

Patexia

March 2021

ITC Intelligence Report

January 2015 / December 2020

A comprehensive report on the top 100
best performing and most active
ITC Section 337 attorneys and law firms.

Prepared by
Patexia Data Science Team



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Introduction

ITC Section 337 Investigation has become more popular recently. The number of cases saw a double digit growth in 2020 compared to 2019. This happened despite the decline in the broader economy, which was triggered by the pandemic. We also noticed an increase in the number of lateral moves related to ITC in 2020, which is a sign that some law firms are positioning themselves to benefit from this rise in the number of ITC cases.

Our second annual ITC Intelligence Report covers the period from January 1, 2015, through December 31, 2020. This includes a total of 335 investigations. In this report, we have made a few improvements and some adjustments in response to the feedback we received from the ITC community.

What's New in the 2021 ITC Intelligence Report?

First, we updated our ranking methodology based on the [ITC survey](#) we conducted in February, 2021. The survey results have been published in Appendix G and we strongly recommend that our readers review that as it is the reflection of the insightful comments and views of the ITC community. This year, the most important change is the new performance score which is a weighted average of success and activity (as suggested by the survey participants).

Second, for the first time, we included a list of all lateral moves that took place throughout last year and since the publication of our first annual report (since late 2019). This was done as some readers (both corporate and law firm clients) were interested in knowing more about the firms that were adding or expanding their ITC practice.

Third, we included the names of the top 3 clients (respondents or complainants) for each of the attorneys or law firms that were listed

in the report. And similarly, for each of the respondents or complainants we listed the top 3 law firms that represented them in one or more ITC investigations. This was requested by some of the readers as it gives some insights into the relationship of attorneys or firms with different companies. For example, oftentimes the complainants work with the same team of ITC attorneys for different cases.

In addition, we invested heavily in automation as the number of documents that required manual review was enormous. We automated the parsing of most relevant ITC documents such as protective orders, which helped us extract the names of attorneys involved in different cases more accurately. This significantly reduced the number of missing or misplaced attorneys. But as per our tradition, we still sent out a request to all ITC attorneys for final case verification, which is now possible directly on the site.

What's in the Pipeline for 2021?

Due to the popular demand, this year, our *Insight Report collection* has been expanded further to cover a total of seven IP areas including [District Court Patent Litigation](#), [ANDA/Hatch-Waxman Litigation](#), [Inter-Partes Review](#), [Patent Prosecution](#), CAFC (US Court of Appeal for the Federal Circuit), Trademark, and this [ITC Section 337 Report](#) that you are now holding (digitally)! Our *District Court Patent Litigation Report* was released in January and the next report is *Patent Prosecution*, which will be released in May. All these reports are available for free to our [Concierge Members](#).

In order to plan and release all seven reports in 2021, we had to double the size of our Insight team from previous years. This expansion was not possible without your continued support. The additional resources will ensure that gathering, cleaning, and analysis of the data is handled more smoothly and accu-

rately. We are also in the process of updating many pages of our website including the *Insight* pages that you might have already noticed.

I would like to thank our dear attorneys and the IP community who provided their time and helped us by clarifying some of the doubts we had for performance measurement of special cases which were not obvious to us. They carefully answered and reasoned why we should consider one outcome over another ([Patexia Insight ITC Survey](#)).

We are excited for this second annual ITC report and believe our corporate partners can use it when making critical decisions about their ITC counsel, while our law firm partners can leverage it as a valuable resource for new business development, marketing and even recruitment decisions.



A handwritten signature in black ink that reads "Pedram Sameni".

Pedram Sameni
Founder and CEO

What's in This Report?

The report content has been divided into the following sections:

- 1. Ranking Methodology:** We explain our performance model and how we calculated the performance scores and rankings for complainants, respondents, their representatives, and ITC judges.
- 2. ITC Statistics:** We provide a complete overview of ITC investigations and cover high-level statistics about ITC, including all parties, judges and cases, from January 1, 2015, through December 31, 2020.
- 3. Complainants and Respondents:** We identify the most active and the best-performing *Complainants* and *Respondents* over the period of our study.
- 4. Law Firms:** We analyze the performance and activity of law firms, comparing and

providing rankings for the top firms representing *Complainants* and *Respondents*.

- 5. Attorneys:** We review the performance and activity of attorneys, representing *Complainants* and *Respondents*, comparing and providing rankings for top attorneys on each side. We also include the most important lateral moves over the past year.

As per tradition for our ITC report and our other intelligence reports, and in order to have a meaningful comparison, as well as compensating for the time required for each case from filing to completion (e.g., 6 to 18 months), we covered a period of six years, January 1, 2015 through December 31, 2020. Appendix A lists all sources of data used for this report.

Disclaimer: The data for this report was obtained from public sources including EDIS, USPTO, PTAB, and PACER, as well as self-reported by attorneys on the Patexia website. Patexia has gone to great lengths to provide valid and accurate analysis based on this data. However, Patexia does not guarantee 100 percent accuracy nor take any responsibility for possible losses caused by the use of any information provided in this report.

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Thank you for your purchase of the 2021 ITC Intelligence Report. It is your support that enables us to spend the time, money and precious thousands of hours needed to com-

pile an annual report of this magnitude. We at Patexia sincerely hope this report brings value to your organization and we welcome any thoughts or feedback you may have.



Our Products



Insights

We have a vision of changing the way in which our clients view IP, using unbiased data-driven rankings, independent market intelligence and in-depth analysis to reimagine the industry as we know it. Join the growing list of law firms and corporate clients who trust our research and reporting.



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