

## Appendix

**Appendix Table A1 (Full Version Table 5): Logit Estimation of Likelihood of CAFC Overruling Decision in Full**

	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>
	<b>Pilot</b>	<b>Pilot Dist.</b>	<b>Pilot+DE</b>	<b>Median</b>
<b>Specialized</b>	-0.118 (0.462)	-0.081 (0.456)	-0.118 (0.462)	-0.168 (0.442)
<b>Patent Cases</b>	-0.0001 (0.0002)	-0.0001 (0.0002)	-0.0001 (0.0002)	-0.0001 (0.0002)
<b>Tenure</b>	0.046* (0.019)	0.046* (0.020)	0.046* (0.019)	0.048** (0.018)
<b>Designated</b>	-1.019* (0.470)	-1.027* (0.467)	-1.019* (0.470)	-1.005* (0.480)
<b>Docket</b>	0.001 (0.0008)	0.001 (0.0008)	0.001 (0.0008)	0.001 (0.0008)
<b>Claim</b>	0.843* (0.369)	0.844* (0.371)	0.843* (0.369)	0.856* (0.382)
<b>High-Vol.</b>	1.574*** (0.385)	1.570*** (0.386)	1.574*** (0.385)	1.600*** (0.384)
<b>Infringe</b>	-1.130** (0.424)	-1.121** (0.426)	-1.130** (0.424)	-1.114** (0.432)
<b>Validity</b>	-0.387 (0.378)	-0.379 (0.377)	-0.387 (0.378)	-0.370 (0.374)
<b>Inequ. Cond.</b>	0.276 (1.160)	0.275 (1.154)	0.276 (1.160)	0.247 (1.161)
<b>Sum. Jud.</b>	-0.765 (0.484)	-0.765 (0.487)	-0.765 (0.484)	-0.746 (0.497)
<b>MTD</b>	-0.278 (0.572)	-0.282 (0.570)	-0.278 (0.572)	-0.268 (0.577)
<b>Pre. Inj.</b>	1.254 (0.735)	1.265 (0.733)	1.254 (0.753)	1.248 (0.739)

	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>
	<b>Pilot</b>	<b>Pilot Dist.</b>	<b>Pilot+DE</b>	<b>Median</b>
<b>Bench</b>	0.269 (0.679)	0.256 (0.680)	0.269 (0.679)	0.254 (0.684)
<b>JMOL</b>	0.143 (0.684)	0.133 (0.682)	0.143 (0.684)	0.138 (0.685)
<b>Precedent</b>	0.780* (0.370)	0.780* (0.371)	0.780* (0.370)	0.774* (0.376)
<b>Lower Ct.<sup>1</sup></b>	0.489 (0.441)	0.493 (0.438)	0.489 (0.441)	0.509 (0.450)
<b>Chemical<sup>2</sup></b>	0.726 (0.635)	0.723 (0.633)	0.726 (0.635)	0.732 (0.631)
<b>Drugs</b>	0.105 (0.519)	0.100 (0.518)	0.105 (0.519)	0.100 (0.520)
<b>Electronics</b>	0.126 (0.607)	0.129 (0.618)	0.126 (0.607)	0.150 (0.602)
<b>Mechanical</b>	1.113* (0.462)	1.102* (0.479)	1.113* (0.462)	1.083* (0.489)
<b>Other Tech.</b>	0.981 (0.532)	0.981 (0.535)	0.981 (0.532)	0.970 (0.535)
<b>Ideology</b>	0.143 (0.300)	0.142 (0.302)	0.143 (0.300)	0.146 (0.301)
<b>Delaware</b>	1.001* (0.397)	1.014* (0.450)	1.120* (0.508)	1.118** (0.420)
<b>N.D.Cal.</b>	-0.574 (0.799)	-0.523 (0.840)	-0.574 (0.799)	-0.514 (0.811)
<b>E.D.Tex.</b>	0.946 (1.019)	0.977 (1.019)	0.946 (1.019)	0.965 (1.003)

<sup>1</sup>Reference category is lower court in favor of patentee.

<sup>2</sup>Reference category is Computer.

	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>
	<b>Pilot</b>	<b>Pilot Dist.</b>	<b>Pilot+DE</b>	<b>Median</b>
<b>2012<sup>3</sup></b>	0.354 (0.615)	0.347 (0.612)	0.354 (0.615)	0.341 (0.614)
<b>2013</b>	-0.261 (0.679)	-0.263 (0.678)	-0.261 (0.679)	-0.267 (0.682)
<b>2014</b>	-0.086 (0.593)	-0.089 (0.590)	-0.086 (0.593)	-0.093 (0.594)
<b>2015</b>	-0.083 (0.722)	-0.091 (0.716)	-0.083 (0.722)	-0.115 (0.711)
<b>2016</b>	-0.287 (0.834)	-0.273 (0.830)	-0.287 (0.834)	-0.254 (0.842)
<b>_cons</b>	-2.965*** (0.765)	-2.953*** (0.831)	-2.965*** (0.765)	-2.956*** (0.778)
<b>N</b>	434	434	434	434

Standard errors in parentheses clustered by judge. \*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

<sup>3</sup> Reference category is 2011.

**Appendix Table A2 (Full Version Table 6): Logit Estimation of Likelihood of CAFC Overruling Decision in Part**

	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>
	<b>Pilot</b>	<b>Pilot Dist.</b>	<b>DE+Pilot</b>	<b>Median</b>
<b>Specialized</b>	-0.257 (0.389)	-0.110 (0.370)	-0.257 (0.389)	-0.141 (0.352)
<b>Patent Cases</b>	0.00002 (0.0002)	-0.00006 (0.0002)	0.00002 (0.0002)	0.000007 (0.0002)
<b>Tenure</b>	0.033* (0.016)	0.033* (0.017)	0.033* (0.016)	0.034* (0.016)
<b>Designated</b>	-1.044** (0.357)	-1.064** (0.355)	-1.044** (0.357)	-1.048** (0.356)
<b>Docket</b>	0.002*** (0.0006)	0.002*** (0.0006)	0.002*** (0.0006)	0.002*** (0.0006)
<b>Claim</b>	0.964** (0.325)	0.960** (0.327)	0.964** (0.325)	0.969** (0.332)
<b>High-Vol.</b>	1.296** (0.408)	1.283** (0.407)	1.296** (0.408)	1.307** (0.407)
<b>Infringe</b>	-0.594 (0.328)	-0.577 (0.333)	-0.594 (0.328)	-0.575 (0.332)
<b>Validity</b>	0.011 (0.352)	0.024 (0.351)	0.011 (0.352)	0.028 (0.349)
<b>Inequ. Cond.</b>	0.178 (1.178)	0.183 (1.165)	0.178 (1.178)	0.172 (1.162)
<b>Sum. Jud.</b>	-1.030* (0.463)	-1.028* (0.465)	-1.030* (0.463)	-1.010* (0.477)
<b>MTD</b>	-0.655 (0.534)	-0.653 (0.528)	-0.655 (0.534)	-0.629 (0.540)
<b>Pre. Inj.</b>	0.687 (0.752)	0.708 (0.747)	0.687 (0.752)	0.697 (0.755)
<b>Bench</b>	-0.800	-0.838	-0.800	-0.846

	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>
	<b>Pilot</b>	<b>Pilot Dist.</b>	<b>DE+Pilot</b>	<b>Median</b>
	(0.616)	(0.617)	(0.616)	(0.623)
<b>JMOL</b>	-0.440 (0.695)	-0.450 (0.697)	-0.440 (0.695)	-0.442 (0.703)
<b>Precedent</b>	1.236*** (0.260)	1.244*** (0.261)	1.236*** (0.260)	1.245*** (0.261)
<b>Lower Ct.</b>	0.556 (0.498)	0.559 (0.498)	0.556 (0.498)	0.576 (0.505)
<b>Chemical</b>	0.155 (0.699)	0.150 (0.697)	0.155 (0.699)	0.158 (0.700)
<b>Drugs</b>	-0.032 (0.464)	-0.038 (0.462)	-0.031 (0.464)	-0.033 (0.468)
<b>Electronics</b>	-0.087 (0.689)	-0.078 (0.692)	-0.087 (0.689)	-0.054 (0.690)
<b>Mechanical</b>	0.603 (0.524)	0.591 (0.523)	0.603 (0.524)	0.582 (0.523)
<b>Other Tech.</b>	0.243 (0.469)	0.241 (0.469)	0.243 (0.469)	0.235 (0.468)
<b>Ideology</b>	-0.130 (0.316)	-0.127 (0.317)	-0.130 (0.316)	-0.120 (0.314)
<b>Delaware</b>	0.505 (0.389)	0.565 (0.416)	0.762 (0.449)	0.673 (0.388)
<b>N.D.Cal.</b>	-0.296 (0.564)	-0.203 (0.598)	-0.296 (0.564)	-0.219 (0.581)
<b>E.D.Tex.</b>	0.177 (0.933)	0.201 (0.901)	0.177 (0.933)	0.168 (0.889)
<b>2012</b>	-0.108 (0.449)	-0.121 (0.450)	-0.108 (0.449)	-0.131 (0.447)
<b>2013</b>	-0.591 (0.465)	-0.586 (0.465)	-0.591 (0.465)	-0.590 (0.466)

	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>
	<b>Pilot</b>	<b>Pilot Dist.</b>	<b>DE+Pilot</b>	<b>Median</b>
<b>2014</b>	-0.401 (0.454)	-0.410 (0.456)	-0.401 (0.454)	-0.421 (0.455)
<b>2015</b>	-0.346 (0.602)	-0.362 (0.598)	-0.346 (0.602)	-0.386 (0.596)
<b>2016</b>	-0.583 (0.656)	-0.556 (0.657)	-0.583 (0.656)	-0.550 (0.662)
<b>_cons</b>	-2.061 <sup>**</sup> (0.701)	-2.074 <sup>**</sup> (0.723)	-2.061 <sup>**</sup> (0.701)	-2.100 <sup>**</sup> (0.703)
<b>N</b>	434	434	434	434

Standard errors in parentheses clustered by judge \*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>	<b>Model 5</b>	<b>Model 6</b>
	<b>Exclude E.D.Tex.<sup>4</sup></b>	<b>Exclude R36<sup>5</sup></b>	<b>Only Prec<sup>6</sup></b>	<b>Court Errors<sup>7</sup></b>	<b>Trial<sup>8</sup></b>	<b>Claim<sup>9</sup></b>
Pilot	-0.224 (0.584)	-0.194 (0.514)	-0.0730 (0.789)	-0.411 (0.432)	-0.266 (0.372)	-0.318 (0.343)
Patent C	-0.001 (0.0009)	-0.00004 (0.0002)	0.00145* (0.0006)	0.0002 (0.0001)	--	--
Trial C	--	--	--	--	-0.814 (0.855)	--
Claim Exp.	--	--	--	--	---	0.003 (0.002)
Tenure	0.040 (0.021)	0.050* (0.021)	0.042 (0.036)	0.043* (0.019)	0.036* (0.017)	0.048* (0.022)
Designated	-1.023* (0.497)	-1.040 (0.574)	-1.161 (0.761)	-0.679 (0.371)	-0.593 (0.369)	-0.817* (0.411)
Docket	0.0010 (0.0009)	0.001 (0.0008)	0.002 (0.001)	0.0009 (0.0007)	0.001 (0.0007)	0.001 (0.0007)
Claim	1.141** (0.394)	0.413 (0.404)	0.966 (0.706)	0.852* (0.394)	0.852* (0.396)	0.838* (0.389)
High-Vol.	1.213** (0.411)	1.602*** (0.453)	1.724* (0.675)	1.649*** (0.463)	1.707*** (0.452)	1.622*** (0.481)
Infringe	-1.210** (0.453)	-0.941* (0.413)	-1.438* (0.679)	-1.174** (0.441)	-1.171** (0.448)	-1.172** (0.444)
Validity	-0.413 (0.454)	-0.185 (0.394)	-0.494 (0.795)	-0.352 (0.340)	-0.324 (0.335)	-0.382 (0.344)
Ineq. Con.	0.328	0.439	-0.479	0.027	-0.039	0.067

<sup>4</sup> Excluding appeals from the Eastern District of Texas.

<sup>5</sup> Excluding cases issued under Rule 36.

<sup>6</sup> Only precedential decisions.

<sup>7</sup> Standard errors clustered by court. The last three regressions in this table cluster standard errors by court instead of by judge.

<sup>8</sup> Instead of patent experience, judge experience also measured by patent trial experience (number of patent trials 2014-2019).

<sup>9</sup> Instead of patent experience, judge experience also measured by claim construction hearing experience (number of patent trials, 2014-2019).

	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>	<b>Model 5</b>	<b>Model 6</b>
	<b>Exclude E.D.Tex.<sup>4</sup></b>	<b>Exclude R36<sup>5</sup></b>	<b>Only Prec<sup>6</sup></b>	<b>Court Errors<sup>7</sup></b>	<b>Trial<sup>8</sup></b>	<b>Claim<sup>9</sup></b>
	(1.293)	(1.116)	(1.884)	(1.294)	(1.253)	(1.274)
Sum. Jud.	-0.684 (0.482)	-0.704 (0.609)	-0.866 (0.755)	-0.766 (0.399)	-0.863* (0.415)	-0.767 (0.393)
MTD	-0.232 (0.687)	-0.0920 (0.701)	0.300 (0.988)	-0.260 (0.580)	-0.370 (0.620)	-0.263 (0.587)
Pre. Inj.	1.330 (0.858)	0.745 (0.751)	0.356 (1.235)	1.280 (0.763)	1.207 (0.746)	1.343 (0.761)
Bench	0.456 (0.682)	-0.00422 (0.832)	0.360 (1.201)	0.486 (0.751)	1.032 (0.800)	0.437 (0.722)
JMOL	-0.359 (0.829)	-0.276 (0.816)	-2.181 (1.418)	0.244 (0.636)	0.863 (1.106)	0.286 (0.645)
Precedent	0.770* (0.363)	-0.221 (0.373)	--	0.734* (0.314)	0.733* (0.291)	0.749* (0.321)
Lower Ct.	0.715 (0.609)	0.347 (0.538)	0.799 (0.854)	0.537 (0.480)	0.651 (0.468)	0.484 (0.471)
Chemical	0.338 (0.709)	0.726 (0.643)	0.312 (0.834)	0.885 (0.625)	0.855 (0.627)	0.893 (0.646)
Drugs	-0.216 (0.533)	0.0304 (0.549)	-0.726 (0.715)	0.223 (0.565)	0.262 (0.598)	0.199 (0.581)
Electronics	0.527 (0.557)	0.215 (0.671)	1.582 (1.198)	0.155 (0.518)	0.058 (0.544)	0.177 (0.522)
Mechanical	0.583 (0.573)	1.077* (0.491)	1.611 (0.920)	1.159* (0.519)	1.159* (0.533)	1.146* (0.521)
Other Tech	0.829 (0.541)	0.932 (0.586)	1.714* (0.809)	0.971 (0.535)	0.897 (0.530)	1.016 (0.548)
Ideology	0.110 (0.330)	0.301 (0.331)	-0.139 (0.590)	0.113 (0.272)	0.136 (0.263)	0.127 (0.263)
Delaware	2.056* (0.938)	1.071* (0.426)	0.400 (0.930)	--	--	---



	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>	<b>Model 5</b>	<b>Model 6</b>
	<b>Exclude E.D.Tex.<sup>4</sup></b>	<b>Exclude R36<sup>5</sup></b>	<b>Only Prec<sup>6</sup></b>	<b>Court Errors<sup>7</sup></b>	<b>Trial<sup>8</sup></b>	<b>Claim<sup>9</sup></b>
N.D.Cal.	-0.614 (0.751)	-0.0664 (0.820)	0.146 (1.290)	--	--	--
E.D.Tex.	--	0.716 (0.869)	-4.339 (2.569)	--	--	--
2012	0.140 (0.631)	0.109 (0.714)	-1.036 (1.106)	0.307 (0.517)	0.361 (0.525)	0.299 (0.525)
2013	-0.543 (0.697)	-0.637 (0.741)	-2.414 (1.327)	-0.350 (0.587)	-0.301 (0.593)	-0.373 (0.583)
2014	-0.652 (0.550)	-0.146 (0.610)	-1.779 (1.161)	-0.084 (0.593)	-0.007 (0.598)	-0.120 (0.594)
2015	-0.152 (0.775)	-0.116 (0.798)	-1.267 (1.348)	-0.123 (0.646)	0.026 (0.664)	-0.191 (0.640)
2016	-0.334 (1.036)	-0.544 (0.865)	-3.539* (1.406)	-0.371 (0.969)	-0.219 (0.999)	-0.384 (0.943)
_cons	-2.545*** (0.746)	-1.692 (0.866)	-1.139 (1.666)	-2.805*** (0.681)	-2.674*** (0.681)	-2.896*** (0.698)
<i>N</i>	392	264	155	434	434	434

Standard errors in parentheses clustered by judge except as stated. \*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

**Appendix Table A4 (Sumsamples): Logit Estimation of Likelihood of CAFC Overruling Decision in Part**

	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>	<b>Model 5</b>	<b>Model 6</b>
	<b>Exclude E.D.Tex<sup>10</sup></b>	<b>Exclude R36<sup>11</sup></b>	<b>Only Prec<sup>12</sup></b>	<b>Court Errors<sup>13</sup></b>	<b>Trial<sup>14</sup></b>	<b>Claim<sup>15</sup></b>
Pilot	-0.246 (0.471)	-0.402 (0.421)	-0.437 (0.671)	-0.411 (0.351)	-0.290 (0.290)	-0.318 (0.343)
Patent C.	-0.001 (0.0009)	0.00009 (0.0002)	0.0007** (0.0003)	0.0001 (0.0001)	--	--
Tenure	0.032 (0.018)	0.039* (0.018)	0.027 (0.029)	0.032 (0.020)	0.028 (0.018)	0.048* (0.022)
Designated	-1.223*** (0.370)	-1.087* (0.472)	-1.202 (0.616)	-0.862** (0.268)	-0.778** (0.264)	-0.817* (0.411)
Docket	0.002*** (0.0006)	0.002*** (0.0007)	0.004** (0.001)	0.0021** (0.007)	0.002*** (0.0006)	0.0010 (0.007)
Claim	1.323*** (0.347)	0.431 (0.364)	0.526 (0.470)	0.972** (0.369)	0.989** (0.365)	0.838* (0.389)
High-Vol.	1.126* (0.506)	1.514** (0.517)	1.590* (0.650)	1.343*** (0.406)	1.392*** (0.405)	1.622*** (0.481)
Infringe	-0.505 (0.349)	-0.408 (0.307)	-0.336 (0.508)	-0.628 (0.369)	-0.623 (0.378)	-1.172** (0.444)
Validity	0.201 (0.363)	0.162 (0.361)	-0.287 (0.648)	0.039 (0.355)	0.080 (0.344)	-0.382 (0.344)
Ineq. Con.	0.254 (1.257)	0.285 (1.185)	-0.866 (1.909)	0.025 (1.238)	0.0095 (1.198)	0.067 (1.274)
Sum. Jud.	-1.113* (0.506)	-1.013 (0.517)	-0.751 (0.650)	-1.029** (0.406)	-1.115** (0.405)	-0.767 (0.481)

<sup>10</sup> Excluding appeals from the Eastern District of Texas.

<sup>11</sup> Excluding cases issued under Rule 36.

<sup>12</sup> Only precedential decisions.

<sup>13</sup> Standard errors clustered by court. The last three regressions in this table cluster standard errors by court instead of by judge.

<sup>14</sup> Instead of patent experience, judge experience also measured by patent trial experience (number of patent trials 2014-2019).

<sup>15</sup> Instead of patent experience, judge experience also measured by claim construction hearing experience (number of patent trials, 2014-2019).

	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>	<b>Model 5</b>	<b>Model 6</b>
	<b>Exclude E.D.Tex<sup>10</sup></b>	<b>Exclude R36<sup>11</sup></b>	<b>Only Prec<sup>12</sup></b>	<b>Court Errors<sup>13</sup></b>	<b>Trial<sup>14</sup></b>	<b>Claim<sup>15</sup></b>
	(0.479)	(0.617)	(0.756)	(0.343)	(0.349)	(0.393)
MTD	-0.923 (0.586)	-0.529 (0.662)	-0.600 (0.974)	-0.624 (0.489)	-0.714 (0.512)	-0.263 (0.587)
Pre. Inj.	0.705 (0.864)	0.0825 (0.811)	-0.552 (1.591)	0.686 (0.724)	0.652 (0.723)	1.343 (0.761)
Bench	-0.879 (0.665)	-1.178 (0.800)	-0.677 (1.224)	-0.658 (0.617)	-0.048 (0.780)	0.437 (0.722)
JMOL	-0.736 (0.702)	-0.922 (0.859)	-2.034 (1.254)	-0.417 (0.632)	0.269 (0.948)	0.286 (0.645)
Precedent	1.391*** (0.292)	0.0469 (0.276)	--	1.202*** (0.323)	1.212*** (0.297)	0.749* (0.321)
Lower Ct.	0.437 (0.561)	0.451 (0.586)	0.483 (0.751)	0.589 (0.492)	0.687 (0.491)	0.484 (0.471)
Chemical	-0.687 (0.828)	0.282 (0.730)	-0.464 (0.916)	0.242 (0.806)	0.220 (0.803)	0.893 (0.646)
Drugs	-0.350 (0.505)	-0.0396 (0.486)	-1.379* (0.596)	0.0356 (0.521)	0.0872 (0.530)	0.199 (0.581)
Electronics	0.490 (0.567)	0.0177 (0.737)	0.655 (1.342)	-0.0739 (0.772)	-0.123 (0.781)	0.177 (0.522)
Mechanical	0.00673 (0.566)	0.633 (0.572)	-0.254 (1.053)	0.638 (0.606)	0.642 (0.613)	1.146* (0.521)
Other Tech	0.120 (0.500)	0.206 (0.531)	-0.186 (0.760)	0.271 (0.484)	0.228 (0.474)	1.016 (0.548)
Ideology	-0.328 (0.332)	-0.0433 (0.351)	-0.518 (0.554)	-0.124 (0.279)	-0.104 (0.280)	0.127 (0.263)
Delaware	1.789 (0.995)	0.558 (0.452)	0.572 (0.754)	--	--	--
N.D.Cal.	-0.374 (0.565)	0.224 (0.645)	0.146 (0.939)	--	--	--

	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>	<b>Model 5</b>	<b>Model 6</b>
	<b>Exclude E.D.Tex<sup>10</sup></b>	<b>Exclude R36<sup>11</sup></b>	<b>Only Prec<sup>12</sup></b>	<b>Court Errors<sup>13</sup></b>	<b>Trial<sup>14</sup></b>	<b>Claim<sup>15</sup></b>
E.D.T.X.	--	-0.074 (0.804)	-2.726* (1.169)	--	--	--
2012	-0.326 (0.474)	-0.273 (0.572)	-2.262** (0.733)	-0.0967 (0.471)	-0.0296 (0.480)	0.299 (0.525)
2013	-0.734 (0.464)	-0.931 (0.540)	-2.677*** (0.786)	-0.618 (0.489)	-0.559 (0.488)	-0.373 (0.583)
2014	-0.654 (0.438)	-0.454 (0.501)	-2.160** (0.817)	-0.371 (0.455)	-0.295 (0.442)	-0.120 (0.594)
2015	-0.327 (0.603)	-0.391 (0.688)	-2.553** (0.990)	-0.352 (0.511)	-0.216 (0.505)	-0.191 (0.640)
2016	-0.804 (1.055)	-0.844 (0.710)	-1.956 (1.004)	-0.648 (0.772)	-0.546 (0.794)	-0.384 (0.943)
_cons	-1.980** (0.695)	-0.721 (0.929)	1.247 (1.394)	-2.036** (0.691)	-2.010** (0.687)	-2.896*** (0.698)
N	392	264	155	434	434	434

Standard errors in parentheses clustered by judge except as stated. \*  $p < 0.05$ , \*\*  $p < 0.01$ , \*\*\*  $p < 0.001$

**Appendix A5: Propensity Score Matching Table (Treatment=Pilot)**

Variable	Matched	Treated Mean	Control Mean	% Bias	Bias Red.	T-Stat	p> t
<b>Trial</b>	U	0.31579	0.21101	23.4		2.24	0.025
	M	0.31579	0.34483	-6.5	72.3	-0.46	0.648
<b>High-Vol.</b>	U	0.13158	0.08869	13.7		1.32	0.189
	M	0.13158	0.15517	-7.5	45	-0.51	0.612
<b>Infringe</b>	U	0.42105	0.43119	-2		-0.19	0.851
	M	0.42105	0.52586	-21.1	-933.6	-1.59	0.112
<b>Validity</b>	U	0.52632	0.57798	-10.4		-0.96	0.339
	M	0.52632	0.59483	-13.8	-32.6	-1.04	0.297
<b>Claim</b>	U	0.35088	0.27217	17		1.59	0.112
	M	0.35088	0.23276	25.5	-50.1	1.98	0.049
<b>Designated</b>	U	0.11404	0.18654	-20.3		-1.79	0.075
	M	0.11404	0.13793	-6.7	67	-0.54	0.587
<b>Docket</b>	U	298.63	278.16	8.8		0.79	0.428
	M	298.63	342.16	-18.8	-112.6	-1.3	0.195
<b>Ineq. Con.</b>	U	0.03509	0.01529	12.6		1.29	0.199
	M	0.03509	0.0431	-5.1	59.5	-0.31	0.755
<b>Chemical<sup>16</sup></b>	U	0.04386	0.05199	-3.8		-0.34	0.732
	M	0.04386	0.06034	-7.7	-102.8	-0.56	0.576
<b>Computer</b>	U	0.51754	0.46177	11.1		1.03	0.306
	M	0.51754	0.50862	1.8	84	0.13	0.893
<b>Drugs</b>	U	0.17544	0.1896	-3.7		-0.33	0.739
	M	0.17544	0.16379	3	17.8	0.23	0.815
<b>Electronics</b>	U	0.0614	0.06728	-2.4		-0.22	0.828
	M	0.0614	0.06034	0.4	82	0.03	0.973

<sup>16</sup> Other Technology is the reference category.

Variable	Matched	Treated Mean	Control Mean	% Bias	Bias Red.	T-Stat	p> t
<b>Mechanical</b>	U	0.07895	0.09174	-4.6		-0.41	0.679
	M	0.07895	0.09483	-5.7	-24.1	-0.43	0.671
<b>Lower C</b>	U	0.2193	0.17431	11.3		1.06	0.289
	M	0.2193	0.2069	3.1	72.4	0.23	0.819
<b>Pre. Inj.</b>	U	0.02632	0.04281	-9		-0.79	0.432
	M	0.02632	0.00862	9.7	-7.3	1.02	0.307
<b>Prec.</b>	U	0.31579	0.37309	-12		-1.1	0.273
	M	0.31579	0.39655	-17	-40.9	-1.28	0.203
<b>Sum. Jud</b>	U	0.50877	0.50153	1.4		0.13	0.894
	M	0.50877	0.39655	22.4	-1449.4	1.71	0.088
<b>MTD</b>	U	0.16667	0.23242	-16.5		-1.47	0.142
	M	0.16667	0.21552	-12.2	25.7	-0.94	0.348
<b>Bench</b>	U	0.14912	0.11009	11.6		1.1	0.271
	M	0.14912	0.18103	-9.5	18.2	-0.65	0.517
<b>JMOL</b>	U	0.14912	0.12232	7.8		0.73	0.464
	M	0.14912	0.16379	-4.3	45.3	-0.3	0.761

### Propensity Score Analysis <sup>17</sup>

Variable	Sample	Treated	Controls	Difference	S.E.	T-Stat.
Overrule	Unmatched	0.139	0.161	-0.220	0.039	-0.56
	ATT	0.139	0.209	-0.070	0.057	-1.22
Overrule1	Unmatched	0.217	0.246	-0.029	0.046	-0.62
	ATT	0.217	0.304	-0.087	0.067	-1.29

<sup>17</sup> Using nearest neighbor matching (3).