

LegalMetric

LegalMetric Individual Judge Report

Judge Susan Yvonne Illston

Patent Cases

May 1995 to September 2019

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Overview:

Total Cases and Judgments

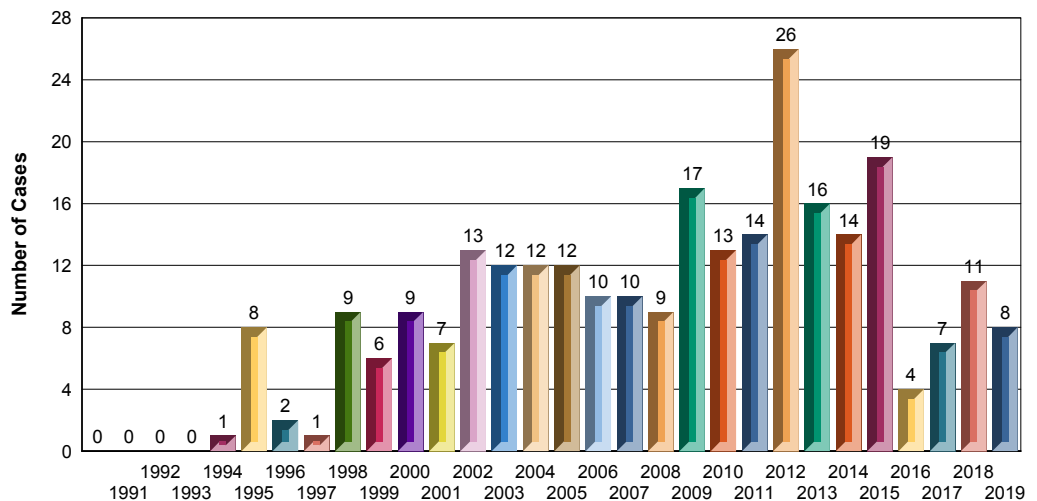
Judge Illston was appointed to the bench on May 26, 1995. This judge has been assigned 270 patent cases. Of these, 252 cases have been terminated. There have been judgments in favor of a party (includes consent and default judgments) in 57 case(s). The patent owner prevailed in 21.1% of these cases (while the accused infringer prevailed in 78.9% of these cases). (Note: In those instances where the judge previously served as a magistrate, earlier rulings issued while the judge was a magistrate are included in this report.)

	Illston	Nation		Total
Overall Win Rate	21.1	55.3	Overall Win Rate	21.1
Contested Win Rate	9.5	22.0	Contested Win Rate	9.5
Trial Win Rate	36.4	62.0	Trial Win Rate	36.4
Pendency (All Cases)	15.7	12.3	Pendency (All Cases)	15.7
Judgment Pendency	27.3	20.9	Judgment Pendency	27.3
Contested Pendency	30.6	26.7	Contested Pendency	30.6
Trial Pendency	48.5	36.7	Trial Pendency	48.5

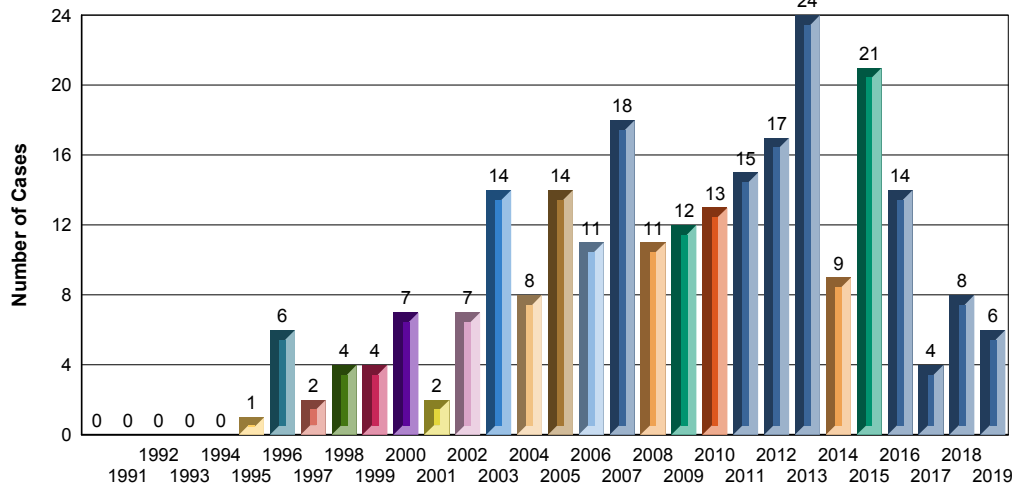
Color Scheme: Red in the table above indicates a win rate more than 10% more favorable to the ACCUSED INFRINGER than the national average, or a pendency time at least 6 months SLOWER than the national average. Yellow indicates a win rate from 0% to 10% more favorable to the ACCUSED INFRINGER than the national average, or a pendency time from 0 to 6 months SLOWER than the national average. Bright (lime) green indicates a win rate from 0% to 10% more favorable to the PATENTEE than the national average, or a pendency time from 0 to 6 months FASTER than the national average. And dark green indicates a win rate more than 10% more favorable to the PATENTEE than the national average, or a pendency time over 6 months FASTER than the national average.

The number of patent cases assigned to Judge Illston by year is shown in the chart to the right. Note that this includes cases filed in previous years and reassigned to this judge, where applicable.

Number of Cases Filed, by Year

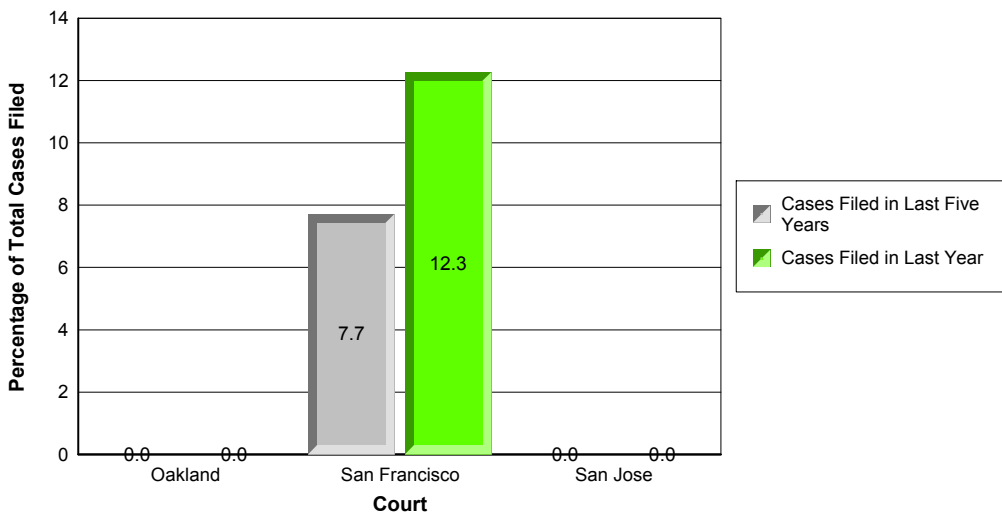


Number of Cases Decided, by Year



The number of patent cases decided by Judge Illston by year is shown in the chart to the left. This can include cases decided earlier which are subsequently assigned to this judge for post-decision rulings.

One- and Five-Year Percentage of Cases for This Judge



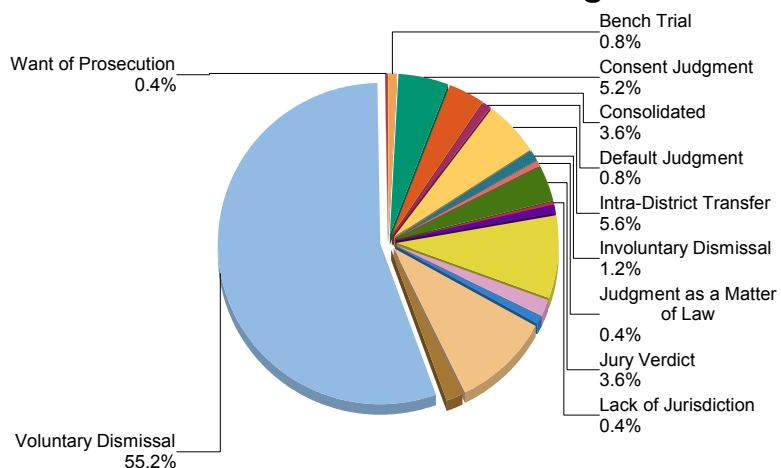
Fraction of Cases Assigned to This Judge, By Court:

The fraction of cases assigned to this judge by court (and division if applicable) is shown in the chart to the left and in the table below. The figures are further broken out by percentage of cases filed in the previous five years and by percentage of cases filed in the previous year.

	Total	
	Percentage of Cases Filed in Last Five Years	Percentage of Cases Filed in Last Year
Total	4.1	6.5
Oakland	0.0	0.0
San Francisco	7.7	12.3
San Jose	0.0	0.0

Patent Case Outcomes for Judge Illston: The chart below shows the breakdown, by case outcome, for closed cases of this judge.

Case Outcomes for Judge



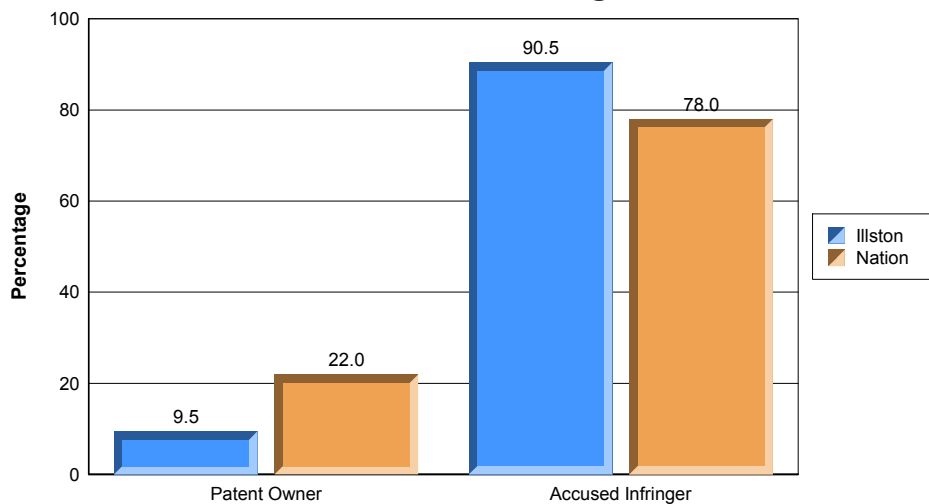
	Total
Total	252
Bench Trial	2
Consent Judgment	13
Consolidated	9
Default Judgment	2
Intra-District Transfer	14
Involuntary Dismissal	3
Judgment as a Matter of L	1
Jury Verdict	9
Lack of Jurisdiction	1
MDL Transfer	2
Other Settlement	21
Other Termination	4
Remand to State Court	2
Summary Judgment	25
Transfer	4
Voluntary Dismissal	139
Want of Prosecution	1

Overview:

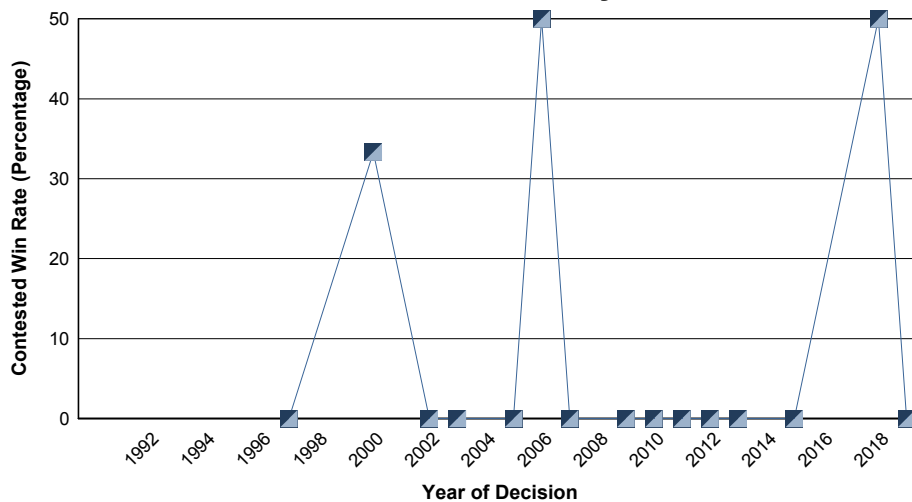
Contested Judgments

There have been 42 contested judgments in these cases (does not include consent and default judgments). The patent owner prevailed in 9.5% of these cases, while the accused infringer prevailed in 90.5% of these cases. These figures are compared to the corresponding nationwide numbers below. In addition, the patentee contested win rate for the judge by year is shown in the second chart below.

Contested Win Rates, Judge v. Nation



Contested Win Rate by Year



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