IP LITIGATION TRENDS FOR 2009

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Based on recently published U.S. Court data for the twelve month period ending September 30, 2009, the number of patent and trademark cases in U.S. District Courts has decreased. The high cost of litigation and reductions in corporate legal budgets may have resulted in the decrease in litigation.

Patents and Trademark Cases in U.S. District Court					
		U.S. Cases*		Civil Cases	
FY	Total	Patent	Trademark	Patent	Trademark
2009	**6,173**	**5**	**6**	**2,792**	**3,381**
2008	6,358	14	5	2,909	3,449
2007	6,383	18	4	2,896	3,487
2006	6,570	23	5	2,830	3,740
2005	6,413	14	11	2,720	3,668
2004	6,615	20	12	3,075	3,508
2003	6,527	26	15	2,814	3,672
2002	6,202	20	12	2,700	3,470
2001	5,900	24	8	2,520	3,348

* US Cases are those in which the US is a party in litigation

U.S. DISTRICT COURTS IP Related Civil Cases Filed - 12 Month Period Ending September 30, 2009								
	2003	2004	2005	2006	2007	2008	2009	% change
Patent	2,814	3,075	2,720	2,830	2,896	2,909	**2,792**	-4.02%
Trademark	3,672	3,508	3,668	3,740	3,487	3,449	**3,381**	-1.97%
Copyright	2,448	3,007	5,796	4,944	4,400	3,234	**2,192**	-32.22%
IP Total	8,934	9,590	12,184	11,514	10,783	9,592	**8,365**	-12.79%