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2021/2022 Federal Circuit Year in Review

Client Alert | February 2, 2023

Gibson Dunn is pleased to present the next edition of the “Federal Circuit Year In Review,” providing a statistical overview and substantive summaries of the precedential patent opinions issued by the Federal Circuit between August 1, 2021, and July 31, 2022, in the Federal Circuit’s 2021-2022 term. The easy-to-use Table of Contents is organized by substantive issue, so that the reader can easily identify all of the relevant cases bearing on the issue of choice.

Use the Federal Circuit Year In Review to find out:

- which issues may have a better chance (or risk) on appeal based on the Federal Circuit’s history of affirming or reversing on those issues in the past;
- what the success rate has been at the Federal Circuit if you are a patentee or the opponent based on the issue being appealed;
- the Federal Circuit’s history of affirming or reversing cases from a specific district court;
- the Federal Circuit’s affirmance/reversal rate in cases from the district court, ITC, and the PTO;
- and much more.

The Year In Review provides statistical analyses of how the Federal Circuit has been deciding precedential patent cases, such as affirmance and reversal rates (overall, by issue, and by District Court), win rate for patentee versus opponent (overall, by issue, and by District Court), decision rate by Judge (number of unanimous, majority, plurality, concurring, or dissenting opinions), and other helpful metrics. The Year In Review is an ideal resource for participants in intellectual property litigation seeking an objective report on the Court’s decisions.

We hope this information serves you well in this coming year and in the future. We are available to answer any questions you may have on the information in the Year In Review.

Gibson Dunn is nationally recognized for its premier practices in both Intellectual Property and Appellate litigation. Our lawyers work seamlessly together on all aspects of patent litigation, including appeals to the Federal Circuit from both district courts and the agencies.

Please click here to view the FEDERAL CIRCUIT YEAR IN REVIEW

Gibson Dunn's lawyers are available to assist in addressing any questions you may have regarding developments at the Federal Circuit. Please contact the Gibson Dunn lawyer with whom you usually work or the authors of this alert:

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