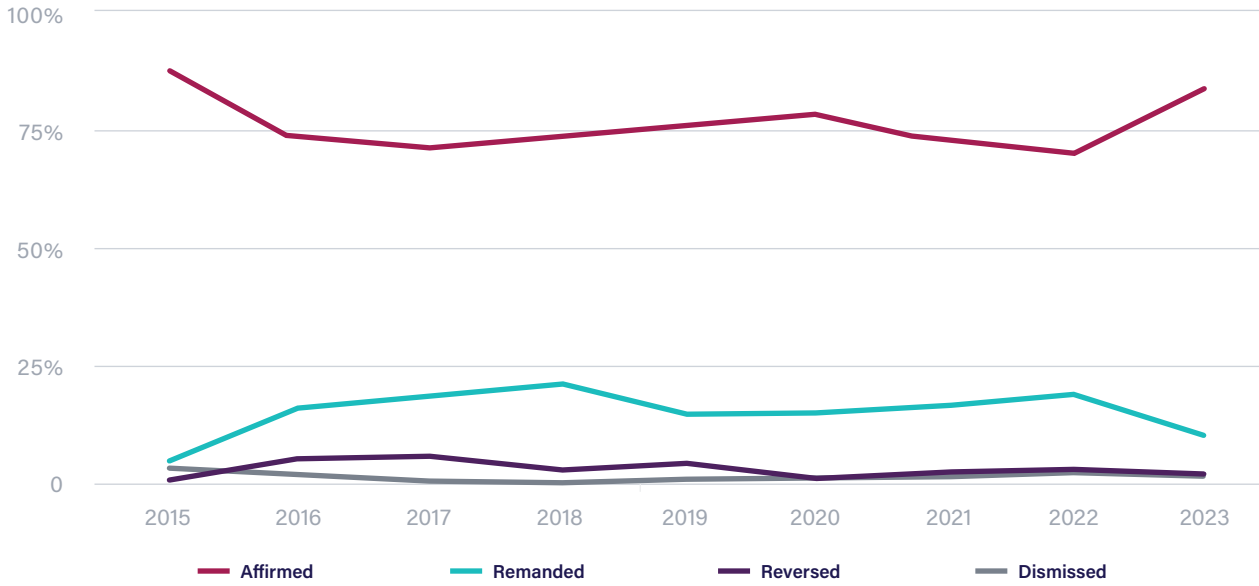
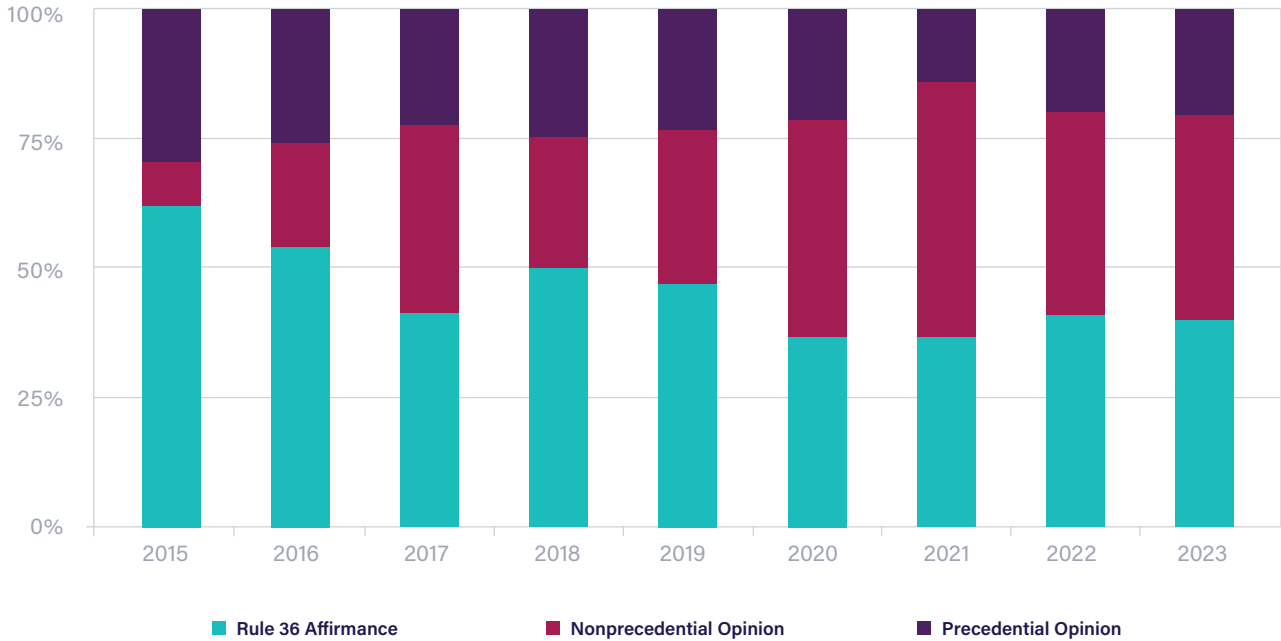


IPR/CBM/PGR Appeal Outcomes



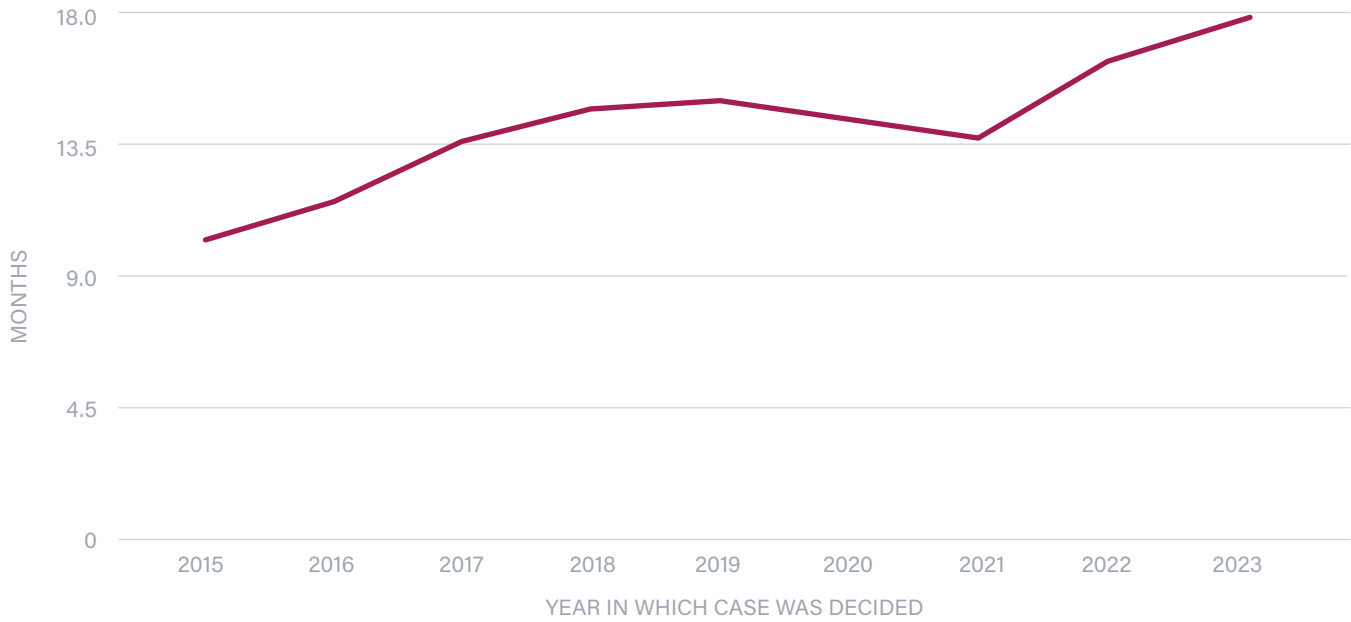
Overall in 2023, 83% of PTAB/AIA decisions were affirmed, 11% were remanded, 3% were reversed, and 2% were dismissed. This marks the highest affirmation rate since 2015.

IPR/CBM/PGR Appeal Disposition Types



The breakdown of decision types in 2023 was nearly identical to the previous year, with Rule 36 affirmances at 40%, nonprecedential opinions at 39%, and precedential opinions coming down in 21% of appeals with decisions on the merits.

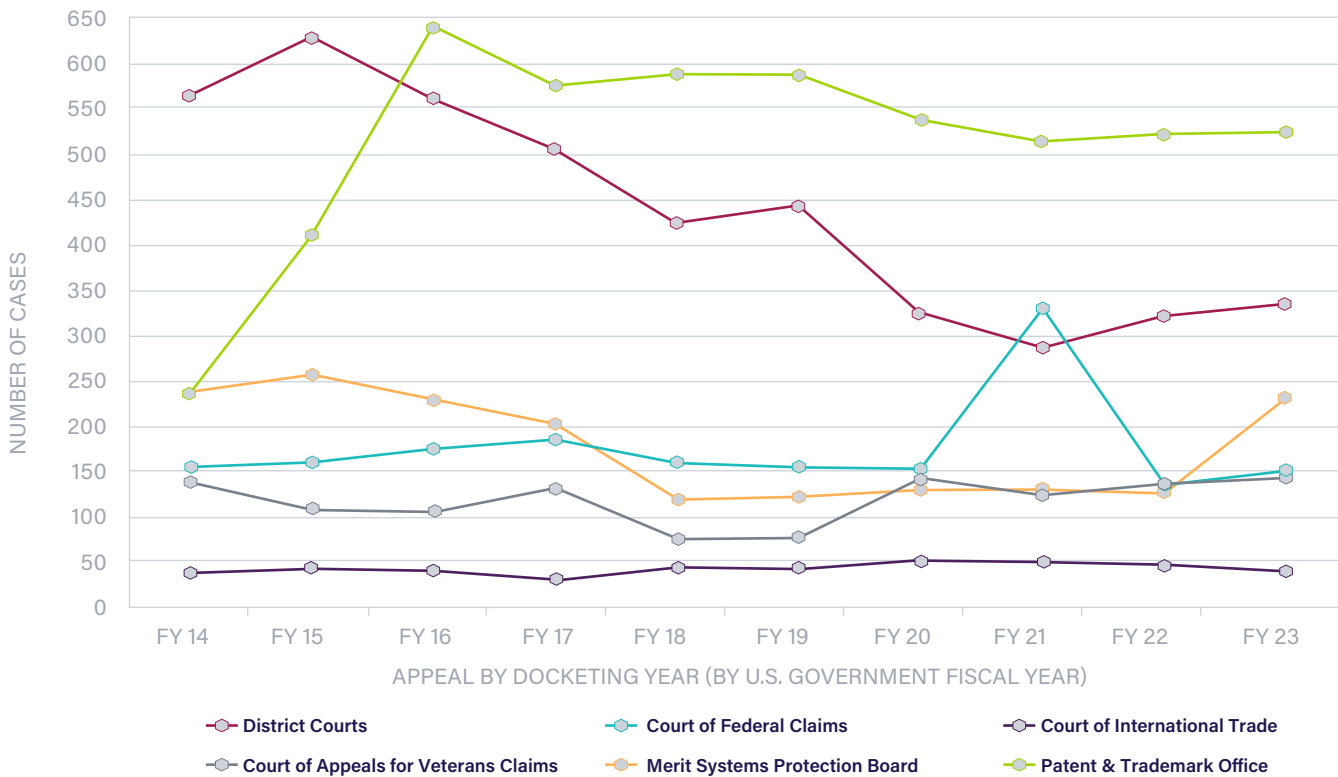
Median IPR/CBM/PGR Appeal Pendency



PTAB/AIA appeal pendency from docketing to decision again increased on both an average and median basis in 2023. At 17.7 months, median time to decision was nearly four months longer than it was in 2021.

United States Court of Appeals for the Federal Circuit

Major Origins of Appeals



The volume of new appeals from both the USPTO and district courts held steady in FY23. Patent Office appeals continue to be the most common, as has been the case since fiscal year 2015.

Source: CAFC