

# **EXHIBIT I**



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Ex Parte Reexamination Filing Data - December 31, 2010

1.	Total requests filed since start of <i>ex parte</i> reexam on 07/01/81.....	11211 <sup>1</sup>
	a. By patent owner	3715      33%
	b. By other member of public	7331      66%
	c. By order of Commissioner	165      1%
2.	Number of filings by discipline	
	a. Chemical Operation	3104      28%
	b. Electrical Operation	4106      37%
	c. Mechanical Operation	3824      34%
	d. Design Patents	177      1%
3.	Annual <i>Ex Parte</i> Reexam Filings	
	<u>Fiscal Yr. No.</u> <u>Fiscal Yr. No.</u> <u>Fiscal Yr. No.</u> <u>Fiscal Yr. No.</u>	
	1981    78 (3 mos.)    1989    243    1997    376    2005    524	
	1982    187              1990    297    1998    350    2006    511	
	1983    186              1991    307    1999    385    2007    643	
	1984    189              1992    392    2000    318    2008    680	
	1985    230              1993    359    2001    296    2009    658	
	1986    232              1994    379    2002    272    2010    780	
	1987    240              1995    392    2003    392    2011YTD 188	
	1988    268              1996    418    2004    441	
4.	Number known to be in litigation.....	3639.....32%
5.	Decisions on requests.....	10705
	a. No. granted.....	9835.....92%
	(1) By examiner	9720
	(2) By Director (on petition)	115
	b. No. denied .....	870.....8%
	(1) By examiner	835
	(2) Reexam vacated	35

<sup>1</sup>Of the requests received in FY 2011, 7 requests have not yet been accorded a filing date, and preprocessing of 6 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for *Ex Parte* and *Inter Partes* Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).

6.	Total examiner denials (includes denials reversed by Director).....				950
	a. Patent owner requester		455		48%
	b. Third party requester		495		52%
7.	Overall reexamination pendency (Filing date to certificate issue date)				
	a. Average pendency		25.6 (mos.)		
	b. Median pendency		20.0 (mos.)		
8.	Reexam certificate claim analysis:	<u>Owner</u>	<u>3<sup>rd</sup> Party</u>	<u>Comm'r</u>	<u>Overall</u>
		<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>	
	a. All claims confirmed	21%	24%	12%	23%
	b. All claims cancelled	9%	13%	23%	12%
	c. Claims changes	70%	63%	65%	65%
9.	Total <i>ex parte</i> reexamination certificates issued (1981 – present) .....				7952
	a. Certificates with all claims confirmed		1843		23%
	b. Certificates with all claims canceled		914		12%
	c. Certificates with claims changes		5195		65%
10.	Reexam claim analysis – requester is patent owner or 3 <sup>rd</sup> party or Commissioner initiated.				
	a. Certificates – PATENT OWNER REQUESTER .....				2971
	(1) All claims confirmed		641		21%
	(2) All claims canceled		257		9%
	(3) Claim changes		2073		70%
	b. Certificates – 3 <sup>rd</sup> PARTY REQUESTER .....				4826
	(1) All claims confirmed		1184		24%
	(2) All claims canceled		622		13%
	(3) Claim changes		3020		63%
	c. Certificates – COMMISSIONER INITIATED REEXAM .....				155
	(1) All claims confirmed		18		12%
	(2) All claims canceled		35		23%
	(3) Claim changes		102		65%