

## SECTION C INDUSTRIAL DESIGNS

This section provides an overview of industrial design activity using a range of indicators and covering the following areas: a) industrial design applications, b) industrial design registrations, c) industrial design applications by class, d) international registrations of industrial designs through the WIPO-administered Hague System for the International Registration of Industrial Designs (Hague system) and e) industrial designs in force. It first gives statistics for applications and registrations, followed by statistics on design counts taking into consideration institutional differences across intellectual property (IP) offices. In particular, some offices allow applications to contain more than one design for the same product or within the same class, while other offices allow only one design per application.

Industrial designs are applied to a wide variety of industrial products and handicrafts.<sup>1</sup> They refer to the ornamental or aesthetic aspects of a useful article, including compositions of lines or colors or three-dimensional forms that give a special appearance to a product or handicraft. The holder of a registered industrial design has exclusive rights over the design and can prevent unauthorized copying or imitation of the design by third parties.

The procedures for registering industrial designs are governed by national or regional laws. An industrial design can be protected if it is new or original, and rights are limited to the jurisdiction of the issuing authority. Industrial design registrations can be obtained by filing an application with a relevant national or regional IP office, or by filing an international application through the Hague system. Once a design is registered, the term of protection is generally five years, and may be renewed for additional periods of five years up to, in most cases, 15 years. In a significant number of countries, industrial designs are protected through the delivery of a design patent rather than a design registration. For the sake of simplicity, this section refers to design applications and registrations, with "registration" covering, where applicable, design patents.

The Hague system consists of several international treaties – the London Act, the Hague Act and the Geneva Act.<sup>2</sup> The Hague system makes it possible for an applicant to register industrial designs in multiple countries by filing a single application with the International Bureau of WIPO. By allowing the filing of up to 100 different designs per application, the system offers significant opportunities for efficiency gains. Moreover, it simplifies the process of multinational registration by reducing the requirement to file separate applications with each IP office at which protection is sought. The system also streamlines the subsequent management of the industrial design registration, since it is possible to record changes or to renew the registration through a single procedural step. For further details about the Hague system, refer to: [www.wipo.int/hague/en/](http://www.wipo.int/hague/en/).

1 From technical and medical instruments to watches, jewelry and other luxury items; house wares and electrical appliances to vehicles and construction elements; textile designs to leisure goods

2 The London Act has been frozen since January 2010.

## C.1

### INDUSTRIAL DESIGN APPLICATIONS AND REGISTRATIONS WORLDWIDE

Data reported in this subsection refer to numbers of applications and registrations (i.e., application/registration counts), but they do not take into consideration the number of designs contained in an application or registration (design counts). Subsections C.2 and C.3 report design count data.

#### C.1.1 Applications worldwide

Figure C.1.1.1 depicts the total number of industrial design applications filed worldwide from 2001 to 2011.<sup>3</sup> World totals are WIPO estimates covering around 133 offices, and include both direct national and regional applications and designations received via international registrations through the Hague system.<sup>4</sup>

The long-term trend shows continuous growth in industrial design applications over the past decade. The number of applications increased from around 290,800 in 2000 to 775,700 in 2011. After a slowdown in growth in 2008 and 2009, applications rebounded strongly in 2010 (+13.9%) and 2011 (+16%). This was mostly due to strong growth in applications in China – accounting for 90% of all growth from 2009 to 2011. The contribution of the State Intellectual Property Office of the People's Republic of China (SIPO) to the growth in applications worldwide was substantial – growth worldwide excluding SIPO was only 2.8% in 2011. Unlike other forms of IP, the recent economic downturn did not lead to a decline in applications worldwide.<sup>5</sup>

Figure C.1.1.2 provides a breakdown of industrial design applications worldwide by residency of the applicant. A resident application is defined as an application filed at an IP office by an applicant residing in the country in which that office has jurisdiction.<sup>6</sup> For example, an application filed at the office of Switzerland by a resident of Switzerland is considered a resident application for that office. Similarly, a resident registration is an industrial design registration based on a resident application. A non-resident application is defined as an application filed at an office of a given country or jurisdiction by an applicant residing in another country. For example, an application filed with the office of Australia by an applicant residing in Canada is considered a non-resident application for the Australian IP office. Similarly, a non-resident registration is an industrial design registration based on a non-resident application. An application at a regional office is considered a resident application if the applicant is a resident of one of that office's member states, and a non-resident application if the applicant does not reside in one of its member states.<sup>7</sup>

The 775,700 applications filed in 2011 consisted of 691,200 resident and 84,500 non-resident applications. Compared to 2010, the number of resident applications grew by almost 100,000 in 2011 (+16%), while non-resident applications grew by a more modest 7,900 (+10.3%). Residents of China accounted for nearly all the growth in resident applications worldwide.

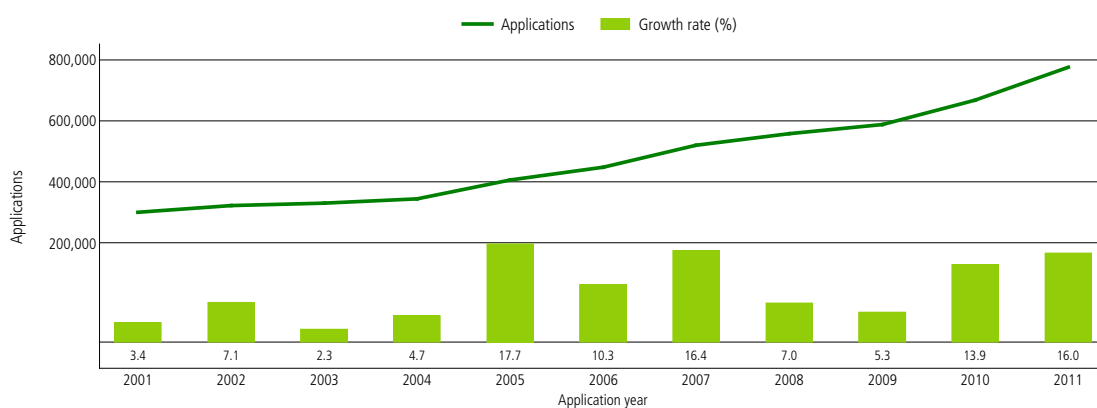
<sup>3</sup> Data differ from past editions due to a significant correction in data for the Office for Harmonization in the Internal Market (OHIM) of the European Union.

<sup>4</sup> All indicators covered by this section include both direct national and regional applications and designations received via international registrations through the Hague system.

<sup>5</sup> In 2009, patent and trademark applications worldwide declined by 3.6% and 2.1%, respectively.

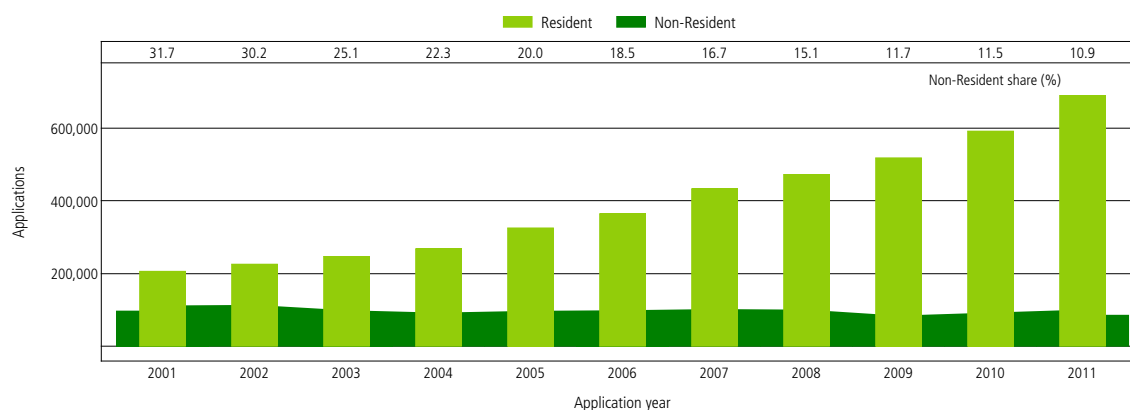
<sup>6</sup> In this section, the generic term "IP office" is used to refer to an office that receives industrial design applications and issues registrations.

<sup>7</sup> Resident and non-resident applications (registrations) are also known as domestic and foreign applications (registrations).

**Figure C.1.1.1 Industrial design applications worldwide**

Note: World totals are WIPO estimates covering around 133 offices (see Data Description). These estimates include direct national and regional applications and designations received via the Hague system.

Source: WIPO Statistics Database, October 2012

**Figure C.1.1.2 Resident and non-resident industrial design applications worldwide**

Note: See note for Figure C.1.1.1.

Source: WIPO Statistics Database, October 2012

At the global level, non-resident applications accounted for 10.9% of applications worldwide in 2011 (Figure C.1.1.2).<sup>8</sup> Compared to other types of IP rights, industrial design applications exhibit a low non-resident share. The graph shows a downward trend in the non-resident share since 2001, which can be explained by the substantial growth in Chinese resident applications.

<sup>8</sup> The non-resident share in total applications, excluding SIPO data, was around 28% in 2011. SIPO accounted for 67% of applications worldwide, hence it significantly affects the worldwide resident and non-resident distribution.

Statistics concerning “Class” refer to the 32 classes of the International Classification for Industrial Designs under the Locarno Agreement (see [www.wipo.int/classifications/en/](http://www.wipo.int/classifications/en/)), henceforth referred to as the Locarno Classification. Table C.1.1.3 shows the distribution of industrial design applications by class covering data for 85 offices.<sup>9</sup> Unfortunately, application data broken down by class are not available for a number of larger offices (e.g., China, Japan, the Republic of Korea and the United

<sup>9</sup> These numbers are based on direct filing data from 30 offices, Hague designation data from 32 offices, and both direct and Hague data from 23 offices.

States of America (US)); therefore the table provides only a partial picture of industrial design filing activity by class. For the offices for which data are available, class 6 (furnishing) was the largest class, accounting for 10.8% of total applications in 2011, followed by classes 5

(textiles, etc., 8%) and 9 (packages, etc., 7%).<sup>10</sup> Class 6 has been the largest class since 2008 with its share in total applications comprising around 10%.<sup>11</sup> The top 10 classes accounted for three-fifths of total applications in 2011.

**Table C.1.1.3 Industrial design applications worldwide by class, 2011**

Class number	Class name	Number of Applications	Total share
6	Furnishing	16,503	10.8%
5	Textile piecegoods, artificial and natural sheet material	12,099	8.0%
9	Packages and containers for the transport or handling of goods	11,697	7.7%
2	Articles of clothing and haberdashery	10,366	6.8%
12	Means of transport or hoisting	7,900	5.2%
11	Articles of adornment	7,722	5.1%
7	Household goods, not elsewhere specified	6,812	4.5%
32	Graphic symbols and logos, surface patterns, ornamentation	6,719	4.4%
26	Lighting apparatus	6,608	4.3%
14	Recording, communication or information retrieval equipment	6,555	4.3%
25	Building units and construction elements	6,196	4.1%
23	Fluid distribution equipment, sanitary, heating, ventilation and air-conditioning equipment, solid fuel	5,640	3.7%
10	Clocks and watches and other measuring instruments, checking and signalling instruments	5,319	3.5%
8	Tools and hardware	5,224	3.4%
19	Stationery and office equipment, artists' and teaching materials	4,821	3.2%
21	Games, toys, tents and sports goods	3,908	2.6%
3	Travel goods, cases, parasols and personal belongings, not elsewhere specified	3,780	2.5%
13	Equipment for production, distribution or transformation of electricity	3,294	2.2%
15	Machines, not elsewhere specified	2,905	1.9%
24	Medical and laboratory equipment	2,250	1.5%
20	Sales and advertising equipment, signs	1,969	1.3%
28	Pharmaceutical and cosmetic products, toilet articles and apparatus	1,762	1.2%
1	Foodstuffs	1,258	0.8%
4	Brushware	1,079	0.7%
16	Photographic, cinematographic and optical apparatus	788	0.5%
30	Articles for the care and handling of animals	724	0.5%
22	Arms, pyrotechnic articles, articles for hunting, fishing and pest killing	501	0.3%
31	Machines and appliances for preparing food or drink, not elsewhere specified	496	0.3%
18	Printing and office machinery	437	0.3%
27	Tobacco and smokers' supplies	368	0.2%
29	Devices and equipment against fire hazards, for accident prevention and for rescue	230	0.2%
17	Musical instruments	213	0.1%
--	Unknown	5,984	3.9%

Note: These numbers are based on data from 85 IP offices; however, for a number of larger offices (e.g., China, Japan, the Republic of Korea and the US) industrial design data broken down by class count are not available. Numbers consist of direct filing data from 30 offices, Hague designation data from 32 offices, and both direct and Hague data from 23 offices.

Source: WIPO Statistics Database, October 2012

<sup>10</sup> Considerable variations exist across offices (see Table C.2.1.5).

<sup>11</sup> 2008 is the first year for which complete industrial design application data broken down by class are available.

**C.1.2 Registrations worldwide**

Similar to applications, the number of registrations issued each year has markedly increased since 2001. The past three years saw considerable growth in registrations worldwide – from 416,500 in 2008 to 651,700 in 2011. The large increase is mostly due to strong growth at SIPO, which issued 238,689 more industrial designs in 2011 than in 2008.

Resident applicants accounted for the bulk of registrations worldwide. This reflects the fact that resident applicants file the majority of applications worldwide. The non-resident share in all registrations declined from 32.8% in 2001 to 11.5% in 2011 – a similar trend to the one for applications.<sup>12</sup> The decline in the non-resident share was due to considerable growth in Chinese resident registrations and a decline in non-resident registrations worldwide. The estimated numbers of resident and non-resident registrations in 2011 stood at around 576,500 and 75,200, respectively (Figure C.1.2.2).

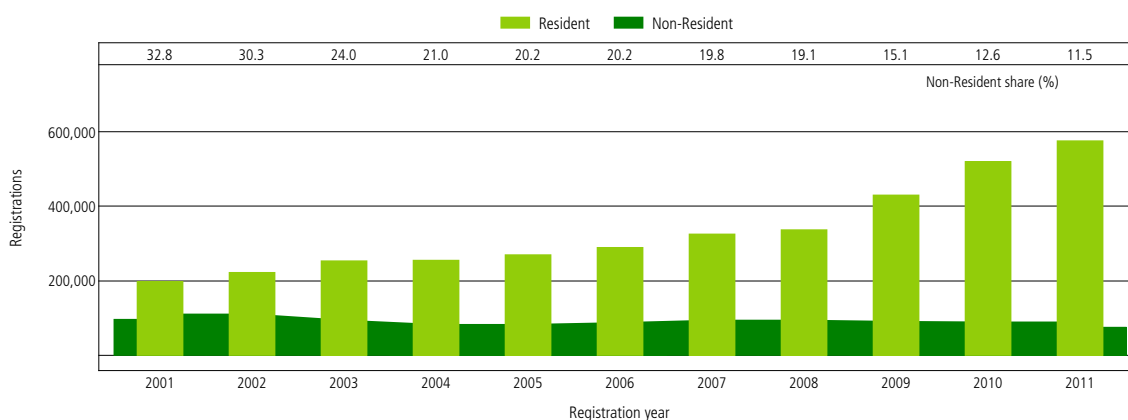
**Figure C.1.2.1 Industrial design registrations worldwide**



Note: World totals are WIPO estimates covering around 108 offices (see Data Description). These estimates include registrations issued for direct applications and designations received via the Hague system.

Source: WIPO Statistics Database, October 2012

**Figure C.1.2.2 Resident and non-resident industrial design registrations worldwide**



Note: See note for Figure C.1.2.1.

Source: WIPO Statistics Database, October 2012

<sup>12</sup> SIPO accounted for 58% of registrations worldwide; therefore, it greatly affects the worldwide resident and non-resident distribution. Excluding SIPO data, the non-resident share in total registrations was around 22% in 2011.

## C.2

### INDUSTRIAL DESIGN APPLICATIONS AND REGISTRATIONS BY OFFICE

This subsection offers a detailed breakdown of industrial design applications and registrations by IP office. Comparing application and registration data provides some useful insights into the level of activity at offices. In principle, institutional differences limit the extent to which one can directly compare the data across countries. As mentioned earlier, some offices permit applications to contain more than one design for the same product or within the same class, while other offices allow only one design per application. Therefore, to enable better

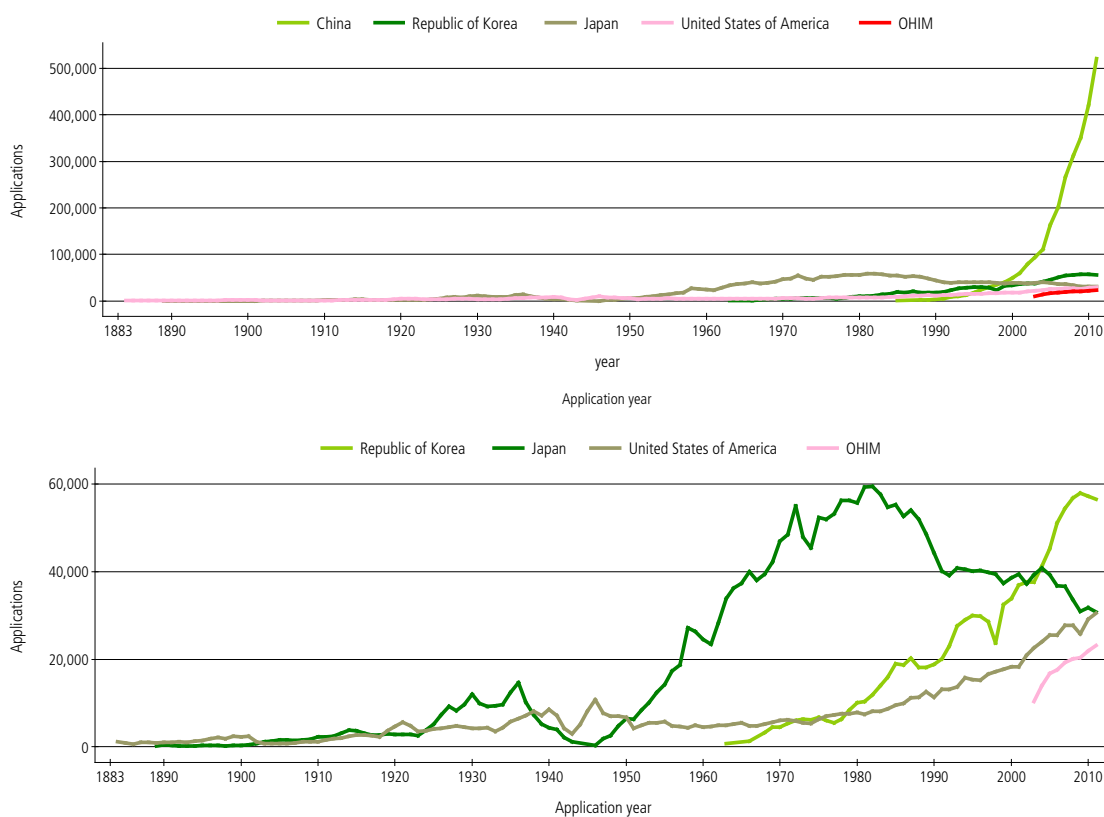
cross-country comparability, this subsection reports data – where available – on the number of designs contained in applications and registrations (i.e., design counts).

For simplicity, country names are used rather than office names to label graphs. As an example, industrial design data for China are labeled as “China” rather than “State Intellectual Property Office of the People’s Republic of China”.

#### C.2.1 Applications by office

Figure C.2.1.1 presents the long-term trend of applications received by the top five offices between 1883 and 2011. The data refer to application counts rather than

**Figure C.2.1.1 Trend in industrial design applications for the top five offices**



Note: OHIM = Office for Harmonization in the Internet Market

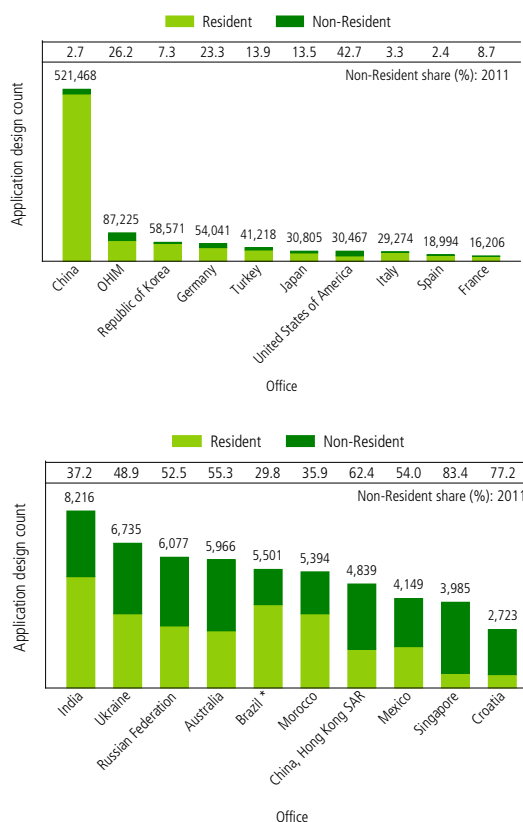
Source: WIPO Statistics Database, October 2012

design counts due to the unavailability of historical design count data. The Japan Patent Office (JPO) received the largest number of applications from the 1950s to the late 1990s, when it was surpassed by SIPO. Industrial design applications were first received at SIPO in 1985, and numbers grew at a modest pace until the early 2000s, after which they experienced exponential growth. Since the early 1980s, the number of applications received by the JPO has followed a downward trend. In contrast, the Korean Intellectual Property Office (KIPO) and the United States Patent and Trademark Office (USPTO) exhibit an upward trend. In 2004, KIPO surpassed the JPO and has maintained second position ever since. The Office for Harmonization in the Internal Market (OHIM) began issuing the Registered Community Design (RCD) in 2003. Its application numbers increased from around 10,400 in 2003 to around 23,100 in 2011.<sup>13</sup>

Figure C.2.1.2 depicts the number of designs contained in applications filed for the top 20 offices. China – with more than 521,000 designs – is the largest office by far. OHIM, KIPO and the IP office of Germany each received applications containing more than 54,000 designs. Among the top 20 offices, 9 are located in middle-income countries.

For the majority of the reported offices, the non-resident share was considerably higher than the global average (10.9%). Non-resident applicants accounted for the majority of design counts at the IP offices of Australia, China Hong Kong (SAR), Croatia, Mexico, the Russian Federation and Singapore. In contrast, the non-resident share stood below 5% at the IP offices of China, Italy and Spain. For most offices, the 2011 non-resident share was higher than in 2010.

**Figure C.2.1.2 Application design counts for the top 20 offices, 2011**



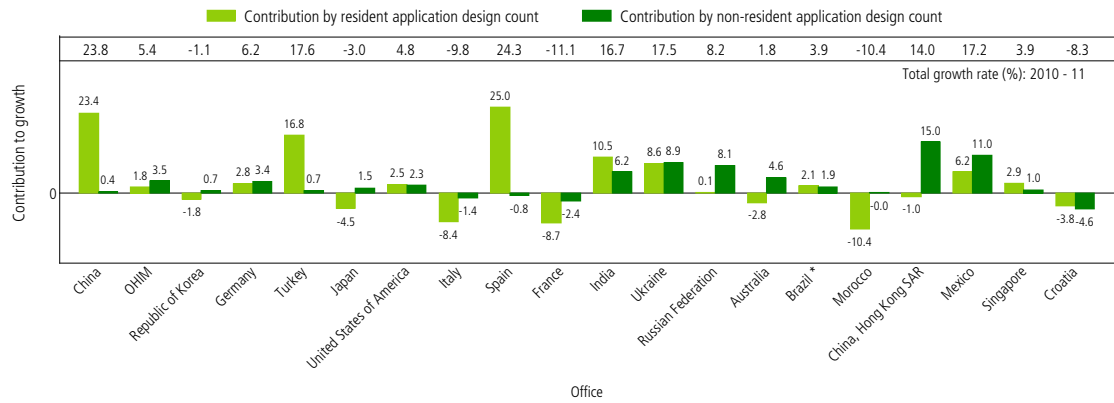
Note: \*2010 data; OHIM = Office for Harmonization in the Internet Market

Source: WIPO Statistics Database, October 2012

The majority of the offices presented in Figure C.2.1.3 saw growth in design counts in 2011 compared to 2010. Seven of them experienced double-digit growth. The IP offices of Croatia, France, Italy and Morocco saw considerable declines in design counts, reflecting declines in resident applications. The contribution of resident and non-resident applications to total growth varied widely across offices. Almost all the growth at the IP offices of China, Spain and Turkey reflected growth in resident applications. In contrast, growth in non-resident applications was the main contributor to total growth at the IP offices of China Hong Kong (SAR) and the Russian Federation.

13 See footnote 3.

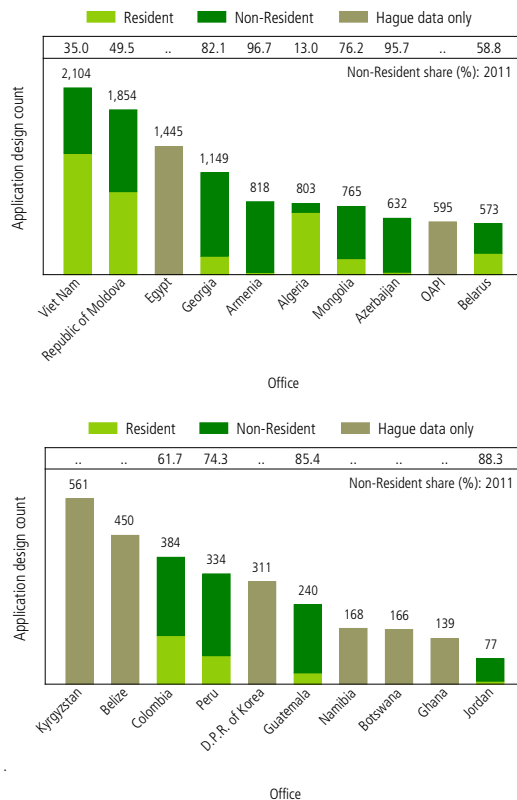
**Figure C.2.1.3 Contribution of resident and non-resident application design counts to total growth for the top 20 offices, 2010-11**



Note: \*Growth rate refers to 2009-2010; OHIM = Office for Harmonization in the Internet Market

Source: WIPO Statistics Database, October 2012

**Figure C.2.1.4 Application design counts for selected middle- and low-income countries, 2011**



Note: '..' = not available; OAPI = African Intellectual Property Organization

Source: WIPO Statistics Database, October 2012

Figure C.2.1.4 shows design count data for offices of selected middle- and low-income countries.<sup>14</sup> For several offices, this figure includes only Hague designation data, as statistics from the national IP office are unavailable. Among the reported offices, Viet Nam saw the largest number of design counts (2,104 designs), followed by the Republic of Moldova, Egypt and Georgia. These four offices received more than 1,100 designs each.

The non-resident share in total design counts for the reported offices was substantially higher than the non-resident share observed for the top 10 offices (see Figure C.2.1.2). The majority of design counts at these offices were of foreign origin. Algeria was the only exception, with local applicants accounting for the bulk of total design counts.

<sup>14</sup> The selected offices are from different world regions. Data for all available offices are presented in the statistical annex.



Table C.2.1.5 Industrial design applications by class for selected office, 2011

Class number	Class name	Office									
		AU	CA	DE	EM	FR	HK	IN	RU	TH	TR
1	Foodstuffs	69	62	279	195	18	23	36	60	39	57
2	Articles of clothing and haberdashery	472	357	5,285	1,383	339	118	216	91	117	560
3	Travel goods, cases, parasols and personal belongings, not elsewhere specified	118	52	1,199	855	206	173	82	37	52	162
4	Brushware	80	156	153	158	6	41	49	36	28	61
5	Textile piecegoods, artificial and natural sheet material	24	40	10,599	163	17	89	422	136	60	18
6	Furnishing	362	247	8,056	2,541	524	88	684	120	606	1,679
7	Household goods, not elsewhere specified	467	404	1,203	1,605	171	278	428	176	155	763
8	Tools and hardware	457	326	664	1,315	117	69	647	116	272	424
9	Packages and containers for the transport or handling of goods	681	662	993	2,198	243	368	1,034	502	338	719
10	Clocks and watches and other measuring instruments, checking and signalling instruments	76	69	1,009	775	69	418	142	102	91	231
11	Articles of adornment	97	55	4,151	656	284	292	299	162	129	233
12	Means of transport or hoisting	506	391	1,176	1,599	203	79	751	441	472	354
13	Equipment for production, distribution or transformation of electricity	136	127	349	693	38	110	526	150	93	97
14	Recording, communication or information retrieval equipment	349	564	894	1,766	113	1,055	347	262	107	129
15	Machines, not elsewhere specified	196	85	184	717	24	49	292	153	141	292
16	Photographic, cinematographic and optical apparatus	42	58	90	315	31	28	34	32	28	23
17	Musical instruments	7	4	60	54	19	4	3	1	7	9
18	Printing and office machinery	8	8	106	58	5	38	30	21	11	7
19	Stationery and office equipment, artists' and teaching materials	51	55	1,821	571	136	131	155	339	107	183
20	Sales and advertising equipment, signs	85	159	581	356	105	40	19	45	27	162
21	Games, toys, tents and sports goods	271	150	901	883	174	473	101	83	69	120
22	Arms, pyrotechnic articles, articles for hunting, fishing and pest killing	37	36	50	131	18	5	14	11	9	40
23	Fluid distribution equipment, sanitary, heating, ventilation and air-conditioning equipment, solid fuel	407	313	515	1,365	83	259	550	200	368	358
24	Medical and laboratory equipment	192	175	200	749	22	27	247	82	47	86
25	Building units and construction elements	322	157	2,263	897	283	44	137	167	216	424
26	Lighting apparatus	189	277	2,571	1,424	186	363	359	109	68	245
27	Tobacco and smokers' supplies	5	19	88	60	15	15	31	5	5	26
28	Pharmaceutical and cosmetic products, toilet articles and apparatus	133	161	144	379	21	120	153	96	34	81
29	Devices and equipment against fire hazards, for accident prevention and for rescue	10	40	8	77	2	-	23	12	7	5
30	Articles for the care and handling of animals	44	18	338	162	39	5	14	4	8	20
31	Machines and appliances for preparing food or drink, not elsewhere specified	35	-	23	137	12	20	84	43	-	34
32	Graphic symbols and logos, surface patterns, ornamentation	-	-	2,555	1,064	944	3	-	189	-	1,272
--	Unknown	38	-	4,629	-	-	14	278	632	38	-

Note: AU (Australia), CA (Canada), DE (Germany), EM (Office for Harmonization in the Internal Market), FR (France), HK (China, Hong Kong (SAR)), IN (India), RU (Russian Federation), TH (Thailand) and TR (Turkey). Class data for the IP offices of China, Japan, the Republic of Korea and the US are unavailable. Data refer to application counts rather than design counts.

Source: WIPO Statistics Database, October 2012

Table C.2.1.5 reports industrial design applications by class for selected offices. Data refer to application counts. Class data for the JPO, KIPO, SIPO and the USPTO – four larger offices – are unavailable.<sup>15</sup> The class distribution varied considerably among offices. Worldwide, class 6 (furnishing) accounted for the largest share in total applications (Table C.1.1.3); however, for the reported

offices, class 6 had the largest share in total applications at only three offices, namely OHIM and the IP offices of Thailand and Turkey. The offices of Australia, Canada, India and the Russian Federation received the largest

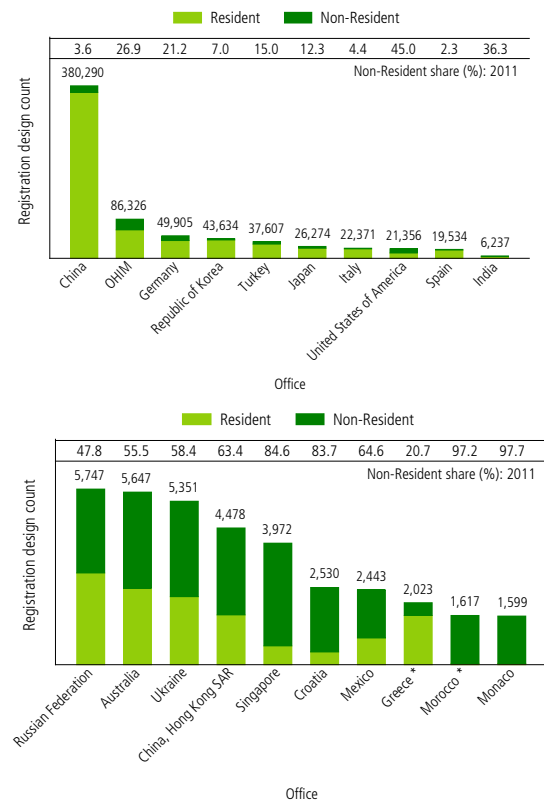
<sup>15</sup> For the USPTO, class data are available for registrations, but not applications. Class 14 (recording, communications, etc.) accounted for the largest share (10.7%) of all registrations at the USPTO in 2011.

numbers of applications for class 9 (packages, etc.). Class 5 (textiles, piecegoods, etc.) – the second largest class at the worldwide level – accounted for the largest share for the IP office of Germany. The combined share of the top three classes ranged from 45.1% in Germany to 25.7% at OHIM.

### C.2.2 Registrations by office

Figure C.2.2.1 depicts the number of designs contained in registrations for the top 20 offices. There are strong similarities between application and registration data for most offices.<sup>16</sup> However, a few exceptions exist, notably for the IP offices of Mexico and the Republic of Korea, where the difference between application and registration design counts is considerable. The number of designs registered at SIPO (380,290) was 4.4 times more than the number registered at OHIM – the second largest office. The gap between these two offices was smaller for registrations than for applications (6 times). Residents accounted for the bulk of registrations at SIPO. Along with Spain (2.3%), China (3.6%) saw the lowest non-resident share of registrations. This is in contrast to the IP offices of Monaco and Morocco, where their non-resident shares stood at around 97%.

**Figure C.2.2.1 Registration design counts for the top 20 offices, 2011**



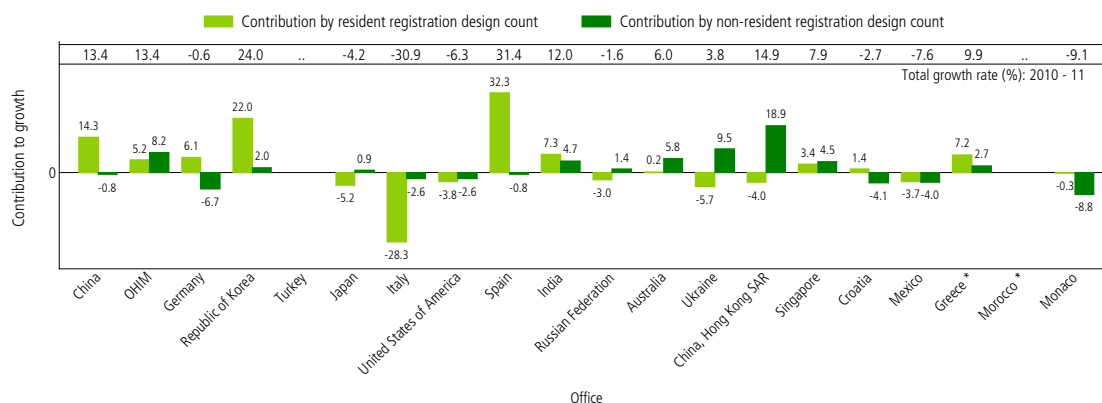
Note: \*2010 data; Registration data for Brazil and France - two larger offices in terms of application data (see Figure C.2.1.2) – are not available; OHIM = Office for Harmonization in the Internet Market

Source: WIPO Statistics Database, October 2012

Figure C.2.2.2 shows the contribution of resident and non-resident growth to overall growth for the top 20 offices. Like for applications, this varied considerably across offices. Growth in resident registrations accounted for almost all the growth at SIPO and the IP offices of the Republic of Korea and Spain. Growth at the offices of Australia, China Hong Kong (SAR) and Ukraine reflected growth in non-resident registrations. Italy, Mexico, Monaco and the US saw declines in both resident and non-resident registrations.

<sup>16</sup> This may reflect the fact that, for many offices, the registration process involves only a formality examination.

**Figure C.2.2.2 Contribution of resident and non-resident registration design counts to total growth for the top 20 offices, 2010-11**



Note: '..' = not available; \*Growth rate refers to 2009-2010; OHIM = Office for Harmonization in the Internet Market

Source: WIPO Statistics Database, October 2012

## C.3

### INDUSTRIAL DESIGN APPLICATIONS AND REGISTRATIONS BY ORIGIN

Applications at regional offices are equivalent to multiple applications in each of their member states. This subsection reports figures based on equivalent applications or registrations. To calculate equivalent applications or registrations, a filing at the African Intellectual Property Organization (OAPI), the Benelux Office for Intellectual Property (BOIP) or OHIM is counted multiple times according to the number of each office's member states. By contrast, an application filed at the African Regional Intellectual Property Organization (ARIPO) is counted as one application abroad if the applicant does not reside in a member state and as one resident and one application abroad if the applicant resides in one of its member states. This method may underestimate filings at ARIPO, as filings there may lead to protection in more than one jurisdiction. However, there is insufficient information on designations or validations in ARIPO member states, which has led to the adoption of the above counting method.

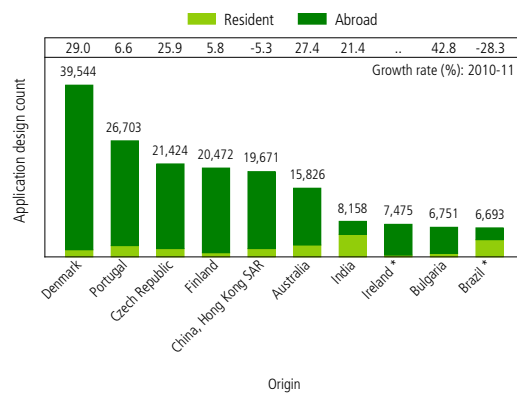
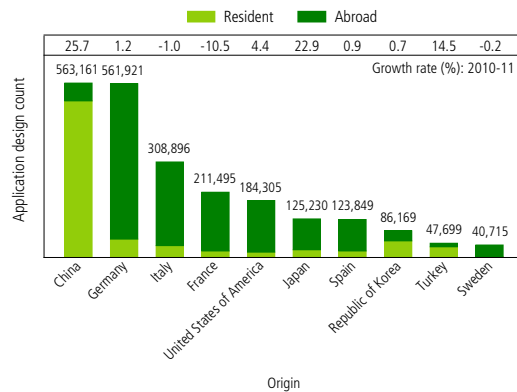
In this subsection, the terms “designs”, “applications” and “registrations” refer to equivalent design counts, unless otherwise stated.

#### C.3.1 Equivalent applications and registrations by origin

Figure C.3.1.1 depicts the number of equivalent design counts for the top 20 origins in 2011. The number of equivalent design counts from residents of China and Germany were of similar magnitude and their combined total stood at around 1.1 million. Equivalent design counts filed by residents of China grew rapidly over the past few years, with China surpassing Germany to become the top origin in 2011. Residents of China filed the bulk of their applications with SIPO (90%), while their applications abroad constituted the remaining small fraction. In contrast, applications abroad (89%) constituted the bulk of total design counts for German residents. The top 20 list mostly consists of European countries, partly reflecting the OHIM multiplier. Eight of the top 20 origins saw double-digit growth in equivalent design counts between 2010 and 2011. France is the only origin to have seen a considerable decline.<sup>17</sup>

<sup>17</sup> Brazil saw a 28% decrease, but its data refer to 2009-2010.

**Figure C.3.1.1 Equivalent application design counts for the top 20 origins, 2011**



Note: '..' = not available; \*2010 data; and growth rate refers to 2009-2010.

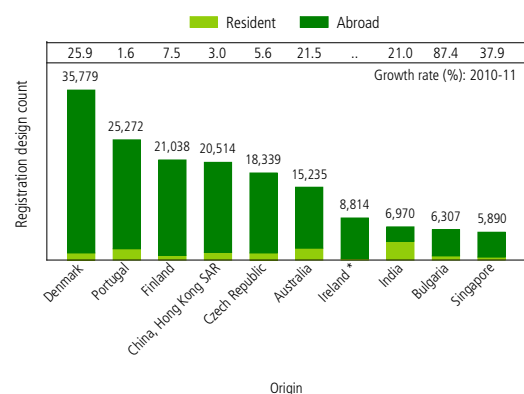
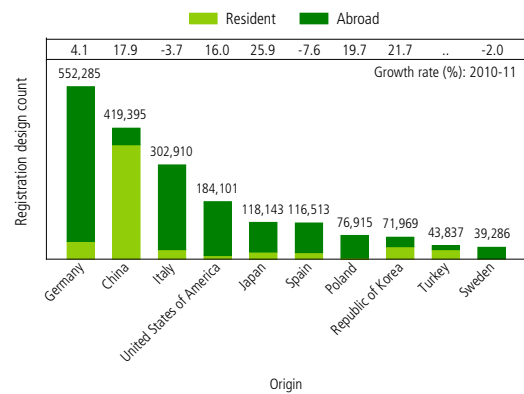
Source: WIPO Statistics Database, October 2012

Figure C.3.1.2 depicts the number of designs contained in equivalent registrations for the top 20 origins. With 552,285 designs, German applicants accounted for the highest number of designs registered worldwide in 2011, followed by applicants from China (with 419,395 designs) and Italy (with 302,910 designs). The top 20 list mostly consists of European countries, again reflecting the OHIM multiplier. For all origins reported, the numbers of design counts in applications and registrations were of similar magnitude, except for China.

For all origins, except China, India, the Republic of Korea and Turkey, more than four-fifths of all designs were registered abroad. This is similar to the pattern observed for equivalent application design counts (Figure C.3.1.1). The high share of registrations abroad once again reflects the OHIM multiplier.

All origins, except Italy, Spain and Sweden, saw a higher number of designs registered in 2011 than in 2010. Italy and Sweden saw declines in both applications and registrations over the same period.

**Figure C.3.1.2 Equivalent registration design counts for the top 20 origins, 2011**



Note: '..' = not available; \*2010 data

Source: WIPO Statistics Database, October 2012

### C.3.2 Industrial design applications by office and origin

Table C.3.2 presents a breakdown of the number of designs contained in applications by origin (source) and office (destination) for the top offices and origins. The table provides a detailed picture of industrial design application flows across countries.

In all reported offices, except Australia, the Russian Federation and OHIM, residents accounted for the largest share of applications.

Excluding residents of the country concerned, residents of the US accounted for the largest share of total applications in Australia, India, Japan and the Russian Federation. In China, the Republic of Korea and the US, residents of Japan accounted for the largest share. The largest non-resident share at the IP offices of France, Morocco, Spain, Turkey and Ukraine belonged to residents of Switzerland.

**Table C.3.2 Application design counts by office and origin: top offices and origins, 2011**

Origin	Office														
	CN	EM	KR	DE	TR	JP	US	IT	ES	FR	IN	UA	RU	AU	MA
Australia	201	459	17	-	-	44	387	-	-	-	41	-	6	2,664	-
Austria	84	2,314	9	5,315	22	25	185	-	-	-	10	-	34	29	-
China	507,538	1,985	125	137	8	144	932	-	-	10	45	4	38	88	2
China, Hong Kong SAR	-	643	9	20	1	51	294	-	-	28	11	-	5	28	-
France	454	7,078	86	54	516	179	545	44	17	14,795	80	149	125	81	363
Germany	1,286	18,983	258	41,441	431	361	1,297	22	2	73	319	137	452	186	50
India	22	107	2	5	3	1	64	-	-	-	5,156	1	1	1	1
Italy	524	10,157	93	4,463	162	144	506	28,306	-	24	80	6	97	51	-
Japan	4,532	3,199	1,757	138	121	26,658	2,490	3	3	5	625	38	393	352	1
Morocco	-	1	-	30	1	-	-	35	-	39	-	-	-	-	3,457
Netherlands	444	2,362	102	96	52	111	169	-	-	1	179	19	167	117	-
Poland	34	2,991	-	49	17	-	51	-	-	27	7	63	47	-	-
Republic of Korea	1,521	1,040	54,300	29	18	545	1,246	6	4	6	3	-	185	49	-
Russian Federation	33	86	-	2	27	2	18	2	-	-	5	270	2,887	4	1
Spain	124	3,857	27	183	109	26	104	-	18,540	28	27	57	18	11	10
Switzerland	472	6,374	122	558	1,732	335	252	58	45	108	234	1,164	254	157	1,056
Turkey	36	421	-	61	35,488	-	13	-	10	27	17	52	34	1	-
Ukraine	1	20	-	14	13	-	1	14	1	13	-	3,444	90	-	-
United Kingdom	318	5,307	99	5	57	192	878	3	1	8	241	72	115	258	40
United States of America	2,490	5,770	1,211	203	155	1,311	17,443	19	3	86	791	59	643	1,330	3
Other / Unknown	1,354	14,071	354	1,238	2,285	676	3,592	762	368	928	345	1,200	486	559	410
<b>Total</b>	<b>521,468</b>	<b>87,225</b>	<b>58,571</b>	<b>54,041</b>	<b>41,218</b>	<b>30,805</b>	<b>30,467</b>	<b>29,274</b>	<b>18,994</b>	<b>16,206</b>	<b>8,216</b>	<b>6,735</b>	<b>6,077</b>	<b>5,966</b>	<b>5,394</b>

Note: CN (China), EM (Office for Harmonization in the Internal Market), KR (Republic of Korea), DE (Germany), TR (Turkey), JP (Japan), US (United States of America), IT (Italy), ES (Spain), FR (France), IN (India), UA (Ukraine), RU (Russian Federation), AU (Australia) and MA (Morocco)

Source: WIPO Statistics Database, October 2012

## C.4

### INDUSTRIAL DESIGN REGISTRATIONS THROUGH THE HAGUE SYSTEM

An applicant seeking protection for an industrial design in a number of countries or jurisdictions can choose to file an application directly with each national or regional IP office or a single application via the Hague system. The Hague system makes it possible for an applicant to register industrial designs in multiple Contracting Parties by filing a single application with the International Bureau of WIPO. Moreover, each application filed under the Hague system may contain up to 100 different designs. An application for international registration of an industrial design leads to its recording in the International Register and the publication of the registration in the International Designs Bulletin. A registration recorded in the International Register has the same effect as one made directly with each designated contracting party, unless the IP office of a specific contracting party issues a refusal. In 2011, the Hague system comprised 60 members.

#### C.4.1 International registrations of industrial designs

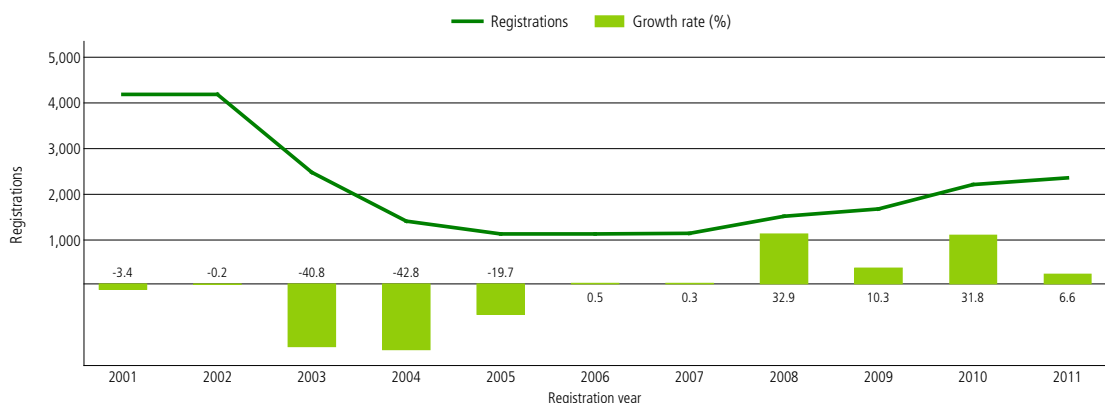
The International Bureau of WIPO recorded 2,363 international registrations for industrial designs in 2011, corresponding to an increase of 6.6% on 2010. The

last four years saw considerable growth in registrations, although growth rates varied considerably.

The large decline witnessed after 2002 can be explained by the availability of the RCD issued by OHIM. This enables applicants to file a single application for protection across all European Union (EU) member states. Applicants seeking protection in EU markets began to use the RCD rather than the Hague system. However, international registrations rebounded strongly in 2008, which corresponds to the year the EU became a member of the Hague system. As a result, a single Hague registration can lead to design protection across all EU member states, as well as in other members of the Hague system, for example, Switzerland and Turkey.

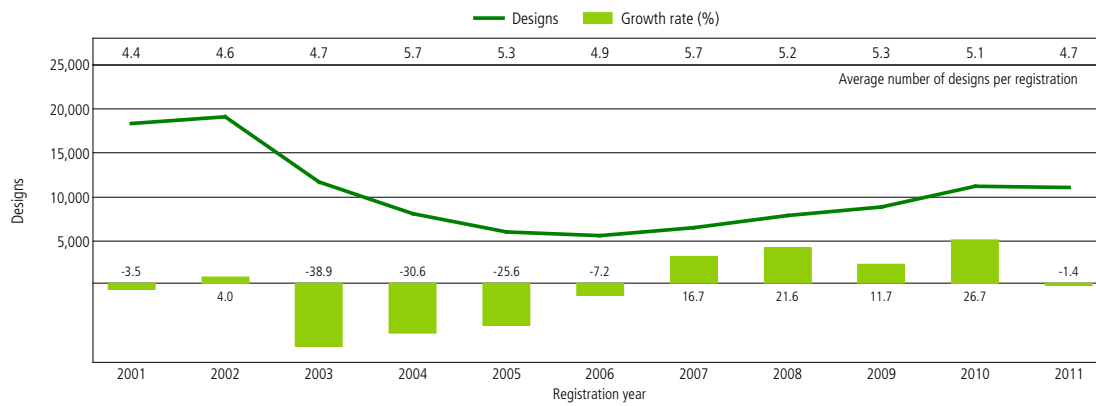
As mentioned earlier, the Hague system permits a single international registration to include up to 100 different designs, provided they relate to products of the same class listed in the Locarno Classification. After four years of growth, the total number of designs contained in international registrations declined by 1.4% in 2011 (Figure C.4.1.2). The total number of designs in registrations fell from 11,238 in 2010 to 11,077 in 2011. This decrease in the total number of designs, despite growth in international registrations, reflected a drop in the average number of designs per registration from 5.1 in 2010 to 4.7 in 2011. The average number of designs per registration varied between 4.4 and 5.7 over the period 2001-2011.

**Figure C.4.1.1 International registrations of industrial designs**



Source: WIPO Statistics Database, October 2012

**Figure C.4.1.2 Designs contained in international registrations**



Source: WIPO Statistics Database, October 2012

Figure C.4.1.3 depicts the number of designs contained in international registrations by country of origin for the top 20 origins. A registration is allocated to the applicant’s “true” origin rather than to the Hague member in respect of which the applicant fulfilled the condition for filing the application.<sup>18</sup> For this reason, countries that are not members of the Hague system, such as the US, appear in the origin list. Holders residing in Germany owned the largest number of designs contained in international registrations, followed by Switzerland and the US. Together, Germany and Switzerland accounted for more than half of all designs contained in Hague registrations in 2011. The US – a non-member – accounted for around one-tenth of the 2011 total. The top three origins saw growth in designs registered in 2011. As a result, their combined share of the total increased from 58.5% in 2010 to 63.8% in 2011. Several origins saw fewer designs registered in 2011 than in 2010.

**Figure C.4.1.3 Designs contained in international registrations for the top 15 origins, 2011**



Source: WIPO Statistics Database, October 2012

<sup>18</sup> Applicants domiciled in a non-member country can file applications for international registrations if they have a real and effective industrial or commercial establishment in the jurisdiction of a Hague member country/region.

**Table C.4.2 Top Hague applicants**

2011 Rank	Applicant's Name	Origin	Hague International Applications		
			2009	2010	2011
1	THE PROCTER & GAMBLE COMPANY	United States of America	110	129	167
2	THE SWATCH GROUP MANAGEMENT SERVICES AG	Switzerland	81	75	70
3	KONINKLIJKE PHILIPS ELECTRONICS N.V.	Netherlands	33	87	64
4	THE GILLETTE COMPANY	United States of America	37	44	56
5	DAIMLER AG	Germany	20	36	55
6	SOCIÉTÉ DES PRODUITS NESTLÉ S.A.	Switzerland	12	24	47
7	VESTEL BEYAZ ESYA SANAYI VE TICARET ANONIM SIRKETI	Turkey	-	52	40
8	VOLKSWAGEN AG	Germany	32	46	38
9	LIDL STIFTUNG & CO. KG	Germany	36	20	28
10	BRAUN GMBH	Germany	25	30	25
11	PI-DESIGN AG	Switzerland	42	33	20
12	ALFRED KÄRCHER GMBH & CO. KG	Germany	20	18	15
12	HERMES SELLIER	France	21	14	15
14	FONKEL MEUBELMARKETING B.V.	Netherlands	18	20	14
14	MAPED	France	15	12	14
14	UNILEVER N.V.	Netherlands	14	21	14
17	ETA SA MANUFACTURE HORLOGÈRE SUISSE	Switzerland	4	2	12
17	LEIFHEIT AG	Germany	-	14	12
19	CARTIER CRÉATION STUDIO SA	Switzerland	15	18	11
19	GEBERIT INTERNATIONAL AG	Switzerland	-	10	11
19	NEOPERL GMBH	Germany	-	-	11

Note: Includes applicants with more than 10 applications in 2011

Source: WIPO Statistics Database, October 2012

#### C.4.2 Top Hague applicants

Table C.4.2 provides a list of top Hague applicants for the past three years. For the third consecutive year, the US-based company Procter & Gamble filed the highest number of international applications. Despite filing fewer applications in 2011 than in 2010, The Swatch Group Management Services AG and Koninklijke Philips Electronics N.V. were the second and third largest applicants. Among the 21 applicants shown, seven are located in Germany and six in Switzerland. Two of the top five applicants in 2011 were from the US, which is not a member of the Hague system (see footnote 18 for further explanation).

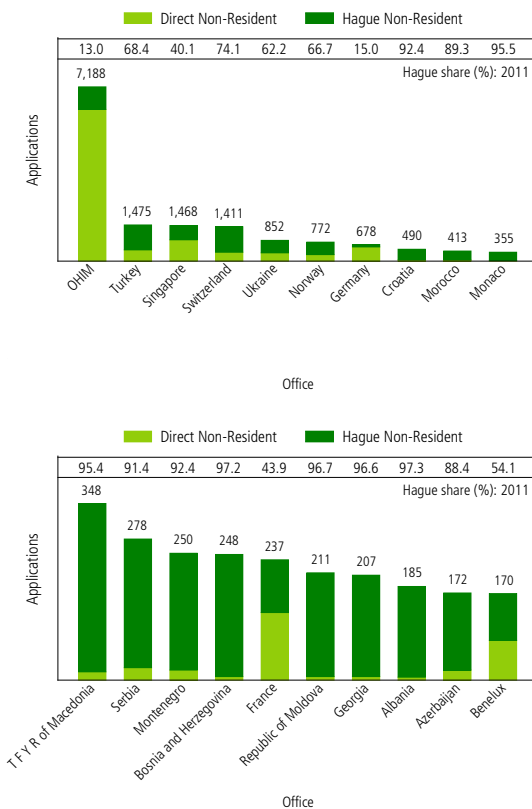
#### C.4.3 Non-resident industrial design applications by filing route for selected Hague members

Applicants seeking design protection in foreign jurisdictions can either file applications directly at national or regional IP offices or make use of the Hague system. Figure C.4.3 shows the breakdown of non-resident applications filed directly at offices and those filed via the Hague system. Worldwide, about 12.1% of all non-resident applications were filed via the Hague system in 2011. However, not all offices – notably China, the largest office in the world – are members of the Hague system. Data for Hague members show that 31.5% of all non-resident applications were filed through the Hague system.

The Hague share in total non-resident applications varied across IP offices. For a large number of offices, the Hague system accounted for the great majority of non-resident applications. In contrast, direct filings accounted for most non-resident applications received by OHIM and the IP office of Germany.



**Figure C.4.3 Non-resident industrial design applications by filing route for selected Hague members**



Note: Data refer to the number of industrial design applications and not the number of designs contained in applications; OHIM = Office for Harmonization in the Internet Market

Source: WIPO Statistics Database, October 2012

19 Data are available for 77 offices including all major offices except Brazil, France and Italy.

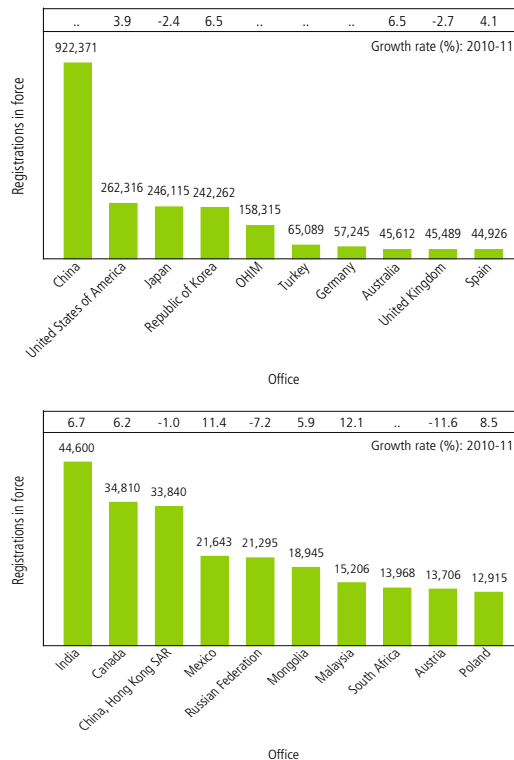
## C.5

### INDUSTRIAL DESIGN REGISTRATIONS IN FORCE

Industrial design registrations are valid for a limited period. The term of protection is usually 15 years; however, some offices provide protection for only 10 years.

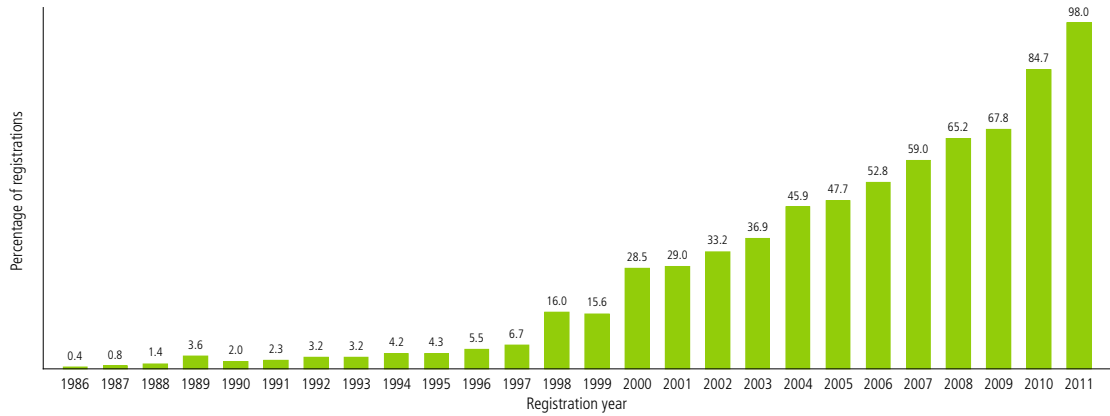
In 2011, over 2.5 million industrial design registrations were in force worldwide.<sup>19</sup> SIPO had the largest number of registrations in force, accounting for around 37% of the world total (Figure C.5.1). SIPO had a larger number of registrations than the combined total of the USPTO, the JPO, KIPO and OHIM – the four largest offices after SIPO. Malaysia and Mexico saw the fastest growth on 2010, while Austria and the Russian Federation experienced considerable declines over the same period.

**Figure C.5.1 Industrial design registrations in force by office, 2011**



Note: “..” = not available; Data refer to the number of industrial design registrations in force and not the number of designs contained in registrations; OHIM = Office for Harmonization in the Internet Market

Source: WIPO Statistics Database, October 2012

**Figure C.5.2 Industrial design registrations in force in 2011 as a percentage of total registrations**

Note: Percentages are calculated as follows: number of industrial design registered in year t and in force in 2011 divided by the total number of industrial design registered in year t. The graph is based on data from 62 offices (includes all large offices, except France and Japan) for which a breakdown of industrial design registrations in force by year of registrations are available.

Source: WIPO Statistics Database, October 2012

Figure C.5.2 depicts the distribution of industrial design registrations in force in 2011 by their year of registration and as a percentage of total registrations in a given year; it thus portrays the age distribution of industrial designs in force. Data for most large offices are included in this graph, with France and Japan as the most notable exceptions. The figure shows that around 59% of industrial designs registered in 2007 were still in force in 2011 and only a small proportion (less than 7%) of industrial designs registered before 1998 was still in force in 2011. The graph also shows that 15% of the 2010 registrations expired within a year. This reflects the fact in some offices (e.g. KIPO and SIPO), holders are required to pay annual fees to maintain registrations.