



Remfry & Sagor

IP Report

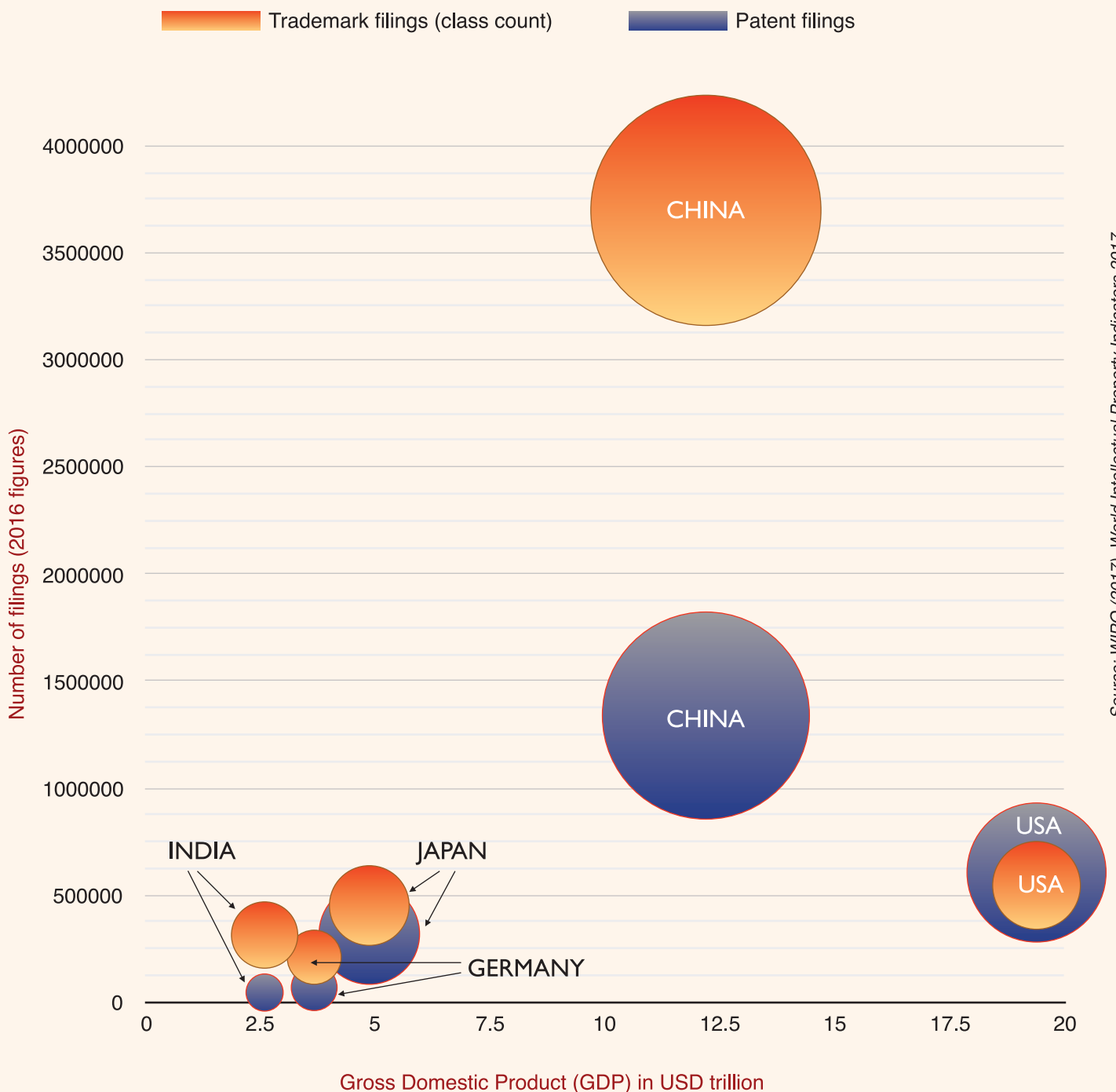
November 2018

Trends in IPR

COMPARING IP FILINGS ACROSS LEADING ECONOMIES

- The largest economy in the world is the USA, followed by China, Japan, Germany and the United Kingdom.
- India is the 6th largest economy and is set to surpass the UK in the near future to claim the 5th spot.
- China apart, disparities in patent filings among the other economies are much higher than disparities in trademark filings - see Fig. 1 below.

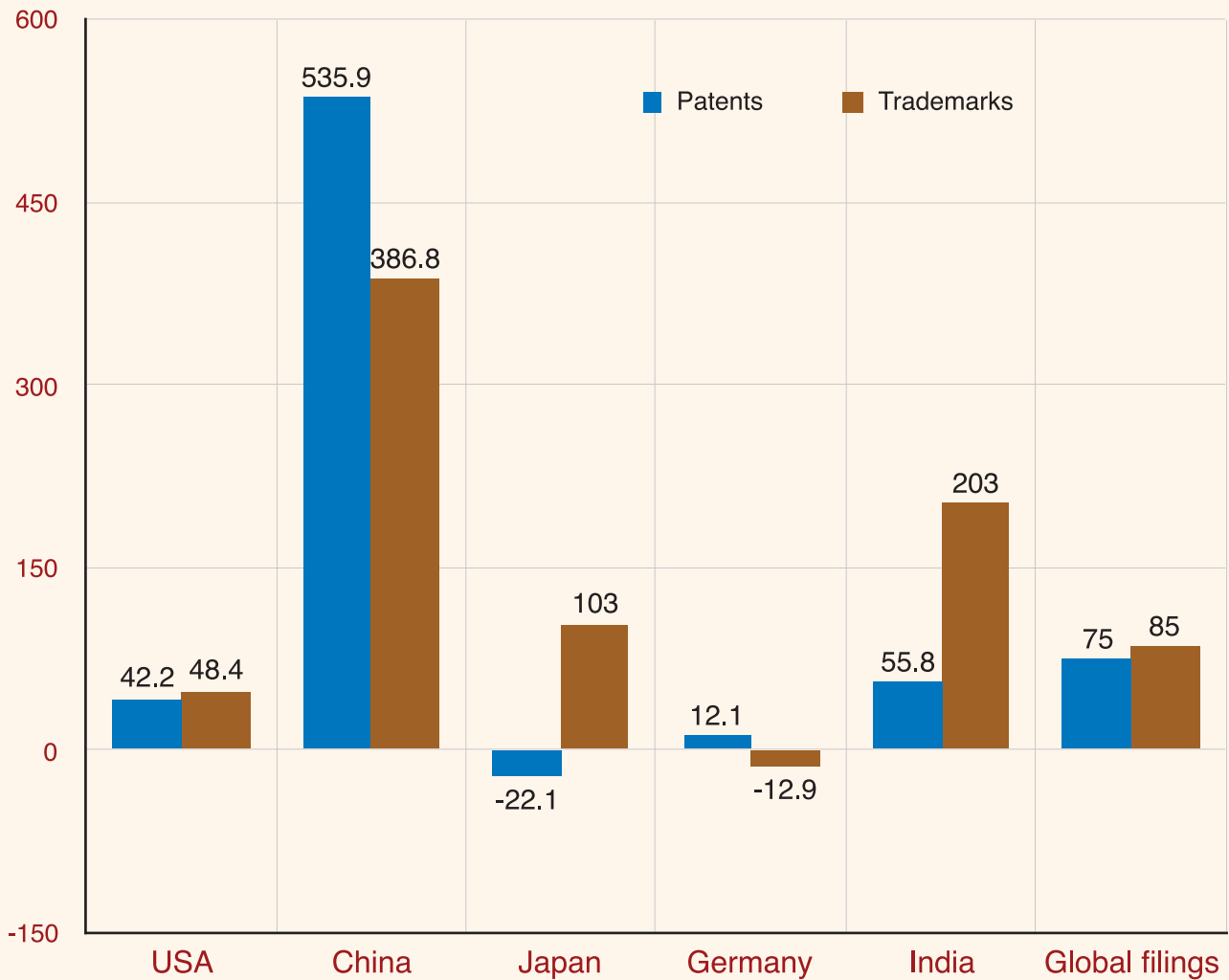
Fig. 1 Size of the circle represents share of the indicated country vis-à-vis global filing figures



Source: WIPO (2017). World Intellectual Property Indicators 2017

GLOBAL IP FILINGS: Percentage Growth between 2006-16

Fig. 2



Source: WIPO (2017). World Intellectual Property Indicators 2017

HIGHEST PATENT FILINGS

1. CHINA
2. USA
3. JAPAN
4. REP. OF KOREA
5. EPO
6. GERMANY
- 7. INDIA**
8. RUSSIA
9. CANADA
10. AUSTRALIA

* Data Source:
WIPO Report, 2017

HIGHEST TRADEMARK FILINGS

1. CHINA
2. USA
3. JAPAN
4. EUIPO
- 5. INDIA**
6. FRANCE
7. RUSSIA
8. REP. OF KOREA
9. TURKEY
10. GERMANY

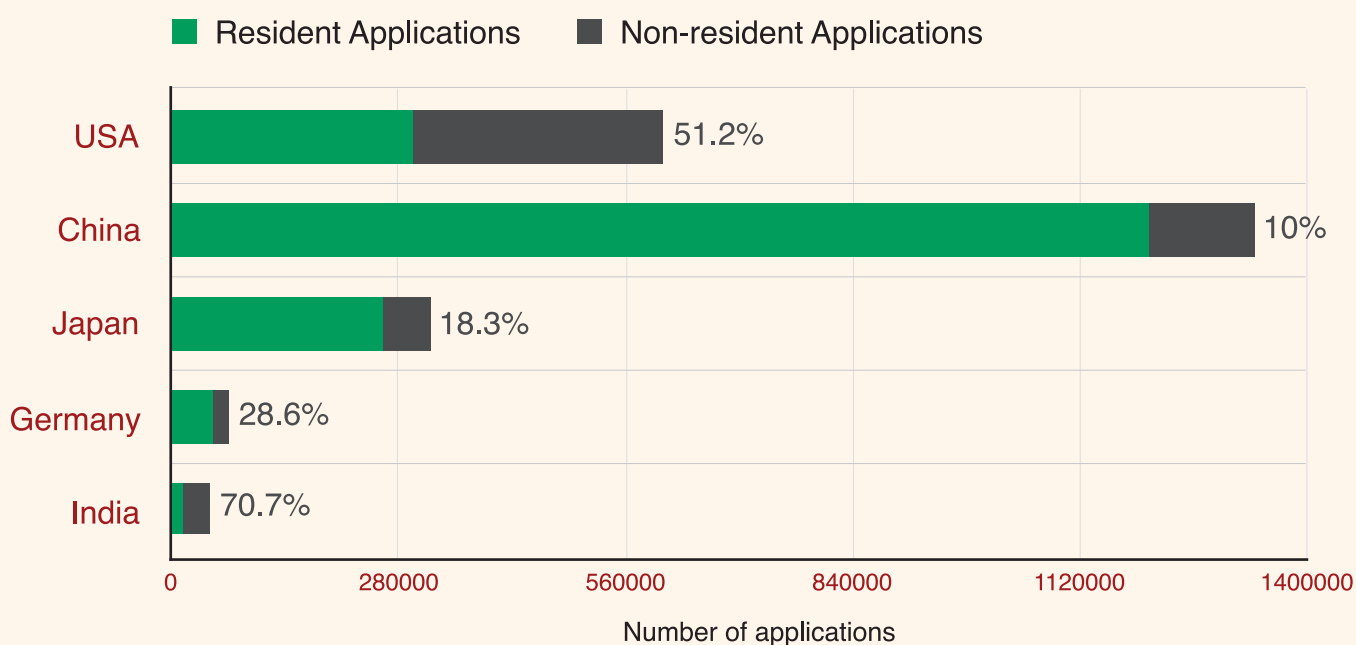
* Data Source:
WIPO Report, 2017

THE GLOBALISATION OF IP: Filing Abroad

PATENTS

- Filing abroad reflects a desire to commercialise technology in foreign markets. The US leads in this regard, followed by Japan and Germany (in 2016, corresponding statistics of patent applications filed overseas were 2,26,315, 1,96,215 and 1,03,498 respectively). In contrast, Chinese residents filed 52,428 applications overseas and Indians filed 12,638 (of these nearly 70% were filed in the US).
- Interestingly, if one looks at the number of patent applications originating from China, 96% of these were filed at the Chinese Patent Office in 2016. In the case of India, the percentage of applications heading to the national office vis-à-vis foreign offices was nearly even - the figures were 47.5% and 52.5% respectively. For the US and Japan, filings abroad constituted 43% of total applications.

Fig. 3 PERCENTAGE SHARE OF NON-RESIDENT APPLICANTS



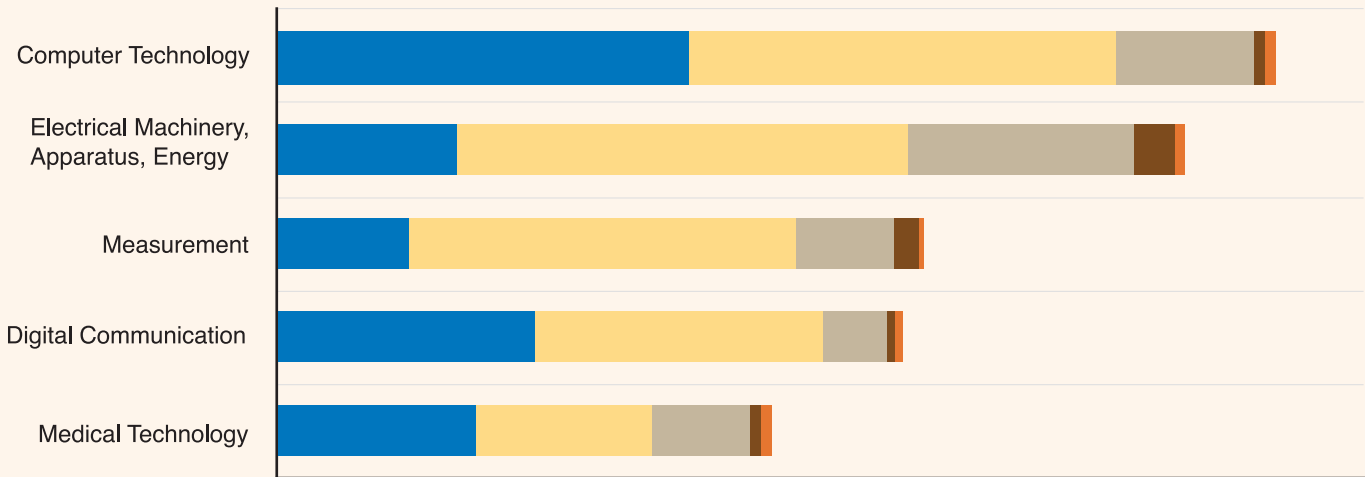
Source: WIPO (2017), World Intellectual Property Indicators 2017

Fig. 4 WHO FILES MOST IN INDIA - ORIGIN OF NON-RESIDENT APPLICATIONS

Rank	Country	No. of applications
1	USA	10,441
2	Japan	4,228
3	Germany	2,871
4	China	2,171
5	Republic of Korea	1,533
Total number of non-resident applications		31,858

Source: WIPO (2017), World Intellectual Property Indicators 2017

Fig. 5 PUBLISHED PATENT APPLICATIONS - TOP 5 FIELDS OF TECHNOLOGY



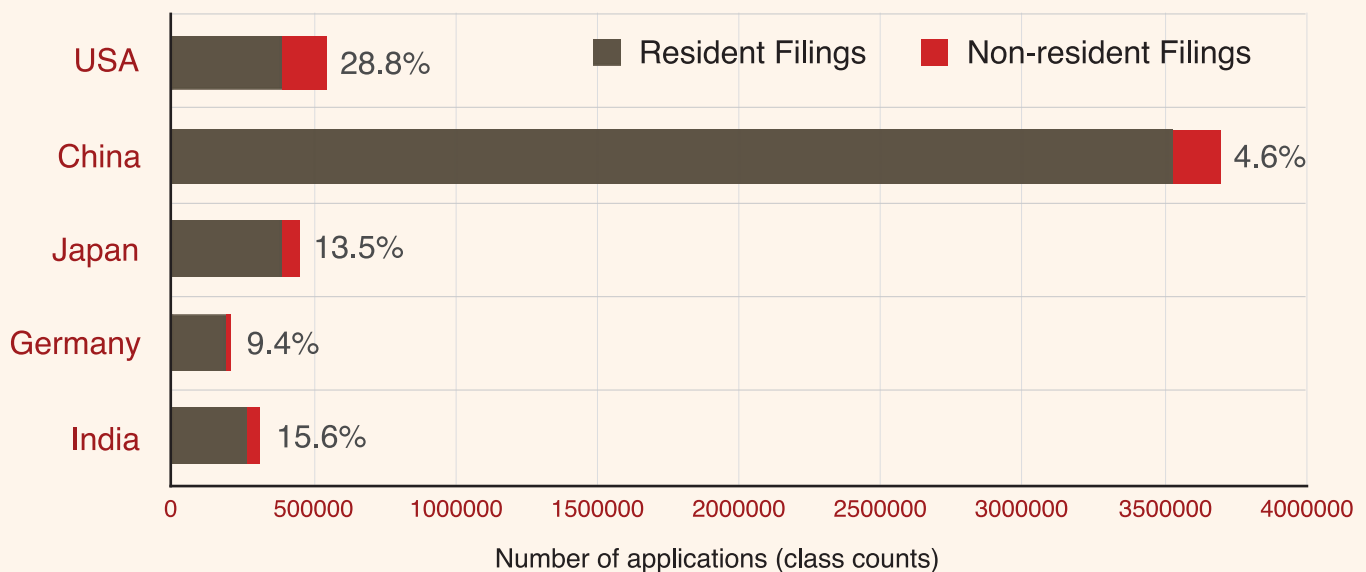
Source: IP Filing Statistics - WIPO Database - 2015 figures

	USA	China	Japan	Germany	India
Computer Technology	60,515	62,696	20,549	1,401	1,676
Electrical Machinery, Apparatus, Energy	26,397	66,494	33,301	5,686	1,615
Measurement	19,241	56,928	14,609	3,390	861
Digital Communication	37,728	42,282	9,719	828	1,508
Medical Technology	29,270	25,682	14,626	1,537	1,576

TRADEMARKS

- At most offices, trademark applications are filed mainly by residents seeking protection within their domestic jurisdiction. In 2016, the share of non-resident trademark applications (class counts) worldwide was 20.2%.

Fig. 6 PERCENTAGE SHARE OF NON-RESIDENT APPLICANTS



Source: WIPO (2017), World Intellectual Property Indicators 2017

- Since 2006, German applicants have been filing the most applications abroad. In 2016, German filing activity abroad reached an equivalent application class count of about 2.04 million, followed by the U.S. (1.22 million), the U.K. (1.07 million) and Italy (922,851).

Fig. 7 WHO FILES MOST IN INDIA - ORIGIN OF NON-RESIDENT APPLICATIONS

Rank	Country	No. of applications (class count)
1	USA	11785
2	Germany	5620
3	China	5500
4	United Kingdom	3635
5	Switzerland	2410
Total number of non-resident applications (class counts) filed in India		48961

Source: WIPO (2017). World Intellectual Property Indicators 2017

Fig. 8 WHICH JURISDICTIONS DO INDIAN TRADEMARK OWNERS TARGET?

Rank	Country	No. of applications (class count)
1	USA	1114
2	EUIPO	569
3	China	420
4	Vietnam	314
5	Australia	313

Source: WIPO (2017). World Intellectual Property Indicators 2017

- WIPO's *World Intellectual Property Indicators 2017* reveals that **62.5% of global filing activity covered 'goods' classes and 37.5% covered 'services'** (per the Nice Classification). The share of services classes for China was 34% and for the EU 37.3%; but the US and Japan showed a higher distribution for services classes at 40% and 49.8% respectively. India was nearly 10 percentage points behind the global average at 27.4%.

Test Your IP Skills

Take this quiz to see if you are on top of your IP game

1. Which leading technology company won India's first post-trial lawsuit on Standard Essential Patents earlier this year?
2. Identify the global major which has the largest share in the Indian chocolate market:
(i) Nestle (ii) Ferrero (iii) Mondelez
3. Which of the following was invented by a woman:
(i) life raft (ii) one-hand operated syringe (iii) windscreen wiper (iv) dishwasher
4. Which famous athlete got involved in a dispute with NIKE over a logo bearing the athlete's initials?
5. This juicy, tropical stone fruit just secured itself a GI tag in India - do you know its name?
6. PETA has failed in asserting a copyright claim over a photograph involving which non-human entity?
7. You either love them or you hate them - these famous shoes have suffered a recent setback in the EU and India. Name the brand.
8. Can you identify the famous Indian designer who has filed the highest number of design applications at the Indian Design Office in 2016-17?
9. What invention was awarded the very first patent in India?
10. "Hold My Light" said a recent anti-smoking campaign in the UK. The cigarette company that launched it was criticised for circumventing prohibitions on cigarette advertising. Identify the company.
11. Identify the brands from their taglines: (i) Impossible is nothing (ii) Imagination at work (iii) Because you're worth it (iv) No one can eat just one (v) The world's local bank
12. You sing it. In 2016, Warner/Chappell Music finally ceased charging licensing fee for it. Name the song.
13. A top Indian law university has introduced a course based on which popular fictional series:
(i) Star Trek (ii) Harry Potter (iii) Game of Thrones
14. Which famous scientist said, "If I have seen further than others, it is by standing upon the shoulders of giants."
15. Its first store in India saw an overwhelming response. On the opening weekend, it had to announce to shoppers it was 'housefull' and that the parking was overwhelmingly full. Know this retail brand?

Answers:

1. Philips 2. Mondelez (65% share) 3. All of these 4. Roger Federer 5. Alphonso Mangoes 6. A monkey who swiped a photographer's camera and clicked a selfie 7. Crocs 8. Sabiyasachi 9. An 'efficient punkah' (fan) pulling machine' (1856) 10. Philip Morris 11. (i) Adidas (ii) GE (iii) GE (iv) L'Oreal (v) Lays (vi) HSBBC 12. Happy Birthday 13. Harry Potter 14. Isaac Newton 15. IKEA

About The Firm

Established in 1827, Remfry & Sagar is arguably the second oldest IP firm in the world and one of the largest in India. Having been at the forefront of IP protection and development for nearly two centuries, our depth of experience is hard to match and ability for fresh thinking in changing scenarios self-evident. A dynamic team of over a 100 lawyers and 150 professional staff offers services across the spectrum of intellectual property law. A group of corporate law experts also advise on wide ranging commercial matters. More than 8000 clients in over 70 countries are testimony to our leading capabilities.

Clientele drawn from diverse industries and extensive involvement in global IP fora including the INTA, ECTA, AIPLA, AIPPI, APAA, FICPI, ITMA, LES and PTMG platforms lend us a broad world view and deep insight into the demands of modern business. Our expertise in service is particularly strong in the Indian subcontinent, however, the Firm's long history has fostered close associations across geographies facilitating easy fulfilment of a client's global IP needs. Notably, our efforts towards crafting seamless IP solutions do not conclude with our clients; we engage continually with policy makers to contribute towards a larger change in India's IP milieu.

The Firm's core values endure over two centuries: innovation, integrity, efficiency and undisputed quality are Remfry's hallmark.

Practice Areas

PATENTS | DESIGNS | TRADEMARKS | COPYRIGHT | GEOGRAPHICAL INDICATIONS | IP LITIGATION

CORPORATE – COMMERCIAL LAW | UNFAIR COMPETITION & TRADE SECRETS

PIRACY, ANTI-COUNTERFEITING & BORDER CONTROL MEASURES

TECHNOLOGY, MEDIA & TELECOM | INTERNET & SOCIAL MEDIA | DOMAIN NAMES

PLANT VARIETIES & BIO DIVERSITY | ALTERNATIVE DISPUTE RESOLUTION

DRAFTING & PROSECUTION | IP COUNSELLING & RISK MANAGEMENT | IP COMMERCIALISATION

PORTFOLIO MANAGEMENT | IP LICENSING, AUDIT AND DUE DILIGENCE | START-UP COUNSELLING

PUBLISHER'S RIGHTS, PERSONALITY RIGHTS & ARTIST'S RIGHTS

GURUGRAM . CHENNAI . BENGALURU