



Q4 in Review

Q4 in Review: US NPE Filings Climb as Top FRAND Venues Push the Envelope

US patent litigation increased substantially in 2024, with NPE filings climbing by 21.6% and operating company filings going up by 16.8%. The Eastern District of Texas also continued to dominate the venue rankings this past year as NPEs avoided two other former hotspots, deterred by pressure over disclosures in Delaware and rule changes discouraging the concentration of patent cases in West Texas.

In Q4, the Patent Trial and Appeal Board (PTAB) found itself at a crossroads with the resignation of USPTO Director Kathi Vidal ahead of the upcoming presidential transition—casting uncertainty over various PTAB reform initiatives pursued by the agency during her tenure. The USPTO also faces ongoing pushback in the courts over the PTAB's use of discretionary denials under *NHK-Fintiv*, as some stakeholders urged the Federal Circuit to revisit that practice under a Supreme Court ruling enabling greater judicial scrutiny of some agency actions.

Meanwhile, an even clearer picture of the Unified Patent Court's (UPC's) approach to patent litigation has emerged more than 18 months after its launch. Caseload data through the end of 2024 show that German local divisions are still receiving the lion's share of infringement actions, and that additional NPEs—including some with litigation funding—have waded into UPC waters. Recent decisions have fleshed out the EU court's approach to key substantive issues including preliminary and permanent injunctions, with one ruling potentially making numerous additional patents eligible for UPC assertion. The UPC also issued its first judgments on fair, reasonable, and nondiscriminatory (FRAND) licensing and related jurisdictional issues in Q4—capping off an especially impactful period for standard essential patent (SEP) litigation that also saw notable developments in the US, Germany, and China.

Additionally, litigation finance is still drawing the attention and ire of certain lawmakers and interest groups, and Q4 saw the introduction of a new bill that, if passed, would require disclosure of third-party funding. Also, two patent-centric bills took divergent paths during the fourth quarter, with one advancing to the Senate floor and the other stalling out in the Senate Judiciary Committee.

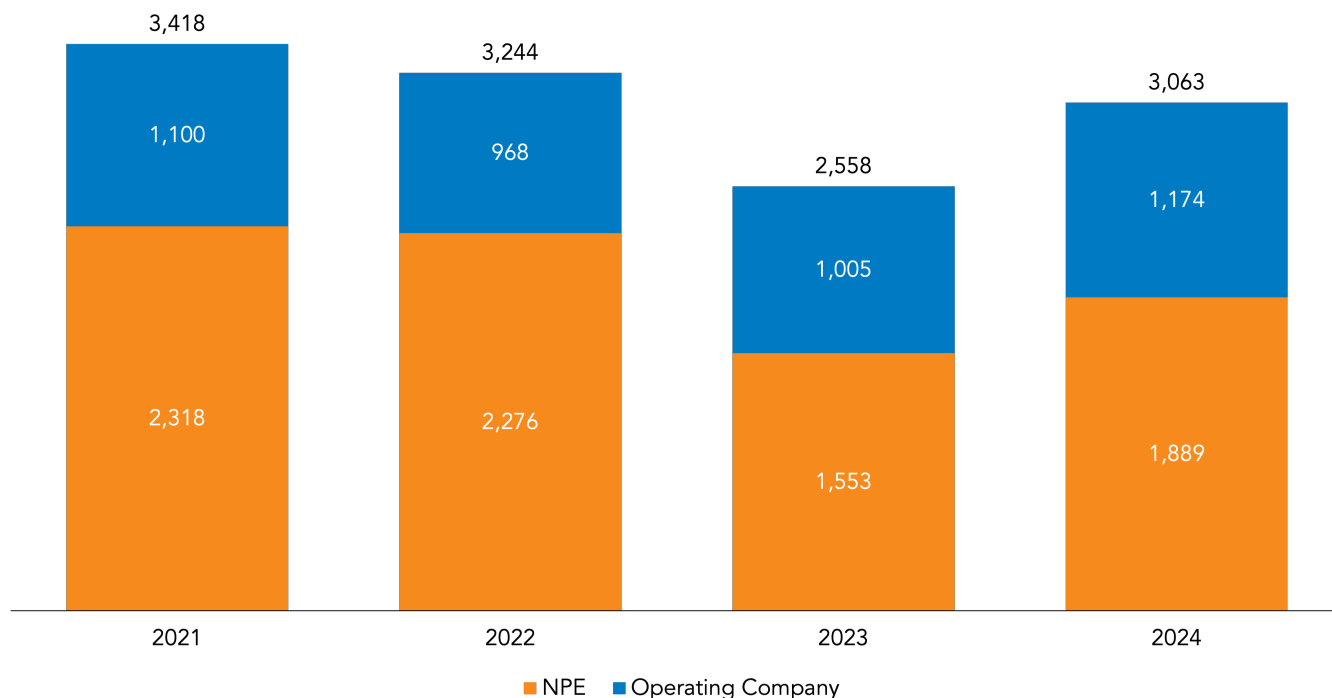
Finally, RPX continues to closely monitor public records for evidence of relationships between patent holders and specific third-party litigation funders; it also continuously reviews USPTO data to identify assignments that may portend future patent litigation. Here, we provide entry points into RPX member-exclusive analyses on funded patent litigation and notable patent transactions.

- [Litigation Update: NPE Litigation Rises Substantially in 2024 and Q4](#)
- [Venue Update: East Texas Stays on Top in 2024](#)
- [Market Sector Update: NPE Litigation Targeting Networking Products Jumps in 2024](#)
- [PTAB Update: Leadership Changes Cast Uncertainty over Reforms as *NHK-Fintiv* Appeal Continues](#)
- [UPC Update: Caseload Data, NPE Activity, SEP Decisions, and Other Substantive Rulings](#)
- [FRAND Update: US Lowers ASI Threshold, Germany Revisits SEP Approach, and China Issues SEP Policy](#)
- [Policy Update: PREVAIL Advances, PERA Stalls, and TPLF Continues to Draw Ire](#)
- [Patent Market Update: New Funded NPE Campaigns and Key Developments in Funded Litigation](#)

Litigation Update: NPE Litigation Rises Substantially in 2024 and Q4

NPEs added 1,889 defendants to patent litigation campaigns in 2024, an increase of 21.6% compared to 2023 (when such plaintiffs added 1,553 defendants). Operating companies added 1,174 defendants last year, up 16.8% from 2023. Overall, 3,063 defendants were added to litigation campaigns in 2024, or 19.7% more than the year before (at 2,558 defendants added).

NPE and Operating Company Litigation by Year (Defendants Added)

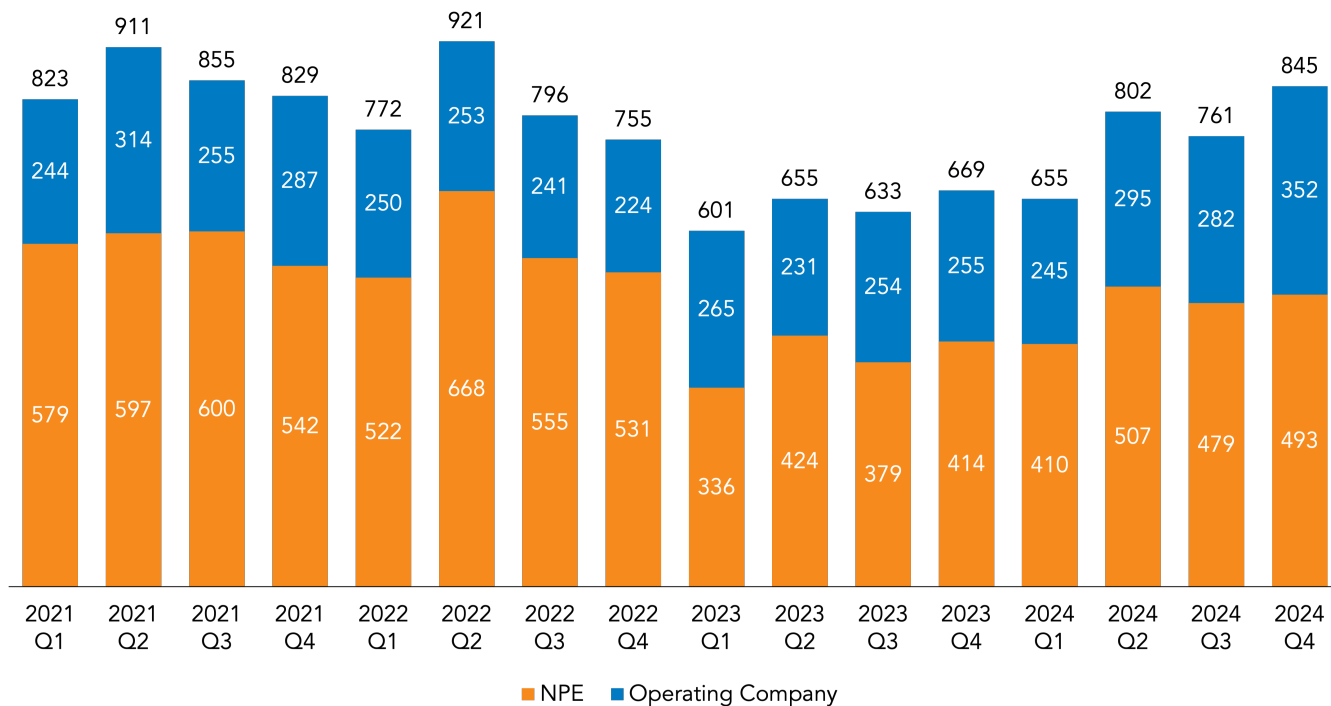


In the fourth quarter, NPEs added 493 defendants, or 19% more than Q4 2023—falling 1% short of the trailing three-quarter Q4 average for 2021-2023, but exceeding Q3 2024 by 3%. Meanwhile, operating companies added 352 defendants in Q4, a 38% increase compared to the fourth quarter last year. Operating company filings last quarter were 25% higher than in Q3 2024 and were 38% greater than the trailing Q4 average.

Defendants Added	Change Compared to:			
	Q4 2024	Q4 2023	Q4 2021-2023 Average	Q3 2024
NPE	493	19%	-1%	3%
Operating Company	352	38%	38%	25%
Total	845	26%	13%	11%

Overall, patent plaintiffs added 845 defendants in the fourth quarter of 2024, or 26% more than in Q4 2023 and 11% more than Q3 2024, also beating the trailing average by 13%.

NPE and Operating Company Litigation by Quarter (Defendants Added)

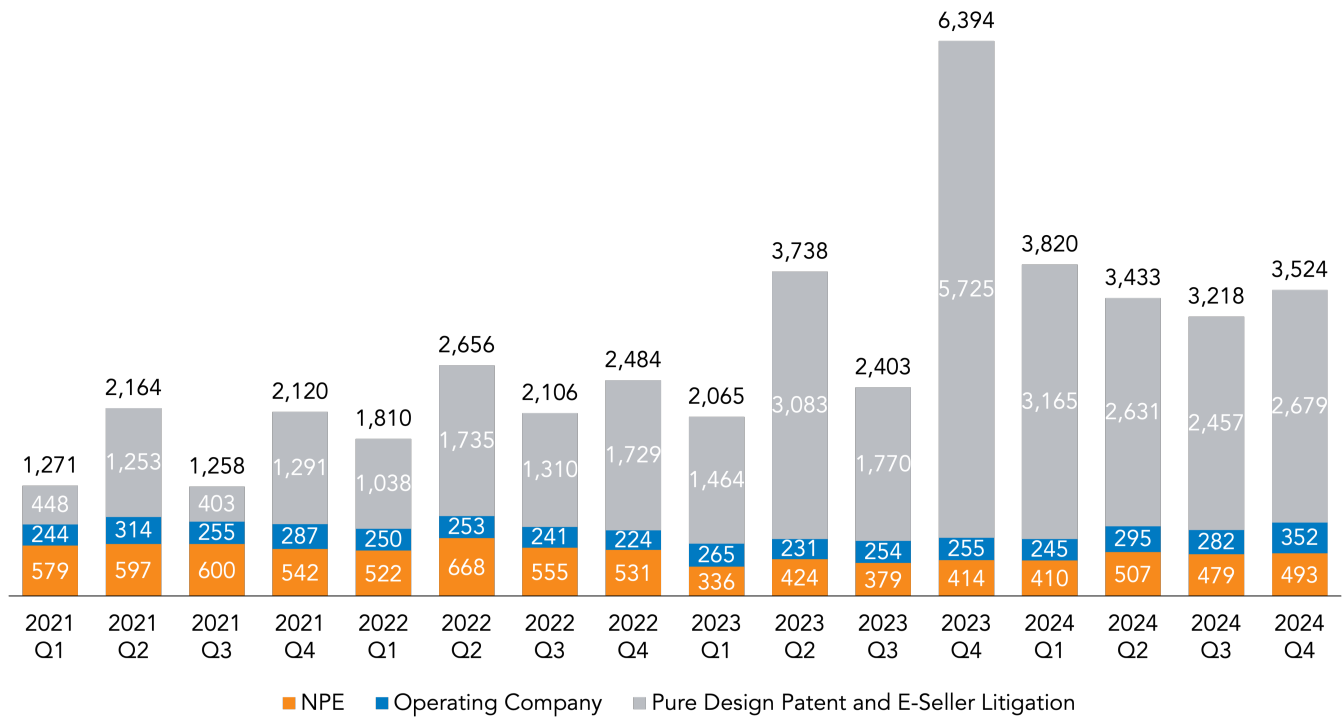


Additionally, the operating company data above leave out another distinct category of litigation filed by a small group of design and utility patent owners targeting copycats and counterfeiters selling products online. RPX excludes such “e-seller” cases from analyses of district court litigation because they tend to follow a different dynamic compared to what one might consider the usual patent suit. These e-seller cases sometimes name hundreds of defendant entities, many of which may be merely online storefronts or aliases for the same ultimate parent. Also, plaintiffs primarily seek injunctive relief instead of damages, and their cases often end with the e-seller defendant’s failure to answer, followed by a default judgment.

This category of litigation, which began to spike in Q3 2020, is shown in grey below to illustrate its magnitude. As shown by the rightmost bar, e-seller litigation in Q4 2024 accounted for 2,679 defendants added, or 76% of all litigation during the quarter—though this number remains subject to the caveat about defendants potentially having multiple online storefronts noted above.

Apart from the graph on the following page, the other analyses in this report exclude pure design patent and e-seller litigation.

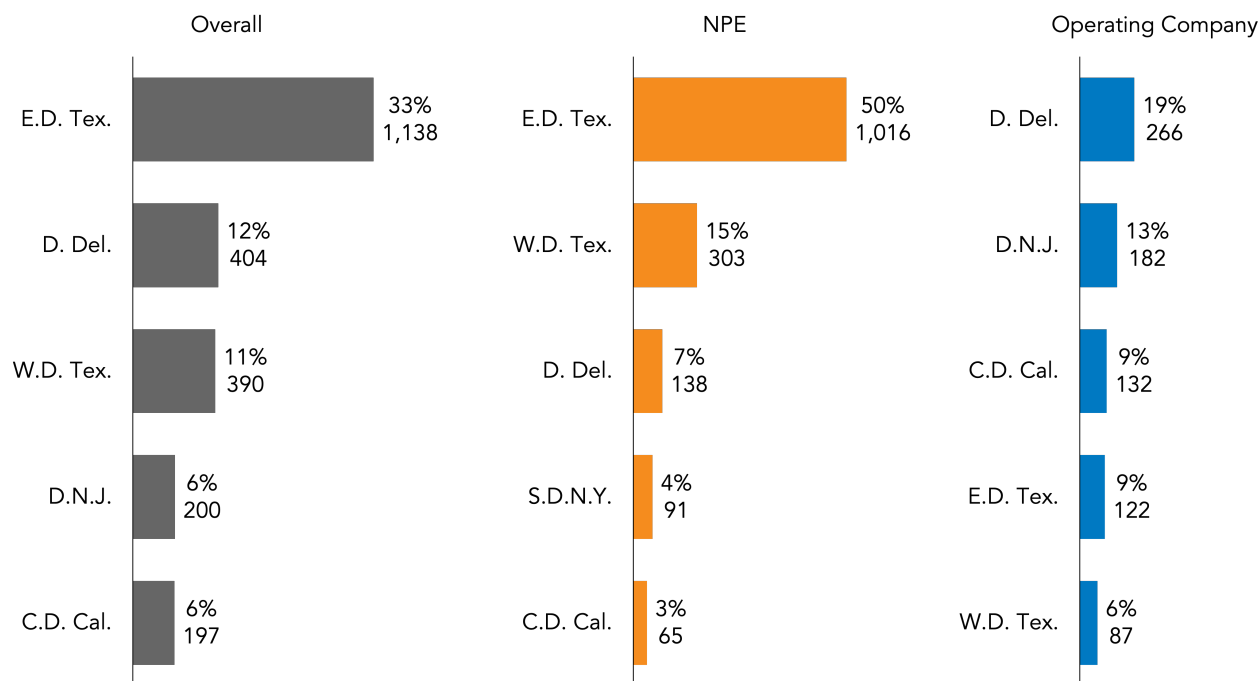
All Patent Litigation Including Design Patent and E-Seller Litigation (Defendants Added)



Venue Update: East Texas Stays on Top in 2024

The Eastern District of Texas was the top patent district for overall litigation (*i.e.*, with no filter for plaintiff type) and NPE litigation in 2024, also holding the fourth spot for operating company litigation. In second for overall litigation was the District of Delaware, which was also the third most popular venue for NPES but the number-one district for operating company litigation. Meanwhile, the Western District of Texas was in third place for overall litigation, second for NPE litigation, and fifth for operating company litigation.

Top Patent Litigation Districts in 2024 (Defendants Added and Percentage of Total)



In the fourth quarter, the overall and NPE venue rankings were largely the same as for the entire year, except with the Northern District of Georgia holding fifth place for NPE litigation in Q4 (a position held by the Central District of California for the year overall).

The Eastern District of Texas, long a patent hotspot prior to the Supreme Court's 2017 *TC Heartland* venue decision, has held onto first place ever since Q2 2023, after separate developments triggered a downturn in NPE filings in both Delaware and West Texas.

– **Delaware Disclosure Debacle Depresses NPE Filings**

For the former, the triggering event was a pair of standing orders that Delaware Chief Judge Colm F. Connolly issued in April 2022 that imposed heightened requirements for the disclosure of information on corporate control and receipt of certain funding by the parties in cases before him.

Later that year, patent monetization firm [IP Edge LLC](#) found itself in Judge Connolly's crosshairs after it came to light that several plaintiffs under its control had failed to comply with those standing orders. A resulting battle over transparency ensued as Judge Connolly probed into the business model of IP Edge and its consulting arm [MAVEXAR LLC](#), which in part involved the hiring of individuals not otherwise linked to patent monetization as the nominal managers of its litigating plaintiffs. This pressured IP Edge—once the top patent litigant by volume by a wide margin—to halt its litigation altogether later that year. Other NPEs have apparently followed its lead.

In the meantime, in December 2023, Judge Connolly's investigation led him to find [wide-ranging fraud and ethical violations](#) by those involved. The [fallout from that debacle](#) continued well into 2024: In late September, one of the individuals hired to manage an IP Edge plaintiff, a Texas paralegal, failed in her

attempt to avoid a \$53K contempt fine for her refusal to testify in person before Judge Connolly, who also continued to dole out additional referrals to disciplinary bodies for the attorneys involved in the IP Edge/MAVEXAR scheme.

This past quarter, Judge Connolly's disclosure rules—and others like them—were also at the center of another dispute in the campaign waged by [VLSI Technology LLC](#), a [Fortress Investment Group LLC](#) plaintiff. In July 2024, VLSI found itself before Judge Connolly a second time, and its compliance with his standing orders once again under question, through a declaratory judgment action filed by Intel, the sole defendant in its litigation campaign, which here seeks a judgment that it holds a license to VLSI's portfolio as the result of Fortress's acquisition of [Finjan, Inc.](#) In October, Intel filed a [motion to show cause](#) why VLSI had not violated Judge Connolly's standing orders through inadequate disclosures, but in December the parties agreed to stay the case after Western District of Texas Judge Alan. D. Albright scheduled a trial on that license defense, in a parallel case, for May 2025.

Meanwhile, another court recently took the relatively rare step of, like Judge Connolly, actually enforcing rules establishing strict disclosure requirements. In a related lawsuit, filed by VLSI against third-party PTAB challenger Patent Quality Assurance (PQA) in Virginia state court and removed to the Eastern District of Virginia, District Judge M. Hannah Lauck ordered PQA to fully comply with a rule requiring LLCs to disclose their "owners or members" after PQA made a filing that fell far short of that requirement. PQA did so under seal, asking the court to bar not only the public but also VLSI from viewing the full list of its members—citing the possibility of "unjust harm" to those members, including "defamatory statements", "unjust negative press", and "economic and reputational harm". VLSI has since fired back, arguing that PQA has failed to overcome the presumption of public access—and that PQA, as the party that removed the case to this district, cannot now complain about being subject to its disclosure rules. Further details can be found [here](#).

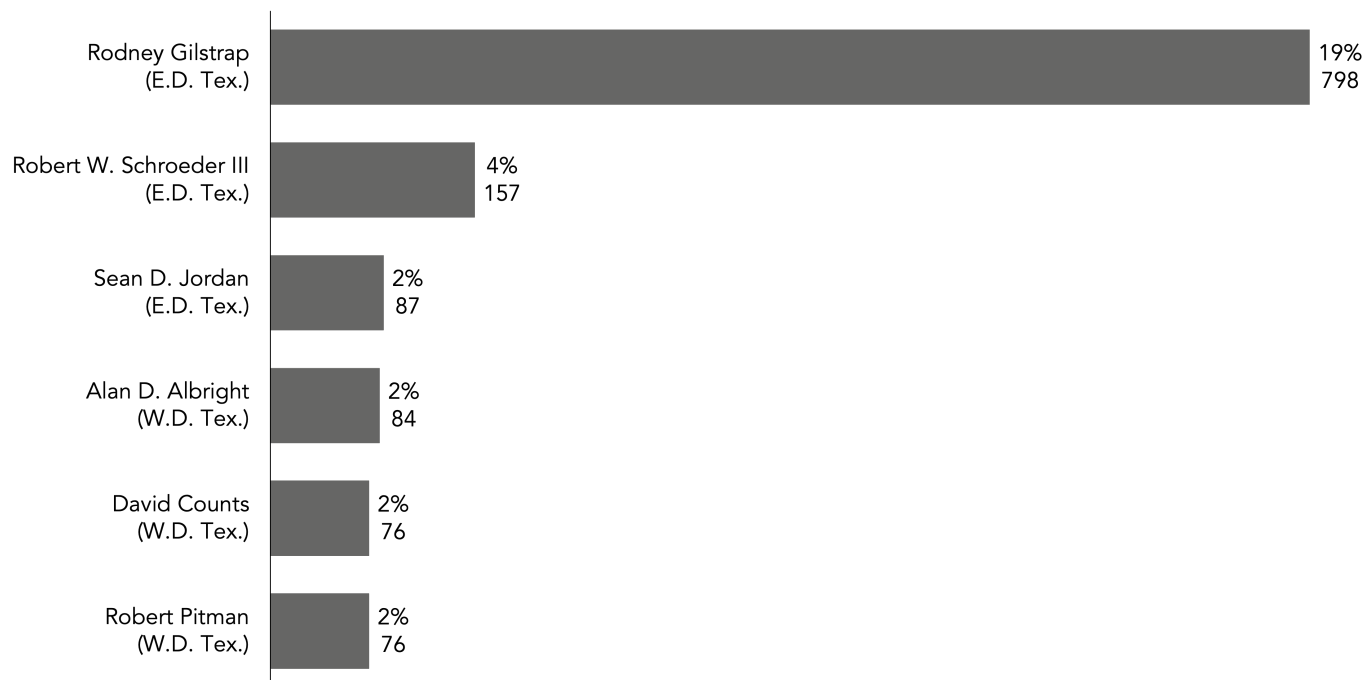
– ***West Texas Reforms Trim Judge Albright's Caseload as Another Judge Aims to Fill the Void***

The Western District of Texas has slid in the NPE rankings due to case assignment reforms that targeted the former concentration of patent litigation before Judge Albright of the Waco Division, once the nation's top patent judge. Judge Albright, a former patent litigator who openly sought to attract patent cases to his courtroom, was able to do so with remarkable success as a result of filing rules that let Western District plaintiffs direct their complaints to a specific division, allowing them to pick a specific district judge where the targeted division only has one—here, Judge Albright. The case assignment order changed this by requiring that Waco's patent cases be randomly allocated among a larger pool of judges, including Judge Albright.

While the district has adopted a policy assigning new cases in existing campaigns to the same judge who oversaw prior suits—meaning that Judge Albright still gets additional filings beyond those randomly assigned to him—the fact that Waco filings are no longer guaranteed to end up before him has undercut the district's apparent appeal to NPEs.

As a result of these changes, Judge Albright has continued to fall in the rankings of the nation's top district judges—holding fourth place for 2024, compared to second place in 2023. Since Q2 2024, he has also fallen out of the top five, and his share of the nation's patent caseload has shrunk each quarter this year—accounting for just 1% in the fourth quarter.

Top District Judges in 2024 (Defendants Added and Percentage of Total)



However, the new year could bring significant changes for Judge Albright, who in December [confirmed](#) that he will be transferring to the Austin Division to fill one of two vacancies there pending signoff from the Fifth Circuit Judicial Council, which he expects in January. Judge Albright, who practiced as a litigator in Austin, has family in the area, and serves as an adjunct professor at the University of Texas at Austin School of Law, will join District Judge Robert L. Pitman, who has been handling Austin’s patent docket on his own. Commenting on the move, Judge Albright stated that he feels “certain” that Magistrate Judge Derek Gilliland—whom he selected as Waco’s second magistrate judge in 2021 to help handle his then-voluminous caseload—will apply for the soon-to-be vacant district judgeship in Waco, stating that Judge Gilliland would be an “incredibly great person for it”.

Overtaking Judge Albright in the third and fourth quarter, vaulting into third place for Q4, and tying with Judge Pitman for fifth place for the whole year was Western District of Texas Judge David Counts of the Midland-Odessa Division. The reason for Judge Counts’s rise in the rankings, after seeing virtually no patent cases before the Waco case assignment order was imposed, is twofold. First, Judge Counts, also a former patent litigator, notably adopted a patent standing order based in large part on Judge Albright’s, just one week after the Waco order took effect. Second, Judge Counts is the only district judge in Midland-Odessa, which is not currently subject to any patent case reassignment rules like those in Waco.

This means that plaintiffs have been able to target his courtroom, guaranteeing that their cases will be subject to a familiar set of rules, in the same manner that they previously did for Judge Albright. Indeed, Judge Counts’s caseload doubled compared to last year, accounting for 76 defendants added to patent campaigns in 2024. Nearly all of that litigation (95%) was filed by NPEs, around three quarters of which were represented by prolific plaintiff-side firm Ramey LLP.

That said, the approach that Judge Counts will take for certain key issues is not yet clear. For instance, he has not yet granted any contested motions to stay pending *inter partes* review, which Judge Albright was known for rarely granting; nor any contested motions to transfer, for which Judge Albright has famously adopted a rather restrictive posture (leading to various tangles with the Federal Circuit).

– **Chief Judge Gilstrap to Pass the Torch**

Meanwhile, unsurprisingly, the top patent judge for Q4 and 2024 was Eastern District of Texas Chief Judge Rodney Gilstrap, whose seven-year term as chief judge will end on March 1, 2025. Taking the mantle will be District Judge Amos L. Mazzant III, who like Chief Judge Gilstrap was appointed to the bench by President Barack Obama.

Judge Mazzant has [stated](#) that he has no plans to change the court's current case assignment practices, as the Western District of Texas did to undercut Judge Albright's patent docket. Relatedly, Judge Mazzant has also said that he does not intend to take active measures to encourage the filing of more patent litigation in the Eastern District akin to the outreach by Judge Albright that contributed to that earlier surge of patent suits into his courtroom (though of course, East Texas's place high atop the venue charts would suggest such outreach is unnecessary). Judge Mazzant has additionally weighed in on the debate over heightened disclosure requirements in some courts, most notably those imposed by Judge Connolly, the incoming chief judge remarking that despite the "differing views" on this issue throughout the country, he believes that "forced disclosure shouldn't happen".

Market Sector Update: NPE Litigation Targeting Networking Products Jumps in 2024

In 2024, the market sector that saw the most substantial increase in NPE litigation was Networking, which went up by 88% compared to the year before. Other sectors that went up significantly last year were Financial Services (which went up by 81%), Automotive (up by 76%), and Media Content and Distribution (33%).

NPE Litigation by Market Sector, 2023-2024 (Percent Change, Defendants Added)

		2023	2024
Automotive		45	79
Biotech and Pharma	-59%	17	7
Consumer Electronics and PCs	-17%	310	256
Consumer Products	-11%	73	65
E-Commerce and Software	26%	426	536
Financial Services	81%	113	205
Industrial	18%	33	39
Media Content and Distribution	33%	57	76
Medical	14%	29	33
Mobile Communications and Devices	-30%	145	101
Networking	88%	204	383
Other Sectors	36%	36	49
Semiconductors	-8%	65	60

Much of that 2024 upswing in this sector came in the fourth quarter, including activity from a variety of different NPE plaintiffs. Among them were several NPEs controlled by prominent patent monetization firms and licensors, all filing litigation over various wireless networking technologies. In early October, [Dominion Harbor Enterprises, LLC](#) plaintiff [Sovereign Peak Ventures, LLC](#) filed a [new case](#) over Wi-Fi access points and routers in its ongoing wireless communications campaign, in which a large portfolio of patents originating with a prominent operating company are at issue. Also targeting various Wi-Fi products was [Intellectual Ventures LLC](#), which tagged two airlines over the provision of in-flight Wi-Fi networks in early November; [USTA Technology, LLC](#), a plaintiff linked to California monetization firm [Oso IP, LLC](#), which [added a complaint](#) focusing on modems, routers, and smartphones with 802.11ac support in late October; and [Encryptawave Technologies LLC](#), which is controlled by a firm managed by an IP industry veteran and aimed a [pair of late November complaints](#) against Wi-Fi products with WPA2 encryption. Later that month, [Acacia Research Corporation](#) also trained its sights on access points, routers, and other networking products—here focusing on the support of ZigBee mesh networking—in a [new complaint](#) filed by plaintiff [Stingray IP Solutions, LLC](#), which launched its campaign in 2021.

Also joining the fray in Q4 were plaintiffs associated with notable individuals active in the patent assertion space. One was [Nodal Technologies LLC](#), an entity linked to a patent monetization professional behind a growing number of NPE plaintiffs, which expanded an ongoing cellular networking campaign with a [mid-December suit](#) targeting cellular base stations. Moreover, [Touchpoint Projection Innovations LLC](#), a plaintiff tied to a former inventor who in recent years has shifted to the assertion of patents acquired from others, opened up a [second campaign](#) in late November focusing on cybersecurity products with remote browser isolation functionality.

Several inventor-controlled plaintiffs also tagged the Networking sector in Q4—including [XiFi Networks R&D, Inc.](#), which launched a [Wi-Fi 7 campaign](#) in late December; [VPN Technology Holdings, LLC](#), which [kicked off](#) a campaign targeting networking software platforms with VPN support in October and added a [new complaint](#) in December; and [Swarm Technology, LLC](#), which in mid-December [filed](#) a new

complaint targeting cloud platforms that utilize certain network management solutions, along with related networking hardware, in an ongoing campaign.

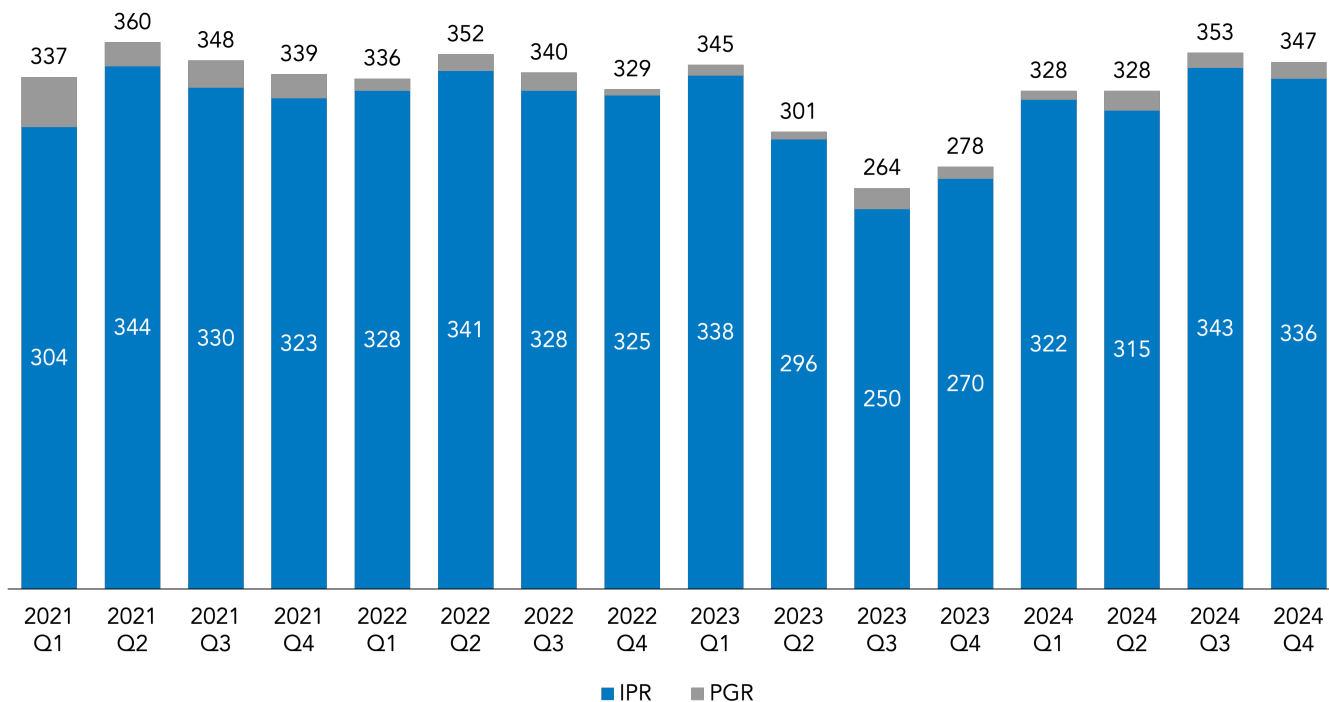
Additionally, [Quicker Connections LLC](#)—which is part of a growing web of plaintiffs with backing from the same litigation funder—[initiated a campaign](#) targeting high-speed networking products in late December. Quicker Connections is also the latest in a series of NPEs that have asserted patents originating with defunct networking equipment supplier Orckit (later Orckit-Corrigent).

PTAB Update: Leadership Changes Cast Uncertainty over Reforms as *NHK-Fintiv* Appeal Continues

The Patent Trial and Appeal Board (PTAB) saw 1,357 petitions for America Invents Act (AIA) review in 2024, including 1,316 petitions for *inter partes* review (IPR) and 41 petitions for post-grant review (PGR). Total filings were 14.2% higher than in 2023, which saw 1,188 petitions.

In the fourth quarter, 347 petitions for AIA review were filed with the PTAB, including 336 IPR petitions and 11 PGR petitions. Filings in Q4 were 24.8% higher than Q4 last year (when 278 petitions were filed) and essentially flat compared to Q3 2024 (which saw 353 petitions).

AIA Review Petitions Filed



That uptick in AIA review filings comes as the PTAB once again faces headwinds of change in the new year, chiefly as a result of the resignation of USPTO Director Kathi Vidal in the wake of the 2024 presidential election.

Among the most notable developments under Vidal’s leadership was a rehaul of the mechanisms for reviewing certain PTAB decisions and making policy determinations. Vidal’s predecessor, Andrei Iancu, created a body called the Precedential Opinion Panel that had been tasked with deciding matters of “exceptional importance” but lacked the power to correct errors by PTAB panels. Vidal replaced this body with the Delegated Review Panel, an “independent panel” to which the director may delegate the review of PTAB decisions for various reasons, including legal and factual errors. With much of that error correction function having previously falling to the director herself, under her post-*Arthrex* review power, this new structure enabled Vidal to use that authority to focus more on matters of greater policy significance.

One of Vidal’s most prominent uses of that power was to issue a series of evolving sanctions rulings in response to gamesmanship by two third-party PTAB petitioners, OpenSky Industries and Patent Quality Assurance (PQA), in IPRs against [VLSI Technology LLC](#), a [Fortress Investment Group LLC](#) plaintiff. The director ultimately allowed OpenSky and PQA to participate only as silent understudies, with VLSI defendant Intel stepping in as lead petitioner, and ordered OpenSky, but not PQA, to pay attorney fees to the patent owner.

VLSI's appeal of that IPR, previously stayed pending the outcome of Vidal's director review decisions, resumed in 2024, the company filing its opening brief—challenging the decision not to dismiss the IPR altogether, the sufficiency of Vidal's sanction order, the joinder of Intel, and the underlying merits decision—in October. Meanwhile, in February 2024, VLSI sued PQA and Joseph Uradnik, an individual acting as its "authorized representative", in a Virginia state court action that seeks \$3.2M in attorney fees stemming from their alleged actions. That case, since removed to the Eastern District of Virginia, has since become [bogged down](#) in issues stemming from PQA's attempts to resist disclosing information about its ownership and control.

Vidal's tenure was also notable for her pursuit of PTAB reforms, at first doing so by issuing interim guidance and later shifting to notice-and-comment rulemaking. Perhaps the most controversial of these initiatives were her efforts to rethink the PTAB's practice of discretionarily denying institution under *NHK-Fintiv*—a rule first adopted under Iancu that has garnered criticism from frequent defendants for tying the outcome of PTAB petitions to factors that are outside of their control, especially the date when a district court has scheduled a trial in parallel litigation. In April 2023, the USPTO released a sweeping rulemaking proposal that would have codified *NHK-Fintiv* as well as imposed a standing requirement for PTAB proceedings, among a variety of other proposals. Following extensive feedback, the agency then released a scaled-back proposal in April 2024 that lays out potential rules concerning "serial" and "parallel" petitions as well as validity arguments previously addressed by the USPTO, also creating a separate briefing process for discretionary denials and requiring the filing of pre-institution settlement agreements.

A final rule based on this latest proposal, for which public comments were accepted into June, has not yet been issued. Additionally, as noted in the [Policy Update](#) section below, some of the more sweeping changes from the 2023 rules package have been included in a legislative proposal that [gained traction](#) in the fourth quarter.

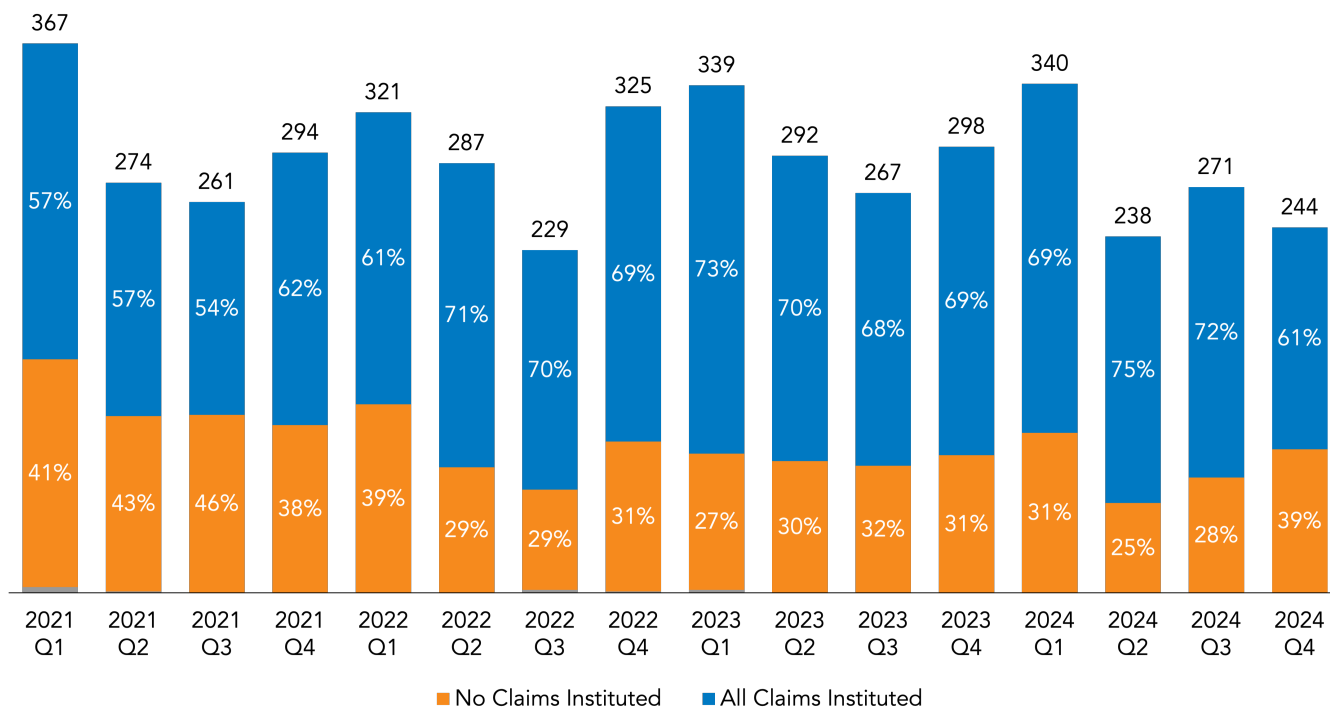
In the meantime, the USPTO still faces an ongoing legal challenge against the *NHK-Fintiv* rule, which was filed by a series of tech companies in late 2021 and is currently on appeal before the Federal Circuit for the second time. The parties and various *amici* have sparred over the remaining question in that appeal: whether, as the defendants contend, *NHK-Fintiv* is invalid because it was not implemented via notice-and-comment rulemaking under the Administrative Procedure Act (APA). Judge Davila dismissed that claim on remand in April 2024, and now the plaintiff-appellants have pushed back in their opening brief on appeal—arguing that the lower court was wrong to conclude that *NHK-Fintiv* is not a "substantive" rule that is therefore not subject to the APA's rulemaking requirement. Vidal responded in a brief filed by the USPTO on October 16, contending that *NHK-Fintiv* is instead a general statement of policy describing how the agency plans to utilize a discretionary power, and that it is not a legislative rule subject to APA rulemaking because the *NHK-Fintiv* factors "do not alter legal rights or obligations" or "bind private parties" and instead bind only agency employees.

Notably, one of the *amicus* briefs in support of the plaintiff-appellants—filed by Unified Patents and Zero Motorcycles—seeks to leverage the Supreme Court's June 2024 ruling in *Loper Bright Enterprises v. Raimondo*, which [ended the longstanding Chevron doctrine](#) that previously required courts to defer to agencies' interpretation of certain statutes. Here, the *amici* argue that the USPTO has misinterpreted the intent of Congress through *NHK-Fintiv* and that under *Loper Bright*, judicial scrutiny is therefore "not merely justified, it is required".

– **Institution Rates Decline in 2024 and Q4**

Against this backdrop of uncertainty, the AIA review institution rate was 69% in 2024, a slight dip from the year prior (70%). The institution rate in Q4 alone was 61%, down from 69% in that same quarter last year.

AIA Review Institution Rates

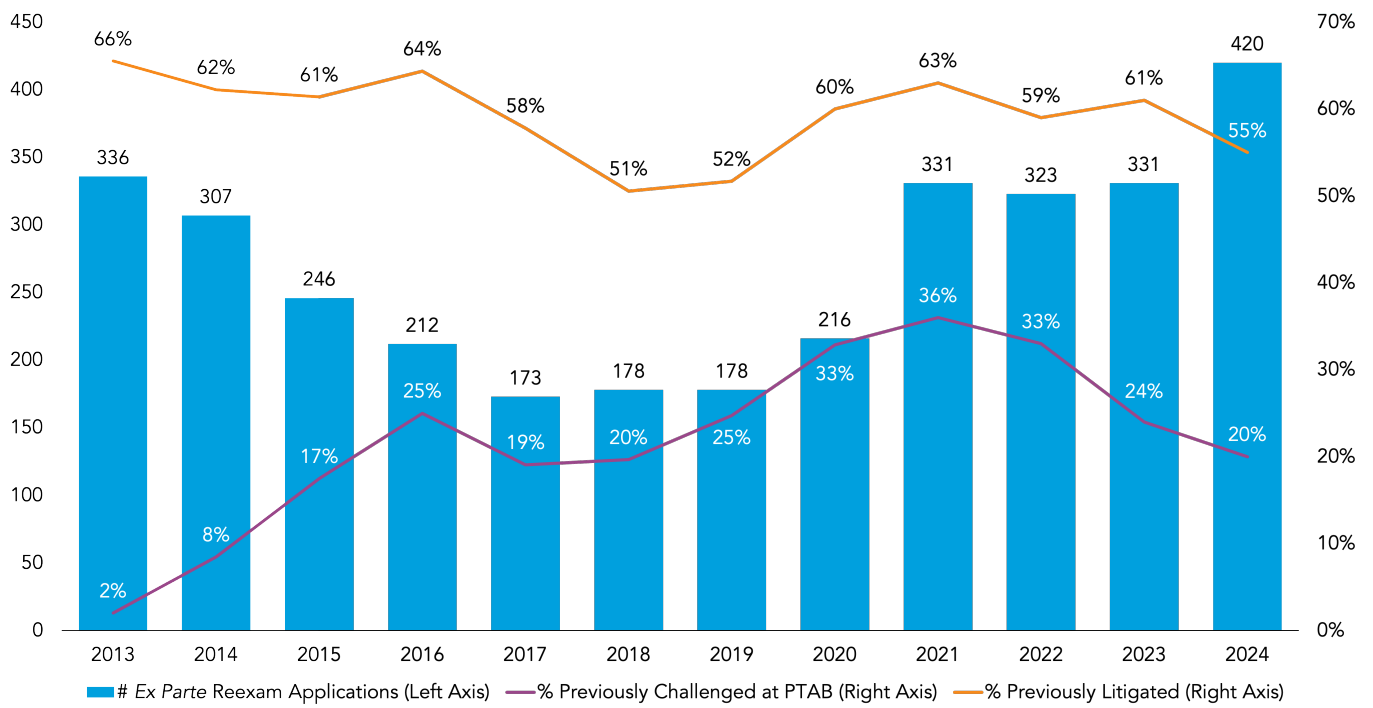


– Reexams Surge in 2024

Another result of the cloud of uncertainty surrounding *NHK-Fintiv* is that frequent defendants seeking to challenge validity have increasingly relied upon *ex parte* reexaminations, which among other advantages are not subject to discretionary denials to the same extent.

The number of requests for *ex parte* reexam went up by 21% in 2020 and then by 53% in 2021. While reexam filings then held steady at roughly 330 requests per year in 2022 and 2023, they climbed substantially in 2024—increasing by 27%. The share of patents with reexam requests that have also been challenged at the PTAB continues to fall, reaching just 20% in 2024—further indicating a shift away from IPR. In addition, 55% of patents with reexam requests have also been litigated in district court, though this marks a drop from 2023 (when that overlap was 61%).

Ex Parte Reexam Filings and the Share of Challenged Patents with Prior Litigation and PTAB Reviews

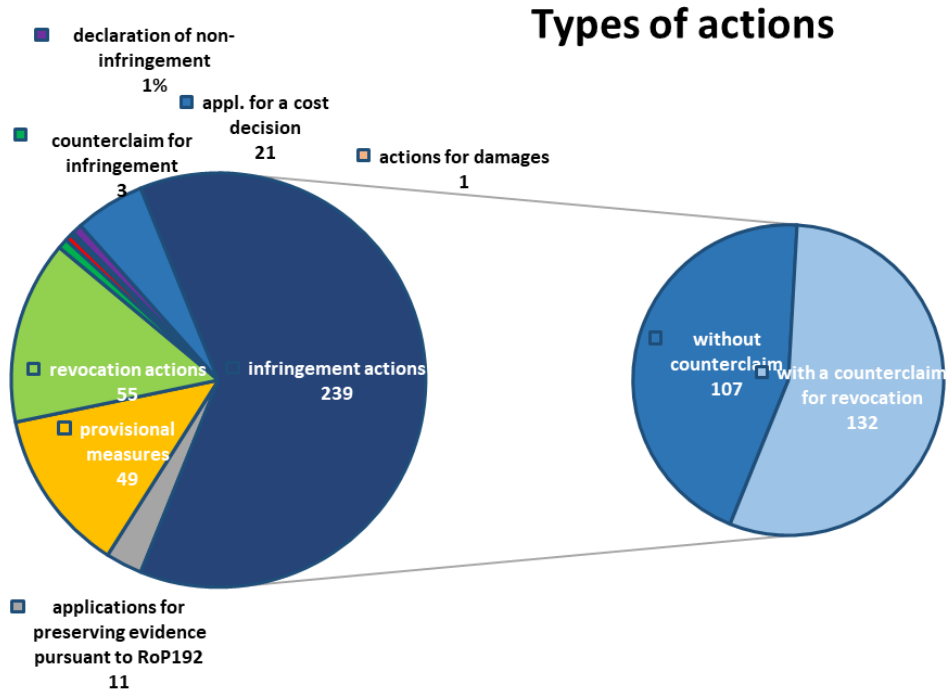


Note: Data as of January 13, 2025. Due to the delayed availability of filing dates and related data from the USPTO, this analysis is subject to change.

UPC Update: Caseload Data, NPE Activity, SEP Decisions, and Other Substantive Rulings

- UPC Filings at 18 Months

On January 6, 2025, the EU’s Unified Patent Court (UPC) [released](#) the latest caseload data since its inception, reporting the receipt of 635 cases since June 1, 2023 through January 1, 2025, of which 239 were identified as patent infringement actions.



Caseload Breakdown for UPC Court of First Instance

	Infringement	Counterclaim for revocation	Revocation	Counterclaim for infringement	Appl. for provisional measures	Appl. for preserving evidence	Appl. for Order for inspection	Request for damages	Declaration of noninfringement	Appl. for a cost decision
Paris CD	1	4	40	2					1	4
Paris LD	14	17				3			1	
Munich CD		1	8							
Munich LD	81	107			19	1			1	7
Milan CD	1		7	1	1					
Milan LD	13	6			4	3	1			1
Düsseldorf	51	41			9		1			5
Mannheim	32	38			1					
Hamburg	20	17			7			1		
Nordic-Baltic RD	7	12			1	1				1
The Hague	12	7			3	1				2
Brussels	2	1			1	1				
Helsinki	1									
Copenhagen	2				1	1				
Lisbon	1				1					1
Ljubljana										
Vienna	1				1					
Total	239	251	55	3	49	11	2	1	3	21

Source: The data and images above were extracted from the UPC’s January 6, 2025 [report](#) “Case load of the Court since start of operation in June 2023 update by January 1 2025”.

UPC data indicate that Germany’s four local divisions continue to see the most infringement filings, with the Munich Local Division still receiving the majority of those cases. This is likely the result of lingering uncertainty around the UPC’s approach to SEPs and FRAND issues, as gaps in case law at the UPC are expected, for the most part, to be filled by national law in participating EU member states. Thus, patent holders have continued to flock to UPC local divisions located in countries that they view as favorable to their position—Germany in particular.

The UPC also reports that English—which is a language option available in all divisions of the Court of Instance (CFI) as well as the Court of Appeal—remains the predominant language of CFI proceedings, at 53%, followed by German at 39%.

– **NPE Activity at the UPC**

Access to UPC pleadings remains frustratingly limited at this time, with third parties/members of the public still generally barred from gaining access to court documents without qualified legal representation. Moreover, it can take weeks for the existence of a new UPC infringement action filed to become a matter of public record.

RPX invests considerable efforts towards making UPC data available to RPX members in a timely manner, with subject matter experts also mining public records for notable background on the plaintiffs, including litigation financing.

The fourth quarter of 2024 saw new UPC infringement actions from several known NPEs, including [Adeia Inc.](#) (which in addition to filing at the UPC, has initiated concurrent litigation in the US and Germany against Disney (BAMTech, ESPN, Hulu)); [Advanced Standard Communication LLC](#) (a Delaware NPE that RPX has tied to a prominent US litigation funder, and which sued Xiaomi at the UPC); and [Fingon LLC](#) (a Texas NPE with apparent funding, this one suing Samsung at the UPC).

Substantive UPC Caselaw in 2024: Injunctive Relief, Opt-Outs, Injunctive Relief—and SEP Licensing

Throughout 2024 and Q4, the UPC continued to issue substantive rulings on a variety of key issues, including its first FRAND judgments—in the process underscoring the court’s advantages for both patent plaintiffs and defendants, and why it has played an increasingly prominent role in multijurisdictional patent disputes.

– **Preliminary Injunctions: UPC Confirms Applicable Standards, Affirms First Ex Parte PI**

One issue that has become especially well developed since the UPC’s inception is that of preliminary injunctions (PIs), which are a potent tool for plaintiffs due to the UPC’s geographic reach, due to the speed at which PIs can be obtained, and due to the court’s willingness to grant them on an *ex parte* basis (*i.e.*, without notice to or a hearing with the defendant). The court has granted around 40-50% of the PI requests decided so far (see [here](#) and [here](#)), following what *JUVE Patents* has called a “well-balanced approach”; law firm Pinsent Masons has also [stated](#) that no “clear trend . . . has yet emerged” among those decisions.

That said, the UPC has answered some key questions about its handling of PIs, in particular with respect to patent validity. UPC rules establish that the court may consider validity for a PI but do not otherwise lay out any requirements for that analysis, leading some to initially wonder whether the court would set a low bar for preliminary assessments—particularly in light of EU caselaw establishing a presumption of validity for European patents. That has not been the case, however. In February 2024, the Court of Appeal [confirmed](#) in *10x Genomics v. Nanostring* that a PI applicant must demonstrate validity with “sufficient certainty”, meaning that the patent is more likely valid than not for it to be eligible for a PI.

Other local divisions have clarified that the UPC must not only make its own early assessment as to validity, but must additionally consider whether the EPO is also likely to invalidate the patent ([Amgen v. Alexion](#), Hamburg Local Division); and have held that the court can weigh the amount of prior art as well as whether the USPTO granted a largely identical related patent ([Cardo Systems v. Asmax et al.](#), Milan Local Division). Late last year, the Düsseldorf Local Division additionally determined that a patent does not need to have undergone adversarial validity proceedings to be PI-eligible ([Ortovox v. Mammüt](#)). The Court of Appeal [upheld](#) that decision in late September 2024, also marking the first time that the UPC has addressed (and affirmed) an *ex parte* PI on appeal.

That said, some uncertainties remain—for instance, with respect to whether patent owners can amend patent claims during PI proceedings, an issue for which a split has developed among certain local divisions.

- **Decisions Set Forth Standards for Claim Construction, Inventive Step**

Throughout 2024, the UPC also continued to flesh out its caselaw on a variety of other substantive issues. Among them was claim construction, with the Court of Appeal confirming that patent claims determine scope at the UPC, the same as national courts ([10x Genomics v. NanoString](#)). The Paris Local Division also charted a different course from the EPO on the “inventive step” requirement (“nonobviousness” in US parlance), adopting an approach focused on whether a skilled artisan would “arrive[]” at the invention based on a review of prior art rather than the EPO’s “problem/solution” requirement ([Meril Italy v. Edwards](#)). In Q4, the Hague Local Division issued the UPC’s first decision applying a doctrine of equivalents, this one apparently identical to the standard used in Dutch courts. As with other local division rulings of first impression, it may take an appellate decision by the Court of Appeal before some of these standards are adopted across the UPC.

- **Opt-Out Decision Broadens Risk Landscape**

One of the most impactful developments this past year was a landmark Court of Appeal decision related to the UPC’s opt-out system, which lets patent owners remove certain European patents from the court’s jurisdiction in order to protect them from revocation claims (since otherwise, such patents can be invalidated for all covered UPC member states in single action). While UPC rules allow patent owners to withdraw opt-outs under certain circumstances, they cannot do so after filing national litigation over those assets. Early caselaw interpreted this prohibition more broadly, to include cases filed in national courts before the UPC’s June 2023 launch. However, the Court of Appeal [held otherwise](#) in *AIM Sport Development v. Supponor*—ruling in November that UPC rules do not bar the withdrawal of an opt-out when the national litigation in question was filed before the court began its operations. Stakeholders have observed that this decision could make a considerable number of patents newly eligible for assertion before the UPC, thereby increasing potential risk for defendants.

- **Final Judgments: Permanent Injunctions and Invalidity Pitfalls**

The UPC issued its first merits decision and granted its first-ever permanent injunction in July 2024. Since then, the court’s merits decisions have found both infringement and validity about 60% of the time, [reports](#) law firm Bird & Bird, in each case also issuing a permanent injunction. The court has also shown a “flexible approach” to such relief, [adds](#) law firm Pinsent Masons, in some instances carving out certain accused products from the injunction issued. Notably, no defendant has yet convinced the court to withhold an injunction, per Bird & Bird.

The potential geographic scope of permanent injunctions at the UPC is a key advantage for patent plaintiffs. However, defendants also have the ability to pursue equally sweeping revocation (or invalidity) claims, so plaintiffs risk losing key assets when asserting them at the UPC. Indeed, the court has [reportedly](#) invalidated around four out of ten patents, including all actions involving revocation claims.

A particularly stark [example of these pitfalls](#) can be found in one of the UPC’s first cases, filed against NanoString Technologies by 10x Genomics and the [President and Fellows of Harvard College](#) (Harvard), in which the Munich Local Division issued the UPC’s first-ever PI—barring two of the defendant’s flagship RNA detection products from sale in all 17 countries then participating in the UPC. That PI and a related US jury verdict prompted the defendant to declare bankruptcy. However, the tables later turned in the defendant’s favor: The UPC Court of Appeal subsequently overturned that PI due to concerns over the patent’s validity, and in October 2024, the Munich Central Division revoked the second of the two patents-in-suit.

– **First FRAND Decisions and Jurisdictional Pushback**

Also among the most significant UPC rulings this year were the court's first two merits decisions dealing with fair, reasonable, and nondiscriminatory (FRAND) licensing issues—demonstrating the court's growing importance as a standard essential patent (SEP) venue.

The UPC's [first FRAND decision](#) came on November 22, the court's Mannheim Local Division (Mannheim LD) issuing an infringement ruling and imposing an injunction in litigation filed by SEP owner Panasonic against implementer Oppo. The decision confirmed that the UPC has jurisdiction over FRAND counterclaims and took a deep dive into the proper application of *Huawei v. ZTE*, the seminal 2015 decision from the Court of Justice of the European Union (CJEU) that laid out guidelines for SEP licensing negotiations. On multiple key points, including *Huawei* steps concerning the patent owner's infringement notice (step one) and the implementer's statement of willingness to take a FRAND license (step two), the Mannheim LD diverged from positions taken by the European Commission, which in April pushed for a more rigid application of *Huawei* in an *amicus* brief filed in an unrelated German national court appeal. The court's [second FRAND decision](#), issued by the Munich Local Division (Munich LD) on December 18, imposed an injunction against implementer NETGEAR for SEP patent) owner Huawei over certain Wi-Fi 6 routers. The judgment adopted largely the same positions on SEP licensing principles as the Mannheim LD's November decision, also providing additional clarity on the *Huawei* steps addressing the patent owner's written offer (step three) and the defendant's counteroffer (step four).

The *Huawei v. NETGEAR* decision landed amidst a jurisdictional battle that saw the UPC also face one of its first motions for an anti-suit injunction (ASI). Shortly before the Munich LD issued its judgment in that case, in early December, NETGEAR asked a US court to bar Huawei from enforcing that injunction, prompting Huawei to ask the Munich LD for an anti-anti-suit injunction (AASI) to bar the US ASI and thus protect the UPC's jurisdiction over the case. On December 11, the Munich did just that, [issuing an AASI](#) barring NETGEAR from litigating that motion any further—doing so *ex parte* (without notice to, or a hearing with NETGEAR).

See below for discussion of another development impacting ASIs.

FRAND Update: US Lowers ASI Threshold, Germany Revisits SEP Approach, and China Issues SEP Policy

The fourth quarter was especially impactful for standard essential patent (SEP) litigation. In addition to the UPC's first-ever judgments addressing fair, reasonable, and nondiscriminatory (FRAND) licensing claims, discussed further above, some of the world's other top SEP venues also saw important new developments in Q4.

– **US: Federal Circuit Loosens Threshold for ASI Motions**

One such development came in the US, where the Federal Circuit issued a precedential decision that could make it easier for US litigants to file motions for anti-suit injunctions (ASIs). An ASI is a defensive tool used in some multijurisdictional SEP disputes that asks a court in one country to bar an opposing party from pursuing claims in another jurisdiction, or to bar the enforcement of decisions from the foreign court.

In [Ericsson v. Lenovo](#), the Federal Circuit held that the threshold requirement for an ASI motion that a domestic case must be “dispositive” of a foreign action is satisfied when an ASI would merely resolve a foreign injunction and not the entire foreign proceeding. Moreover, the court found that under the applicable FRAND commitment in that case—here concerning 5G cellular patents and made to the European Telecommunications Standards Institute (ETSI), a standard-setting organization (SSO) based in France—a patent owner must at least comply with its FRAND obligation to negotiate in good faith in order to seek an injunction.

– **US: ITC Staff Attorney Brief Endorses Injunctive Relief in SEP Investigations**

Another notable development came in a related action before the International Trade Commission (ITC), where the same parties have sparred over whether an exclusion order—an order barring the import of infringing products, which is the only remedy for a violation in an ITC Section 337 investigation—may issue in a SEP case.

This is a question that has been debated for more than a decade: In 2013, the Obama administration vetoed an exclusion order against Apple over a Samsung patent declared essential to the 3G standard, citing its recently adopted SEP policy statement establishing that it may be “inconsistent with the public interest” for a SEP owner to seek injunctive relief. The Trump administration withdrew that policy statement in 2019 and replaced it with another that pushed for the availability of injunctions in SEP disputes. The Biden administration then withdrew the 2019 statement with no replacement—in favor of a case-by-case enforcement approach—in 2021. During this period, the ITC did not issue exclusion orders in any other cases involving SEPs, either because the ITC found against the patent owner on infringement and/or validity (in ITC investigations requested by Philips, Netlist, and [INVT SPE LLC](#)) or settled before the Commission addressed any FRAND issues (as occurred for a recent investigation filed by Ericsson against Apple).

This could change as the result of a filing by the Office of Unfair Import Investigations (OUII), commonly referred to as the ITC Staff Attorney, in one of the ITC actions brought by Ericsson against Lenovo. In September, the OUII, which participates in ITC investigations as a party representing the public's interest, issued a nonbinding recommendation that the ITC issue an exclusion order, as Ericsson appeared to have complied with its FRAND obligation by negotiating in good faith, had not been shown to have “engaged in hold-up”, and because no showing had been made that an injunction would adversely affect the public interest.

As the year drew to a close, Administrative Law Judge (ALJ) MaryJoan McNamara issued a final initial determination (FID) that found a violation of Section 337 in that investigation. However, ALJ McNamara took the somewhat unusual step of extending the due date of her determination on the proper

remedy—including with respect to an exclusion order, bond, and the public interest—until February 21, 2025. On the other hand, in another ITC SEP investigation, this one filed by Nokia against Amazon, ALJ Cameron Elliot issued an FID on December 20 that both found a violation and recommended an exclusion order.

It is far from certain that the ITC will ultimately issue an exclusion order in either of those SEP actions: Even if the ALJs in those cases follow the recommendation of the Staff Attorney, both FIDs must then be reviewed by the full Commission, after which the US Trade Representative has 60 days in which to decide whether to veto on behalf of the president. This, too, presents additional uncertainty given the impending presidential transition, as it is not yet clear what approach the second Trump administration may take on injunctive relief in SEP disputes.

Also significant is the fact that the OUII brief has been relied upon by the UK High Court in another case between Ericsson and Lenovo. In a November 19 [decision](#) denying the defendant's motion for an interim license, Justice Jonathan Richards cited as persuasive the Staff Attorney's conclusions on the "FRANDness" of the parties' offers, finding that he otherwise had "no basis" to reach a different determination based on the evidence before him.

– **Germany: Appeals Court Proposes Controversial Approach to SEP Cases**

Meanwhile, the approach to FRAND disputes in Germany is under renewed scrutiny as a result of developments this year in a closely watched appeal of a SEP judgment for [VoiceAge EVS GmbH & Co. KG](#), a [Fortress Investment Group LLC](#) plaintiff, against HMD. German courts currently follow the approach laid out by the Federal Court of Justice's two landmark decisions in *Sisvel v. Haier* (*Sisvel I*, 2020; and *Sisvel II*, 2021), under which both SEP owners and implementers must show their willingness to arrive at a FRAND license under the Court of Justice of the European Union's *Huawei v. ZTE* opinion. However, under *Sisvel*, courts have ruled that parties may later remedy non-compliance with the negotiation steps laid out by *Huawei*, essentially allowing their application out of order. *Sisvel* also imposes stringent requirements on implementers hoping to make a showing of willfulness, mandating that they "clearly and unambiguously" demonstrate their willingness consistently and continuously throughout negotiations. As a result, per [JUVE Patent](#), the implementer is "almost always considered unwilling", especially in the Munich Regional Court (reportedly the busiest German court, and the one from which the present appeal originated).

Against this backdrop, the European Commission took the rare step of filing an *amicus* brief in that appeal this past April, arguing that the less rigid application of *Huawei* followed by German courts since *Sisvel* does not comply with EU law. In particular, the Commission's brief argued that allowing parties to satisfy the steps out of order would undermine the balance of interests established by *Huawei* by incentivizing patent owners to immediately seek injunctions and implementers to allege abuse of dominance without negotiating. As such, the Commission asserted that the steps must be followed in strict sequence.

In late October, the Munich Higher Regional Court reportedly [acknowledged](#) certain fundamental problems with post-*Sisvel* caselaw at a hearing in this appeal. To that end, on the eve of the hearing, the court took the unexpected step of issuing a preliminary opinion that has reportedly [proposed](#) a new approach. Most notably (and controversially), the court has suggested for the fifth step of *Huawei*—under which a willing licensee must provide an adequate security after rejecting the SEP owner's counteroffer—that it would require an implementer to present a security equal to the royalty amount of that last offer for this step to be satisfied. The payment of this security would be [required](#) for the implementer to show "continuing willingness to take a license" (see [here](#)). Moreover, if the implementer fails to provide such a security, the court would not proceed to an evaluation of whether the patent owner's offer was FRAND (see [here](#)).

Both parties [reportedly](#) expressed concerns about this approach at the hearing. The defendant argued that this could encourage patent owners to make outsized demands, banking on the implementer's

inability to provide a commensurately large deposit, and warned that this problem would be compounded if multiple members of a pool each filed litigation and made supra-FRAND demands. The plaintiff, for its part, countered that this system could incentivize implementers to decline an otherwise FRAND offer and pay a deposit to delay a dispute's resolution.

– **China Details New SEP Antitrust Policy**

SEP licensing practices were also in the spotlight in China this past year. In June 2024, Chinese antitrust authorities launched an unprecedented inquiry into the business model of patent pool administrator [Avanci LLC](#): As [noted](#) by RPX, the Anti-Monopoly Division of China's State Administration for Market Regulation (SAMR) formally "reminded" Avanci about "monopoly risks in the licensing process of essential patents for automotive wireless communication standards".

In November, SAMR then issued a final set of [antitrust guidelines for SEP licensing](#), stating that one of its goals is "balancing the interests of standard essential patent owners and standard implementers" while promoting competition. The guidelines include language specific to patent pools, explaining that while pools can "reduce transaction costs" and "improve efficiency", they can also be used to exert monopoly power and reduce competition, giving various examples of such situations—including the exchange of sensitive information related to competition and restrictions on bilateral licensing. More broadly, as [observed](#) by law firm King & Wood Mallesons, the guidelines emphasize an *ex ante* system of supervision and enforcement where SEP owners are encouraged to proactively/preemptively work with authorities to address potential compliance issues. The guidelines also detail the conduct that SEP owners should follow to ensure antitrust compliance, including during the standardization process and subsequent licensing negotiations; and outline good practices for SEP negotiations, akin to those from the CJEU's *Huawei* test.

Policy Update: PREVAIL Advances, PERA Stalls, and TPLF Continues to Draw Ire

In November, the Senate Judiciary Committee voted to advance the Promoting and Respecting Economically Vital American Innovation Leadership Act ([PREVAIL Act](#)), a legislative effort that, if passed into law, could bring about sweeping changes to Patent Trial and Appeal Board (PTAB) proceedings.

Introduced in 2023 by Senator Christopher Coons (D-DE), and co-sponsored by Senators Thom Tillis (R-NC), Richard Durbin (D-IL), and Mazie Hirono (D-HI), the PREVAIL Act is being presented as a bi-partisan bill meant to “invest in” and “protect the property rights” of US inventors.

While the PREVAIL Act will likely be marked up and amended multiple times as it goes to the Senate floor and then into the House, a [press release](#) issued in August 2023 laid out the overarching changes the bill seeks to make:

- *Require standing for PTAB challengers and limit repeated petitions challenging the same patent;*
- *Harmonize PTAB claim construction and burden of proof with federal district court;*
- *End duplicative patent challenges by requiring a party to choose between making its validity challenges before the PTAB or in district court; and*
- *Increase transparency by prohibiting the USPTO director from influencing PTAB panel decisions.*

The vote held on November 21 was tight (11-10) and took some by surprise, given that a week earlier, Senator Coons had signaled that consideration of the PREVAIL Act and also the Patent Eligibility Restoration Act ([PERA](#)) would be delayed, in part due to an amendment by Senator Ted Cruz (R-TX) and a manager’s amendment to address concerns from Senators Richard Blumenthal (D-CT), Amy Klobuchar (D-MN), and Peter Welch (D-VT).

RPX members interested in a closer look at the PREVAIL Act can access additional RPX reporting [here](#). Meanwhile, PERA—introduced to the Senate in 2023 by Sens. Tillis and Coons, and meant to amend the law relating to patent subject matter eligibility—remains stalled as of the publication date of this post, with Senator Tillis withdrawing the bill from consideration in November, apparently out of concern for ongoing efforts to “undermine” the progress of PERA (some form of which has been in the works for nearly a decade now).

Also in Q4, the Government Accountability Office (GAO), which provides nonpartisan research to Congress, [released](#) another study on third-party litigation funding (TPLF), this time focusing more closely on the financing of patent suits. Given that RPX members have exclusive access to a robust database of TPLF relationships (*i.e.*, a database of more than 275 relationships between patent holders and specific litigation funders, all corroborated by publicly available data) and associated research and analyses, this report is unlikely to provide any new strategic intelligence to that group. However, the GAO’s report does reflect interviews of “patent litigation funders, large technology companies, research universities, law firms, district court judges, mediators, individual inventors, and other industry stakeholders”, offering a snapshot of evolving attitudes towards the practice and disclosure of litigation funding in the US patent space.

The rise of TPLF has prompted discussions, including among lawmakers, industry groups, and frequently sued companies, as to whether litigants should be required to disclose their funding sources to their counterparties.

For example, in June 2024, the House Judiciary Subcommittee on Courts, Intellectual Property, and the Internet heard testimony on developments with respect to IP litigation financed by third-party investors and foreign entities and their potential impact on the country’s IP system and national security. The hearing culminated with Congressman Darrell Issa (R-CA) announcing that he intended to sponsor a bill requiring disclosure of TPLF. Co-sponsored by Congressman Scott Fitzgerald (R-WI), the “Litigation Transparency Act of 2024” (H.R. 9922) was introduced in early October; the full text of that bill has since been made public, with RPX coverage available [here](#).

Note that with regard to concerns shared by some stakeholders around the effects of TPLF on national security, the recently released GAO report indicated that the Department of Justice is currently examining whether foreign entities are investing in US patent litigation as a means for gaining access to proprietary information.

This past October, a group of roughly 120 companies, spanning multiple industries, sent a letter to the Advisory Committee on Civil Rules seeking a “uniform and efficient procedure for disclosure” of TPLF. The Lawyers for Civil Justice (LCJ) and the U.S. Chamber of Commerce Institute for Legal Reform (ILR) submitted a Rules Suggestion letter alongside the companies’ correspondence.

In short, the authors of those letters— signatories of which included insurance carriers, life sciences companies, banks, energy and transportation companies, car makers, and technology companies, among others—[urged](#) the Advisory Committee to amend the Federal Rules of Civil Procedure to “require disclosure of TPLF agreements that provide non-parties a direct interest in the outcome of the case”.

A uniform rule, said the companies, is necessary to address the continued “uncertainty and court-endorsed secrecy” of TPLF in the US.

In its latest report, the GAO stated that many of the stakeholders that it interviewed had observed “a rise in third-party funded patent cases in recent years”, particularly over the past five years, although the general and widespread opacity of the litigation finance industry makes it difficult to evaluate, and certainly, to quantify, that market’s impact on the practice of patent litigation.

According to the GAO, many of the stakeholders that it interviewed, “including most patent litigation funders, were open to some additional mandatory disclosure requirements, which they said could provide more transparency around third-party funding of patent litigation”. The report continues...

For example, most large technology companies and half of the law firms we interviewed supported disclosing the presence of TPLF. Further, some of these stakeholders said they would also support disclosing the identity of the funder(s). Several stakeholders said the details of funding agreements should be disclosed, but others said such disclosures could compromise strategic advantages and confidentiality. Stakeholders identified multiple benefits of mandatory disclosures, such as helping to identify potential conflicts of interest and foreign involvement in third-party funded patent litigation.

Patent Market Update: New Funded NPE Campaigns and Key Developments in Funded Litigation

As previously noted, through frequent and systematic review of public documents, including court, corporate, and regulatory filings, RPX subject matter experts have identified more than 275 relationships between patent holders and specific third-party litigation funders.

During the fourth quarter of 2024, RPX flagged multiple new patent campaigns initiated by plaintiffs tied, by public records, to litigation funders; also of note are certain developments that took place in ongoing funded litigation. RPX members can access an exclusive overview of this activity [here](#).

RPX's structured recording of funding relationships provides RPX members an unparalleled view into the TPLF space, enabling decision makers to better understand which patent portfolios and cases may be funded and therefore subject to the unique dynamics associated with funded matters. RPX members are encouraged to reach out to their RPX representatives for more information or assistance.

Notable US Patent Assignments Revealed in Q4

RPX also conducts close and continuous review of USPTO assignment records to identify transactions that may portend future patent litigation. During Q4, the USPTO made public various patent transfers worth noting, with assignees associated with [Dominion Harbor Enterprises, LLC](#); [Empire IP LLC](#); [Ideahub, Inc.](#); IPValue Management (d/b/a IPValue); [VideoLabs, Inc.](#); or [Wi-LAN Inc.](#), among others.

Additional RPX Patent Market Intelligence

Visit [RPX Empower](#) for further analysis and up-to-date information on patent litigation and market trends.