



**Table 2 - USPTO FOIA DATA**

	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	1995-2007	1983-2007	1983-2008	
<b>UPR Applications Filed</b>	105,046	107,513	116,731	97,448	109,539	116,427	121,611	126,407	137,069	151,331	163,561	167,715	172,539	174,553	186,123	221,304	191,016	220,773	240,090	261,041	293,244	326,081	333,688	333,452	355,527	384,228	419,760	441,637	468,669	4,021,841	5,746,164	6,214,833	
Continuation Applications																																	
Continuations	6,054	8,253	9,149	6,803	9,578	11,960	14,156	15,622	17,139	19,450	20,317	22,761	26,518	28,356	32,033	37,900	23,999	29,021	14,311	13,591	17,958	21,799	25,889	26,283	28,087	30,844	32,599	33,762	36,292	336,043	560,736	597,028	
Continued Prosecution Applications (CPAs)																			17,462	25,258	30,888	22,407	8,981	2,334	1	0	0	1	0	107,332	107,332	107,332	
Requests for Continued Examination (RCEs)																					1,035	12,440	25,682	39,582	46,043	55,268	74,888	87,087	112,446	342,025	342,025	454,471	
Rule 129 Continuations																1,612	5,016	3,737	2,356	949	444	206	118	87	42	9	24	8	10	14,608	14,608	14,618	
Total Continuation Applications (Calculated)	6,054	8,253	9,149	6,803	9,578	11,960	14,156	15,622	17,139	19,450	20,317	22,761	26,518	28,356	32,033	39,512	29,015	32,758	34,129	39,798	50,325	56,852	60,670	68,286	74,173	86,121	107,511	120,858	148,748	800,008	1,024,701	1,173,449	
Continuation-in-Part Applications (CIPs)	4,667	5,828	5,986	5,102	6,070	6,782	7,549	7,935	8,670	9,621	10,610	11,372	12,499	12,906	13,959	16,086	10,629	11,089	11,455	12,456	13,948	14,689	14,602	14,747	15,082	15,623	15,769	14,909	11,980	181,084	294,159	306,139	
<b>Total Refiled Continung Applications (Calculated)</b>	<b>10,721</b>	<b>14,081</b>	<b>15,135</b>	<b>11,905</b>	<b>15,648</b>	<b>18,742</b>	<b>21,705</b>	<b>23,557</b>	<b>25,809</b>	<b>29,071</b>	<b>30,927</b>	<b>34,133</b>	<b>39,017</b>	<b>41,262</b>	<b>45,992</b>	<b>55,598</b>	<b>39,644</b>	<b>43,847</b>	<b>45,584</b>	<b>52,254</b>	<b>64,273</b>	<b>71,541</b>	<b>75,272</b>	<b>83,033</b>	<b>89,255</b>	<b>101,744</b>	<b>123,280</b>	<b>135,767</b>	<b>160,728</b>	<b>981,092</b>	<b>1,318,860</b>	<b>1,479,588</b>	
Divisional Applications																																	
Divisionals	4,629	5,280	5,965	3,510	4,822	5,265	5,402	5,768	6,698	8,402	9,131	9,586	9,564	9,592	10,615	26,448	9,867	12,590	11,916	13,629	15,767	17,975	18,160	19,745	19,469	19,121	20,545	21,312	20,036	226,544	314,899	334,935	
Divisional CPAs																																	
Total Divisional Applications (Calculated)	4,629	5,280	5,965	3,510	4,822	5,265	5,402	5,768	6,698	8,402	9,131	9,586	9,564	9,592	10,615	26,448	9,867	12,590	12,312	13,943	16,027	18,115	18,331	19,781	19,469	19,121	20,545	21,312	20,036	227,861	316,216	336,252	
<b>Total Continuing Applications (Calculated)</b>	<b>15,350</b>	<b>19,361</b>	<b>21,100</b>	<b>15,415</b>	<b>20,470</b>	<b>24,007</b>	<b>27,107</b>	<b>29,325</b>	<b>32,507</b>	<b>37,473</b>	<b>40,058</b>	<b>43,719</b>	<b>48,581</b>	<b>50,854</b>	<b>56,607</b>	<b>82,046</b>	<b>49,511</b>	<b>56,437</b>	<b>57,896</b>	<b>66,197</b>	<b>80,300</b>	<b>89,656</b>	<b>93,603</b>	<b>102,814</b>	<b>108,724</b>	<b>120,865</b>	<b>143,825</b>	<b>157,079</b>	<b>180,764</b>	<b>1,208,953</b>	<b>1,635,076</b>	<b>1,815,840</b>	
<b>Applications Abandoned Without Refiling</b>				<b>1983</b>	<b>1984</b>	<b>1985</b>	<b>1986</b>	<b>1987</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>	<b>1994</b>	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>1995-2007</b>	<b>1983-2007</b>	<b>1983-2008</b>	
Original Applications Abandoned Without Refiling				26,447	30,344	31,126	30,196	26,204	25,196	24,559	25,492	30,639	30,797	31,010	29,581	27,609	27,053	27,048	27,153	30,012	31,590	33,679	41,905	45,618	45,722	47,546	53,753	60,268	62,856	498,956	840,547	903,403	
Continuing Applications Abandoned Without Refiling				4,168	4,015	3,909	4,176	4,309	4,304	4,482	4,518	5,485	6,086	6,397	6,470	6,656	6,286	5,985	5,574	6,094	5,100	5,873	6,604	7,382	7,865	8,972	11,925	15,443	16,008	99,759	158,078	174,086	
<b>Total - Applications Abandoned Without Refiling</b>				<b>30,615</b>	<b>34,359</b>	<b>35,035</b>	<b>34,372</b>	<b>30,513</b>	<b>29,500</b>	<b>29,041</b>	<b>30,010</b>	<b>36,124</b>	<b>36,883</b>	<b>37,407</b>	<b>36,051</b>	<b>34,265</b>	<b>33,339</b>	<b>33,033</b>	<b>32,727</b>	<b>36,106</b>	<b>36,690</b>	<b>39,552</b>	<b>48,509</b>	<b>53,000</b>	<b>53,587</b>	<b>56,518</b>	<b>65,678</b>	<b>75,711</b>	<b>78,864</b>	<b>598,715</b>	<b>998,625</b>	<b>1,077,489</b>	
<b>Abandoned Applications That Were Refiled (Calculated)</b>				4,940	8,954	10,048	14,779	15,677	16,851	18,177	15,740	17,579	22,316	23,356	28,881	32,195	25,019	28,334	27,375	27,956	31,366	33,014	39,908	43,176	54,237	58,714	78,109	88,318	127,110	567,721	765,019	892,129	
Refiled Applications as % of Total Abandoned (Calculated)				14%	21%	22%	30%	34%	36%	38%	34%	33%	38%	38%	44%	48%	43%	46%	46%	44%	46%	45%	45%	45%	50%	51%	54%	54%	62%				
<b>Patents</b>		<b>1981</b>	<b>1982</b>	<b>1983</b>	<b>1984</b>	<b>1985</b>	<b>1986</b>	<b>1987</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>	<b>1994</b>	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>1995-2007</b>	<b>1983-2007</b>	<b>1983-2008</b>	
UPR Patent Count (Total Issued)		65,191	59,855	55,314	67,218	70,255	71,793	82,639	77,846	96,870	89,561	92,471	100,117	97,391	102,129	102,578	105,529	112,641	140,156	143,682	165,498	170,637	162,216	173,065	170,637	152,087	164,115	161,835	156,540	1,924,676	2,928,280	3,084,820	
Patents Wherein Parent Patent Was Granted		3,244	4,750	4,586	5,561	5,350	5,359	6,194	6,446	8,399	9,157	9,979	11,644	11,548	12,450	13,140	15,588	18,684	20,451	21,179	24,950	26,984	27,638	29,253	27,959	26,278	30,772	30,547	29,962	313,423	410,096	440,058	
"Original" UPR Patents		61,947	55,105	50,728	61,657	64,905	66,434	76,445	71,400	88,471	80,404	82,492	88,473	85,843	89,679	89,438	89,941	93,957	119,705	122,503	140,548	143,653	134,578	143,812	142,678	125,809	133,343	131,288	126,578	1,611,253	2,518,184	2,644,762	
Percent Where Parent Was Patented (Calculated)		5%	8%	8%	8%	8%	7%	7%	8%	9%	10%	11%	12%	12%	12%	13%	15%	17%	15%	15%	15%	16%	17%	17%	16%	17%	19%	19%	19%				

**TABLE 3 - CALCULATIONS**

<b>USPTO UPR Applications</b>	<b>1980</b>	<b>1981</b>	<b>1982</b>	<b>1983</b>	<b>1984</b>	<b>1985</b>	<b>1986</b>	<b>1987</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>	<b>1994</b>	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>1995-2007</b>	<b>1983-2007</b>	<b>1983-2008</b>
Original Applications (FOIA UPR Applications less FOIA Total Continuing Applications)	89,696	88,152	95,631	82,033	89,069	92,420	94,504	97,082	104,562	113,858	123,503	123,996	123,958	123,699	129,516	139,258	141,505	164,336	182,194	194,844	212,944	236,425	240,085	230,638	246,803	263,363	275,935	284,558	287,905	2,812,888	4,111,088	4,398,993
Original Applications + Divisionals	94,325	93,432	101,596	85,543	93,891	97,685	99,906	102,850	111,260	122,260	132,634	133,582	133,522	133,291	140,131	165,706	151,372	176,926	194,506	208,787	228,971	254,540	258,416	250,419	266,272	282,484	296,480	305,870	307,941	3,040,749	4,427,304	4,735,245
Refiled Continuing Applications (Continuations, RCEs, CIPs)	10,721	14,081	15,135	11,905	15,648	18,742	21,705	23,557	25,809	29,071	30,927	34,133	39,017	41,262	45,992	55,598	39,644	43,847	45,584	52,254	64,273	71,541	75,272	83,033	89,255	101,744	123,280	135,767	160,728	981,092	1,318,860	1,479,588
Original Applications as % of Total Applications	85%	82%	82%	84%	81%	79%	78%	77%	76%	75%	76%	74%	72%	71%	70%	63%	74%	74%	76%	75%	73%	73%	72%	69%	69%	69%	66%	64%	61%	70%	72%	71%
Original Applications + Divisionals as % of Total Applications	90%	87%	87%	88%	86%	84%	82%	81%	81%	81%	81%	80%	77%	76%	75%	75%	79%	80%	81%	80%	78%	78%	77%	75%	75%	74%	71%	69%	66%	76%	77%	76%
Refiled Continuing Applications as % of Total Applications	10%	13%	13%	12%	14%	16%	18%	19%	19%	19%	19%	20%	23%	24%	25%	25%	21%	20%	19%	20%	22%	22%	23%	25%	25%	26%	29%	31%	34%	24%	23%	24%
Divisional Applications as % of Total Applications	4%	5%	5%	4%	4%	5%	4%	5%	5%	6%	6%	6%	6%	5%	6%	12%	5%	6%	5%	5%	5%	6%	5%	6%	5%	5%	5%	4%	6%	6%	5%	
Total Continuing Applications as % of Total Applications	15%	18%	18%	16%	19%	21%	22%	23%	24%	25%	24%	26%	28%	29%	30%	37%	26%	26%	24%	25%	27%	27%	28%	31%	31%	31%	34%	36%	39%	30%	28%	29%
<b>Indexed Application Growth 1980-2008 (Calculated: 1983 = Base Year)</b>	<b>1980</b>	<b>1981</b>	<b>1982</b>	<b>1983</b>	<b>1984</b>	<b>1985</b>	<b>1986</b>	<b>1987</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>	<b>1994</b>	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>Average Annual Growth 1983-2008</b>	<b>Years to Double</b>	
Total Applications	1.1	1.1	1.2	1.0	1.1	1.2	1.2	1.3	1.4	1.6	1.7	1.7	1.8	1.8	1.9	2.3	2.0	2.3	2.5	2.7	3.0	3.3	3.4	3.4	3.6	3.9	4.3	4.5	4.8	7%	10.7	
Original Applications	1.1	1.1	1.2	1.0	1.1	1.1	1.2	1.2	1.3	1.4	1.5	1.5	1.5	1.5	1.6	1.7	1.7	2.0	2.2	2.4	2.6	2.9	2.9	2.8	3.0	3.2	3.4	3.5	3.5	5%	13.5	
Original Applications + Divisions	1.1	1.1	1.2	1.0	1.1	1.1	1.2	1.2	1.3	1.4	1.6	1.6	1.6	1.6	1.6	1.9	1.8	2.1	2.3	2.4	2.7	3.0	3.0	2.9	3.1	3.3	3.5	3.6	3.6	5%	13.2	
Refiled Continuing Applications (Continuations, RCEs & CIPs)	0.9	1.2	1.3	1.0	1.3	1.6	1.8	2.0	2.2	2.4	2.6	2.9	3.3	3.5	3.9	4.7	3.3	3.7	3.8	4.4	5.4	6.0	6.3	7.0	7.5	8.5	10.4	11.4	13.5	11%	6.5	
<b>UPR Application Disposals (Calculated)</b>	<b>1980</b>	<b>1981</b>	<b>1982</b>	<b>1983</b>	<b>1984</b>	<b>1985</b>	<b>1986</b>	<b>1987</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>	<b>1994</b>	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>1995-2007</b>	<b>1983-2007</b>	<b>1983-2008</b>
Nominal UPR Application Disposals (Applications Allowed + Applications Abandoned)	89,717	88,545	83,583	99,931	113,300	120,488	130,072	125,945	134,221	145,690	142,422	155,717	162,292	165,114	172,153	173,026	180,052	196,607	203,147	219,442	234,256	239,434	260,231	284,459	287,173	279,325	309,659	333,812	368,846	3,200,623	4,867,968	5,236,814
Net UPR Application Disposals (Applications Allowed + Applications Abandoned Without Refiling)				94,991	104,346	110,440	115,293	110,268	117,370	127,513	126,682	138,138	139,976	141,758	143,272	140,831	155,033	168,273	175,772	191,486	202,890	206,420	220,323	241,283	232,936	220,611	231,550	245,494	241,736	2,632,902	4,102,949	4,344,685
Disposals Corrected for Continuation Applications (Including RCEs)	83,663	80,292	74,434	93,128	103,722	108,528	115,916	110,323	117,082	126,240	122,105	132,956	135,774	136,758	140,120	133,514	151,037	163,849	169,018	179,644	183,931	182,582	199,561	216,173	213,000	193,204	202,148	212,954	220,098	2,400,615	3,843,267	4,063,365
Disposals Corrected for Refiled Continuing Applications (Continuations, RCEs, CIPs)	78,996	74,464	68,448	88,026	97,652	101,746	108,367	102,388	108,412	116,619	111,495	121,584	123,275	123,852	126,161	117,428	140,408	152,760	157,563	167,188	169,983	167,893	184,959	201,426	197,918	177,581	186,379	198,045	208,118	2,219,531	3,549,108	3,757,226
Disposals Corrected for All Continuing Applications	74,367	69,184	62,483	84,516	92,830	96,481	102,965	96,620	101,714	108,217	102,364	111,998	113,711	114,260	115,546	90,980	130,541	140,170	145,251	153,245	153,956	149,778	166,628	181,645	178,449	158,460	165,834	176,733	188,082	1,991,670	3,232,892	3,420,974



**Table 5 - COMPARATIVE PATENT PERCENTAGES AND GRANT RATES**

<b>PATENT PERCENTAGES</b>				
	<b>1983-2007</b>		<b>1995-2007</b>	
	<b>Prosecution Lag</b>	<b>No Lag</b>	<b>Prosecution Lag</b>	<b>No Lag</b>
<b>USPTO</b>				
Based on Original Applications	78%	71%	77%	68%
Based on Original + Divisional Applications	73%	66%	71%	63%
<b>EPO</b>				
% of USPTO (Original + Divisional Applications)	55%	45%	54%	45%
	75%	69%	76%	70%
<b>JPO</b>				
% of USPTO (Original + Divisional Applications)	61%	51%	58%	52%
	84%	77%	81%	82%
<b>GRANT RATES (Patent Allowance Rates)</b>				
			<b>1995-2007</b>	
<b>USPTO</b>				
Uncorrected			64%	
Lower Bound Based on Net Disposals			77%	
Corrected for Continuation Applications (Including RCEs)			85%	
Corrected for Refiled Continuing Applications (Continuations, CIPs, RCEs)			92%	
<b>EPO (1995-2007 Averaged)</b>				
% of USPTO Lower Bound Based on Net Disposals			60%	
			78%	
<b>JPO (1995-2007 Averaged)</b>				
% of USPTO Lower Bound Based on Net Disposals			57%	
			73%	