

2009 PATENT LITIGATION SURVEY

A Little Less Buzz

Our survey shows that patent litigators continued to be busy in 2008, though by the time the year ended they were definitely feeling the recession's sting.

—By Joe Mullin

METHODOLOGY: In 2007 & 2009 between 250-300 law firms were asked for a list of patent lawsuits filed in federal district court from the previous year. To be considered for the survey, the cases had to be active as of February 1st of that respective year. Cases before the International Trade Commission or appellate courts were not counted. To qualify in 2008, a slightly different methodology was enacted; district court cases had to be active at least two months. A condition that remained constant for all years, 2007-2009, was that cases involving the same patent, highly similar technology, consolidated discovery, and, were listed in multiple district court cases with the same plaintiff, were counted as one.

FOR THE DEFENSE

RANK 2009	RANK 2008	RANK 2007	FIRM NAME	DEFENSE CASES
1	2	2	Kirkland & Ellis	48
2	1	1	Fish & Richardson	47
3	3	5	Morrison & Foerster	42
4	17	N/A	Quinn Emanuel	40
5	11	14	Kenyon & Kenyon	36
6	4	4	Howrey	31
7	12	24	Alston & Bird	30
7	18	N/A	K&L Gates	30
9	20	24	DLA Piper US	28
9	26	15	Wilson Sonsini	28
11	13	6	Foley & Lardner	27
12	10	11	Finnegan, Henderson	26
12	6	3	Jones Day	26
12	9	11	McDermott Will	26
12	N/A	N/A	Wilmer	26
16	13	N/A	Akin Gump	25
16	20	10	Greenberg Traurig	25
18	7	7	Baker Botts	24
18	N/A	11	Perkins Coie	24
18	4	24	Winston & Strawn	24
21	7	9	Knobbe Martens	23
22	N/A	30	Gibson, Dunn	21
23	N/A	19	Goodwin Procter	20

WHICH FIRMS WERE BUSIEST OVERALL?

RANK 2009	RANK 2008	RANK 2007	FIRM NAME	TOTAL DISTRICT COURT CASES
1	1	1	Fish & Richardson	77
2	3	3	Kirkland & Ellis	57
3	22	N/A	Quinn Emanuel	54
4	9	13	Kenyon & Kenyon	52
5	11	18	Finnegan, Henderson	50
5	6	7	Niro, Scavone	50
7	2	11	Morrison & Foerster	46
8	34	N/A	Wilmer	44
9	4	5	Howrey	43
9	5	2	Jones Day	43
9	8	N/A	Knobbe, Martens	43
12	17	24	Alston & Bird	42
13	25	6	Greenberg Traurig	41
14	25	27	DLA Piper US	40
14	9	4	Foley & Lardner	40
16	31	N/A	K&L Gates	39
16	N/A	N/A	McKool Smith	39
18	20	N/A	Akin Gump	35
19	31	32	Wilson Sonsini	34
20	13	11	Baker Botts	31
20	11	9	McDermott Will	31
20	7	27	Winston & Strawn	31
23	N/A	N/A	Covington & Burling	30
23	22	27	Fulbright & Jaworski	30
25	22	22	Michael Best	28
25	30	16	Perkins Coie	28
27	31	27	Goodwin Procter	27
28	N/A	N/A	McCarter & English	26
29	20	9	Cooley Godward	25
29	N/A	21	Ropes & Gray	25
31	18	18	Kilpatrick Stockton	23
31	14	32	Morgan, Lewis	23
33	N/A	N/A	Gibson, Dunn	22
34	N/A	36	Fitzpatrick, Cella	21
34	N/A	N/A	Hunton & Williams	21
34	N/A	N/A	McAndrews, Held	21
37	15	18	Sidley Austin	20

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