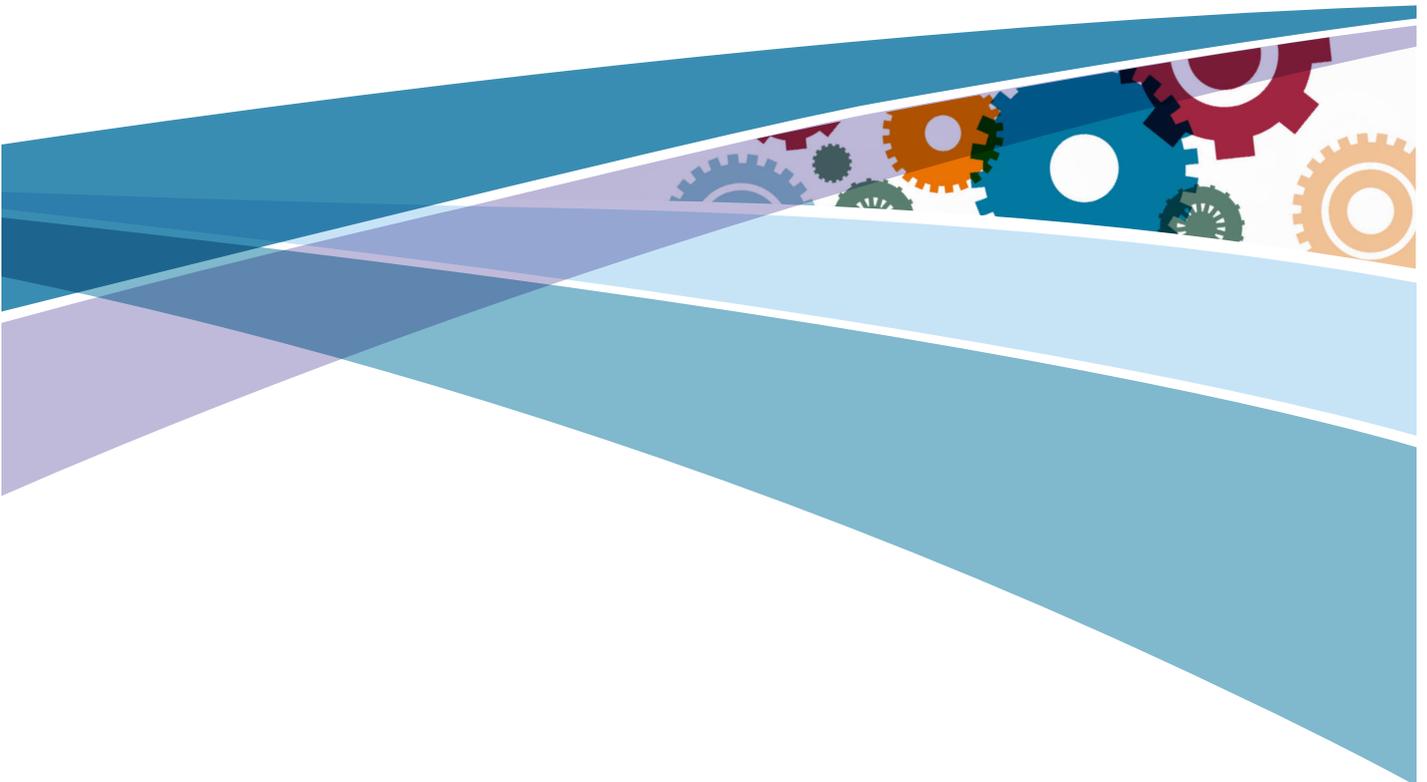




Intellectual
Property
Office

Counting patent cases at the High Court in 2015 and 2016

Executive Summary



Research commissioned by the Intellectual Property Office and carried out by:

Powell Gilbert

This is an independent report commissioned by the Intellectual Property Office (IPO).
Findings and opinions are those of the researchers, not necessarily the views of the IPO or the Government.

The data in this paper was collected and prepared by Powell Gilbert, a firm of solicitors in London specialising in IP litigation.

The project was led by Moz Mohammad (Head of Legal Support and Technical Operations), assisted by Antti Vainikka (Paralegal). Between them they have over a decade of experience on multi-jurisdictional patent disputes and have worked on several notable cases at all levels of the UK civil courts.

The Powell Gilbert data collection team was completed by paralegals James Curtis, Henry Yau and Maia Duffield.

ISBN: 978-1-910790-57-1

Counting patent cases at the High Court in 2015 and 2016 Executive Summary

Published by The Intellectual Property Office
February 2019

1 2 3 4 5 6 7 8 9 10

© Crown Copyright 2019

You may re-use this information (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/>

or email: psi@nationalarchives.gsi.gov.uk
Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

Any enquiries regarding this publication should be sent to:

The Intellectual Property Office
Concept House
Cardiff Road
Newport
NP10 8QQ

Tel: 0300 300 2000 Fax: 01633 817 777

e-mail: information@ipo.gov.uk

This publication is available from our website at www.ipo.gov.uk

1. Executive Summary

In this report, we cover the methodologies used for data collection and explain how they are consistent with previous years. Also discussed are any limitations and issues encountered, and how improvements have been made to the docketing of cases through the court's electronic filing system, CE-File.

In Part 5 of this report, we detail the results obtained for patent and SPC cases commenced in the Patents Court, IPEC and Chancery Division during 2015 and 2016.

Key learning outcomes for 2015 cases:

- 1) There were 69 cases commenced concerning infringement or revocation of an EP or GB patent.
- 2) Of those 69 cases, there were 98 patents in issue, 85 of which were EPs. This represents an average of 1.42 patents in issue in each case.
- 3) When aggregating both claims and counterclaims against each patent in issue, the total case count reaches 149 cases. 130 of those 149 cases concerned an EP.
- 4) There were 6 cases concerning an SPC, all of which were issued in the Patents Court.

Key learning outcomes for 2016 cases:

- 1) There were 46 cases commenced concerning infringement or revocation of an EP or GB patent.
- 2) Of those 46 cases, there were 75 patents in issue, 58 of which were EPs. This represents an average of 1.63 patents in issue in each case.
- 3) When aggregating both claims and counterclaims against each patent in issue, the total case count reaches 104 cases. 80 of those 104 cases concerned an EP.
- 4) There were 11 cases concerning an SPC, all of which were issued in the Patents Court.

Concept House
Cardiff Road
Newport
NP10 8QQ

Tel: 0300 300 2000
Fax: 01633 817 777
Email: information@ipo.gov.uk
Web: www.gov.uk/ipo

Facebook: TheIPO.UK
Twitter: @The_IPO
YouTube: ipogovuk
LinkedIn: uk-ipo

For copies in alternative formats please
contact our Information Centre.

**When you no longer need this booklet,
please recycle it.**

© Crown copyright, 2019

This document is free for re-use under the terms of the
Open Government Licence.

Images within this document are licensed by Ingram Image.



INVESTORS
IN PEOPLE

CUSTOMER
SERVICE
EXCELLENCE

