

LegalMetric

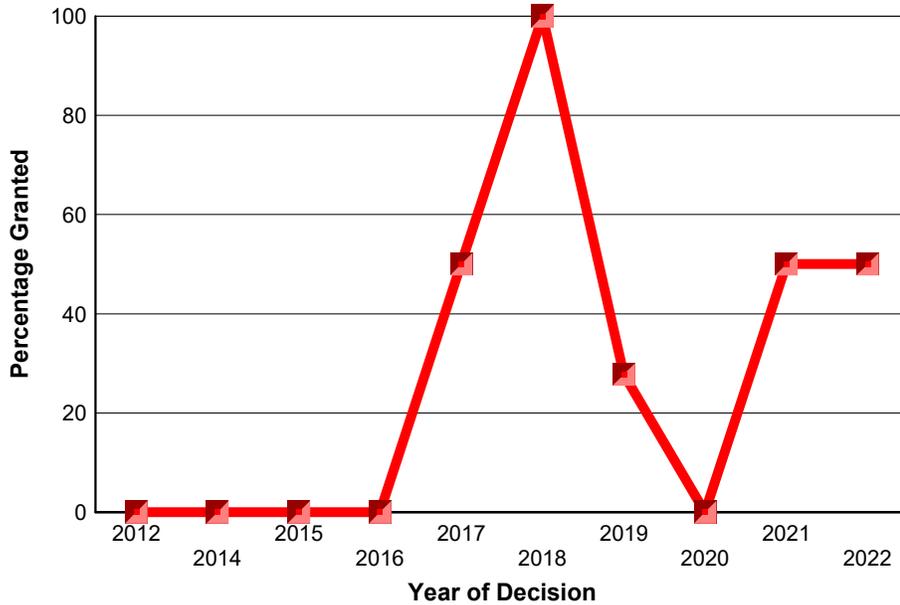
**LegalMetric District Report
Attorney Fee Decisions (35 USC 285)
by Judge Stark
In Delaware District Court Patent Cases (Post Octane-Highmark)
March 2012-October 2025**

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Yearly Win Rates on Contested Motions



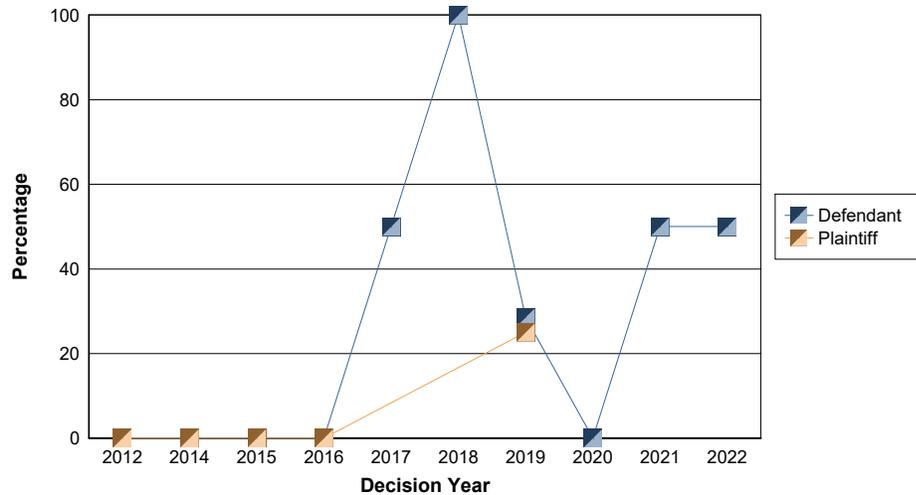
Overview:

This report covers contested attorney fee motion decisions of Judge Stark based on 35 USC 285 in patent cases in Delaware District Court and is based upon 27 decisions in contested attorney fee motions found in the dockets of that court. Of these 27 decisions, 5 were granted, 3 were granted in part, and 19 were denied.

Contested Win Rates:

For the period covered by this report, the win rate for movants on contested motions is 24.1%. Variation from year to year is shown in the chart above. Variation by movant is shown below.

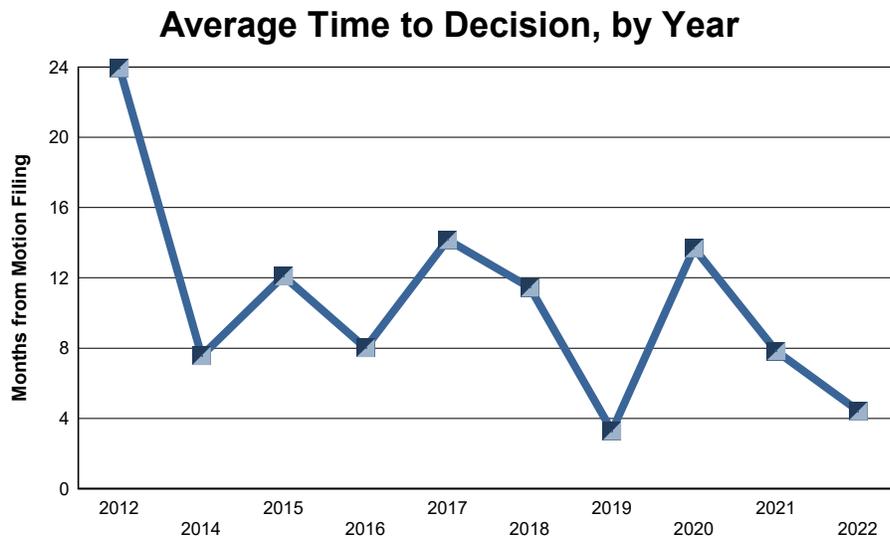
Yearly Win Rates by Movant



	Win Rates	Defendant	Plaintiff		Decisions	Defendant	Plaintiff
Total	24.1	28.6	8.3	Total	27	21	6
2012	0.0	0.0	0.0	2012	3	2	1
2014	0.0	0.0	0.0	2014	3	2	1
2015	0.0	0.0	0.0	2015	2	1	1
2016	0.0	0.0	0.0	2016	2	1	1
2017	50.0	50.0	0.0	2017	2	2	0
2018	100.0	100.0	0.0	2018	1	1	0
2019	27.8	28.6	25.0	2019	9	7	2
2020	0.0	0.0	0.0	2020	1	1	0
2021	50.0	50.0	0.0	2021	2	2	0
2022	50.0	50.0	0.0	2022	2	2	0

Time to Decision:

The average time from motion filing to decision was 9.0 months. For motions that were granted, at least in part, the average time to decision was 10.0 months. For motions that were denied, the average time to decision was 8.5 months. The variation from year to year in time to decision is shown below.



Additional information about these districts may be found below.

Delaware

The dockets of patent cases assigned to Judge Stark in Delaware were examined to identify decisions on contested attorney fee motions. The number of decisions found, the number granted, and the number denied are as follows:

Total Decisions: 27

Total Granted: 5 Plaintiff Granted: 0 Defendant Granted: 5

Total Denied: 19 Plaintiff Denied: 5 Defendant Denied: 14

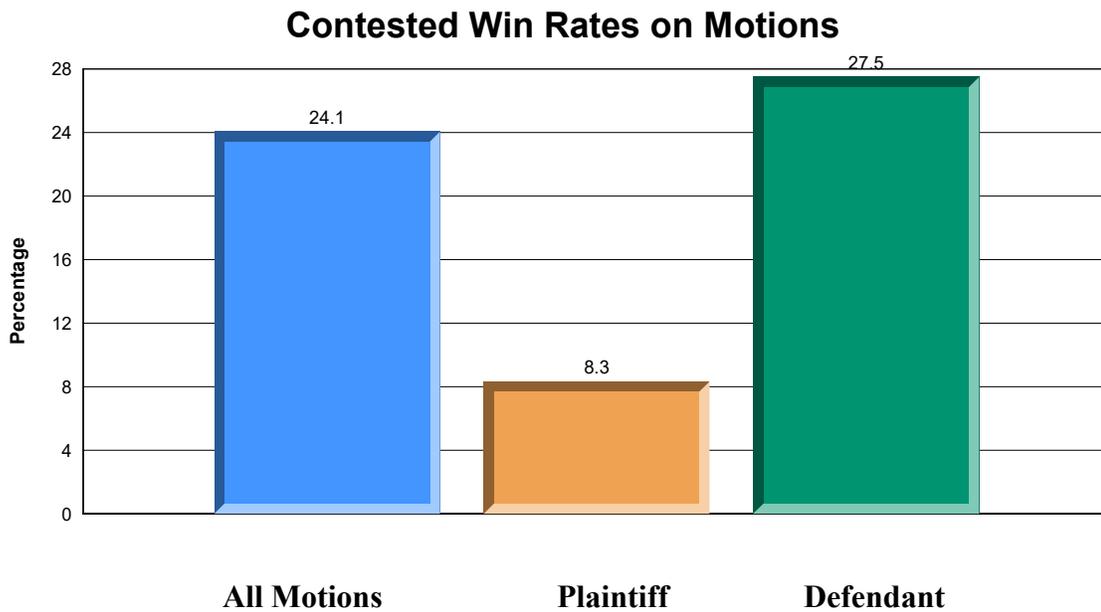
Total Granted in Part, Denied in Part: 3 Plaintiff Granted in Part: 1

Defendant Granted in Part: 1

Plaintiff Win Rate: 8.3%

Defendant Win Rate: 27.5%

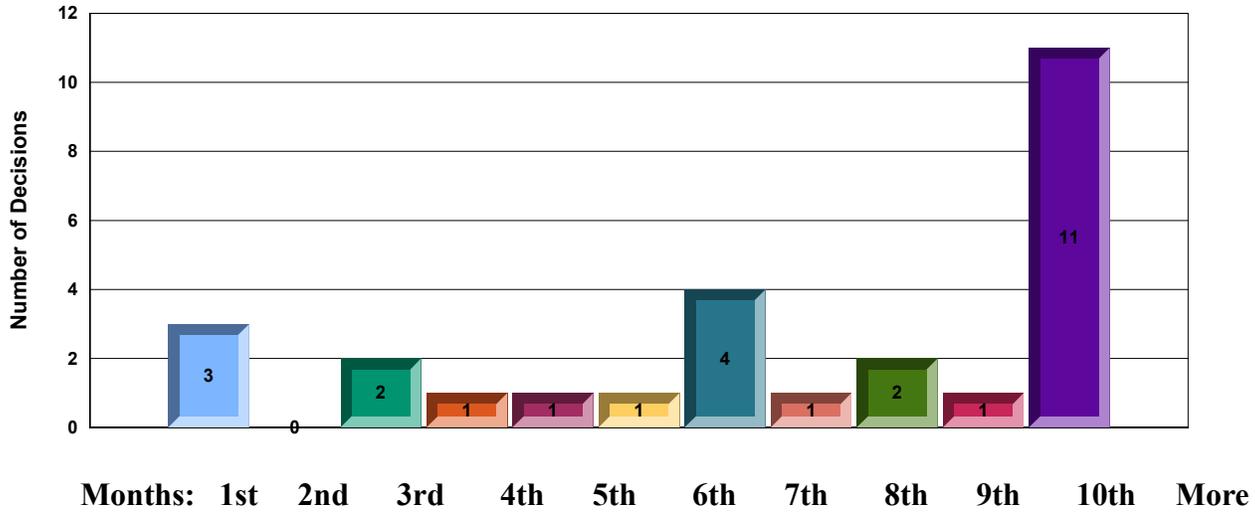
Overall Win Rate: 24.1%



The average time from motion filing to decision was 9.0 months from motion filing. The distribution of times to decision for these motions is illustrated in the chart below.

Distribution of Decisions

For Delaware



Stark, Leonard

Total Decisions: 27

Total Granted: 5

Total Denied: 19

Total Granted in Part, Denied in Part: 3

Overall Win Rate: 24.1%

Average Time to Decision: 9.0 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:07cv00170	Plaintiff	Denied	45.10	12/3/2012
1:04cv01337	Defendant	Denied	13.36	3/30/2012
1:04cv01337	Defendant	Denied	13.36	3/30/2012
1:11cv00652	Plaintiff	Denied	8.55	3/25/2014
1:11cv00652	Defendant	Denied	7.76	3/25/2014
1:09cv00865	Defendant	Denied	6.38	7/9/2014
1:09cv00598	Plaintiff	Denied	10.59	3/30/2015
1:07cv00127	Defendant	Denied without Prejudice	13.62	9/30/2015
1:07cv00127	Defendant	Granted	21.64	9/1/2017
1:13cv00846	Defendant	Denied	11.32	9/27/2016
1:12cv00540	Plaintiff	Denied	4.70	12/5/2016
1:14cv01203	Defendant	Denied	6.68	10/16/2017
1:12cv01581	Defendant	Granted	11.45	9/24/2018
1:15cv00164	Defendant	Granted	14.21	3/27/2019
1:15cv00193	Defendant	Granted	14.21	3/27/2019
1:15cv00819	Defendant	Denied	8.65	3/26/2019
1:08cv00309	Plaintiff	Denied	6.09	7/22/2019
1:16cv00284	Plaintiff	Granted in part, Denied in Part	3.78	7/18/2019
1:15cv00379	Defendant	Denied without Prejudice	0.89	10/23/2019
1:15cv00788	Defendant	Denied without Prejudice	0.89	10/23/2019
1:17cv01086	Defendant	Denied	2.34	8/27/2019
1:17cv00546	Defendant	Denied	13.68	11/30/2020
1:13cv00335	Defendant	Granted	6.22	9/3/2021
1:18cv00699	Defendant	Denied	9.44	9/3/2021

1:15cv00379	Defendant	Denied without Prejudice	-21.45	10/23/2019
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1:15cv00788	Defendant	Granted in part, Denied in Part	5.99	2/3/2022
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1:17cv00775	Defendant	Granted in part, Denied in Part	2.86	2/3/2022
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