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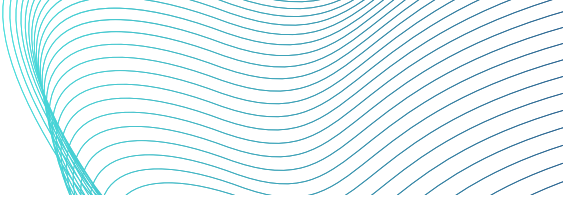
The State of AI in Patent Practice — 2026 Benchmark Report

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See how your firm's use of AI in prior art search, drafting, and prosecution compares to other IP teams and competitors



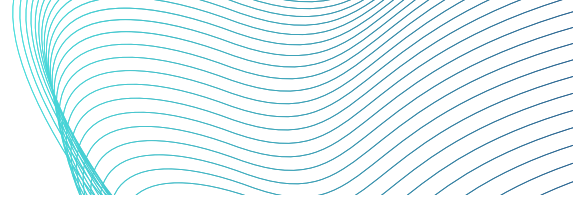


Executive Summary

AI adoption is now mainstream, and the patent system itself is under sustained pressure from record filing volumes and long examination timelines. Attorneys who bring AI into their workflow are positioned to absorb more work, respond faster, and differentiate on speed and service.

This report combines the relevant data sets available to answer one practical question: **how does your firm's AI adoption compare to your peers?**

88%	85%	3.7M
of organizations use AI in at least one business function (Stanford HAI, 2026)	of IP professionals now use AI in their work, up from 57% in 2023 (Clarivate, 2026)	patent applications filed worldwide in 2024, a record high (WIPO, 2025)



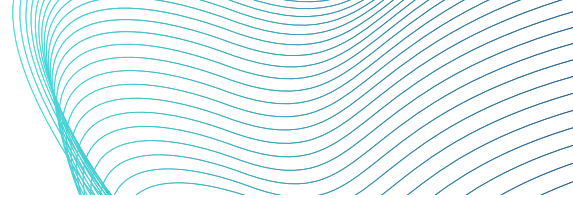
The State of AI

AI adoption has moved from early experimentation to mainstream enterprise use over the past two years. According to Stanford HAI's 2026 AI Index, organizational adoption reached 88% of surveyed companies in 2025, up sharply from prior years, with the report describing AI as having moved firmly into mainstream enterprise use. (*Stanford HAI, 2026*)

Adoption is broad but uneven in depth. The same report found that fewer than 10% of organizations have fully scaled AI within any single business function, and agentic or autonomous AI use remains limited across most functions. The gap between using AI in some capacity and operationalizing it at scale is one of the report's central themes. (*Stanford HAI, 2026*)

On the investment side, corporate AI spending has surged: global corporate AI investment rose to over half a trillion dollars, a triple-digit percentage increase year over year, signaling that AI has shifted from experimentation to a core budget line for most large organizations. (*Stanford HAI, 2026*)

Professional services fields like patent practice, with document and knowledge, have been among the faster moving categories, though Stanford's data also flags that trust and governance are lagging behind deployment speed: a majority of respondents cite inaccuracy as their top concern about AI systems, ahead of cybersecurity and regulatory compliance. (*Stanford HAI, 2026*)



The State of IP

The patent system itself is under real strain, which is part of why efficiency gains from AI matter so much to practitioners. Global patent filings reached a record 3.7 million applications in 2024, a 4.9% increase over the prior year and the fastest growth rate since 2018. (*WIPO, 2025*)

In the United States specifically, the USPTO's unexamined application backlog has hovered near 800,000 applications through 2025 and into 2026, after peaking above 837,000 in January 2025. Average pendency to a first office action climbed from 19.9 months in 2024 to roughly 22–26 months in 2025, depending on technology area, before recent USPTO productivity gains began narrowing the backlog in early 2026. (*USPTO public statements, 2026*)

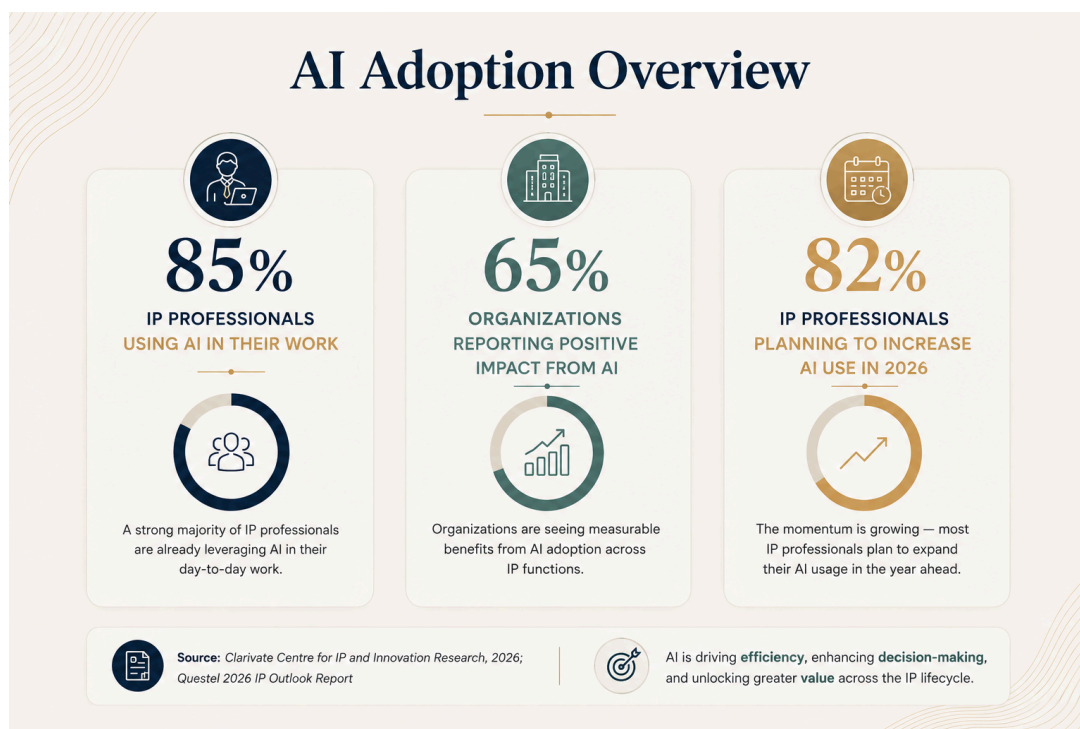
To put simply, attorneys are managing more filings, longer prosecution timelines, and more client pressure for status updates and speed, all at the same time. That combination is exactly the environment in which AI-assisted search, drafting, and portfolio analysis tools deliver the most practical value, not as a novelty, but as a way to keep pace with a system that is filing more and moving, at best, only modestly faster.

The Benchmark:

How Patent Attorneys Are Actually Using AI:

This section is where the State of AI and the State of IP intersect: real, published data on how IP professionals are actually adopting and using AI day to day.

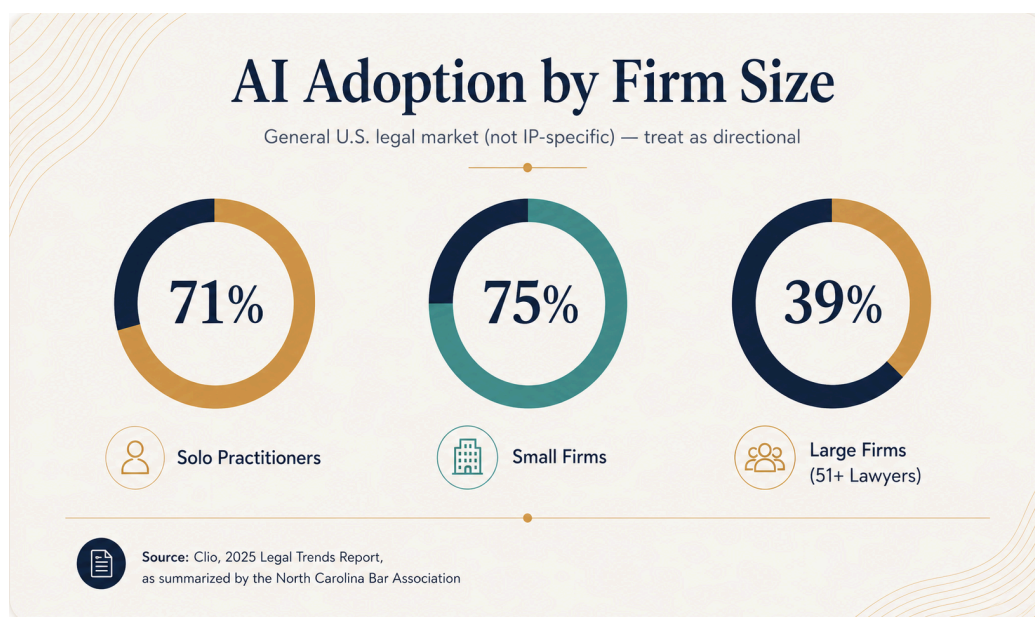
1. Adoption Overview:



Adoption has accelerated specifically because of the pressure described in the State of IP section above: 83% of IP professionals cite saving time and costs as their primary reason for adopting AI, up from 77% the year before. At the same time, proficiency is lagging adoption, only 26% of respondents report being fully onboarded to use all the AI tools already available to them, meaning access has outpaced training industry-wide. (Questel, 2026)

2. Adoption by Firm Size

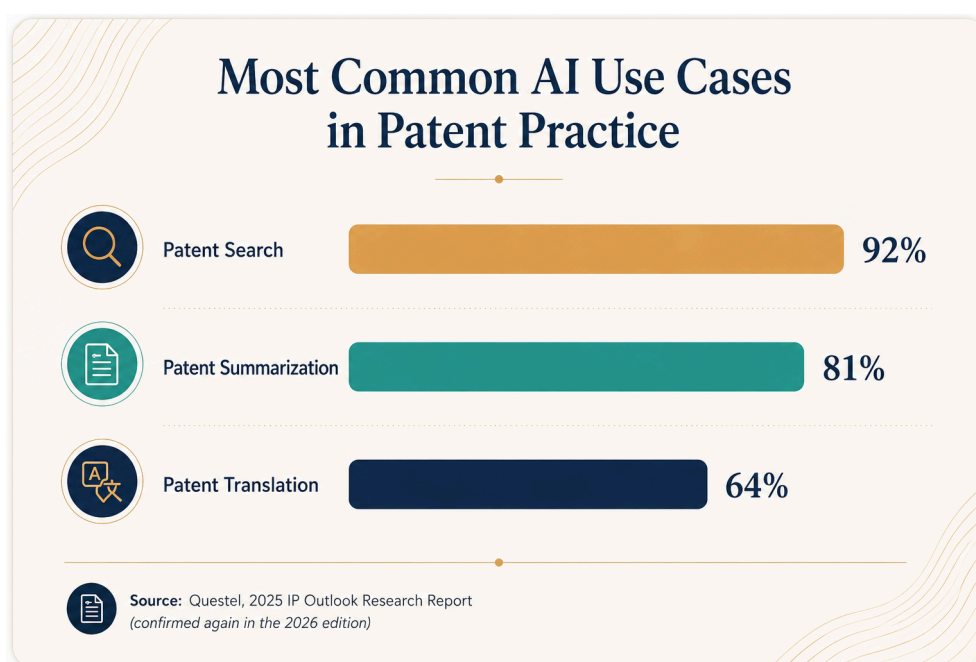
No IP specific survey currently breaks adoption down by firm size. The closest available proxy is Clio's 2026 Legal Trends Report, which surveys the broader U.S. legal market rather than IP practice specifically, treating the figures below as directional, not IP specific.



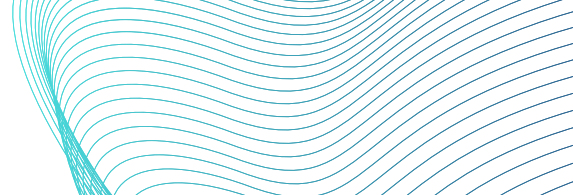
The pattern runs counter to the assumption that larger organizations automatically lead on AI adoption: solo and small-firm practitioners report broader AI use than large firms in the general legal market, likely because they face fewer procurement layers and less committee driven decision making. Whether this pattern holds specifically within patent practice, where confidentiality and prosecution specific tooling raise the stakes, is an open question your firm's own primary research could usefully answer.

3. Adoption by Task Type

This is where IP specific data is strongest. Unlike the firm-size breakdown above, which had to borrow from a legal-market proxy, this section draws directly on Questel's survey of 500+ IP professionals worldwide reporting on their own day to day tool usage, so the results reflect actual patent and IP practice rather than the broader legal or enterprise market.



Across all IP professionals (not patents alone), the most-valued AI capabilities were summarization (65%), natural-language search assistants (59%), and translation (55%), followed by chatbot/Q&A tools (42%), image search (40%), and task automation (34%). This suggests search and language heavy tasks remain where AI delivers the clearest, most trusted value in IP practice today, while more autonomous tasks (drafting, automation) still lag in adoption and trust. (Questel, 2025)



4. Reported Time Savings

45%	33%
of IP professionals report AI time savings of at least 25% per matter	report budget savings of 25% or more from AI adoption

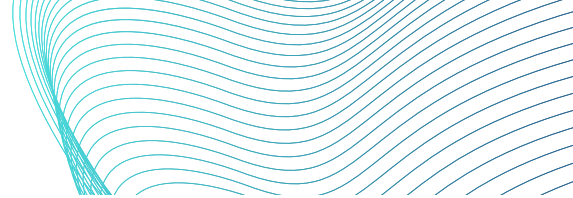
Source: Questel, 2025 IP Outlook Research Report

Vendor reported figures run higher but should be read with appropriate caution, since they come from companies selling the tools rather than independent researchers: one AI patent-drafting platform reports client time savings in the 30–60% range across patent workflows.

5. Top Barriers to Adoption

- Confidentiality and data privacy — described by IP professionals as "as critical as quality" when selecting an AI-based IP solution; the majority prefer a secure SaaS model from a trusted partner (53%) over on-premises hosting (18%)
- Training and onboarding gaps — only 26% of respondents are fully onboarded on the AI tools already available to them
- Workload and productivity pressure — cited by 51% as the top IP management challenge overall, ahead of any single AI-specific concern
- Insufficient internal AI/digital competency — cited by 49% as a top-3 challenge facing IP teams
- Difficulty showcasing IP value creation to leadership — cited by 39%, relevant to justifying continued AI investment

For broader governance context: across the general legal market (not IP-specific), roughly half of law firms report having no formal AI use policy in place, which is worth flagging as an industry wide risk rather than one unique to IP practice.



Spotlight: Where a Tool Like PatentScan Fits In

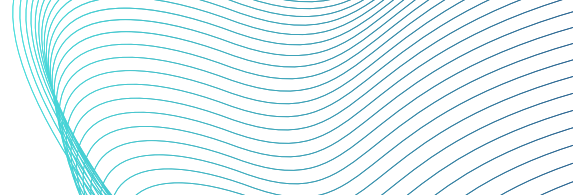
The barriers above aren't abstract, they map almost point-for-point onto what practitioners say they need from an AI tool: trustworthy search and summarization, real confidentiality guarantees, and enough speed to absorb rising filing volumes without adding headcount. PatentScan is one example of a platform built directly around those requirements, so it's worth a closer look here as a case study in what "AI adoption done well" can look like in practice.

What PatentScan Does:

PatentScan is an AI-powered patent analysis and prior-art search platform built around three core workflows:

- **Patentability Search:** describe an invention in plain language and PatentScan searches for prior art that could affect its novelty or non obviousness before you file.
- **Patent Invalidation Reports:** enter a patent UCID and PatentScan searches for prior art that could be used to challenge or invalidate that patent, producing technical summaries, anticipation and obviousness analysis, claim mapping, relevance scores, and citations.
- **Infringement Analysis:** available as an additional analysis type/plan.

At its core, the platform uses AI semantic search to understand the concepts behind an invention or patent rather than relying only on exact keyword matches, searching across both patents and non-patent literature and ranking results by conceptual relevance.

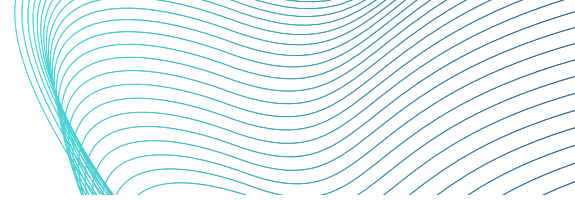


Why It Lines Up With the Data Above:

Semantic AI search: Looks at the meaning and concepts behind an invention, not just keywords, designed to surface relevant prior art that conventional keyword searches miss.	Patents + non-patent literature Searches both in a single workflow, instead of running separate searches across multiple databases.
Automated prior-art discovery Provide an invention description or patent UCID and the AI runs the search and analysis, no manual database-hopping.	Relevance-ranked results Results are ranked by conceptual and technical relevance, so users can focus on the references most likely to matter.
Claim mapping & claim charts Reports include structured claim mapping, with higher-tier plans offering element by element claim and citation mapping.	Anticipation & obviousness analysis The invalidation workflow doesn't just find documents, it analyzes them for potential anticipation and obviousness.

Addressing the Barriers, Not Just the Use Case

- **Confidentiality:** Your data is encrypted in transit and at rest, isn't used to train AI models, and isn't shared with third parties.
- **Accessible pricing:** analyses start at \$19, with the first analysis free and no credit card required, a low-friction way for a firm to test AI-assisted search before committing budget.
- **Speed at scale:** built to help absorb the exact workload pressure that 51% of IP professionals cite as their top management challenge.



6. Benchmark Scorecard — Where Do You Stand?

Use these published figures as reference points for your own practice or firm:

- If your organization uses AI for IP work in some capacity, you're in the clear majority — 85% of IP professionals now do, up from 57% just three years ago.
- If you use AI for patent search specifically, you're among the 92% of patent specialists who already do — one of the most universally adopted use cases in the profession.
- If your team hasn't been fully onboarded on the AI tools it already has access to, that's the norm, not the exception — only 26% of IP professionals say they have been.
- If confidentiality is your top hesitation about AI tools, you're aligned with the profession's stated top concern when selecting an AI-based IP solution.
- If your AI budget is set to grow next year, you're with the 82% of IP professionals planning to increase AI use in 2026.

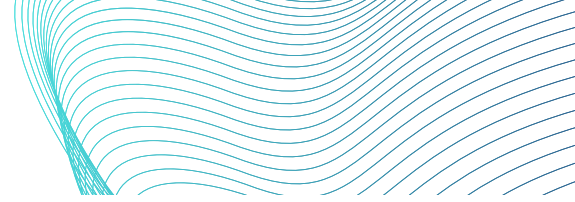
Case Study

FORWARD-THINKING FIRMS

- Treat AI as core infrastructure, not a side project, budget and training follow the 82% of peers already planning to expand use in 2026.
- Close the proficiency gap deliberately, pushing past the industry wide 26% onboarding rate instead of settling into it.
- Use AI-assisted search and summarization to absorb rising filing volumes without adding headcount, turning USPTO backlog pressure into a speed advantage.
- Lead with confidentiality and governance when selecting tools, matching the profession's stated top selection criterion.

STAGNANT FIRMS

- Treat AI adoption as optional, falling further behind the 85% of IP professionals already using it day to day.
- Leave staff under trained on tools they already pay for, compounding the onboarding gap year over year.
- Feel USPTO pendency and rising filing volumes purely as a cost, with no offsetting efficiency gain.
- Risk losing client relationships to competitors who can now report faster turnaround and lower cost per matter.



Sources:

- Stanford HAI, "2026 AI Index Report," Stanford University Human-Centered AI Institute
- WIPO, "World Intellectual Property Indicators 2025," World Intellectual Property Organization
- USPTO, "Patent Pendency Dashboard" and public statements, April 2026
- Questel, "2025 IP Outlook Research Report: Pathways to Productivity – AI in IP"
- Questel, "2026 IP Outlook Report: From Risk to Reward – AI and the IP Profession"
- Clarivate Centre for IP and Innovation Research, "How AI Adoption Is Reshaping IP Practice," 2026
- Clio, "2026 Legal Trends Report," as summarized by the North Carolina Bar Association, May 2026
- Solve Intelligence company materials, 2026 (cited once, for context, as a vendor claim)