

Russ Emerson in Managing IP: Half-Year Data Reveals Western District of Texas's Rise to Top

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PRACTICES Patent Litigation, Patents, Intellectual Property

Haynes Boone Partner [Russ Emerson](#) talked with *Managing IP* about a recent surge in patent filings in Texas.

Here is an excerpt:

The Western District of Texas took the top spot for patent case filings in the first half of 2020, surpassing the District of Delaware by 64 cases. According to data from Docket Navigator on the top seven US patent courts for the first half of 2020, Western Texas's H1 docket rose by 287% compared to H1 2019.

Judge Alan Albright, a former patent litigator and magistrate judge who took on his position as district judge in September 2018, facilitated this increase by offering experience and speed in an area of the country where many tech companies have established places of business.

The Eastern District of Texas has seen a decrease in filings every year since TC Heartland. Although there were 1,684 filings in 2016, the court received 869 in 2017, 509 in 2018 and just 332 for 2019. But if the second half of this year matches the first, this will be the first year since 2015 (when the court took on 2,550 filings) that cases increase in the court year on year.

Russ Emerson, partner with Haynes Boone in Dallas, says the rise in filings at the Eastern District of Texas reflects a broader trend of cases increasing. There were 2,043 patent filings at district courts in H1 2020 and 1,825 in H1 2019.

In previous interviews with *Managing IP*, lawyers said they liked the early discovery available at the Eastern District of Texas and that the deep body of case law added predictability.

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