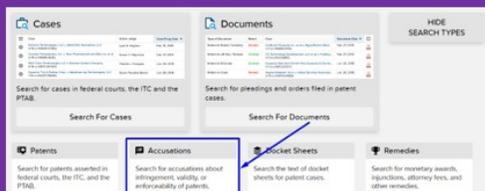


Case Termination Date
January 1, 2014 TO January 31, 2018

For ITC cases that terminated from Jan. 1st, 2014 - Jan. 31st, 2019, what were the accusation outcomes for Finnegan's patent owner clients?

SEARCH TYPE ACCUSATIONS

The question is asking for accusations/outcomes, so this is an **Accusations Search**



Cases Documents HIDE SEARCH TYPES
Patents Accusations Docket Sheets Remedies

FILTER FIRM (PATENTEE)

We're looking for outcomes for a specific law firm's clients, so we'll use a **Firm** filter and select **Patentee Firms**.



Firms
Firms
Patentee Firms

STEP 1 – SEARCH TYPE

On the [main search page](#), select an **Accusations** search

The screenshot shows the 'Custom Search' interface. At the top, there are two main sections: 'Cases' and 'Documents'. Below these, there are four filter categories: Patents, Accusations, Docket Sheets, and Remedies. The 'Accusations' filter is highlighted with a red box. A 'HIDE SEARCH TYPES' button is also visible in the top right corner.

STEP 2 – FILTERS:

Overview

Under the **Firms** filter, enter *Finnegan* and select “Patentee Firms” using the dropdown

Using the **Courts** filter, select *International Trade Commission*

Under the **Advanced Filters Tab**, enter the relevant dates into the **Case Termination Date** filter

The screenshot shows the search results and filter configuration. The top part displays a table of results with columns for Patente, Patent Challenger, Case Name, Case ID, and Outcome. Below the table, there are filter configuration sections for 'Patentee Firms' and 'Courts'. The 'Patentee Firms' filter is expanded, showing options for 'Firms', 'Patentee Firms', and 'Patent Challenger Firms'. The 'Patentee Firms' option is selected. The 'Courts' filter is also expanded, showing options for 'U.S. District Courts (USDC)', 'Federal Circuit (CAFC) Limited Scope', 'International Trade Commission (ITC) (380)', and 'Patent Trial and Appeal Board (PTAB)'. The 'International Trade Commission (ITC) (380)' option is selected. At the bottom, the 'Case Termination Date' filter is set to 'January 1, 2014' to 'January 31, 2018'.

Patente	Patent Challenger	Case Name	Case ...	Outcome
Telefonaktiebolaget LM Ericss...	602... Samsung Electronics Co., Ltd.	Electronic Devices, Including Wireless Co...	337-T...	ITC Settlement
Telefonaktiebolaget LM Ericss...	602... Samsung Electronics America,...	Electronic Devices, Including Wireless Co...	337-T...	ITC Settlement
Telefonaktiebolaget LM Ericss...	605... Samsung Electronics America,...	Electronic Devices, Including Wireless Co...	337-T...	ITC Settlement
Telefonaktiebolaget LM Ericss...	605... Samsung Electronics Co., Ltd.	Electronic Devices, Including Wireless Co...	337-T...	ITC Settlement
Covidien LP	607... Chongqing QMI Surgical Co., ...	Surgical Stapler Devices and Components...	337-T...	ITC Consent O...
Ajinomoto Company, Inc.	618... PT CheiJedang Indonesia	L-Tryptophan, L-Tryptophan Products, and...	337-T...	ITC Violation F...
Ajinomoto Heartland, Inc.	618... CJ America, Inc.	L-Tryptophan, L-Tryptophan Products, and...	337-T...	ITC Violation F...
Ajinomoto Company, Inc.	618... CJ CheiJedang Corp.	L-Tryptophan, L-Tryptophan Products, and...	337-T...	ITC Violation F...

STEP 3 – VIEW RESULTS

Click “View 380 Results”
to view the search
results

Click **Filters** → **Related
Filters** → **Outcome** to
view a breakdown of
Outcomes

Accusations **Advanced Filters** Use Previous Search Results MORE SEARCH TYPES **VIEW 380 RESULTS**

Find a list of Accusations

Outcome Document Types

Posture of Motion begin typing	Type of Document add from tree	Result of Motion begin typing	Legal Issue add from tree
-----------------------------------	-----------------------------------	----------------------------------	------------------------------

Accusations Filters < HIDE **FILTERS** OPTIONS VIEW PRINT 7. Accusation Outcomes for Finne

Patentee Firms	Patentee	Pat...	Patent Challenger	Case Name
Finnegan Henderson Farabow Garrett & Dunner	Telefonaktiebolaget LM Ericsson	6029...	Samsung Electronics Co., Ltd.	Electronic Devices, Including Wireless Communicat...
	Telefonaktiebolaget LM Ericsson	6029...	Samsung Electronics America, Inc. f/...	Electronic Devices, Including Wireless Communicat...
Courts	Telefonaktiebolaget LM Ericsson	6058...	Samsung Electronics America, Inc. f/...	Electronic Devices, Including Wireless Communicat...
	Telefonaktiebolaget LM Ericsson	6058...	Samsung Electronics Co., Ltd.	Electronic Devices, Including Wireless Communicat...
International Trade Commission	Covidien LP	6079...	Chongqing QMI Surgical Co., Ltd.	Surgical Stapler Devices and Components Thereof
	Ajinomoto Company, Inc.	6180...	PT CheilJedang Indonesia	L-Tryptophan, L-Tryptophan Products, and Their M...
Case Termination Date Jan. 1st, 2014 - Jan. 31st, 2018	Ajinomoto Heartland, Inc.	6180...	CJ America, Inc.	L-Tryptophan, L-Tryptophan Products, and Their M...
	Ajinomoto Company, Inc.	6180...	CJ CheilJedang Corp.	L-Tryptophan, L-Tryptophan Products, and Their M...
Related Filters	Ajinomoto Heartland, Inc.	6180...	PT CheilJedang Indonesia	L-Tryptophan, L-Tryptophan Products, and Their M...
	Ajinomoto Heartland, Inc.	6180...	CJ CheilJedang Corp.	L-Tryptophan, L-Tryptophan Products, and Their M...
Judges Deciding Outcomes	Ajinomoto Company, Inc.	6180...	CJ America, Inc.	L-Tryptophan, L-Tryptophan Products, and Their M...
	Ericsson Inc.	6278...	Samsung Electronics America, Inc. f/...	Electronic Devices, Including Wireless Communicat...
Outcome	Ericsson Inc.	6278...	Samsung Electronics Co., Ltd.	Electronic Devices, Including Wireless Communicat...
	Telefonaktiebolaget LM Ericsson	6301...	Samsung Electronics Co., Ltd.	Electronic Devices, Including Wireless Communicat...
EDIT FILTERS	Telefonaktiebolaget LM Ericsson	6301...	Samsung Electronics America, Inc. f/...	Electronic Devices, Including Wireless Communicat...
	Kudelski SA	6345...	Comcast STB Software I, LLC	Digital Television Set-Top Boxes, Remote Control D...
APPLY	Kudelski SA	6345...	Gemstar Technology (Qinzhou) Co. Lt...	Digital Television Set-Top Boxes, Remote Control D...

8. From Jan. 1st, 2014 - Dec. 31st, 2018, how many ANDA patent cases were filed in U.S. district courts?

Answer

2009 Cases

When converting a real-world question into a Docket Navigator query, the first step is to consider what type of information answers the question. If the question calls for a list of cases, a **Cases** search will provide the answer. If the question calls for a list of patents, use a **Patents** search.

Overview

This question is asking for a count of cases, so we'll use a **Cases** search type. To find ANDA cases, filter for cases that contain ANDA pleadings using a **Type of Document** filter. Here, you'll want to select each of the ANDA pleadings that could contain ANDA claims: *Complaint – Infringement (ANDA)*, *Complaint – Declaratory Judgment (ANDA)*, and *Counterclaim – Infringement (ANDA)*. This will narrow your results to just cases that contain those documents – i.e., all ANDA cases. From there, just add a quick date filter and you're all set!

FILTER CASE FILING DATE

The question is looking for cases within a date range, so we'll use a **Case Filing Date** filter.

Case Filing Date Autofill ▼
June 1, 2014 TO December 31, 2019

ADVANCED FILTER TYPE OF DOCUMENT

The question is asking about ANDA cases, which we can identify by searching for cases that contain ANDA pleadings using a **Type of Document** filter.

Type of Document ▼
Counterclaim -- Infringement -- ANDA

From Jun. 1st, 2014 – Dec. 31st, 2019, how many ANDA patent cases were filed in U.S. district courts?

SEARCH TYPE CASES

The question is asking for a count of **cases**, so this is a **Cases** Search.

Custom Search
Generate a list of Cases, Documents (or several other Custom Search types) that match the filters you select.

Select a Custom Search based on the type of information you are looking for. For example, if you want to see a list of cases involving a company or you want to see a list of court orders or pleadings, select "Documents." Select "Show All Search Types" to see other Custom Search options.

Cases ▼ **Documents** ▼

Search for cases in federal courts, the ITC and the PTAB. Search For Cases

Search for pleadings and orders filed in patent cases. Search For Documents

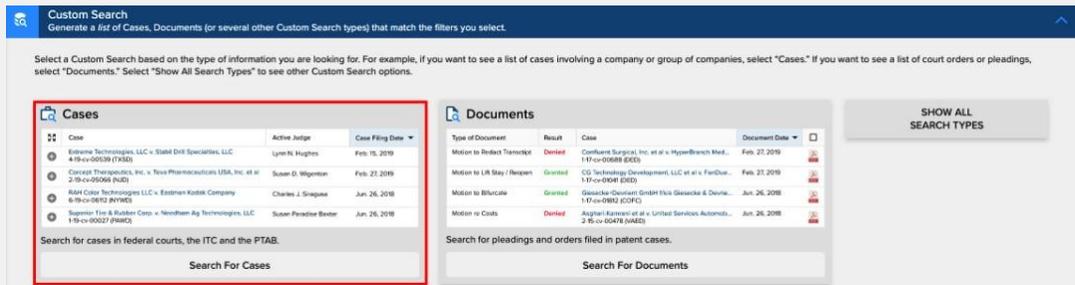
FILTER COURTS

The question is asking about cases in U.S. district courts, so we'll use a **Courts** filter

Courts ▼
U.S. District Courts (all districts)

STEP 1 – SEARCH TYPE

On the [main search page](#), select a **Cases** search

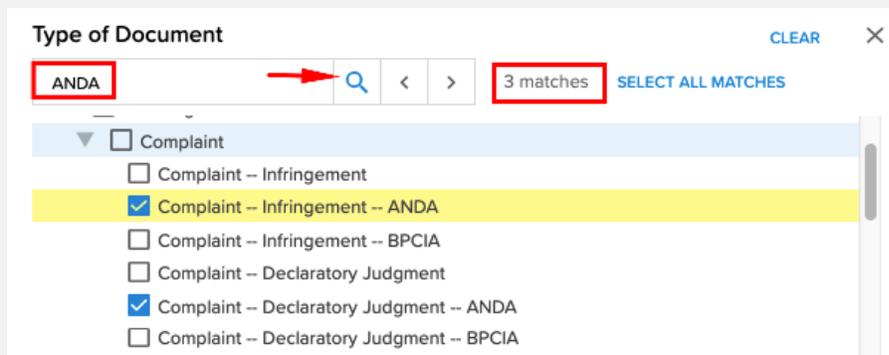


STEP 2 – FILTERS:

Overview



Under the **Advanced Filters** tab, use the **Type of Document** filter, select *Complaint – Infringement -- ANDA*, *Complaint – Declaratory Judgment – ANDA*, and *Counterclaim – Infringement - ANDA*



Use the **Case Filing Date** filter to enter the relevant dates



STEP 3 – VIEW RESULTS

Click “View 2009 Results” to view the search results



***Frequent Mistakes:** Attempting to filter for ANDA cases using *Legal Issues* instead of searching for ANDA pleadings using *Document Types*.

9. From Jan. 1st, 2014 - Dec. 31st, 2018, how many cases involving Orange Book patents were filed in U.S. district courts?

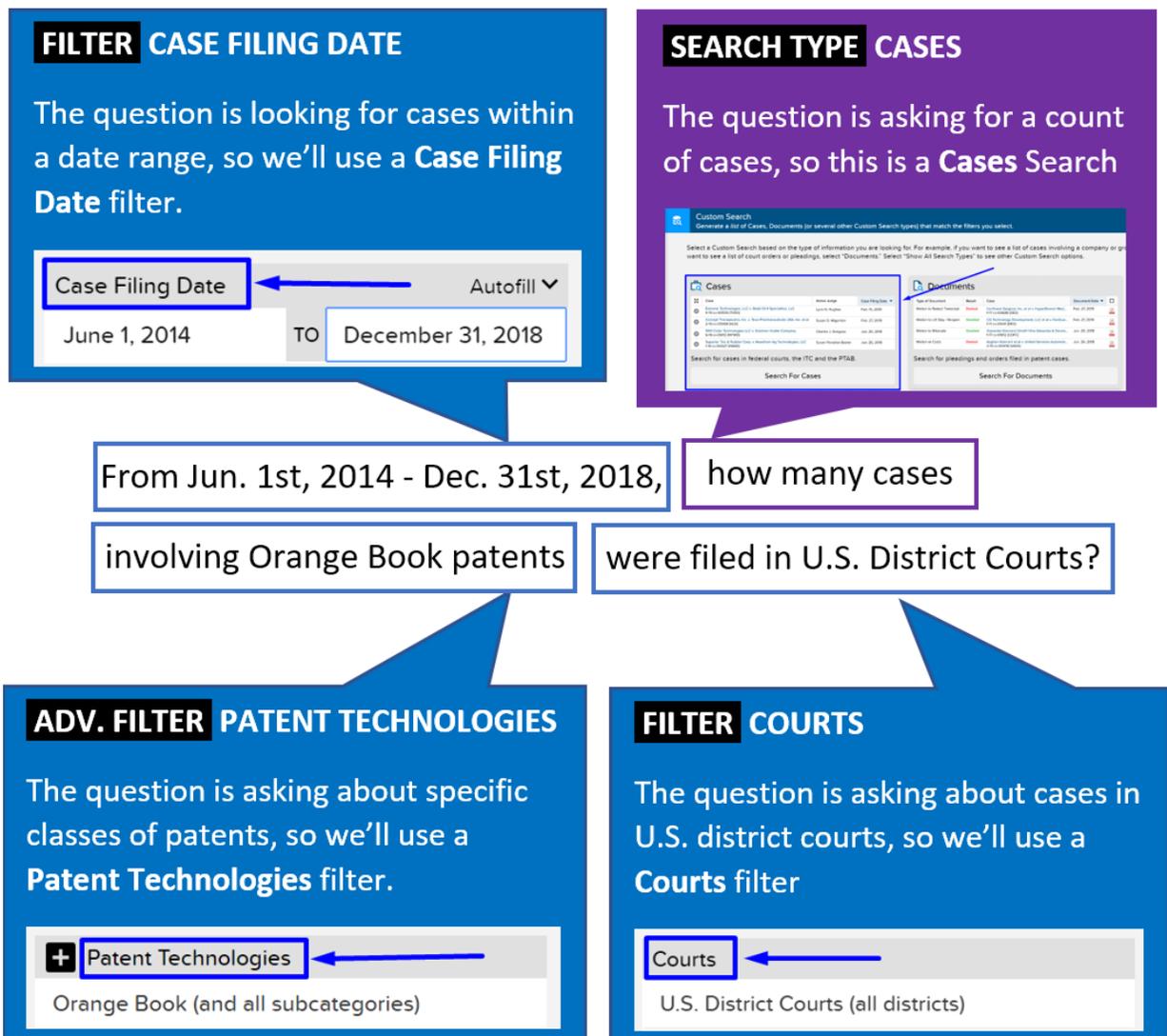
Answer

2007 Cases

When converting a real-world question into a Docket Navigator query, the first step is to consider what type of information answers the question. If the question calls for a list of cases, a **Cases** search will provide the answer. If the question calls for a list of patents, use a **Patents** search.

Overview

This question is asking for a count of cases, so we'll use a **Cases** search type. Other aspects of the question can be addressed with **Filters** within an Accusations search, as shown in the diagram below. Docket Navigator contains listings of most major patent classification systems (CPC, USPC) as well as PTAB and Orange Book codes all of which can be accessed with a Patent Technologies filter.



STEP 1 – SEARCH TYPE

On the [main search page](#), select a **Cases** search

The screenshot shows the 'Custom Search' interface. At the top, there's a header 'Custom Search' with a sub-header 'Generate a list of Cases, Documents (for several other Custom Search types) that match the filters you select.' Below this, there's a brief instruction: 'Select a Custom Search based on the type of information you are looking for. For example, if you want to see a list of cases involving a company or group of companies, select "Cases." If you want to see a list of court orders or pleadings, select "Documents." Select "Show All Search Types" to see other Custom Search options.' There are two main panels: 'Cases' and 'Documents'. The 'Cases' panel is highlighted with a red box and contains a table with columns for Case, Active Judge, and Case Filing Date. The 'Documents' panel contains a table with columns for Type of Document, Result, Case, and Document Date. A 'SHOW ALL SEARCH TYPES' button is visible on the right.

STEP 2 – FILTERS:

Overview

The screenshot shows the 'Filters for Cases' section. It includes tabs for 'Advanced Filters', 'Use Previous Search Results', 'MORE SEARCH TYPES', and 'VIEW 1884 RESULTS'. Below the tabs, there are several filter categories: 'Parties', 'Affiliates', 'Patents', 'Case Filing Date', 'Firms', 'Courts', and 'Case Status'. The 'Case Filing Date' filter is set to 'January 1, 2014' to 'December 31, 2018'. The 'Courts' filter is expanded, showing 'U.S. District Courts (all districts)' selected. The 'Case Status' filter is set to 'begin typing'.

Using the **Courts** filter, select *U.S. District Courts*

The screenshot shows the 'Courts' filter dropdown menu. It has a search bar 'type to find in tree' and a 'SELECT ALL MATCHES' button. The menu items are:

- U.S. District Courts (USDC) (1884)
- Federal Circuit (CAFC) [Limited Scope](#)
- International Trade Commission (ITC)

Use the **Case Filing Date** filter to enter the relevant dates

The screenshot shows the 'Case Filing Date' filter. It has an 'Autofill' dropdown and is set to 'January 1, 2014' to 'December 31, 2018'.

Under the **Advanced Filters** tab, use the **Patent Technologies** Filter to enter *Orange Book*

The screenshot shows the 'Patent Technologies' filter dropdown menu. It has a search bar 'type to find in tree' and a 'SELECT ALL MATCHES' button. The menu items are:

- Cooperative Patent Classification
- U.S. Patent Classification (Grouped by NBER Technology Categories) [Limited Scope](#)
- Orange Book
- Patent Technology Centers

STEP 3 – VIEW RESULTS

Click "View 2007 Results" to view the search results

The screenshot shows the search results page. It has tabs for 'or Cases', 'Advanced Filters', 'Use Previous Search Results', 'MORE SEARCH TYPES', and 'VIEW 1884 RESULTS'. The 'VIEW 1884 RESULTS' button is highlighted with a red box and an arrow. Below the tabs, there's a section 'Find a list of Cases' with a table of filter categories: 'Document Types', 'Posture of Motion', 'Type of Document', 'Result of Motion', and 'Legal Issue'. Each category has a search bar and an 'add from tree' button.

10. How many Design patents were asserted in U.S. district court cases filed from Jun. 1st, 2014 - Jun. 1st, 2015? How many of those patents were found infringed?

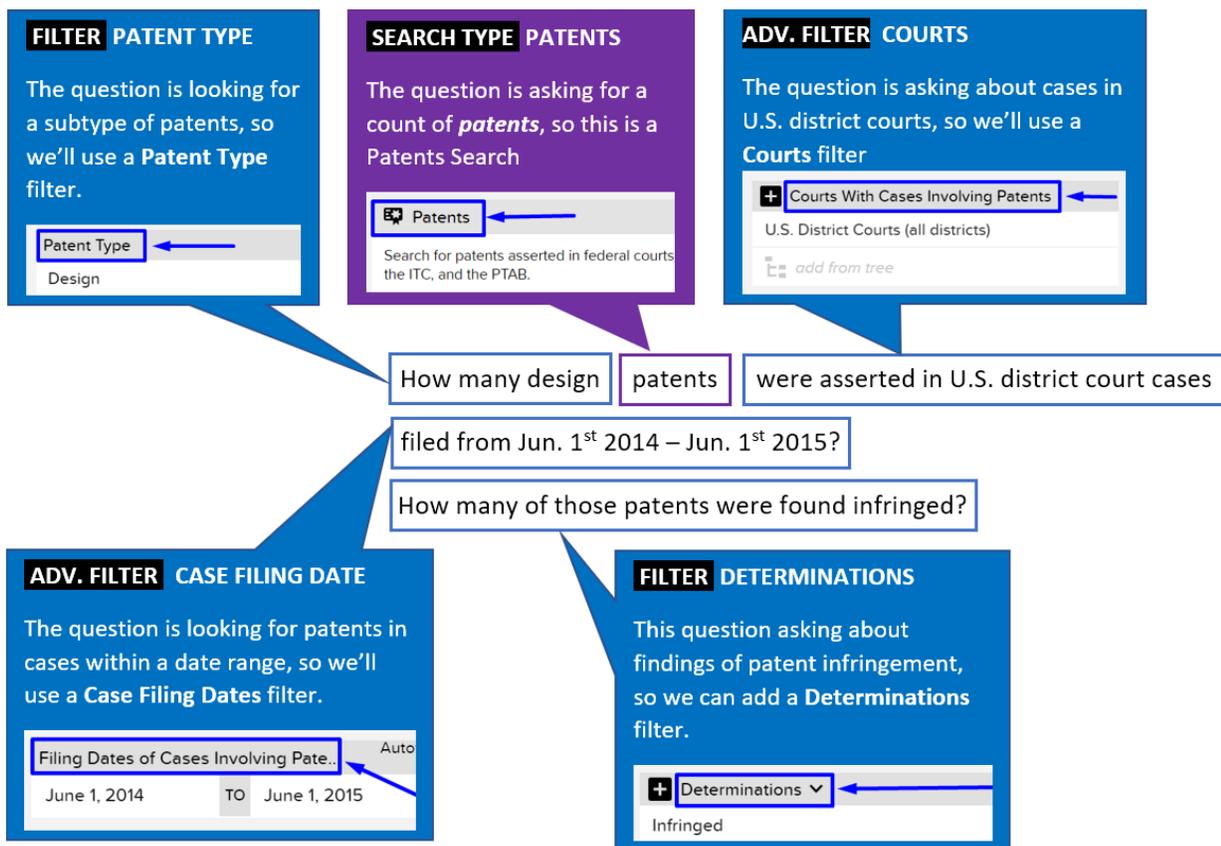
Answer

381 Patents, 21 Infringed

When converting a real-world question into a Docket Navigator query, the first step is to consider what type of information answers the question. If the question calls for a list of cases, a **Cases** search will provide the answer. If the question calls for a list of patents, use a **Patents** search.

Overview

This question is asking for a count of patents, so we'll use a **Patents** search type. Other aspects of the question can be addressed with **Filters** within a Patents search, as shown in the diagram below.



STEP 1 – SEARCH TYPE

On the [main search page](#), select a **Patents** search

The screenshot shows the 'Custom Search' interface. At the top, it says 'Generate a list of Cases, Documents (or several other Custom Search types) that match the filters you select.' Below this, there are two main sections: 'Cases' and 'Documents'. The 'Cases' section has a table with columns for Case, Active Judge, and Case Filing Date. The 'Documents' section has a table with columns for Type of Document, Result, Case, and Document Date. A red box highlights the 'Patents' filter option at the bottom left. Another red box highlights the 'HIDE SEARCH TYPES' button at the top right. A red arrow points from the 'HIDE SEARCH TYPES' button to the 'Patents' filter.

STEP 2 – FILTERS:

Using the **Patent Type** filter, select “Design” from the dropdown

The screenshot shows the 'Patent Type' filter dropdown. The dropdown menu is open, showing options: 'begin typing', 'Select All', 'Utility (4205)', 'Reissue (94)', 'Design (381)', and 'Plant (2)'. The 'Design (381)' option is selected and highlighted with a red box. Below the dropdown is a blue 'SAVE' button.

Under the Advanced Filters tab, use the **Court with Cases Involving Patents** filter to select *U.S. District Courts*

The screenshot shows the 'Courts With Cases Involving Patents' filter. It has a search bar with the text 'type to find in tree' and a magnifying glass icon. Below the search bar, there are several options: 'U.S. District Courts (USDC)' (selected and highlighted with a red box), 'Federal Circuit (CAFC) Limited Scope', 'International Trade Commission (ITC)', and 'Patent Trial and Appeal Board (PTAB) (9)'. There is a 'CLEAR' button and a close icon (X) at the top right. Below the filter, there is a section for 'Filing Dates of Cases Involving Patents' with a date range from 'June 1, 2014' to 'June 1, 2015'.

Using the **Case Filing Date** filter, enter the relevant dates

STEP 3 – VIEW RESULTS

Click “View 381 Results” to view the search results

The screenshot shows the search results page. At the top right, there is a red box around the 'VIEW 381 RESULTS' button. Below this, there are several filters: 'Patent Text', 'Add Citation', 'Patent Litigants', 'Affiliates', and 'Cases Involving Patents'. Each filter has a search input field.

***Frequent Mistakes:** Using a Cases search instead of a Patents search.