

EXHIBIT D



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Ex Parte Reexamination Filing Data - September 30, 2005

- 1. Total requests filed since start of ex parte reexam on 07/01/81 7743
 - a. By patent owner 3221 42%
 - b. By other member of public 4357 56%
 - c. By order of Commissioner 165 2%

- 2. Number of filings by discipline
 - a. Chemical Operation 2420 31%
 - b. Electrical Operation 2457 32%
 - c. Mechanical Operation 2866 37%

3. Annual Ex Parte Reexam Filings

Fiscal Yr. No.	Fiscal Yr. No.	Fiscal Yr. No.	Fiscal Yr. No.
1981 78 (3 mos.)	1989 243	1997 376	2005 524
1982 187	1990 297	1998 350	
1983 186	1991 307	1999 385	
1984 189	1992 392	2000 318	
1985 230	1993 359	2001 296	
1986 232	1994 379	2002 272	
1987 240	1995 392	2003 392	
1988 268	1996 418	2004 441	

- 4. Number known to be in litigation.....1705 22%
- 5. Determinations on requests 7510
 - a. No. granted6846.....91%
 - (1) By examiner 6740
 - (2) By Director (on petition) 106
 - b. No. denied664.....9%
 - (1) By examiner 629
 - (2) Order vacated 35

6. Total examiner denials (includes denials reversed by Director).....				735
a. Patent owner requester		419		57%
b. Third party requester		316		43%
7. Overall reexamination pendency (Filing date to certificate issue date)				
a. Average pendency		21.9	(mos.)	
b. Median pendency		17.2	(mos.)	
8. Reexam certificate claim analysis:	<u>Owner</u>	<u>3rd Party</u>	<u>Comm'r</u>	<u>Overall</u>
	<u>Requester</u>	<u>Requester</u>	<u>Initiated</u>	
a. All claims confirmed	23%	29%	13%	26%
b. All claims cancelled	7%	12%	19%	10%
c. Claims changes	70%	59%	68%	64%
9. Total ex parte reexamination certificates issued (1981 - present).....				5209
a. Certificates with all claims confirmed		1363		26%
b. Certificates with all claims canceled		526		10%
c. Certificates with claims changes		3320		64%
10. Reexam claim analysis - requester is patent owner or 3rd party; or Comm'r initiated.				
a. Certificates _ PATENT OWNER REQUESTER				2272
(1) All claims confirmed		527		23%
(2) All claims canceled		164		7%
(3) Claim changes		1581		70%
b. Certificates _ 3rd PARTY REQUESTER				2803
(1) All claims confirmed		819		29%
(2) All claims canceled		332		12%
(3) Claim changes		1652		59%
c. Certificates _ COMM'R INITIATED REEXAM				134
(1) All claims confirmed		17		13%
(2) All claims canceled		26		19%
(3) Claim changes		91		68%