

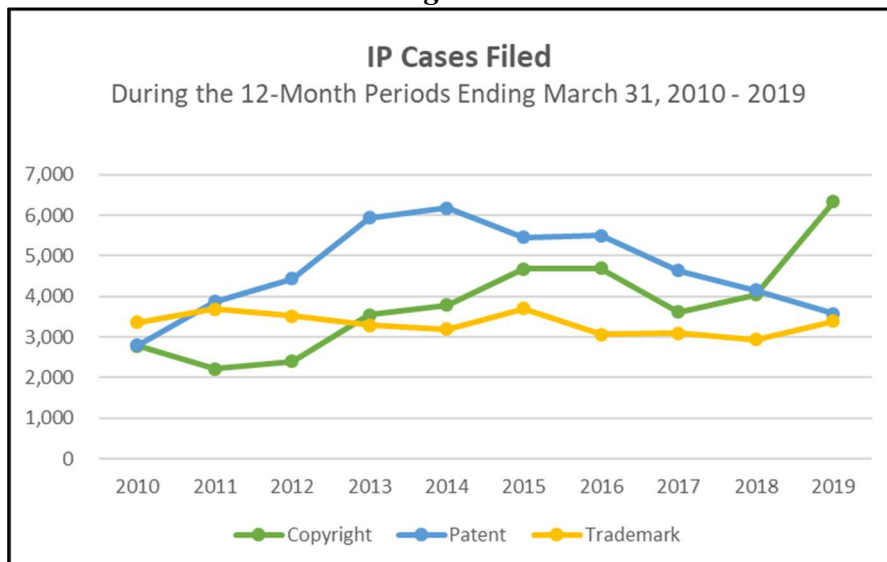
Intellectual Property Case Filing Trends Over the Last Decade

By Scott D. Hampton and Ashley J. Bailey
February 12, 2020

Using the United States Courts’ annual Federal Judicial Caseload Statistics, Hampton IP looked at the number of copyright, patent, and trademark cases filed in federal district court and the percent of cases that reached trial annually over the last decade—March 31, 2010, through March 31, 2019.

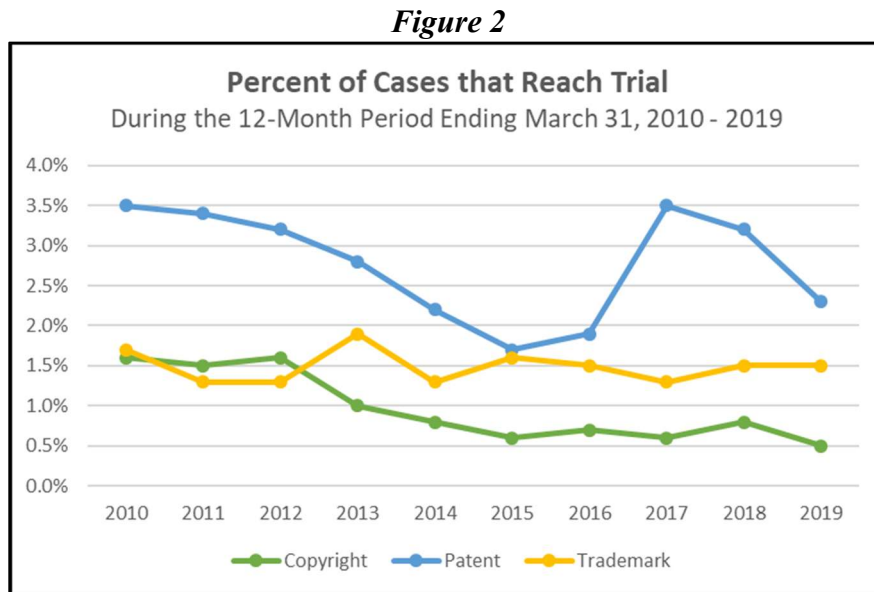
As seen in *Figure 1*, copyright cases trended upward with a slight dip in 2017 and 2018, while patent filings rose rapidly through 2014 and then steadily fell. Trademark filings remained relatively constant.

Figure 1



Copyright cases increased by 128% from 2010 to 2019. Equally impressive, from 2018 to 2019 copyright filings increased from 4,040 to 6,334, a 57% increase. Some may attribute the rise in copyright filings to copyright trolls.

As illustrated in *Figure 2*, copyright cases were the least likely to reach trial compared to patents and trademarks. While there has been a dramatic uptick in copyright cases filed, only 0.5% reached trial in 2019.



The percent of patent cases reaching trial dropped from 3.5% in 2010 to only 1.7% in 2015; then saw a dramatic increase back to 3.5% in 2017, only to fall again in 2018 and 2019.