

## Intellectual Property Alert

### What's in the Pipeline for Judicial Vacancies? – December 8 Update

December 8, 2011

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We continue to follow the important changes underway behind the bench at the Federal Circuit and in several district courts where significant numbers of patent infringement cases are pending. A number of long-serving judges have retired or taken senior status, and new judges are being selected to fill those vacancies. The chart below summarizes the status of the vacancies. They are listed in order of the date that a replacement was nominated to fill the vacancy.

So far this quarter, a total of eighteen judicial nominees have been confirmed, signaling a thawing in the previously glacial pace of judicial confirmations. This trend has continued this week. On December 5, 2011, the Senate unanimously confirmed Judge J. Rodney Gilstrap as a federal district judge for the Eastern District of Texas. Though he will officially be filling the seat vacated by Judge Thad Heartfield, Judge Gilstrap will sit in Marshall, Texas and will preside over the docket previously presided over by Judge Ward. U.S. Senators Kay Bailey Hutchison and John Cornyn have made three recommendations for the remaining vacant seat in the Eastern District of Texas. The recommendations are Judge Jim Fallon (15th District Court in Grayson County, Texas), Judge Martin Hoffman (68th District Court in Dallas, Texas) and Mr. Clyde Siebman (Senior Partner at Siebman, Reynolds, Burg, Phillips & Smith). We will update this chart periodically as the nomination process moves forward for various nominees.

To view the chart, please [click here](#).

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