

Reexaminations - FY 2025



Pending Reexaminations includes Ex Parte, Inter Partes, and Supplemental Examination Requests	Quarter 1 (Oct-Dec)	Quarter 2 (Jan-Mar)	Quarter 3 (Apr-Jun)	Quarter 4 (Jul-Sep)
Processing (prior to assignment to the Examiner)	9	3	10	
Awaiting Order/Denial	65	34	54	
Between Order and First Action on the Merits	111	111	72	
Between FAOM and NIRC	388	406	444	
Between NIRC and Publication of Certificate	27	52	64	
Total	600	606	644	

Volume of Proceedings *

	YTD Through Quarter 1	YTD Through Quarter 2	YTD Through Quarter 3	YTD Through Quarter 4
Filings (Ex Parte, Inter Partes, and Supplemental Examination Requests granted a filing date)	110	202	326	
Ex Parte (EP)	109	197	318	
Inter Partes (IP)	NA	NA	NA	
Supplemental Examinations (SE)	1	5	8	
Supplemental Examinations Substantial New Question of Patentability (SNQ) Determination	3	12	15	
SE SNQ-Yes	2	6	8	
SE SNQ-No	1	6	7	
Orders Granting Reexamination	113	230	328	
EP Orders	109	222	319	
IP Orders	NA	NA	NA	
SE Orders under 35 USC 257	4	8	9	
Denials	0	2	5	
EP Denials	0	2	5	
IP Denials	NA	NA	NA	
First Action on the Merits (FAOM)	75	173	262	
EP FAOMs	73	167	254	
IP FAOMs	NA	NA	NA	
SE FAOMs pursuant to 35 USC 257	2	6	8	
Notices of Intent to Issue a Reexamination Certificate (NIRC)	92	196	273	
EP NIRCs	90	191	266	
IP NIRCs	1	1	1	
SE NIRCs under 35 USC 257	1	4	6	
Reexamination Certificates	94	169	245	
EP Certificates	92	164	236	
IP Certificates	1	1	1	
SE Certificates pursuant to 35 USC 257	1	4	8	

Timing of Proceedings

	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Average Months from Filing to SE Determination	0.42	1.67	1.00	
Average Months to SE SNQ-Yes	0.50	1.50	0.50	
Average Months to SE SNQ-No	0.25	1.80	2.00	
Average Months from Filing to Order	1.72	1.57	1.60	
Average Months to EP Order	1.75	1.57	1.61	
Average Months to IP Order	NA	NA	NA	
Average Months to SE Order pursuant to 35 USC 257	1.00	1.50	1.00	
Average Months from Filing to Denial	2.00	2.50	1.33	
Average Months to EP Denial	2.00	2.50	1.33	
Average Months to IP Denial	NA	NA	NA	
Average Months from Filing to FAOM	5.68	6.94	5.86	
Average Months to EP FAOM	5.81	7.12	5.92	
Average Months to IP FAOM	NA	NA	NA	
Average Months to SE FAOM pursuant to 35 USC 257	1.00	2.75	3.50	
Average Months from Filing to NIRC	16.50	13.56	16.04	
Average Months to EP NIRC	14.99	13.79	16.31	
Average Months to IP NIRC	163	NA	NA	
Average Months to SE NIRC pursuant to 35 USC 257	6.00	6.00	6.00	
Average Months from Filing to Reexam Certificate	17.52	16.95	15.28	
Average Months to EP Certificate	16.06	16.88	15.70	
Average Months to IP Certificate	162	NA	NA	
Average Months to SE Certificate pursuant to 35 USC 257	7.00	18.67	7.75	

Notes:

- 1 Source: Filings from ex parte, inter partes and supplemental historical statistics.
- 2 Supplemental filings include only the SE request which received a filing date. SE NIRC only occur where SNQ-Yes was found.
- 3 Pendency, First Action, NIRC (“Notice of Intent to Issue a Reexamination Certificate”) and Certificate date from PALM.
- 4 Inter Partes reexaminations were no longer available after Sept. 16, 2012
- 5 This data is recorded by reexamination control number. Where proceedings are merged, the merged proceeding will appear as multiple instances. For this reason the certificate count will not match the number of individual reexamination certificates published in the Office Gazette.
- 6 NIRCs mailed at the end of one month will necessarily publish with a certificate the next month (or later), the average time to RX certificate may be more or less than the time to RX NIRC for any particular time period measured
- 7 Numbers may not match PAR report because this report shows actions mailed in time period and PAR shows filed requests and actions on those.
- 8 a typographical error has been corrected in the reference the statue 35 USC 257.
- 9 The last section has been updated to clarify that these numbers reference Reexamination Certificates

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Processing (prior to assignment to the Examiner)	20	5	8	0
Awaiting Order/Denial	53	41	54	61
Between Order and First Action on the Merits	99	124	81	106
Between FAOM and NIRC	339	344	371	364
Between NIRC and Publication of Certificate	34	42	43	32
Total	545	556	557	563

Volume of Proceedings *

	YTD Through Quarter 1	YTD Through Quarter 2	YTD Through Quarter 3	YTD Through Quarter 4
Filings (Ex Parte, Inter Partes, and Supplemental Examination Requests granted a filing date)	109	205	301	418
Ex Parte (EP)	108	199	291	407
Inter Partes (IP)	NA	NA	NA	NA
Supplemental Examinations (SE)	1	6	10	11
Supplemental Examinations Substantial New Question of Patentability (SNQ) Determination	2	7	13	16
SE SNQ-Yes	1	2	5	7
SE SNQ-No	1	5	8	9
Orders Granting Reexamination	95	212	286	401
EP Orders	94	211	281	393
IP Orders	NA	NA	NA	NA
SE Orders under 35 USC 257	1	1	5	8
Denials	5	6	12	14
EP Denials	5	6	12	14
IP Denials	NA	NA	NA	NA
First Action on the Merits (FAOM)	46	116	208	288
EP FAOMs	44	112	199	275
IP FAOMs	NA	NA	NA	NA
SE FAOMs pursuant to 35 USC 257	2	4	9	13
Notices of Intent to Issue a Reexamination Certificate (NIRC)	76	170	259	345
EP NIRCs	70	159	241	325
IP NIRCs	5	5	8	10
SE NIRCs under 35 USC 257	1	6	10	10
Reexamination Certificates	82	167	249	345
EP Certificates	68	147	225	315
IP Certificates	2	5	6	8
SE Certificates pursuant to 35 USC 257	12	15	18	22

Timing of Proceedings

	Quarter 1	Quarter 2	Quarter 3	Quarter 4
Average Months from Filing to SE Determination	1.00	1.80	1.50	1.60
Average Months to SE SNQ-Yes	1.00	1.00	2.33	1.50
Average Months to SE SNQ-No	1.00	2.00	0.67	1.00
Average Months from Filing to Order	1.63	1.72	1.86	1.82
Average Months to EP Order	1.64	1.72	1.84	1.81
Average Months to IP Order	NA	NA	NA	NA
Average Months to SE Order pursuant to 35 USC 257	1.00	NA	2.25	2.00
Average Months from Filing to Denial	2.00	2.00	2.00	1.50
Average Months to EP Denial	2.00	2.00	2.00	1.50
Average Months to IP Denial	NA	NA	NA	NA
Average Months from Filing to FAOM	6.81	6.45	6.02	7.53
Average Months to EP FAOM	6.82	6.53	6.16	7.71
Average Months to IP FAOM	NA	NA	NA	NA
Average Months to SE FAOM pursuant to 35 USC 257	6.50	4.00	3.60	4.23
Average Months from Filing to NIRC	26.55	17.19	20.27	17.51
Average Months to EP NIRC	18.78	17.59	15.45	14.14
Average Months to IP NIRC	139.40	NA	154.00	159.00
Average Months to SE NIRC pursuant to 35 USC 257	6.00	10.20	18.75	NA
Average Months from Filing to Reexam Certificate	22.93	25.63	21.08	20.67
Average Months to EP Certificate	19.34	21.66	19.71	17.62
Average Months to IP Certificate	147.00	140.33	152.00	159.00
Average Months to SE Certificate pursuant to 35 USC 257	22.58	15.33	13.00	20.00

Notes:

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