

Macro Trends: Indian Patent Filings

WIPO's annual World Intellectual Property Indicators (WIPI) report collects and analyses IP data from some 150 national and regional offices to inform policy makers, business leaders, investors, academics and others seeking macro trends in innovation and creativity. Here are some highlights from the 2020 WIPI report supplemented with data from the Indian IP Office.

WHAT WIPO'S 2020 REPORT REVEALS

Patent Filings



India continues to be ranked **7th in the world** in terms of patent filings at its IP Office. 56,284* patent applications were filed at the Indian Patent Office in 2019-20 (between April 1, 2019 and March 31, 2020).

*Indian IP Office data



Global patent applications fell 3% for the first time in a decade. The fall was driven by a decline in filings by Chinese residents. Excluding China, global patent filings rose 2.3%.



Among the top 20 offices, 11 had higher patent filings in 2019 than 2018. The growth in Indian filings (+7.1%) was 3rd highest globally (following Singapore and Indonesia). In fact, **Indian filings have risen 20% over the past 5 years.**

WIPI data indicates that the strong growth in Indian patent applications is primarily led by an increase in resident applications. This is interesting for, as 'Fig. 1' below reveals, majority of filings (63.7%) at the Indian Patent Office are still attributable to non-residents. That said, 'Fig. 2' reveals that filings by residents have been rising rapidly over the last decade. Compared to a 24% rise in non-resident applications between 2009-19, resident applications increased more than 140%.

Fig. 1: Patent applications at the top 10 offices, 2019

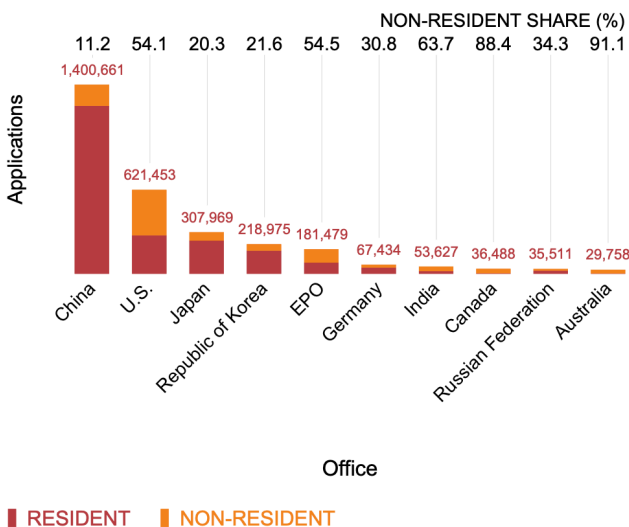
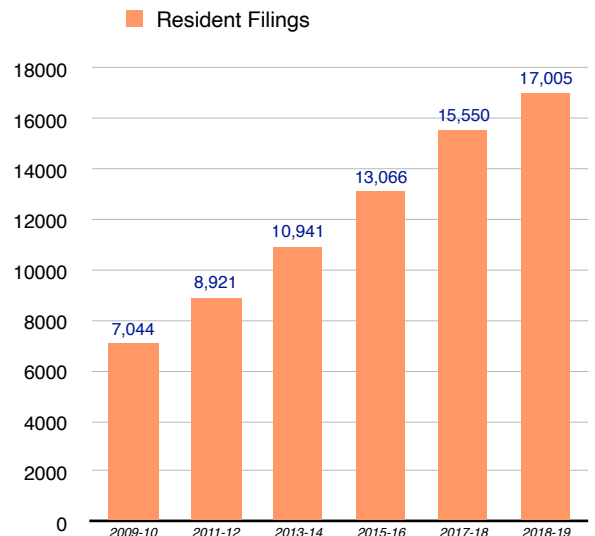


Image: WIPO (2020). World Intellectual Property Indicators 2020.

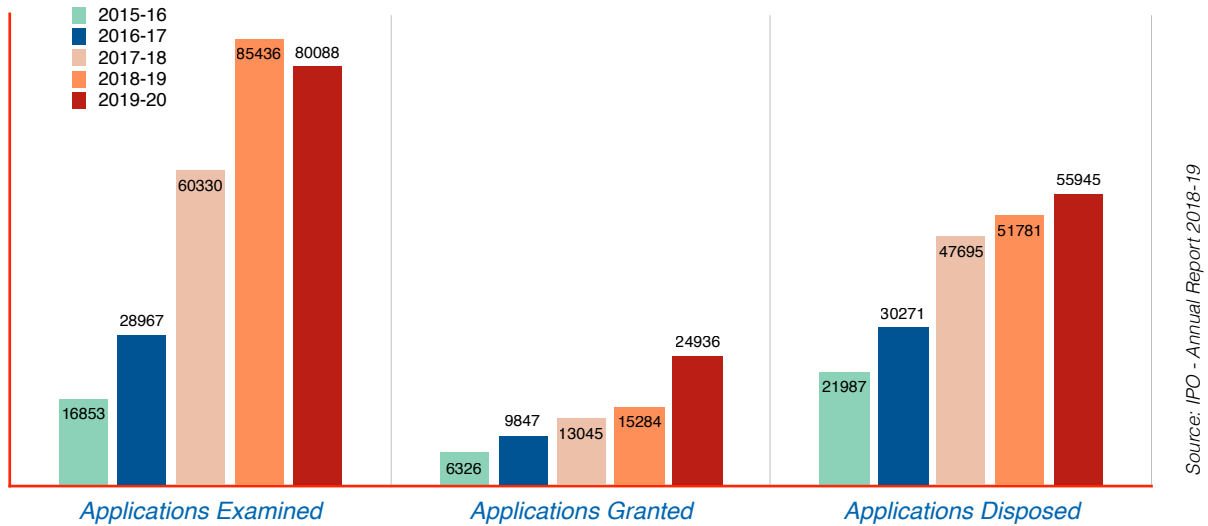
Fig. 2: Indian Resident filings in the last 10 years



Source: IPO - Annual Report 2018-19

Patent Examination, Grant and Disposal

Fig. 3: Statistics from the Indian IP Office: 2015-20

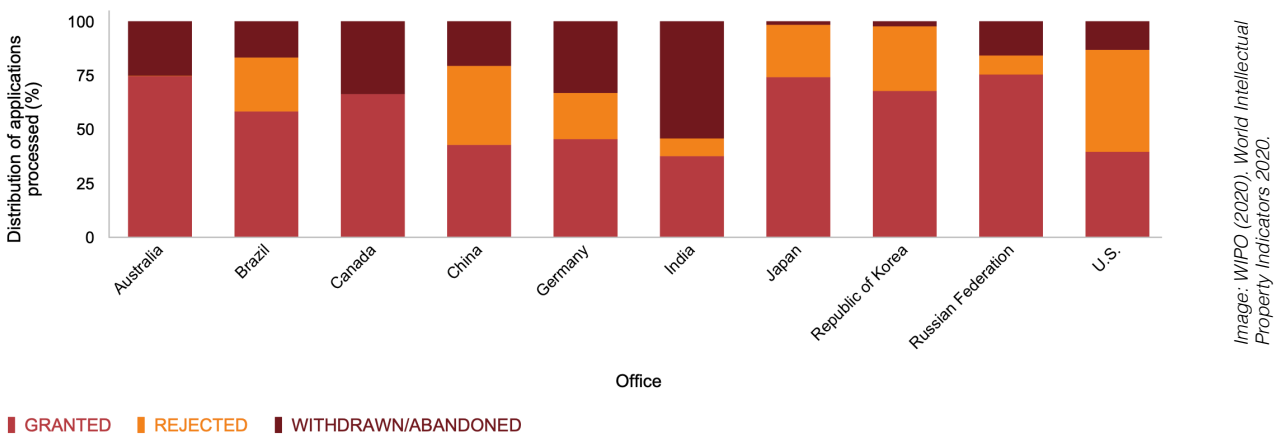


In recent years, IT-enabled functioning of the Patent Office (including video conferencing systems for hearings) and computerised work-flow for patent processing has resulted in quicker patent processing, examination and grant - as borne out by Fig. 3 above. Increase in patent examiner numbers is also a significant factor. Overall, patent examination figures have risen 375% over the last 5 years. Grant and disposal of patent applications have also shown a rapid rise - there has been a nearly 300% and 155% rise respectively in grant and disposal figures between 2015-20.

Benchmarking India Against Other Economies

Per WIPO’s Report patent examination outcomes vary greatly across offices, which makes cross-country comparisons difficult. That said, among 10 selected offices, India, China and the U.S. granted patents for fewer than 43% of all applications processed in 2019. Statistics also revealed that India (54.2%) had a large proportion of withdrawn or abandoned applications, as did Thailand (71.8%), Ecuador (71.7%) and the Philippines (57.1%). Fig. 4 (see below) gives a good indication of the distribution of patent examination outcomes for selected offices.

Fig. 4: Patent examination outcomes for selected offices, 2019

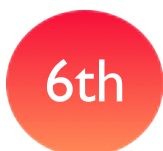


Macro Trends: Indian Trademark Filings

WIPO's annual World Intellectual Property Indicators (WIPI) report collects and analyses IP data from some 150 national and regional offices to inform policy makers, business leaders, investors, academics and others seeking macro trends in innovation and creativity. Here are some highlights from the 2020 WIPI report supplemented with data from the Indian IP Office.

WHAT WIPO'S 2020 REPORT REVEALS

Trademark Filings



India continues to rank **6th globally** in terms of trademark application (class counts) filed at its IP Office. 334,815* trademark applications were filed at the Indian Trademark Office in 2019-20 (between April 1, 2019 and March 31, 2020).

** Indian IP Office data*



Global trademark filings rose 5.8% in 2019 marking a 10th consecutive year of growth - considerably lower than the increases of 18.9% in 2018 and 30.2% in 2017. **Meanwhile, Indian trademark filings (class count) increased by 7.3% in 2019.**



Demand for Madrid applications continues to grow - 64,400 international applications were filed in 2019, a rise of 5.7% over 2018. India received 12,414 designations in 2019, **ranking 10th globally for designations in Madrid applications.**

At most offices, trademark applications are filed mainly by residents seeking protection within their domestic jurisdiction. In 2019, such resident applications accounted for 84.3% of global filing activity, with the remaining 15.7% associated with non-resident filings. In fact, globally, domestic filings show sharper growth than non-resident filings - world resident application class counts rose 6.5% in 2019 as opposed to a 2.4% increase in non-resident application class counts.

India conforms to global trends in that resident applications (class counts) accounted for 88% of filing activity at the Indian IP Office in 2019; however, if one analyses the numbers over a 10 year period, in contrast to the global trend, resident applications (class counts) grew only 87% between 2010-19, whilst non-resident applications (class counts) grew at a nearly double rate of 155%. Indians are also filing more overseas. 47,608 trademark applications (class counts) were filed overseas by Indians in 2019 - a 33% increase over the previous year. That said, such overseas applications only account for 15% of number of applications (class counts) filed by Indian residents domestically.

Who Files In India

Relative appeal of a foreign market in which to sell goods and services, geographical proximity to a market and well-established historical ties between the trademark holder's country of residence and the destination country are some significant factors which applicants consider when deciding where to seek trademark protection. WIPO's 2019 report reveals that 20% of all non-resident filing activity in India in 2019 came from US applicants, followed by 14% from China and 10% from Germany. Together, applicants from these three countries accounted for 44% of all non-resident trademark filing activity in India for that year - more details in Fig. 1.

Fig. 1: Who Files Most In India - Origin of Non-Resident Applications

	Country	No. of applications (class counts)
1	USA	9,161
2	China	6,403
3	Germany	4,557
4	United Kingdom	3,609
5	Switzerland	2,579

Source: WIPO (2020). World Intellectual Property Indicators 2020

Nature Of Filings

Filing activity for trademarks relating to the health sector attracted the largest share of applications filed in India (21.6%). The second most popular sector was agriculture, followed by clothing and accessories (the latter also featured among the top 3 sectors for the US and China - the top two trading partners for India).

Fig. 2: Trademark applications by top three sectors at the top offices, 2019

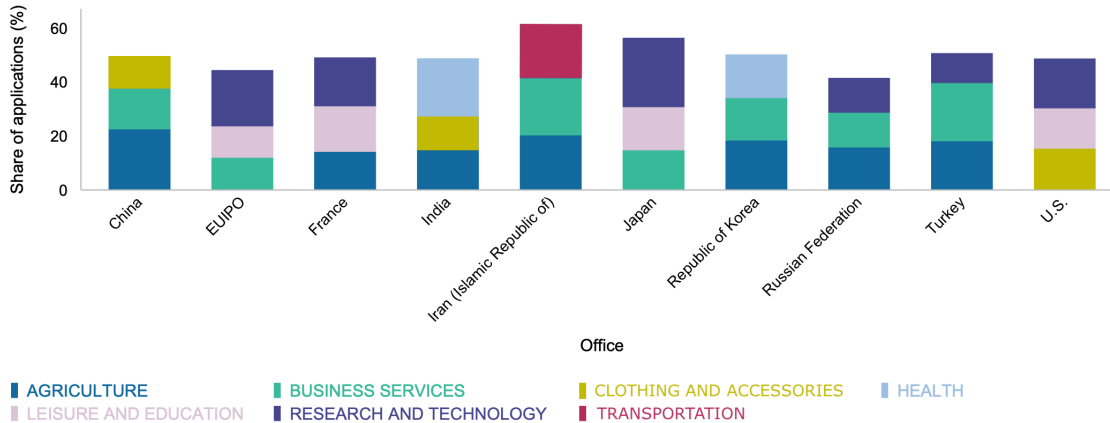


Image: WIPO (2020). World Intellectual Property Indicators 2020.

Trademark Examination, Grant and Disposal

Following an increase in manpower, coupled with technological upgradation, the Indian Trademark Office had brought down pendency of examination of trademark applications to less than one month. Fig. 3 shows a huge spike in examination in 2016-17; thereafter, the pace of examination has come down to a level in harmony with the pace of fresh trademark filings.

The graph below also illustrates an increase in the number of granted and disposed trademark applications over the past 5 years. Currently, a trademark can be registered within 6-7 months from the filing date if no substantive objections are raised/ opposition filed.

Fig. 3: Statistics from the Indian IP Office: 2015-20

