

# Exhibit 1



United States Patent and Trademark Office  
 Commissioner for Patents  
 United States Patent and Trademark Office  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
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*Ex Parte* Reexamination Filing Data - September 30, 2020

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81 <sup>1</sup> .....										14185
a. By patent owner										3954 27.9%
b. by other member of the public										10056 70.9%
c. By order of Commissioner										175 1.2%
2. Number of Filings by discipline										
a. Chemical Operation										3843 27.1%
b. Electrical Operation										5279 37.2%
c. Mechanical Operation										4790 33.8%
d. Design Patents										273 1.9%
3. Annual <i>Ex Parte</i> Reexam Filings										
Fiscal Yr.	No	Fiscal Yr.	No	Fiscal Yr.	No	Fiscal Yr.	No	Fiscal Yr.	No	
1981	78 (3 mos.)	1989	242	1997	380	2005	520	2013	305	
1982	187	1990	297	1998	348	2006	473	2014	355	
1983	186	1991	309	1999	391	2007	600	2015	244	
1984	189	1992	390	2000	312	2008	690	2016	222	
1985	230	1993	359	2001	295	2009	603	2017	191	
1986	232	1994	379	2002	272	2010	697	2018	187	
1987	240	1995	395	2003	394	2011	734	2019	163	
1988	269	1996	413	2004	436	2012	780	2020	198	
4. Number known to be in litigation.....										5428 38.3%
5. Decisions on requests <sup>2</sup> .....										14185
a. No. granted										13082 92.2%
(1) By examiner										12888
(2) By Director (on petition)										194
b. No. denied										1183 8.3%
(1) By examiner										1103
(2) Reexam vacated										80
6. Total examiner denials (includes denials reversed by Director).....										1103
a. Patent owner requester										525 47.6%
b. Third party requester										578 52.4%

7. Overall reexamination pendency (Filing date to certificate issue date).....  
 a. Average pendency 25.7 (mos.)  
 b. Median pendency 19.3 (mos.)

8. Reexam certificate claim analysis: <sup>3</sup>	Owner Requester	3rd Party Requester	Comm'r Initiate	Overall	Numbers
a. Certificates with all claims confirmed	6%	14%	0%	20.9%	2672
b. Certificates with all claims canceled	3%	10%	0%	13.1%	1668
c. Certificates with claims changes	22%	44%	1%	66.0%	8424

9. Total ex parte reexamination certificates issued (1981 – present) ..... 12764

10. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.

a. Certificates – PATENT OWNER REQUESTER		3960	
a. All claims confirmed	809	20.4%	
b. All claims canceled	396	10.0%	
c. Claims changed	2755	69.6%	
b. Certificates – 3rd PARTY REQUESTER		8630	
a. All claims confirmed	1846	21.4%	
b. All claims canceled	1226	14.2%	
c. Claims changed	5558	64.4%	
c. Certificates – COMMISSIONER INITIATED REEXAM		174	
a. All claims confirmed	17	9.8%	
b. All claims canceled	46	26.4%	
c. Claims changed	111	63.8%	



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*Ex Parte* Reexamination Filing Data - September 30, 2019

1. Total requests filed since start of <i>Ex Parte</i> reexam on 07/01/81.....										13987	
a. By patent owner										3919	28%
b. by other member of the public										9893	71%
c. By order of Commissioner										175	1%
2. Number of Filings by discipline											
a. Chemical Operation										3791	27%
b. Electrical Operation										5214	37%
c. Mechanical Operation										4732	34%
d. Design Patents										250	2%
3. Annual <i>Ex Parte</i> Reexam Filings											
Fiscal Yr.	No	Fiscal Yr.	No	Fiscal Yr.	No	Fiscal Yr.	No	Fiscal Yr.	No		
1981	78 (3 mos.)	1989	242	1997	380	2005	520	2013	305		
1982	187	1990	297	1998	348	2006	473	2014	355		
1983	186	1991	309	1999	391	2007	600	2015	244		
1984	189	1992	390	2000	312	2008	690	2016	222		
1985	230	1993	359	2001	295	2009	603	2017	191		
1986	232	1994	379	2002	272	2010	697	2018	187		
1987	240	1995	395	2003	394	2011	734	2019	163		
1988	269	1996	413	2004	436	2012	780				
4. Number known to be in litigation.....										1938	14%
5. Decisions on requests <sup>2</sup> .....											14130
a. No. granted										12905	91%
(1) By examiner										12718	
(2) By Director (on petition)										187	
b. No. denied										1277	9%
(1) By examiner										1225	
(2) Reexam vacated										52	
6. Total examiner denials (includes denials reversed by Director).....											1226
a. Patent owner requester										524	43%
b. Third party requester										702	57%

7. Overall reexamination pendency (Filing date to certificate issue date).....  
 a. Average pendency 25.8 (mos.)  
 b. Median pendency 19.4 (mos.)

8. Total ex parte reexamination certificates issued (1981 - present).....				11980	
	Owner	3rd Party	Comm'r		
	<u>Requester</u>	<u>Requester</u>	<u>Initiate</u>	<u>Overall</u>	<u>Numbers</u>
a. Certificates with all claims confirmed	6%	15%	0%	20.7%	2480
b. Certificates with all claims canceled	3%	10%	0%	12.7%	1517
c. Certificates with claims changes	19%	46%	1%	66.6%	7983

9. Reexam claim analysis – requester is patent owner or 3rd party or Commissioner initiated.

a. Certificates – PATENT OWNER REQUESTER		3325
a. All claims confirmed	693	21%
b. All claims canceled	300	9%
c. Claims changed	2332	70%
b. Certificates – 3rd PARTY REQUESTER		8481
a. All claims confirmed	1769	21%
b. All claims canceled	1170	14%
c. Claims changed	5542	65%
c. Certificates – COMMISSIONER INITIATED REEXAM		174
a. All claims confirmed	18	10%
b. All claims canceled	47	27%
c. Claims changed	109	63%

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