

# ***LegalMetric***

## **LegalMetric District Report Permanent Injunctions in Patent Cases Pre- and Post-eBay**

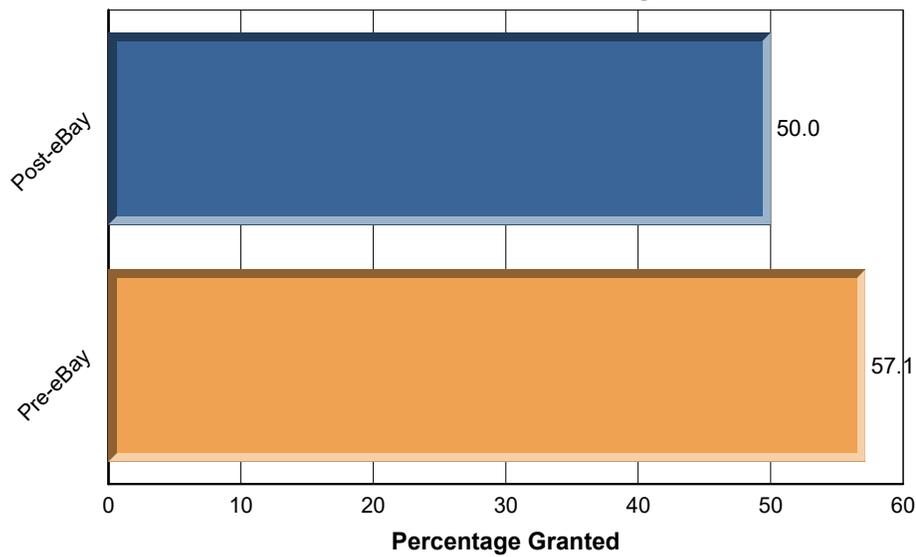
**May 2001-July 2025**

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## Win Rates Permanent Injunction Motions, Pre- and Post eBay



### Overview:

This report covers contested permanent injunction decisions in patent cases in Delaware District Court and is based upon 67 decisions found in the dockets of that court. Of these 67 decisions, 33 were granted, 4 were granted in part, and 30 were denied. Breakout of the data by pre- and post-eBay is shown below.

### Win Rates:

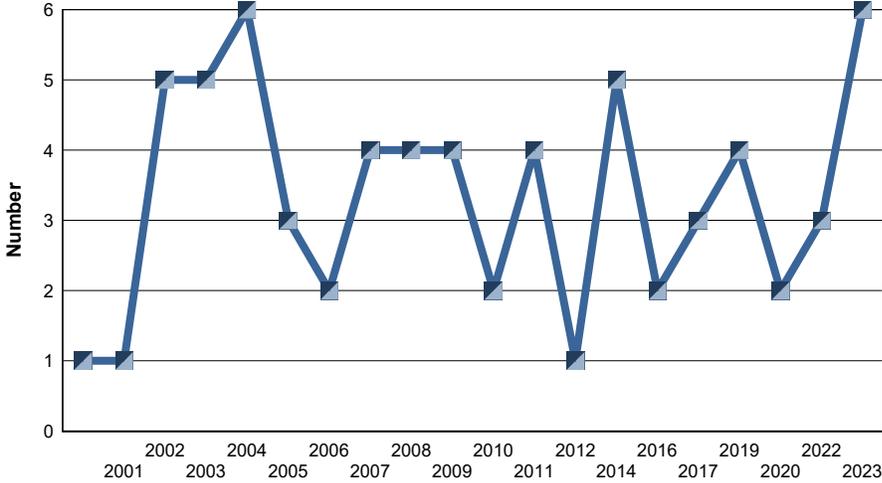
For the period covered by this report, the win rate for movants on these motions is 52.2%. Variation pre- and post-eBay is shown in the chart above.

	Total	
	% Granted	# of Motions
<b>Post-eBay</b>	50.0	46
<b>Pre-eBay</b>	57.1	21

**Number of Permanent Injunctions:**

The variation from year to year in the number of permanent injunctions granted is shown below.

**Number of Permanent Injunctions Granted, by Year**



**Delaware**

The dockets of patent cases in Delaware were examined to identify decisions on contested permanent injunction motions. The number of decisions found, the number granted, and the number denied are as follows:

Total Decisions: 67

Total Granted: 33    Plaintiff Granted: 33    Defendant Granted: 0

Total Denied: 30    Plaintiff Denied: 24    Defendant Denied: 6

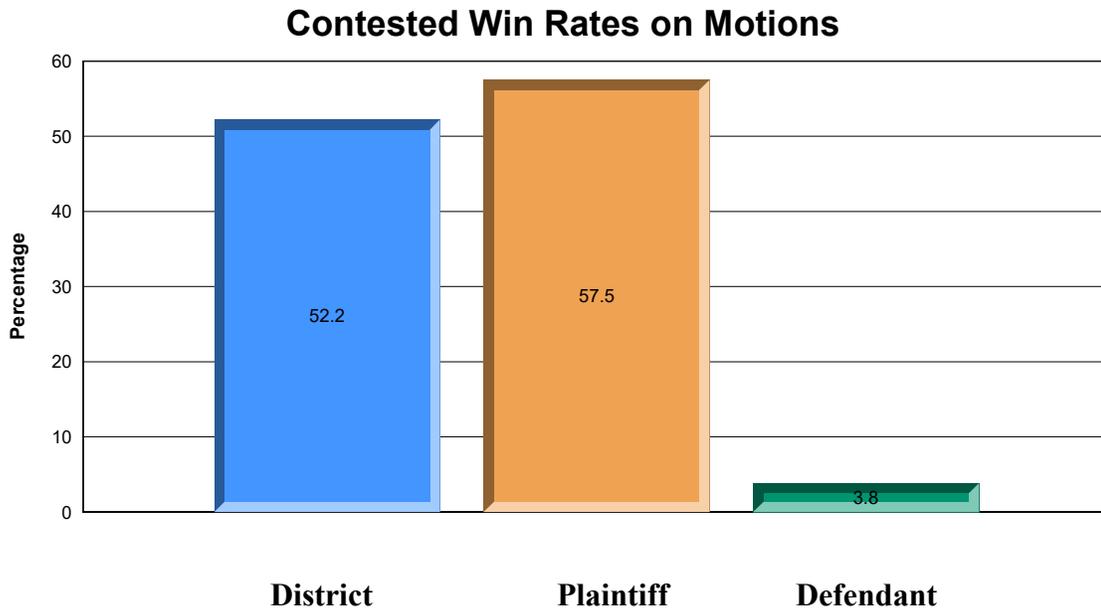
Total Granted in Part, Denied in Part: 4    Plaintiff Granted in Part: 3

Defendant Granted in Part: 1

Plaintiff Win Rate: 57.5%

Defendant Win Rate: 3.8%

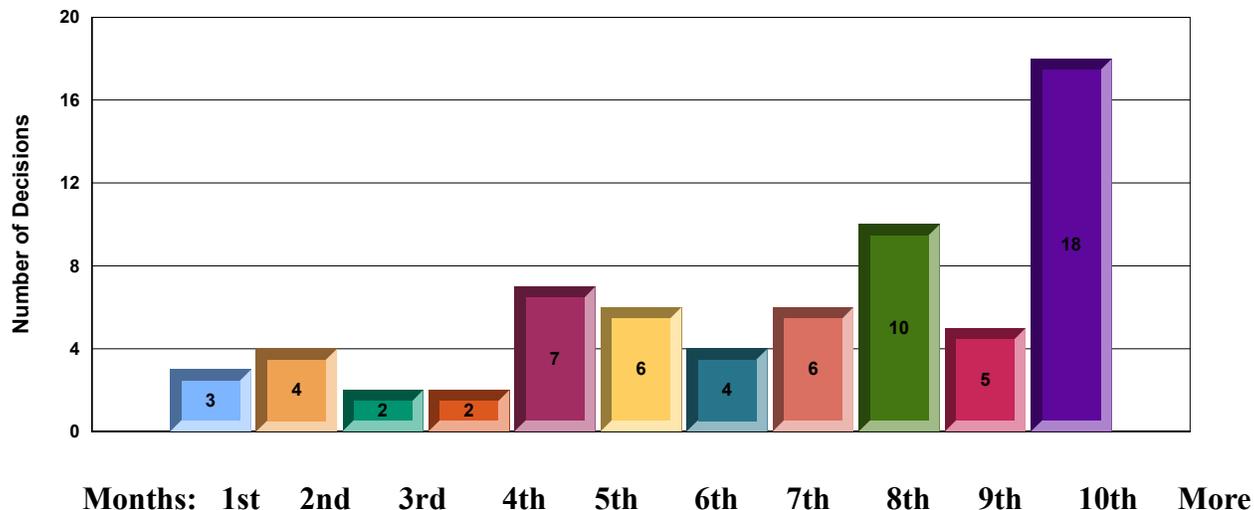
Overall Win Rate: 52.2%



The average time from motion filing to decision was 8.5 months from motion filing. The distribution of times to decision for these motions is illustrated in the chart below.

### Distribution of Decisions

For Delaware



#### Andrews, Richard

Total Decisions: 6

Total Granted: 3

Total Denied: 3

Total Granted in Part, Denied in Part: 0

Overall Win Rate: 50.0%

Average Time to Decision: 4.7 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:11cv00484	Defendant	Denied	4.84	9/12/2014
1:14cv01250	Plaintiff	Granted	2.93	9/12/2017
1:15cv00152	Plaintiff	Granted	7.37	7/24/2019
1:17cv01390	Plaintiff	Granted	1.15	1/14/2022
1:18cv01990	Plaintiff	Denied	7.73	7/5/2022
1:21cv00091	Plaintiff	Denied	4.21	9/7/2023

**Bataillon, Joseph**

Total Decisions: 2  
 Total Granted: 1  
 Total Denied: 1  
 Total Granted in Part, Denied in Part: 0  
 Overall Win Rate: 50.0%  
 Average Time to Decision: 3.9 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:15cv01031	Defendant	Denied	7.80	5/2/2019
1:17cv00014	Plaintiff	Granted	0.07	8/16/2019

**Connolly, Colm**

Total Decisions: 1  
 Total Granted: 0  
 Total Denied: 0  
 Total Granted in Part, Denied in Part: 1  
 Overall Win Rate: 0.0%  
 Average Time to Decision: 0.0 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:16cv00041	Plaintiff	Granted in part, Denied in Part	10.20	7/16/2020

**Farnan, Joseph**

Total Decisions: 9  
 Total Granted: 6  
 Total Denied: 3  
 Total Granted in Part, Denied in Part: 0  
 Overall Win Rate: 66.7%  
 Average Time to Decision: 9.4 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:00cv00035	Plaintiff	Granted	0.43	12/2/2002
1:00cv00568	Plaintiff	Denied	24.11	9/30/2002
1:01cv00011	Plaintiff	Denied	9.77	3/31/2003
1:01cv00127	Plaintiff	Granted	12.27	3/31/2006
1:01cv00150	Plaintiff	Granted	4.61	4/12/2004
1:02cv01290	Plaintiff	Granted	7.47	10/4/2004
1:03cv00469	Plaintiff	Denied without Prejudice	8.26	3/31/2005
1:03cv00633	Plaintiff	Granted	4.14	7/28/2006
1:04cv01371	Plaintiff	Granted	13.88	12/12/2008

**Hillman, Noel**

Total Decisions: 1  
 Total Granted: 1  
 Total Denied: 0  
 Total Granted in Part, Denied in Part: 0  
 Overall Win Rate: 100.0%  
 Average Time to Decision: 5.1 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:09cv00636	Plaintiff	Granted	5.13	8/10/2017

**Jordan, Kent**

Total Decisions: 4  
 Total Granted: 3  
 Total Denied: 1  
 Total Granted in Part, Denied in Part: 0  
 Overall Win Rate: 75.0%  
 Average Time to Decision: 12.3 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:99cv00286	Plaintiff	Granted	28.09	4/16/2003
1:03cv01095	Plaintiff	Granted	6.68	12/16/2005
1:05cv00160	Plaintiff	Granted	5.53	2/16/2007
1:22cv00605	Defendant	Denied	8.75	5/31/2024

**McCalla, Jon**

Total Decisions: 1  
 Total Granted: 1  
 Total Denied: 0  
 Total Granted in Part, Denied in Part: 0  
 Overall Win Rate: 100.0%  
 Average Time to Decision: 3.7 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:20cv00727	Plaintiff	Granted	3.68	6/7/2023

**McKelvie, Roderick**

Total Decisions: 1  
 Total Granted: 0  
 Total Denied: 1  
 Total Granted in Part, Denied in Part: 0  
 Overall Win Rate: 0.0%  
 Average Time to Decision: 8.1 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:99cv00577	Plaintiff	Denied	8.06	3/27/2002

**Noreika, Maryellen**

Total Decisions: 3

Total Granted: 0

Total Denied: 2

Total Granted in Part, Denied in Part: 1

Overall Win Rate: 16.7%

Average Time to Decision: 8.6 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:18cv00462	Plaintiff	Granted in part, Denied in Part	8.91	3/24/2020
1:19cv01508	Plaintiff	Denied	10.86	3/31/2023
1:18cv01019	Plaintiff	Denied	6.05	8/2/2023

**Robinson, Sue**

Total Decisions: 19

Total Granted: 9

Total Denied: 10

Total Granted in Part, Denied in Part: 0

Overall Win Rate: 47.4%

Average Time to Decision: 7.7 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:05cv00747	Plaintiff	Granted	1.88	4/30/2009
1:00cv00751	Plaintiff	Granted	8.91	11/18/2003
1:00cv01013	Defendant	Denied	8.85	9/30/2002
1:01cv00070	Plaintiff	Denied	1.35	5/29/2001
1:01cv00203	Plaintiff	Denied without Prejudice	1.84	2/11/2003
1:01cv00504	Plaintiff	Granted	9.70	3/10/2004
1:01cv00504	Plaintiff	Granted	2.96	6/9/2004
1:03cv01067	Plaintiff	Denied without Prejudice	11.35	1/10/2007
1:03cv01158	Plaintiff	Denied without Prejudice	10.59	3/27/2007
1:05cv00747	Plaintiff	Granted	10.03	8/1/2008
1:06cv00091	Plaintiff	Granted	9.84	11/10/2008
1:97cv00550	Plaintiff	Denied	11.28	3/28/2002
1:98cv00080	Plaintiff	Denied	15.07	9/29/2008
1:99cv00274	Plaintiff	Granted	5.33	6/9/2004
1:06cv00282	Plaintiff	Denied	6.25	12/22/2009
1:08cv00542	Plaintiff	Denied	5.30	11/3/2010
1:08cv00063	Plaintiff	Denied	9.57	8/12/2011
1:11cv01007	Plaintiff	Granted	7.14	3/31/2014
1:14cv01317	Plaintiff	Granted	8.49	1/5/2017

**Sleet, Gregory**

Total Decisions: 8

Total Granted: 3

Total Denied: 3

Total Granted in Part, Denied in Part: 2

Overall Win Rate: 50.0%

Average Time to Decision: 12.1 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:01cv00051	Plaintiff	Granted	7.11	8/28/2003
1:02cv00148	Plaintiff	Denied	10.10	9/15/2004
1:03cv00896	Plaintiff	Granted	11.25	10/30/2007
1:04cv00876	Plaintiff	Denied	19.31	1/6/2009
1:06cv00369	Plaintiff	Granted	16.74	8/18/2009
1:08cv00091	Plaintiff	Granted in part, Denied in Part	8.39	2/7/2011
1:08cv00234	Defendant	Granted in part, Denied in Part	14.77	7/1/2011
1:12cv00956	Plaintiff	Denied	9.41	3/31/2016

**Stark, Leonard**

Total Decisions: 8

Total Granted: 3

Total Denied: 5

Total Granted in Part, Denied in Part: 0

Overall Win Rate: 37.5%

Average Time to Decision: 10.6 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:07cv00170	Plaintiff	Denied	45.10	12/3/2012
1:09cv00347	Plaintiff	Granted	3.42	4/21/2011
1:08cv00309	Plaintiff	Granted	8.22	6/30/2014
1:11cv00652	Plaintiff	Denied	8.09	3/25/2014
1:08cv00309	Defendant	Denied	5.07	6/16/2014
1:12cv00540	Plaintiff	Denied	4.70	12/5/2016
1:12cv00540	Defendant	Denied	6.09	7/22/2019
1:21cv00730	Plaintiff	Granted	4.08	3/7/2022

**Thynge, Mary**

Total Decisions: 2

Total Granted: 1

Total Denied: 1

Total Granted in Part, Denied in Part: 0

Overall Win Rate: 50.0%

Average Time to Decision: 7.3 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:03cv00242	Plaintiff	Granted	10.36	11/1/2005
1:06cv00491	Plaintiff	Denied	4.18	7/23/2010

**Williams, Gregory**

Total Decisions: 2

Total Granted: 2

Total Denied: 0

Total Granted in Part, Denied in Part: 0

Overall Win Rate: 100.0%

Average Time to Decision: 2.8 months from motion filing

Case Number	Movant	Decision	Pendency (months)	Decision Date
1:20cv00125	Plaintiff	Granted	5.23	11/21/2023
1:22cv00853	Plaintiff	Granted	0.36	10/2/2023