

Exhibit 5



INTRODUCTION

The AIPLA Economic Survey, developed and directed by the Law Practice Management Committee of the American Intellectual Property Law Association (AIPLA), reports the annual incomes and related professional and demographic characteristics of intellectual property (IP) law attorneys and associated patent agents. Conducted every other year by AIPLA, this survey also examines the economic aspects of intellectual property law practice, including individual billing rates and typical charges for representative IP law services. All U.S. AIPLA members, with the exception of student members were invited to participate.

The Law Practice Management Committee took an active role in reviewing the Economic Survey with a goal of improving the usefulness and value of the data that are collected and analyzed.

DATA COLLECTION

An e-mail invitation to participate in the 2019 AIPLA Economic Survey was sent to a list of 9,439 AIPLA members; accounting for bounces and requests to be removed from the database, the actual sample surveyed was 8,619. The e-mail included an individualized direct link to the Web-based questionnaire along with an attached letter requesting additional participation in the Firm portion of the Economic Survey. The initial e-mail was followed up by several e-mail reminders. Additionally, AIPLA and committee members sent out promotional emails with survey links as well. Similar to 2015 and 2017, additional efforts were made to collect the Firm Survey data. Contact information was collected directly from the Individual Survey respondents that was then used for distributing Firm Survey links directly to the appropriate people identified at each firm by the Individual Survey respondents.

A total of 961 individuals responded by completing some or all of the Individual questionnaire, yielding an 11.1% response rate, nearly the same as the response rate in 2017. This is the seventh time the survey has been conducted online. Additional efforts to gather data for the Firm portion of the survey garnered 160 responses – lower than the 205 received in 2017.

All data submitted by respondents were reviewed and evaluated for reasonableness and consistency; data anomalies and outliers were analyzed and corrected or deleted.

In many cases, respondents did not answer every question, so the total counts for each table may vary.

CHANGES TO THE SURVEY

A number of enhancements were made to the 2019 Individual Survey instrument. The committee worked to update the survey and included new questions that covered important areas of interest to the profession. In Part I, the primary practice categories were updated, and questions about remote work and work status were added. Previously, the survey asked for years of IP law attorney experience and this year non-attorney years of IP law experience was added. A number of questions were reordered in this section.

In Part II (Corporate Practitioners), a question was added to ask about the IP budget as it related to US prosecution and non-US prosecution. Part III (Private Practitioners) included new questions about discounted hourly billing rates. In Part IV (Typical Charges), one new charge was added to the section covering Trademarks (preparing and filing assignments or other formal documents). Eight new charges were added to the US Utility Patent section along with a top-level clarifying statement about US Utility Patents that indicates that the category includes foreign-origin patents where no substantive direction is received from foreign attorneys. These new items covered preparation and filing of Information Disclosure Statement (IDS), reference management, Patent Term Adjustment (PTA) calculation, formalities, preparing and filing formal drawings,

preparation for and conducting examiner interviews and providing a continuation recommendation. The PTA calculation was stated to be excluded from an above item related to issuing an allowed application. The previously titled Foreign Origin and Foreign Patents category was renamed to US Utility Patents of Foreign Origin with the following clarifying statement: *in which foreign attorneys provide substantive direction. Exclude government, foreign associate, drawing and similar fees.* An entirely new category for Filing US Applications Abroad was added, and Other US Patents and Copyrights was expanded to include charges for formal drawings for design patent application, preparing and filing international design patent application under the Hague agreement, and responding to Office action in design patent application. Transactional Work that included due diligence, and preparing licenses, including negotiations was also added.

The litigation cost question for the total cost of filing or defending a petition for a post-grant proceeding was expanded to collect data by technology.

The 2019 Firm Survey instrument updated the titles for the types of attorneys for various questions, and most significantly added a section to collect the charges data similar to those collected in the Individual Survey. The charges data collected from the Firm Survey were combined with the Individual Survey charges data, and for this reason a new question about the number of full-time IP lawyers and patent agents at all locations was added to the Firm Survey in order to have corresponding demographic data when combining the two sets of data.

In the data tables in the report, a minimum of three responses was required to show composite values. **The term “ISD” is used in the tables to show insufficient data.** Similar to the past few reports, table rows with one or two respondents have been omitted to protect the anonymity of respondents, and tables with no valid rows have likewise been omitted. In general, tables with less than 20 respondents overall were not shown in order to maintain statistical reliability of the data; however, for the new category Private Firm, Non-Partner Track Attorney, as well as for Patent Agents, a number of exceptions were made and tables were kept in spite of having fewer than 20 respondents overall. Some detailed tables for Litigation Costs by Location were not included due to low response counts. Additionally, for applicable tables, the 10th and 90th percentiles could only be shown if there were 10 or more respondents.

DESCRIPTION OF STATISTICS AND FORMATTING CONVENTIONS

Quartiles: Quartiles are used to show distributions of real numbers. Responses are described by three quartiles: the first quartile, the median, and the third quartile. Quartiles identify interpolated locations on a distribution of values and do not necessarily represent actual reported values. Another label for quartiles is percentiles; the first quartile is the same as the 25th percentile, the median is the 50th percentile, and the third quartile is the 75th percentile. For example, when all reported values are listed from highest to lowest, the third quartile identifies the point on the list that is equal to or greater than 75 percent (three-quarters) of the reported values and the first quartile identifies the point on the list that is equal to or less than 25 percent (one-quarter).

10th Percentile: Also used to show distributions of real numbers, ninety percent of respondents reported this amount or more.

90th Percentile: Ten percent reported this amount or more. If there are fewer than 10 values, the 90th percentile cannot be calculated.

Median (midpoint): The median identifies the point in the distribution of reported values that is equal to or larger than one-half of reported values and equal to or smaller than one-half—that is, the mid-point. A median is shown when three or more values were reported by respondents. The first and third quartiles are shown when five or more values were reported by respondents. Quartiles and medians based on values reported by survey respondents are estimates of the quartiles and medians that could be determined if the

characteristics of the entire population represented by survey respondents were known. In general, the more values that are reported, the more accurately quartiles estimate the distribution of values among all AIPLA members.

Mean (average): The mean is shown when three or more values were reported by respondents. It is equal to the sum of all values divided by the number of values.

It should be noted that if the mean exceeds the median, it is because high values affect the calculations. It is also possible, especially with a small number of values, for the mean to exceed the third quartile.

Percentages in some tables and some graphs may not sum to exactly 100% due to rounding.

Other definitions useful in understanding tabular information presented in this report are:

Income: Defined as *“total gross income in calendar year 2018 from your primary practice...including any partnership income, cash bonus, share of profits, and similar income you received, and any deferred compensation in which you vested in 2018.”*

Typical Charges: Respondents were instructed to respond *“only if you have been personally responsible for a representative sample of the type of work to which the question pertains, either as a service provider (i.e., an attorney in private practice) or as a purchaser of such services (i.e., corporate counsel).”* When reporting, respondents were directed to assume *“a typical case with no unusual complications,”* and were asked *“what did you charge (or would have charged, e.g., based on a fixed fee rate schedule) or what were you charged (or would have expected to be charged, e.g., on a fixed fee rate schedule), in 2018, for legal services only (including search fees, but not including copy costs, drawing fees or government fees) in each of the following types of US matters?”* Respondents were also asked to indicate the type of fee primarily used in 2018 (i.e., fixed fee, hourly, other). The Firm Survey instructions were similar.

Estimated Litigation Costs: Respondents were instructed to respond to these questions *“only if you have personal knowledge either as a service provider (attorney in private practice) or as a purchaser of such services (corporate counsel) of the costs incurred within the relatively recent past, for the type of work to which the question pertains. In each of the questions, ‘total cost’ is all costs, including outside legal and paralegal services, local counsel, associates, paralegals, travel and living expenses, fees and costs for court reporters, photocopies, courier services, exhibit preparation, analytical testing, expert witnesses, translators, surveys, jury advisors, and similar expenses.”* Respondents were further instructed to estimate these based on a single IP asset, such as one patent at issue or one trademark, etc.

Location: The metropolitan areas of Boston, New York City, Philadelphia, Washington (DC-MD-VA), Chicago, and Minneapolis–St. Paul include all localities—central city and surrounding areas—within the primary metropolitan statistical area. Texas is the one state reported separately. There were sufficient responses to breakout Los Angeles and San Francisco separately; California firms outside of those metro areas were included in “Other West.” Other categories exclude those named metropolitan areas.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.