

# A Decade of Stolen Dreams

## By The Numbers

### Key Results of the America Invents Act of 2011

The Patent Trial and Appeal Board (PTAB) is an administrative tribunal within the US Patent and Trademark Office with the sole task of invalidating duly issued patents, a personal property right. It was passed into law supposedly to protect small entities from abusive patent litigation.

PTAB Administrative Patent Judges (APJ) have issued Final Written Decisions on 3,105 patents, and 2,612 of them (84%) have been determined invalidated fully or partially. [6/24/21 - <https://usinventor.org/assessing-ptab-invalidity-rates/>]

Chinese companies utilizing the PTAB to invalidate U.S. patents include: ZTE (127 petitions), HTC (115 petitions), Huawei (114 petitions), among others. [6/7/21 - <https://usinventor.org/china-hijacks-us-patent-system-to-steal-american-inventions/>]

Top petitioners to the PTAB include Apple (673 petitions), Samsung (549 petitions), Google (354 petitions), and Microsoft (227 petitions). [1/29/21 - <https://usinventor.org/how-the-patent-trial-and-appeal-board-disproportionately-harms-practicing-small-entities/>]

Of all the petitions that have been filed, less than 2% comprise small and medium size entities against Non-Practicing Entities (NPEs; sometimes called Patent Trolls). [1/29/21 - <https://usinventor.org/how-the-patent-trial-and-appeal-board-disproportionately-harms-practicing-small-entities/>]

Of all the petitions that have been filed, over 40% are by large operating companies (multi-billion or trillion dollar operations) against other, much smaller operating companies. [1/29/21 - <https://usinventor.org/how-the-patent-trial-and-appeal-board-disproportionately-harms-practicing-small-entities/>]

There are 221 APJs; 76% have two years or less of technical experience, and 60% have ZERO technical experience. APJs often invalidate patents in fields outside of the little technical experience they have. Thus, 221 inexperienced APJs have cancelled 84% of the patents they have reviewed, originally issued by many of the 8,434 highly specialized and trained Patent Examiners who are experts in their field. [11/23/19 - <https://usinventor.org/ptab-judge-experience/>]

According to Katznelson, APJs earn bonuses for invalidating patents of \$314 per decision, compared to an average of \$2 for decisions upholding all patent claims. [7/5/21 - [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3871108](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3871108)]