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) international registrations of industrial designs (administered by WIPO through the Hague system), d) intensity of industrial design activity and e) industrial design registrations in force. Where possible, statistics on application and registration design counts are provided in order to take institutional differences across intellectual property (IP) offices into consideration. In particular, some IP offices allow applications to contain more than one design for the same product or within the same class, while other IP offices allow only one design per application.

Industrial designs are applied to a wide variety of industrial products and handicrafts.[1] 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 5 years and may be renewed for additional periods of 5 years up to, in most cases, 15 years. In some countries, industrial designs are protected through the delivery of a design patent rather than a design registration.

The Hague system comprises several international treaties – the London Act, the Hague Act and the Geneva Act.[2] 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 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. Further information on the Hague system are available at: *www.wipo.int/hague/en/*.

1 The applications to which industrial designs are applied range from technical and medical instruments to watches, jewelry and other luxury items, and from housewares, electrical appliances, vehicles and construction materials to textile designs and leisure goods.

2 The London Act has been frozen since January 2010.

C.1

INDUSTRIAL DESIGN APPLICATIONS AND REGISTRATIONS WORLDWIDE

C.1.1 Applications worldwide

Figure C.1.1.1 shows the total number of designs contained in industrial design applications filed worldwide between 2004 and 2012. World totals are WIPO estimates covering data for 131 offices, and they include both designs contained in applications filed directly at an IP office and those contained in designations received via international registrations through the Hague system.[3]

The long-term trend shows continuous growth in the number of designs contained in applications (i.e., design counts) over the past decade. Design counts increased from approximately 582,000 in 2004 to 1,217,000 in 2012. After a slowdown in growth in 2008 and 2009, the numbers of designs contained in applications have rebounded strongly since 2010, with double-digit growth recorded in each of the past three years. The 2012 growth of 17% was, in fact, the highest recorded since 2004. Growth for all years listed has been mostly due to sharp increases in the number of applications filed in China (see C.2.1.4).

Figure C.1.1.2 provides a breakdown of designs contained in industrial design applications filed worldwide by residence 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. For example, an application filed at the office of Switzerland by a Swiss resident is considered a resident application for that office.[4] 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 purpose of recording applications at that office. Similarly, a non-resident registration is an industrial design registration based on a non-resident application. An application filed at a regional office is considered a resident application if the applicant is a resident of one of that office's member states, and is considered a non-resident application if the applicant does not reside in one of its member states.[5]

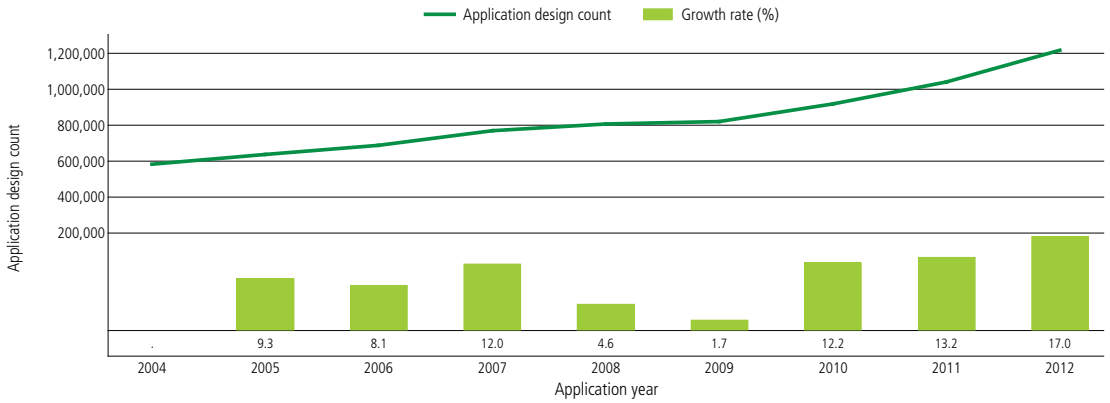
As reflected in Figure C.1.1.2, in 2012 an estimated 1,042,500 designs were filed by resident applicants worldwide, and 174,500 designs were filed by non-resident applicants. Industrial designs are primarily used by resident applicants. Since 2004, the share of non-resident designs contained in applications has decreased steadily from 30.5% in 2004 to 14.3% in 2012. The downward trend is explained by the sharp increase in resident filings at the State Intellectual Property Office of the People's Republic of China (SIPO).

3 The indicators covered in this section include, where applicable, both direct applications (registrations) and designations received via international registrations through the Hague system.

4 For the sake of simplicity, country names are used rather than IP office names to label graphs. For example, industrial design data for China are labeled "China" rather than "State Intellectual Property Office of the People's Republic of China".

5 Resident and non-resident applications (registrations) are also known as domestic and foreign applications (registrations).

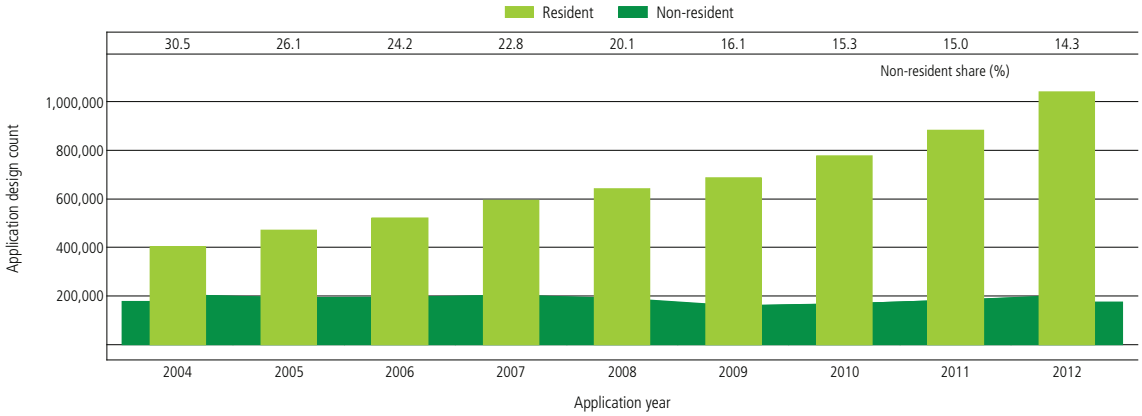
Figure C.1.1.1 Trend in application design counts worldwide



Note: World totals are WIPO estimates covering 131 IP offices (see Data Description). These estimates include direct national and regional applications as well as designations received via the Hague system.

Source: WIPO Statistics Database, October 2013

Figure C.1.1.2 Resident and non-resident application design counts worldwide



Note: World totals are WIPO estimates covering 131 IP offices (see Data Description). These estimates include direct national and regional applications and designations received via the Hague system.

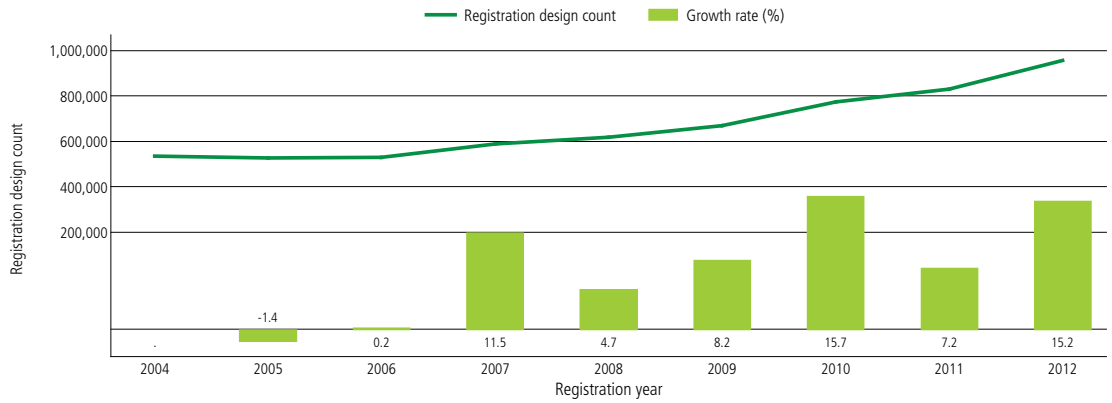
Source: WIPO Statistics Database, October 2013

Compared to 2011, the number of designs in applications filed by residents grew by about 158,500 (+17.9%) in 2012, while non-resident design counts grew by about 18,500 (+11.8%). Residents of China accounted for most of the growth in the total resident design counts, as residents of that country filed applications with 134,863 more designs in 2012 than in the previous year, thus contributing to 85.2% of world resident growth. In contrast, applicants of France, Germany and the US each contributed to about a quarter of world non-resident growth, together accounting for 73.9% of overall growth.

C.1.2 Registrations worldwide

Figure C.1.2.1 shows the estimated number of designs registered worldwide since 2004. Following three years of relative stagnation at about 530,000 designs per year, the number of designs contained in registrations has increased markedly since 2006. In 2012, an estimated 955,500 designs were registered worldwide. The 2012 annual growth rate of 15.2% was the second highest rate reported, only slightly lower than the rate reported for 2010 (15.7%). The large increases observed since 2006 were mainly due to strong growth at SIPO, which issued registrations for approximately 364,000 more designs in 2012 than in 2006.

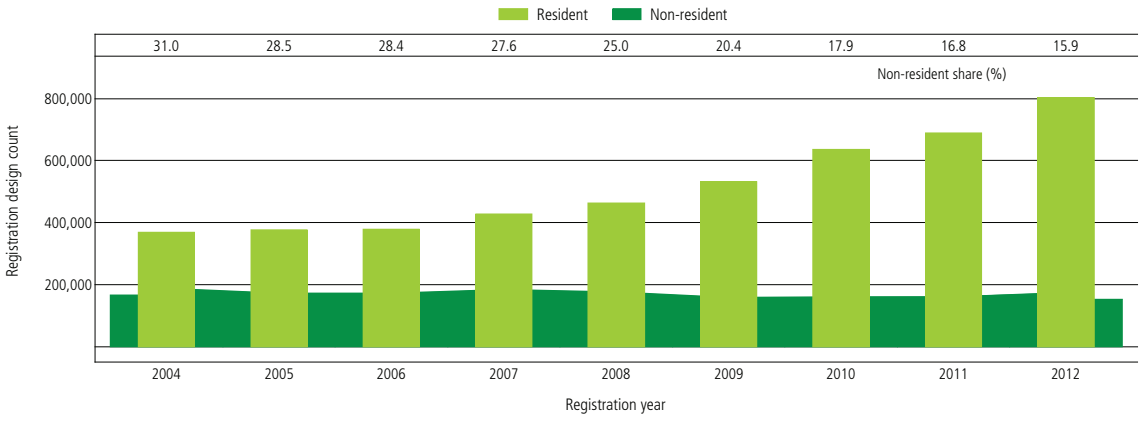
Figure C.1.2.1 Trend in registrations design counts worldwide



Note: World totals are WIPO estimates covering 131 IP offices (see Data Description). These estimates include registrations issued for direct applications and designations received via the Hague system.

Source: WIPO Statistics Database, October 2013

Figure C.1.2.2 Resident and non-resident registration design counts worldwide



Note: World totals are WIPO estimates covering 131 offices (see Data Description). These estimates include registrations issued for direct applications and designations received via the Hague system.

Source: WIPO Statistics Database, October 2013

As is the case for applications (see Figure C.1.1.2), resident applicants accounted for the vast majority of designs registered worldwide. Figure C.1.2.2 shows that the non-resident share of designs contained in registrations has decreased from 31% in 2004 to 15.9% in 2012. Again, the decrease in the non-resident share was due to considerable growth in resident registrations issued in China, as well as relative stagnation in non-resident design registrations worldwide. The estimated number of resident and non-resident designs contained in registrations stood, respectively, at 803,500 and 152,000 in 2012. When compared with figures for 2011, this represented an increase of 16.5% for resident designs and 8.8% for non-resident designs.

C.2

INDUSTRIAL DESIGN APPLICATIONS AND REGISTRATIONS BY OFFICE

This subsection offers a detailed breakdown of industrial design applications and registrations by IP office.

C.2.1 Application design counts by office

As shown in Table C.2.1.1, with 393,200 designs contained in applications in 2007, the IP offices of high-income countries received almost 60,000 more application design counts than did those of upper middle-income countries. Five years later, in 2012, upper middle-income country offices received 739,100 designs in applications i.e., over 300,000 more designs than did the offices of high-income countries. However, the number of designs in applications filed in upper middle-income countries was considerably lower when the figures for China were excluded from the total figures. In both 2007 and 2012, the offices of lower middle-income and low-income countries received approximately 35,000 and 4,000 designs in applications, respectively.

Between 2007 and 2012, the share of resident filings in total filings increased for each income group, to the extent that in 2012 resident design counts outnumbered those of non-residents for every income group. The low-income and lower middle-income groups saw their resident shares increase the most over this period of time, with growth of 10.7 and 7.8 percentage points, respectively. This trend can be explained by an increase in resident design counts for all income groups, coupled with a decrease in non-resident design counts for all groups excluding the high-income group, and also excluding filings at SIPO.

Table C.2.1.1 Applications design counts by income group

Income group	Number of designs in applications		Resident share (%)		Share in world total (%)		Average growth (%)
	2007	2012	2007	2012	2007	2012	2007-12
High-income	393,200	437,700	71.0	73.7	51.1	36.0	2.2
Upper middle-income	336,800	739,100	88.0	94.5	43.8	60.7	17.0
…Upper middle-income without China	*69,400*	*81,500*	*62.1*	*68.4*	*9.0*	*6.7*	*3.3*
Lower middle-income	35,100	35,900	46.2	54.0	4.6	3.0	0.5
Low-income	4,300	4,000	39.9	50.6	0.6	0.3	-1.4
World	**769,400**	**1,216,700**	**77.2**	**85.7**	**100**	**100**	**9.6**

Note: Total by income groups are WIPO estimates covering 131 offices. Each category includes the following number of IP offices: high-income (50), upper middle-income (37), lower middle-income (27) and low income (17). OHIM data are allocated to the high-income group, as the majority of European Union member states are high-income countries. For the same reason, African Intellectual Property Organization (OAPI) data are allocated to the low-income group.

Source: WIPO Statistics Database, October 2013

In 2007, approximately half of all designs in applications worldwide (51.1%) were filed at the offices of high-income countries, but by 2012, the high-income group share of world total had fallen to 36%. In fact, the exponential growth in industrial design filings in China (see C.2.1.2) explains the decrease in share for all income groups with the exception of the upper middle-income group (with China included). SIPO's share of total world filings increased from 34.8% in 2007 to 54% in 2012.

The 2007-12 average annual growth for the upper middle-income group was by far the highest recorded among all income groups. With growth of 17%, the upper middle-income group was the only one to exceed the world growth figure of 9.6%. Even when the figures for China were excluded from total figures for this group, the upper middle-income group still accounted for the largest increase (+3.3%). The upper middle-income group was followed by the high-income (+2.2%) and lower middle-income (+0.5%) groups. In contrast, designs filed at the IP offices of low-income countries decreased by 1.4% over the same period.

Figure C.2.1.2 presents the trend in numbers of applications received by the top five IP offices between 1883 and 2012.[6] The data refer to application counts rather than design counts due to the unavailability of historical design count data. The Japan Patent Office (JPO) and the United States Patent and Trademark Office (USPTO) received, on average, similar numbers of applications between 1883 and 1950. The JPO began to receive 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, after which filings grew at a sustained pace until the early 2000s, whereupon they grew exponentially. Since the early 1980s, the number of applications received by the JPO has followed a downward trend. In contrast, activity at the Korean Intellectual Property Office (KIPO) and the USPTO has exhibited an upward trend. In 2004, KIPO surpassed the JPO, and has since maintained its ranking in second position. In 2012, the USPTO surpassed the JPO by a few hundred applications, to achieve its ranking in third position. The Office for Harmonization in the Internal Market (OHIM) of the European Union began issuing its Registered Community Design (RCD) in 2003 and has since become the fifth largest office in terms of application field.

6 The upper graph shows the trend for the top five offices. Because of large differences between China and the other four offices in terms of volumes of applications, it is difficult to observe fluctuations. For this reason, the lower graph reports data for other offices, excluding China.

Figures C.2.1.2 Trend in industrial design applications for the top five offices

Note: OHIM = Office for Harmonization in the Internal Market

Source: WIPO Statistics Database, October 2013

Figure C.2.1.3 shows the number of designs contained in applications filed at the top 20 IP offices. With 657,582 design counts, SIPO was by far the largest office worldwide. It was followed by OHIM, KIPO and the office of Germany, which each received between 50,000 and 100,000 designs in applications. In 2012, 11 offices received applications containing more than 10,000 designs.

The non-resident share for design counts varied considerably across offices. Non-resident applicants accounted for the largest proportion of design counts at the offices of Canada (84.2%), China Hong Kong (SAR) (68.5%) and Switzerland (67.3%). In contrast, the non-resident share was below 5% at SIPO (2.3%) and at the offices of Italy (3.3%) and Spain (2.7%). Among the top 10 offices, resident applicants accounted for the bulk of total design counts.

Figure C.2.1.3 Application design counts for the top 20 offices, 2012

Note: Application design count data for the UK were not available; OHIM = Office for Harmonization in the Internal Market

Source: WIPO Statistics Database, October 2013

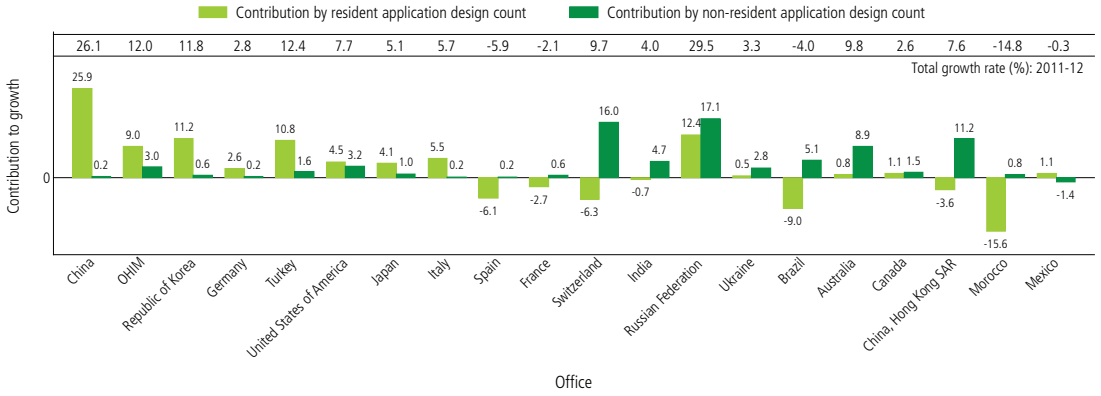
Three-fourths of the top 20 IP offices listed in Figure C.2.1.4 saw growth in the number of designs contained in applications in 2012 compared to 2011. Five offices experienced double-digit growth for the same period. Growth was highest at the offices of the Russian Federation (+29.5%), SIPO (+26.1%), Turkey (+12.4%), OHIM (+12%) and KIPO (+11.8%). With the exception of the office of the Russian Federation, resident filings accounted for most of the growth at these five offices. For example, resident growth accounted for almost all of the growth at SIPO and KIPO. Even though resident filings also markedly increased at the office of the Russian Federation, its non-resident filings increased even faster.

Drops in the numbers of designs contained in resident filings explained the overall decreases observed at the offices of Morocco (-14.8%), Spain (-5.9%), Brazil (-4%) and France (-2.1%). In contrast, the decrease of 0.3% in designs at the office of Mexico was due to a decrease in the non-resident component of 1.4 percentage points on 2011.

Figure C.2.1.5 shows design count data for offices of selected middle- and low-income countries. Among the reported offices, Thailand (3,481), South Africa (2,361), the Republic of Moldova (2,193), Viet Nam (2,107) and Malaysia (2,082) were the offices that received the highest numbers of designs in applications for 2012.

The non-resident share of total application design counts varied widely from one office to another. The non-resident share was higher than 90% for six offices, and approaching 100% for the offices of Montenegro (99.3%) and Azerbaijan (96.8%). In contrast, resident designs accounted for the bulk of total designs contained in applications at eight of the selected offices. This is illustrated by their low non-resident shares at a number of offices such as those of Bangladesh (7%), Algeria (18.2%), Pakistan (20.4%) and Belarus (24.8%).

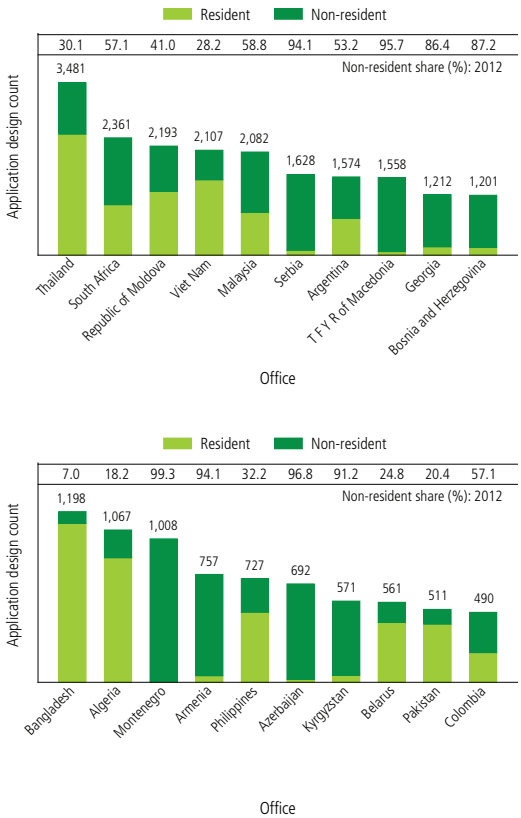
Figure C.2.1.4 Contribution of resident and non-resident application design counts to total growth for the top 20 offices, 2011-12



Note: OHIM = Office for Harmonization in the Internal Market

Source: WIPO Statistics Database, October 2013

Figure C.2.1.5 Application design counts for offices of selected middle- and low-income countries, 2012



Source: WIPO Statistics Database, October 2013

C.2.2 Registration design counts by office

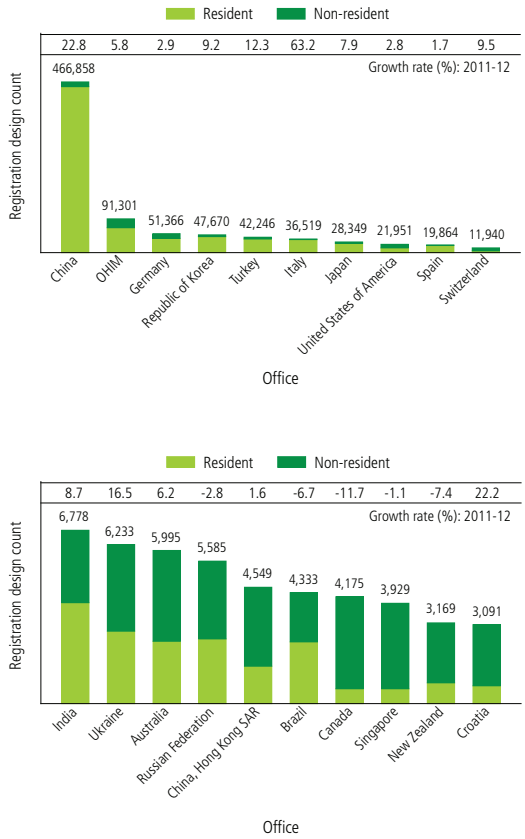
Figure C.2.2.1 shows the number of designs contained in registrations for the top 20 offices. There were strong similarities between application and registration design count data for most offices, even though registration volumes were usually lower.[7] However, for KIPO, SIPO and the USPTO the differences between registration and application design counts were higher, where design counts for registrations were much lower than those for applications. In 2012, SIPO issued by far the highest number of registrations containing 466,858 designs, followed by OHIM (91,301), the office of Germany (51,366) and KIPO (47,670).

As was the case for applications, resident designs accounted for the bulk of total designs contained in registrations issued by the top 9 offices. For the 11 remaining offices, non-resident designs outnumbered resident designs, except for the offices of India (41.6%) and Brazil (44.3%).

7 This may reflect the fact that, for many IP offices, the registration process involves only a formality examination, thus resulting in registrations issued for most applications.

Most offices saw growth in their registration design counts between 2011 and 2012. Italy (+63.2%), China (+22.8%) and Croatia (+22.2%) experienced the largest increases among the top 20 offices. In contrast, five offices saw decreases, of which Canada (-11.7%), New Zealand (-7.4%) and Brazil (-6.7%) saw the sharpest drops.

Figure C.2.2.1 Registration design counts for the top 20 offices, 2012



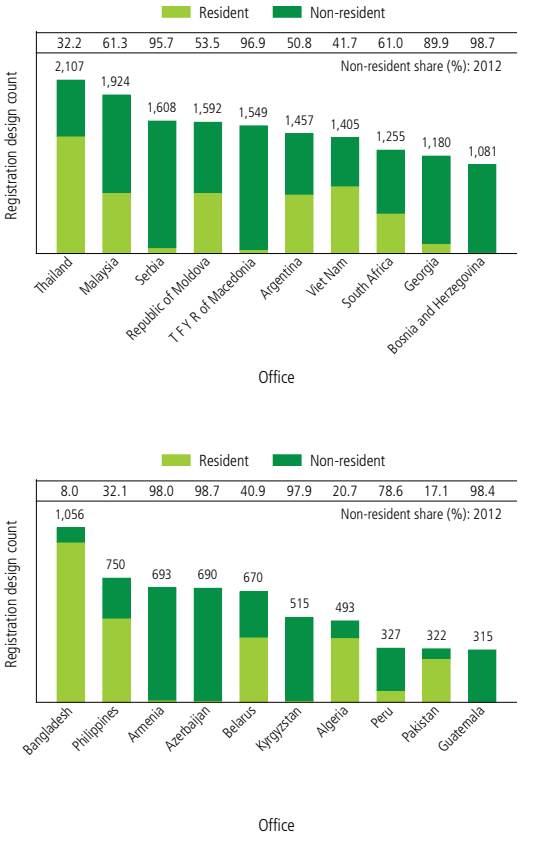
Note: Registration design count data for France and the UK were not available. OHIM = Office for Harmonization in the Internal Market

Source: WIPO Statistics Database, October 2013

Figure C.2.2.2 shows the number of designs in registration issued in 2012 at offices of selected middle- and low-income countries. Eleven of these selected offices each issued registrations containing over 1,000 designs in 2012, of which the offices of Thailand (2,107), Malaysia (1,924) and Serbia (1,608) issued the highest. The offices of the Republic of Moldova (1,592), Viet Nam (1,405) and Georgia (1,180) had the highest design registration volumes among the lower middle-income countries in 2012. Two offices of low-income countries also witnessed high registration activity in 2012, namely those of Bangladesh (1,056) and Kyrgyzstan (515).

The shares of non-resident design counts varied widely from one office to another. The non-resident shares were lowest at the offices of Bangladesh (8%), Pakistan (17.1%) and Algeria (20.7%), but were highest at the offices of Bosnia and Herzegovina (98.7%), Azerbaijan (98.7%) and Guatemala (98.4%).

Figure C.2.2.2 Registration design counts for offices of selected middle- and low-income offices, 2012



Note: TFYR of Macedonia = The Former Yugoslav Republic of Macedonia

Source: WIPO Statistics Database, October 2013

C.3

INDUSTRIAL DESIGN APPLICATIONS BY ORIGIN

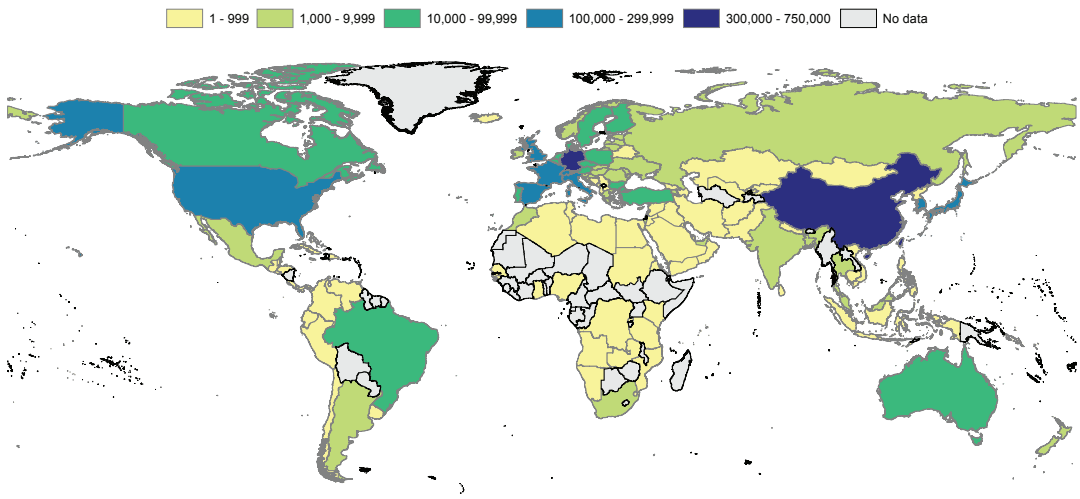
This subsection presents statistics on the origin of applicants filing industrial designs. It shows designs contained both in resident applications and in applications filed abroad. The origin of an application is determined by the residence of the first-named applicant. As some offices did not provide data broken down by origin, the number of applications by origin reported here is likely to be lower than the actual number. In 2012, approximately 29,000 designs in applications (2.4% of designs filed worldwide) were not recorded with a valid country of origin.

Figures are based on absolute numbers or on equivalent counts. The method used to report data is indicated for each figure. In the case of equivalent counts, designs contained in applications at regional offices are equivalent to multiple designs in applications in the respective member states of those offices. In order to calculate the number of equivalent designs for the African Intellectual Property Organization (OAPI), the Benelux Office for Intellectual Property (BOIP) or OHIM, each design in applications is multiplied by the corresponding number of member states. In contrast, the African Regional Intellectual Property Organization (ARIPO) does not register industrial designs with automatic region-wide applicability. Thus, for this office, each application is counted as one application abroad if the applicant does not reside in a member state, or is counted as one resident and one application abroad if the applicant resides in a member state. This method might underestimate the number of designs filed at ARIPO, as applications received by this office may lead to protection being granted in more than one jurisdiction. Lack of available data is the main reason for limiting the number of applications abroad to one in the case of this particular IP office.

Figure C.3.1 shows the total number of equivalent designs filed worldwide by country of origin. It is important to note that the data shown in this map may be lower than the actual data, as some offices did not provide design count data, or do not provide detailed information on the origin of applications. The data include both resident filings and filings abroad. In 2012, the majority of equivalent design counts in applications filed worldwide were in Europe (61.6%). Asia accounted for 29.7% of the total, whereas the share for North America was 7.2%. These three regions combined accounted for 98.6% of the world total. Applicants from the three other regions accounted for the remaining 1.4%.

In each of four of the world's six main geographical regions, a single country accounted for the majority of designs contained in applications filed. This was the case for the US (92% of filings from North America), Australia (87% of filings from Oceania), China (67.9% of filings from Asia) and Brazil (61.1% of filings from LAC). Even though South Africa and Germany did not account for the majority of application design counts originating in their respective regions, they still reported substantial contributions, accounting for 40.9% and 29.7% of African and European filings, respectively.

Figure C.3.1 Equivalent application design counts by origin, 2012



Note: Data shown may be lower than actual figures, as some offices did not provide their design count data, or data for origins were incomplete.

Source: WIPO Statistics Database, October 2013

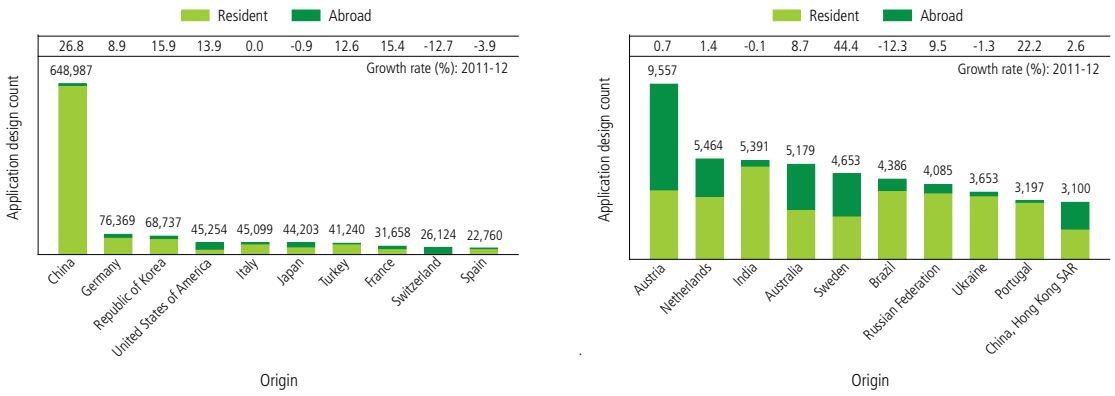
Figure C.3.2 shows the actual number of designs contained in applications filed by the top 20 origins in 2012. Residents of China filed, worldwide, applications containing almost 650,000 designs, followed by those of Germany (76,369) and the Republic of Korea (68,737). Applicants from the US (45,254), Italy (45,099) and Japan (44,203) had similar design counts.

For the vast majority of the top 20 listed origins, the resident application design counts were higher than those filed abroad. For example, applicants residing in China filed applications containing 99% of their designs at SIPO. Among the top 20 origins, applicants from only three countries filed applications containing the majority of their designs abroad in 2012. This was the case for applicants residing in Switzerland (84.5%), Austria (60.5%) and the US (58.4%).

Between 2011 and 2012, 14 of the top 20 origins saw growth in application design counts of which seven experienced double-digit growth. Sweden (+44.4%), China (+26.8%) and Portugal (+22.2%) had the highest growth, while Switzerland (-12.7%), Brazil (-12.3%) and Spain (-3.9%) saw the largest decreases.

Figure C.3.3 shows the actual number of designs contained in applications originating in selected middle- and low-income countries in 2012. Among this selection of origins, applicants from Ukraine (3,653), Morocco (2,647), Thailand (2,568) and Mexico (2,095) each filed applications containing more than 2,000 designs worldwide.

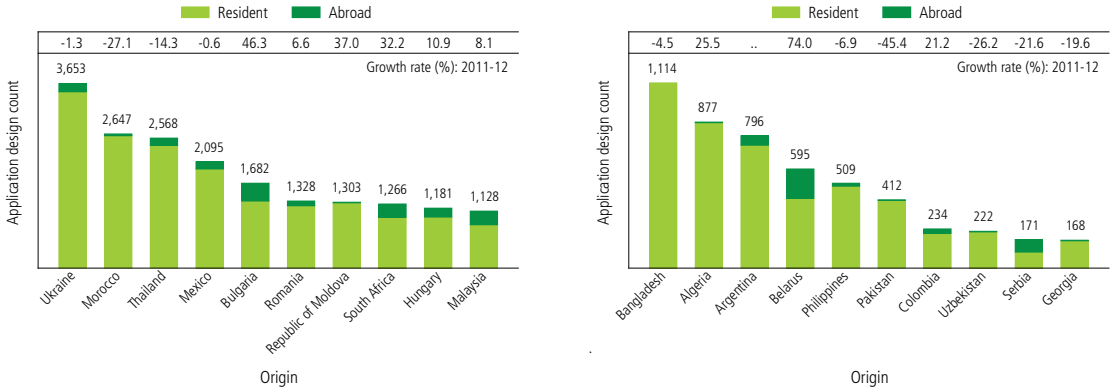
Figure C.3.2 Application design counts for the top 20 origins, 2012



Note: Data shown may be lower than actual figures, as some offices did not provide their design counts, or data for origins were incomplete. An application filed at a regional office is considered a resident filing if the applicant is a resident of one of that office's member states.

Source: WIPO Statistics Database, October 2013

Figure C.3.3 Application design counts for selected middle- and low-income origins, 2012



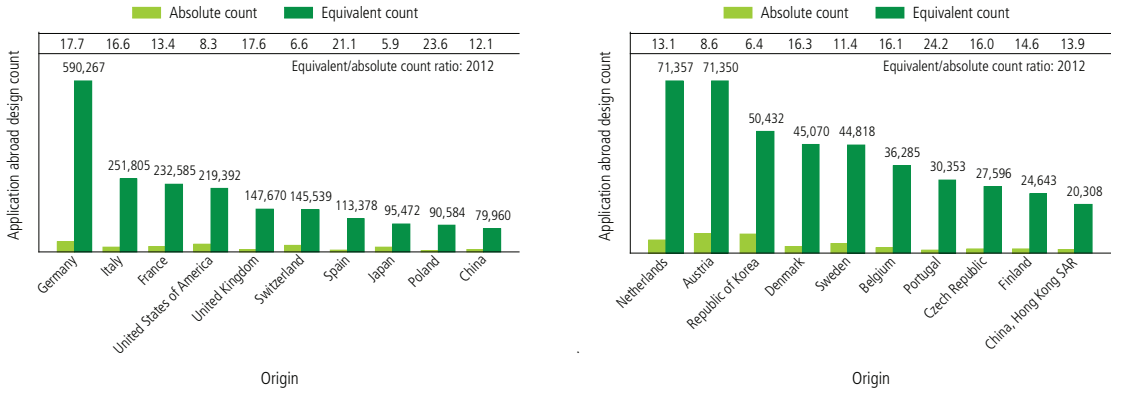
Note: ".." = not available. Data shown may be lower than actual figures, as some offices did not provide their design counts, or data for origins were incomplete. An application filed at a regional office is considered a resident filing if the applicant is a resident of one of that office's member states.

Source: WIPO Statistics Database, October 2013

The share of resident filings in the overall total was high for most origins. It was higher than 90% for 13 origins and greater than 50% for all 20 reported origins. In contrast, Serbia (44%), Belarus (29%) and Malaysia (24%) had higher filings abroad shares. In absolute terms, applicants from Bulgaria (362), Malaysia (271) and South Africa (252) had the highest filing activity abroad within this selection of middle- and low-income origins.

Figure C.3.4 compares the absolute number of designs contained in applications with the number of equivalent design counts for the top 20 origins in 2012 for filings abroad. As outlined earlier, for equivalent counts, designs contained in applications at regional offices are equivalent to multiple designs in applications in the respective member states of those offices. The following example illustrates the difference between absolute and equivalent count data for Germany in 2012. The total number of designs in the absolute count was 76,369 (42,962 resident plus 33,407 abroad) compared to 590,267 (42,962 resident plus 612,537 abroad) in the equivalent design count.

Figure C.3.4 Application design counts abroad for the top 20 origins, 2012



Note: Data shown may be lower than actual figures, as some offices did not provide their design count data, or data for origins were incomplete.

Source: WIPO Statistics Database, October 2013

Residents of Germany (590,267) filed the largest number of equivalent designs abroad in 2012, followed by residents of Italy (251,805), France (232,585) and the US (219,392). The top 20 list includes 15 European countries, partly reflecting the OHIM multiplier. This also explains why EU member states have the highest equivalent to absolute count ratios. Among non-EU countries, applicants from China (12.1) had the highest ratio, followed by applicants from the US (8.3) and Switzerland (6.6).

When considering absolute counts (as opposed to equivalent counts), the ranking of the top five origins differs. Germany (33,407) remained the country whose residents had the highest application design count in 2012, followed by those of the US (26,442), Switzerland (22,070), France (17,305) and Japan (16,270).

Table C.3.5 shows a breakdown of the absolute numbers of designs contained in applications by country of origin (source) and office (destination) for the top 20 origins and top 15 IP offices. The table provides a detailed picture of industrial design flows across countries with the highest filing volumes.

In all reported offices, residents accounted for the bulk of designs in applications filed. For some of these offices, the resident shares were higher than 90%, e.g., SIPO (97.7%), Spain (97.3%), Italy (96.7%), KIPO (93%) and France (90.5%).

Table C.3.5 Application design counts by office and origin: top offices and origins, 2012

	Office														
Origin	**CN**	**EM**	**KR**	**DE**	**TR**	**US**	**JP**	**IT**	**ES**	**FR**	**CH**	**IN**	**RU**	**UA**	**BR**
China	642,401	2,822	116	1,410	32	952	146	4	-	6	3	83	38	11	47
Germany	1,372	22,270	367	42,962	652	1,219	438	22	3	63	1,860	461	520	140	286
Republic of Korea	1,567	1,637	60,867	75	93	1,881	753	50	11	47	9	-	291	10	86
United States of America	2,785	7,421	1,374	313	255	18,812	1,323	6	4	79	368	973	1,172	51	1,155
Italy	686	9,465	196	2,630	197	591	187	29,919	2	6	126	141	214	29	101
Japan	4,805	3,046	1,470	65	91	2,662	27,933	2	2	6	101	547	303	18	240
Turkey	20	390	-	30	39,926	39	3	17	5	5	29	12	59	85	-
France	567	8,514	99	484	686	532	210	88	68	14,353	956	108	146	224	150
Switzerland	506	4,642	209	873	1,326	261	335	24	11	114	4,054	218	292	1,008	149
Spain	125	4,320	3	37	86	88	9	29	17,388	76	88	26	39	37	33
Austria	62	2,522	5	5,182	20	126	36	-	-	6	113	32	26	2	13
United Kingdom	333	5,572	75	39	15	938	120	-	-	9	32	137	123	38	52
Netherlands	345	2,603	140	13	73	173	76	-	-	4	3	125	154	4	146
India	15	70	-	-	2	80	-	-	-	-	-	5,100	1	9	3
Australia	249	669	22	-	3	356	78	-	2	2	3	18	6	-	29
Sweden	254	1,636	89	32	37	244	75	-	-	18	75	87	113	6	86
Brazil	48	232	1	1	6	56	7	-	-	6	39	16	9	-	3,746
Russian Federation	21	80	3	8	9	19	2	-	-	-	7	1	3,638	126	1
Poland	19	3,470	1	61	32	18	1	-	2	20	17	5	14	58	3
Ukraine	1	22	-	-	9	3	-	-	-	-	8	-	113	3,480	-
Others/Unknown	1,401	16,278	432	1,384	2,780	3,749	659	779	374	1,042	4,504	455	599	1,622	237
Total	**657,582**	**97,681**	**65,469**	**55,599**	**46,330**	**32,799**	**32,391**	**30,940**	**17,872**	**15,862**	**12,395**	**8,545**	**7,870**	**6,958**	**6,563**

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

Source: WIPO Statistics Database, October 2013

When considering non-resident filings only, applicants from the US accounted for the largest shares of total design counts at the offices of Brazil, India, Japan, OHIM and the Russian Federation. Similarly, applicants from Japan accounted for the largest proportions of non-resident designs in total application design counts at SIPO, KIPO and the USPTO.

C.4

INDUSTRIAL DESIGN APPLICATIONS AND REGISTRATIONS THROUGH THE HAGUE SYSTEM

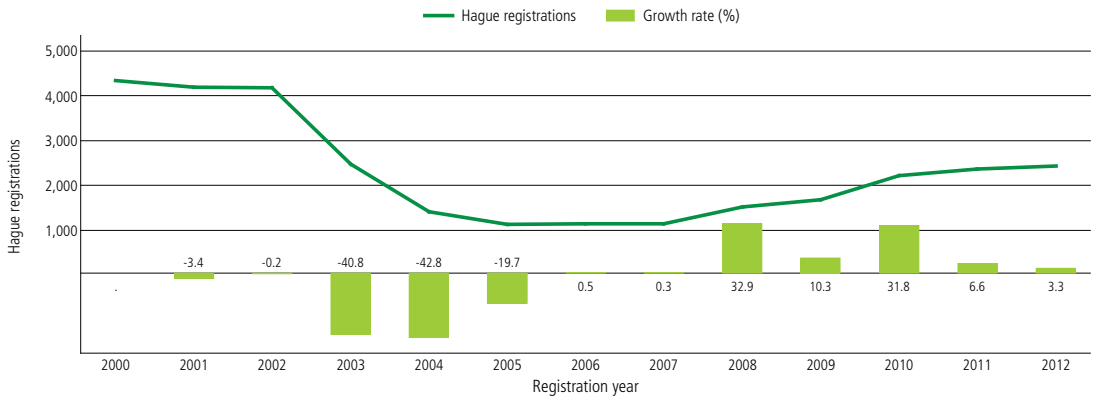
An applicant seeking protection for an industrial design in a number of jurisdictions can choose to file an application directly with each national or regional IP office (Paris route), or they can choose to file a single application via the Hague system. The Hague system makes it possible for an applicant 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 industrial designs. An application for international registration of an industrial design leads to it being recorded in the International Register. It also leads to 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 that contracting party issues a refusal. In 2012, the Hague system comprised 60 members.

C.4.1 Hague registrations

As shown in Figure C.4.1.1, the International Bureau of WIPO recorded 2,440 international registrations for industrial designs in 2012, corresponding to an increase of 3.3% on 2011. The six years prior to 2012 also saw growth in the number of registrations issued. However, the growth rate for 2012 was lower than the year-on-year growth rate of the previous four years.

The large decrease 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 EU member states. Since then, applicants seeking protection in EU markets began to use the RCD rather than the Hague system. However, international registrations rebounded strongly in 2008, when the EU became a member of the Hague system. As a result, a single Hague registration can lead to industrial design protection across all EU member states as well as in other countries member to the Hague system, e.g., Switzerland and Turkey.

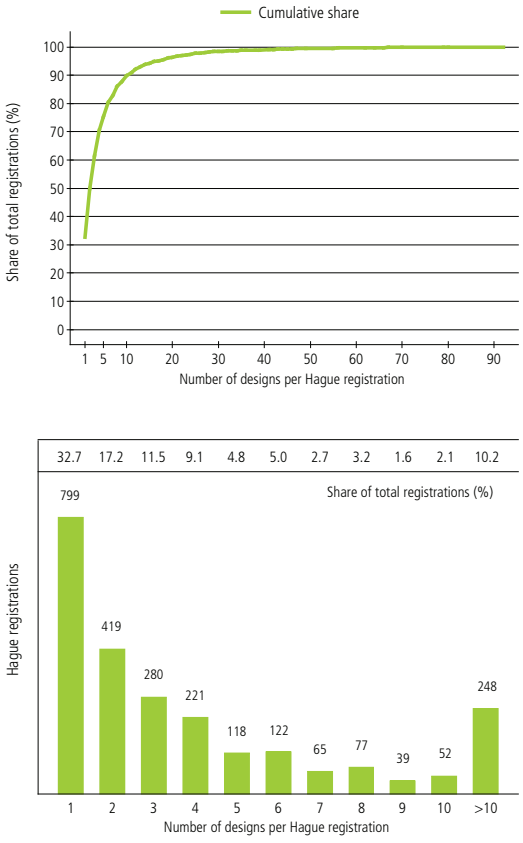
Figure C.4.1.1 Trend in Hague international registrations



Source: WIPO Statistics Database, October 2013

Figure C.4.1.2 shows the number of designs contained in Hague registrations. The upper graph shows the cumulative share of total registrations, whereas the lower presents absolute numbers. In 2012, approximately 32.7% of registrations contained a single design; 17.2% contained two designs, and 11.5% contained three designs. Even if the Hague system permits, under certain conditions, a single registration to include up to 100 designs, only 248 registrations or 10.2% of total registrations contained more than 10 designs.

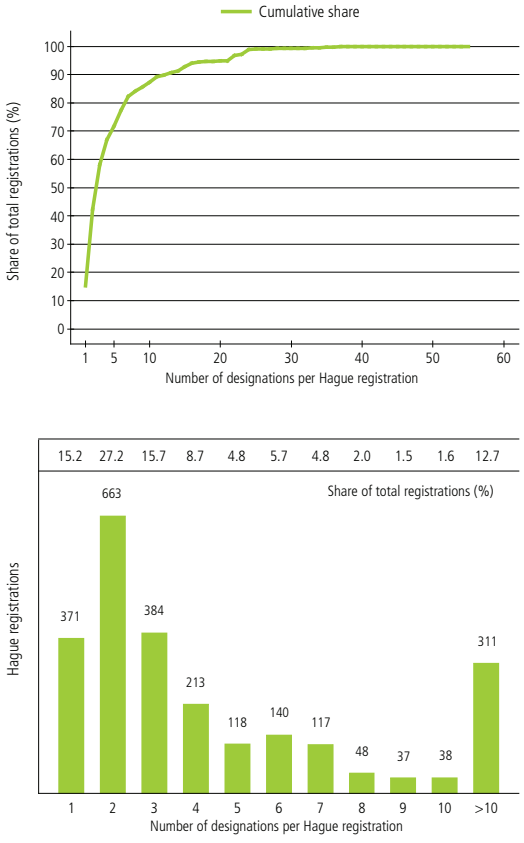
Figure C.4.1.2 Distribution of designs per Hague international registration, 2012



Source: WIPO Statistics Database, October 2013

Figure C.4.1.3 presents the number of designations contained in Hague registrations. The upper graph shows the cumulative distribution, whereas the lower shows absolute numbers. In 2012, international registrations containing two designations accounted for 27.2% of total registrations; they were followed by those containing three designations (15.7%) and a single designation (15.2%). Therefore, most registrations (58.1%) recorded in 2012 contained up to three designations. At the other end of the spectrum, 12.7% of registrations contained over 10 designations.

Figure C.4.1.3 Distribution of designations per Hague international registration, 2012



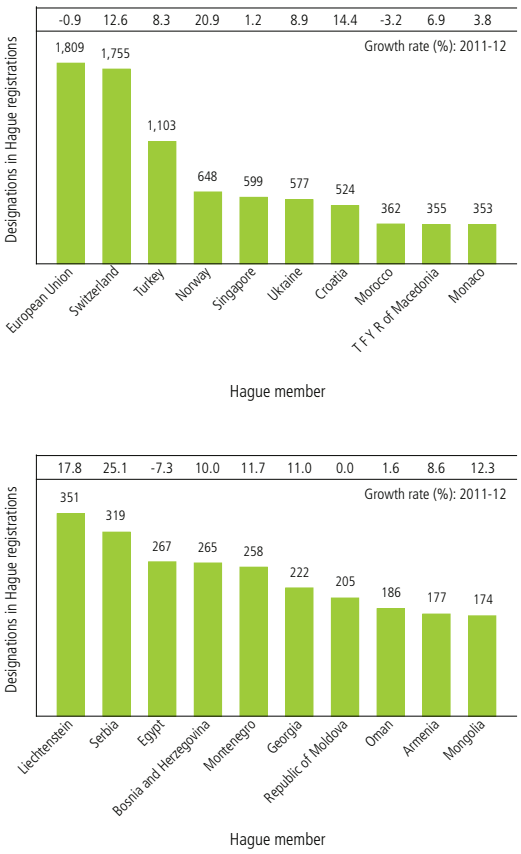
Source: WIPO Statistics Database, October 2013

Figure C.4.1.4 presents the top 20 Hague member countries/regions in which applicants wish to protect their industrial designs (i.e., designated members). This graph provides an insight into the geographical coverage of international registrations.

In 2012, the total number of designations in registrations amounted to 12,786, which corresponded to 9.2% annual growth. The EU was the most designated Hague member (with 1,809 designations), followed by Switzerland (1,755) and Turkey (1,103).

Among the top 20 designated Hague members in 2012, Serbia (+25.1%) recorded the strongest growth on 2011, followed by Norway (+20.9%) and Liechtenstein (+17.8%).[8] In contrast, Egypt (-7.3%), Morocco (-3.2%) and the EU (-0.9%), were the only Hague members to have received fewer designations. 2012 marked the first time the EU experienced a drop in the number of designations since 2008, the year in which OHIM became a member of the Hague system.

Figure C.4.1.4 Registrations for the top 20 designated Hague members, 2012



Source: WIPO Statistics Database, October 2013

Figure C.4.1.5 shows the number of registrations for the top 20 origins, where a registration is allocated to the applicant's "true" origin, rather than to the Hague member, if they differ.[9] For this reason, countries that are not members of the Hague system, such as the US, appear in the origins list. Holders residing in Germany (649) were issued the largest number of registrations, followed by those in Switzerland (562) and France (283). Along with Italy (173) and the Netherlands (135), these were the only five countries whose residents were issued more than 100 registrations in 2012.

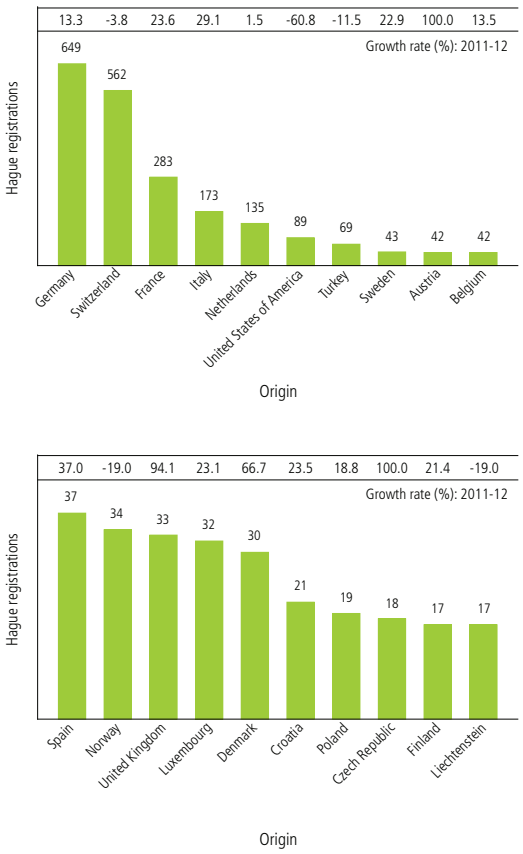
8 It should be noted that these countries have high growth rates compared to the top three designated members; this is due to their low baseline numbers. In terms of absolute numbers, Switzerland (+197) saw the largest increase in the number of designations received, followed by Norway (+112).

9 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.

Germany and Switzerland together accounted for almost half (49.6%) of all international registrations, whereas the top five origins accounted for 73.8% of total registrations. Altogether, European origins accounted for the vast majority (92.4%) of the 2,440 Hague registrations issued in 2012.

The majority of the top 20 origins saw growth in registrations between 2011 and 2012. Austria, the Czech Republic and the UK doubled or almost doubled their numbers of registrations.[10] Among the top five origins, Italy (+29.1%), France (+23.6%) and Germany (+13.3%) saw double-digit growth, while Switzerland saw a decrease of 3.8% over the same period. The sharpest decrease was attributed to holders residing in the US (-60.8%).

Figure C.4.1.5 Registrations for the top 20 origins, 2012



Source: WIPO Statistics Database, October 2013

10 It should be noted that these countries have very high growth rates due to their low baseline numbers. In terms of absolute numbers, Germany (+76) saw the largest increase in the number of registrations, followed by France (+54).

C.4.2 Hague applicants

In 2012, a total of 2,604 Hague international applications were filed. Swatch AG of Switzerland was the top Hague applicant in 2012 with its 81 filings (Table C.4.2). Daimler AG of Germany (75) ranked second. It was followed by Koninklijke Philips Electronics of the Netherlands (67), the Procter & Gamble Company (57), and Audi AG of Germany (54), with the latter appearing in the top Hague applicants list for the first time.

The Procter & Gamble Company, which was the top applicant between 2009 and 2011, filed 110 fewer applications in 2012 than in 2011, thus dropping to fourth position. The Gillette Company of the US (-27) and Vestel of Turkey (-21) also filed substantially fewer applications. However, Daimler AG of Germany (+20), Saverglass of France (+20), Hermes Sellier of France (+14) and Thun SPA of Italy (+14) recorded the largest increases in the number of applications.

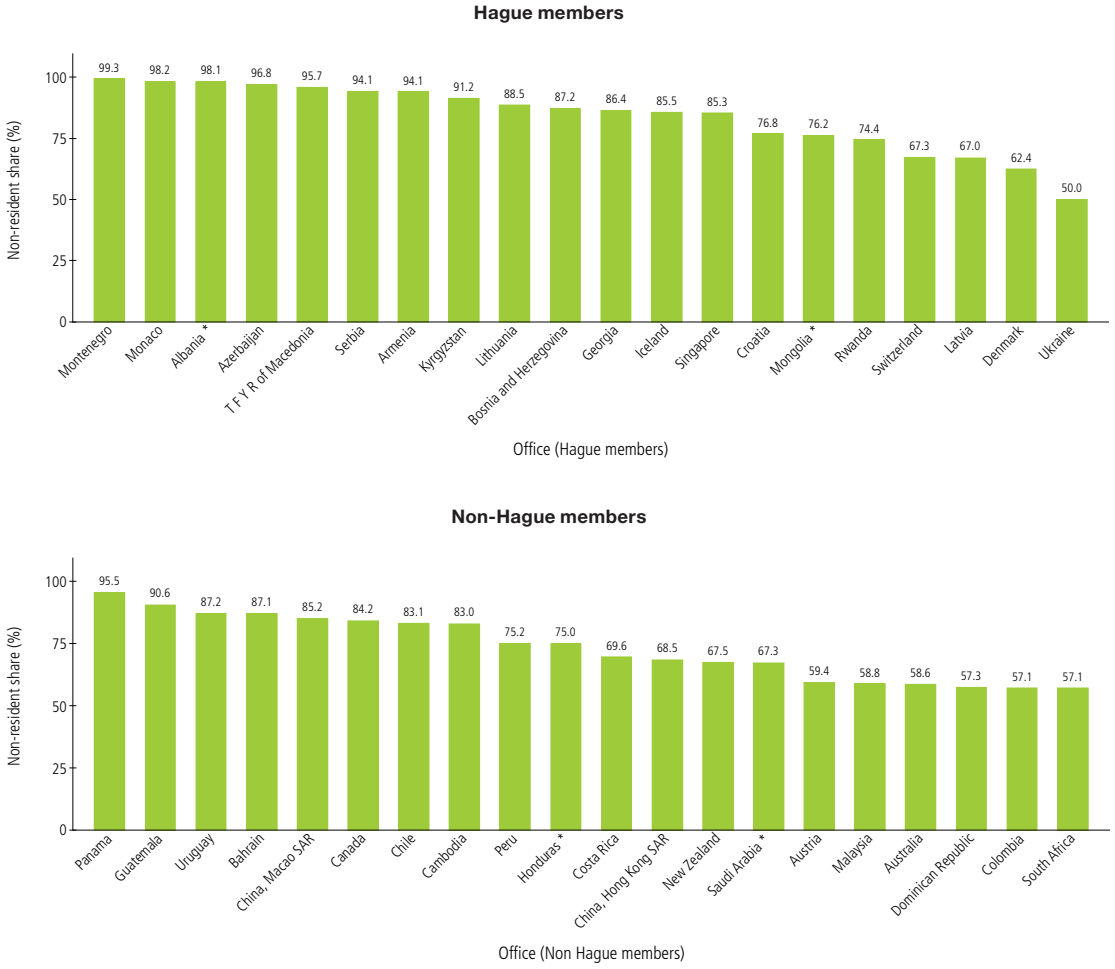
Germany (8) had the highest number of companies appearing in the top 25 applicants list, followed by Switzerland (6) and France (5). In total, applicants from 7 countries are included in the top 25 applicants list; of these countries, only Turkey and the US are not located in Europe.

Table C.4.2 Top Hague applicants

			Hague international applications		
2012 rank	Applicant's name	Origin	2010	2011	2012
1	SWATCH AG (SWATCH SA)(SWATCH LTD)	Switzerland	75	79	81
2	DAIMLER AG	Germany	36	55	75
3	KONINKLIJKE PHILIPS ELECTRONICS N.V.	Netherlands	87	64	67
4	THE PROCTER & GAMBLE COMPANY	United States of America	129	167	57
5	AUDI AG	Germany	0	0	54
6	SOCIÉTÉ DES PRODUITS NESTLÉ S.A.	Switzerland	24	47	43
7	VOLKSWAGEN AG	Germany	46	38	40
8	LIDL STIFTUNG & CO. KG	Germany	20	28	32
9	HERMES SELLIER	France	14	15	29
9	THE GILLETTE COMPANY	United States of America	44	56	29
11	ALFRED KÄRCHER GMBH & CO. KG	Germany	18	15	25
12	SAVERGLASS	France	0	3	23
13	THUN SPA	Italy	0	8	22
14	VESTEL BEYAZ ESYA SANAYI VE TICARET ANONIM SIRKETI	Turkey	52	40	19
15	HENKEL AG & CO. KGAA	Germany	4	10	16
15	KOZIOL IDEAS FOR FRIENDS GMBH	Germany	0	5	16
17	CARTIER CRÉATION STUDIO SA	Switzerland	18	11	13
17	PHILIP MORRIS BRANDS	Switzerland	0	3	13
17	SALOMON S.A.S.	France	0	7	13
17	TOD'S S.P.A.	Italy	0	7	13
21	VITRA PATENTE AG	Switzerland	0	0	11
21	HANSGROHE SE	Germany	10	8	11
21	MAPED	France	12	14	11
21	RENAULT SAS	France	0	0	11
25	NOVARTIS AG	Switzerland	0	9	10

Source: WIPO Statistics Database, October 2013

Figure C.4.3.1 Share of non-resident application design counts by office, 2012



Note: * 2011 data; the direct (Paris) route refers to applications filed directly with national or regional offices of Hague members only. The Hague route refers to designations received by offices via the Hague system. For the sake of simplicity, designations are referred to as applications received via the Hague route.

Source: WIPO Statistics Database, October 2013

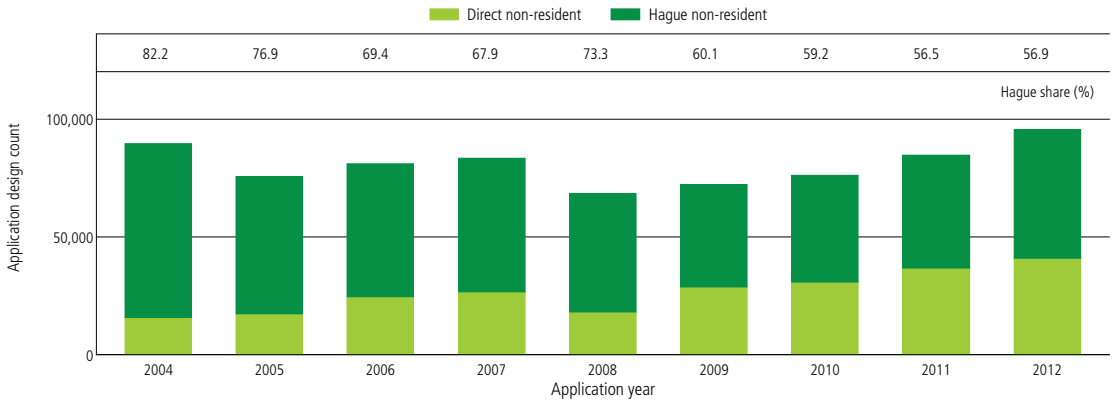
C.4.3 Non-resident application design counts by filing route

Applicants seeking design protection in foreign jurisdictions can either file applications directly at national or regional offices, or they can make use of the Hague system.

Figure C.4.3.1 presents 20 offices with the highest non-resident shares both among the offices of Hague members and those of non-Hague members. Among the 20 reported Hague member offices, 15 received more than 75% of their application design counts from non-residents. Montenegro (99.3%), Monaco (98.2%) and Albania (98.1%) had the highest non-resident shares among Hague members, whereas Ukraine had equal resident and non-resident shares.

Half of the reported non-Hague members received at least three-fourths of their application design counts from non-residents. Among these offices, Panama (95.5%) had the highest non-resident share, and Colombia and South Africa (57.1%) the lowest.

Figure C.4.3.2 Non-resident application design counts by filing route at Hague Members



Note: The direct (Paris) route refers to applications filed directly with the national or regional IP offices of Hague members only. The Hague route refers to designations received by IP offices via the Hague system. For the sake of simplicity, designations are referred to as applications received via the Hague route.

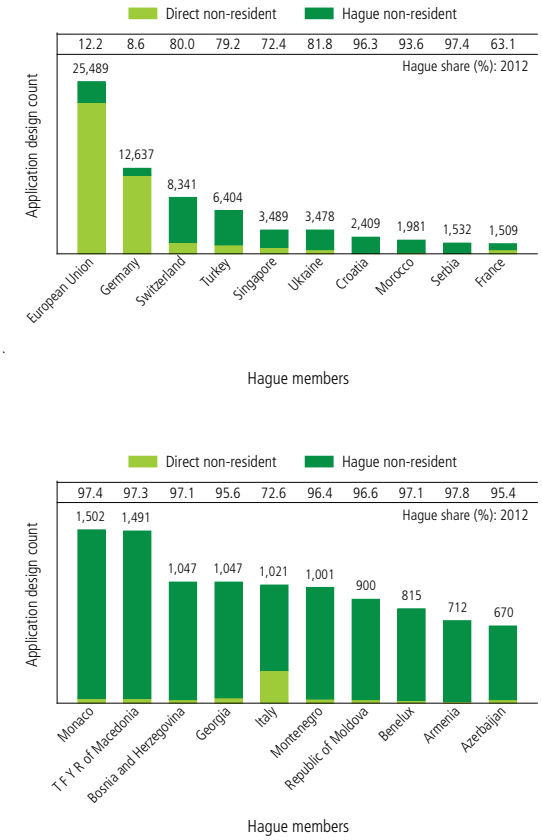
Source: WIPO Statistics Database, October 2013

Figure C.4.3.2 shows the breakdown of the number of designs contained in non-resident applications filed via the direct (Paris) route and via the Hague system. Worldwide, about 31.3% of all non-resident application design counts were filed via the Hague system in 2012. However, not all countries – notably China – are members of the Hague system. As shown in Figure C.4.3.2, non-resident applications filed at offices of Hague members contained approximately 95,700 designs in 2012; of these, 56.9% were filed through the Hague system.

Since 2004, the overall shares of Hague non-resident designs in total non-resident designs have followed a downward trend. The Hague share decreased from 82.2% in 2004 to 56.9% in 2012. This decrease can be attributed to the fact that, before 2003, applicants domiciled in EU member states filed their applications as non-residents directly with the offices of other EU member states or via the Hague system, where applicable. However, the EU's introduction of the RCD in 2003 enabled these EU residents to file a single application directly with OHIM, in order to seek protection within the EU as a whole. Applicants seeking protection in the EU only made greater use of OHIM than of the Hague system, as reflected by the low Hague share for two large Hague members, namely the EU and Germany (see Figure C.4.3.3).

Figure C.4.3.3 shows a breakdown of designs contained in non-resident applications by filing route for selected Hague members. The Hague share in total non-resident design counts varied across offices – from 8.6% for Germany to 97.8% for Armenia. For all reported Hague members with the exception of the EU, France and Germany, the Hague system accounted for over 70% of designs contained in non-resident applications. For the majority of the smaller Hague members (i.e., with fewer than 3,000 industrial designs), the share received via the Hague system was above 90%.

Figure C.4.3.3 Non-resident application design counts by filing route for selected Hague members, 2012



Source: WIPO Statistics Database, October 2013

C.5

Application design counts per GDP and population

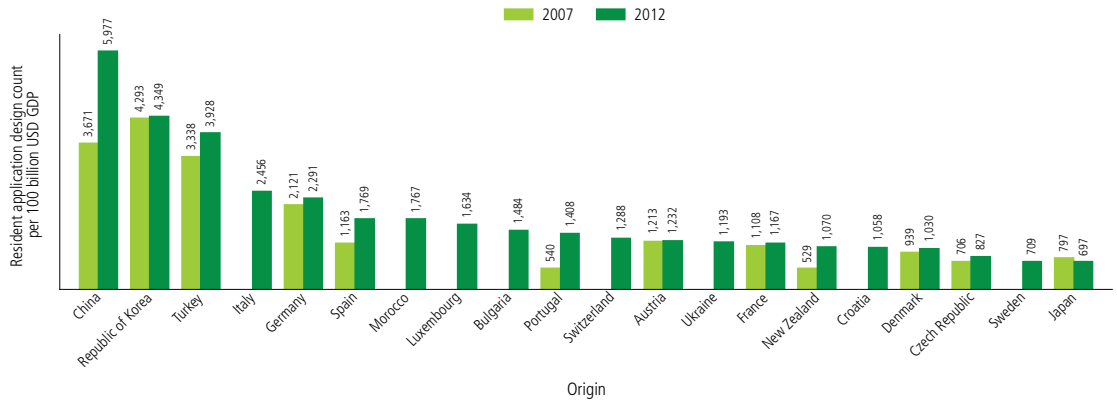
For the purposes of cross-country comparisons, it is instructive to express designs contained in applications relative to GDP and population. GDP data are in constant 2005 PPP US dollars.

As shown in figure C.5.1, application design counts per 100 billion GDP varied substantially across the reported top origins. Applicants from China (5,977), the Republic of Korea (4,349) and Turkey (3,928) had the highest number of designs contained in applications relative to their GDP. At the other end of the spectrum, applicants from Japan (697), Sweden (709) and the Czech Republic (827) had relatively low application design counts per 100 billion GDP.

Although 14 of the top 20 origins were from Europe, the top 3 were Asian. Morocco and New Zealand were the only origins from Africa and Oceania. No origins from both American continents were ranked among these top origins. The high number of European countries may be partly due to the fact that an application filed at a regional office is considered a resident filing if the applicant is domiciled in one of that office's member states.

Compared to 2007, all origins saw an increase in their resident design count-to-GDP ratio, with the exception of Japan, which experienced a decrease of 100. The origins that saw the highest increases in 2012 over 2007 were China (+2,306), Portugal (+868) and Spain (+606).

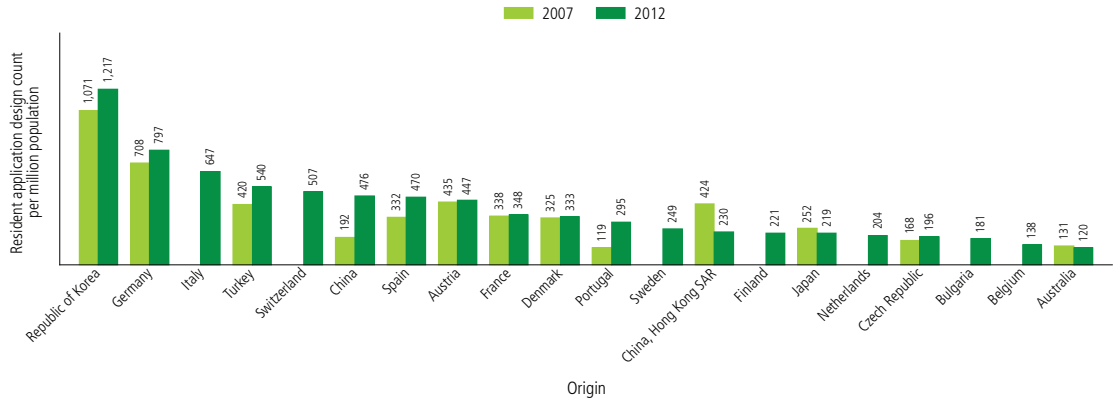
Figure C.5.1 Resident application design counts per GDP for selected top origins



Note: GDP data are in constant 2005 PPP US dollars. For the resident industrial design-per-GDP indicator, countries were selected if they had a GDP greater than 25 billion PPP US dollars and received resident applications containing more than 100 designs. However, due to space constraints, only the top origins that fulfill these criteria are included in the graphs.

Source: WIPO Statistics Database, October 2013

Figure C.5.2 Resident application design counts per million population for selected top origins



Note: For the resident industrial design count per-population indicator, countries were selected if they had a population greater than 5 million and received resident applications containing more than 100 designs. However, due to space constraints, only the top origins that fulfill these criteria are included in the graphs.

Source: WIPO Statistics Database, October 2013

Figure C.5.2 presents the top origins in terms of designs contained in resident applications filed per million population. Only five origins filed applications containing more than 500 designs per million population, namely the Republic of Korea (1,217), Germany (797), Italy (647), Turkey (540) and Switzerland (507). Similar to the resident application design counts relative to GDP, 14 countries were located in Europe. The six remaining countries, with the exception of Australia, were located in Asia. The high number of European countries may be partly due to the fact that an application filed at a regional office is considered a resident filing when the applicant resides in one of that office's member states.

Residents from China (+284), Portugal (+176) and the Republic of Korea (+146) saw the sharpest increases in application design counts per million population between 2007 and 2012. In contrast, applicants from Australia, China Hong Kong (SAR) and Japan recorded decreases in their ratios over the same period.

C.6

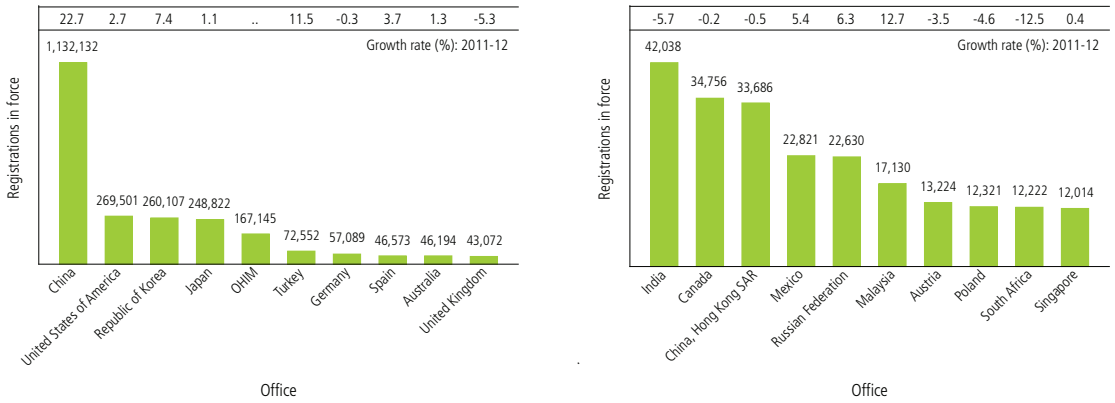
Industrial design registrations in force

Industrial design registrations are valid for a limited period. The term of protection is usually 15 years, but can vary depending on the IP office. For example, it is limited to 10 years in Canada but 25 years in France. Due to data limitations, figures reported in this subsection refer to industrial design registrations, not the number of designs contained in registrations.

The estimated number of industrial design registrations in force worldwide increased from 2.46 million in 2011 to 2.71 million in 2012. This estimate was based on data from 86 offices, including all major offices with the exception of Brazil, France and Italy. As shown in Figure C.6.1, with over 1.1 million registrations, SIPO had the largest number of registrations in force in 2012. The USPTO (269,501), KIPO (260,107), the JPO (248,822) and OHIM (167,145) all had large numbers of registrations in force. Several offices from middle-income countries also had a substantial number of registrations in force. These included the IP offices of Turkey (72,552), India (42,038) and Mexico (22,821).

SIPO alone accounted for 41.8% of the world total of industrial design registrations in force in 2012, while the top five offices combined accounted for 76.7% of the world total. Among these 20 offices, three experienced double-digit growth in 2012 when compared with 2011. These three offices were SIPO (+22.7%), Malaysia (+12.7%) and Turkey (+11.5%). In contrast, South Africa saw the sharpest decrease in the number of its registrations in force (-12.5%), followed by the offices of India (-5.7%) and the UK (-5.3%).

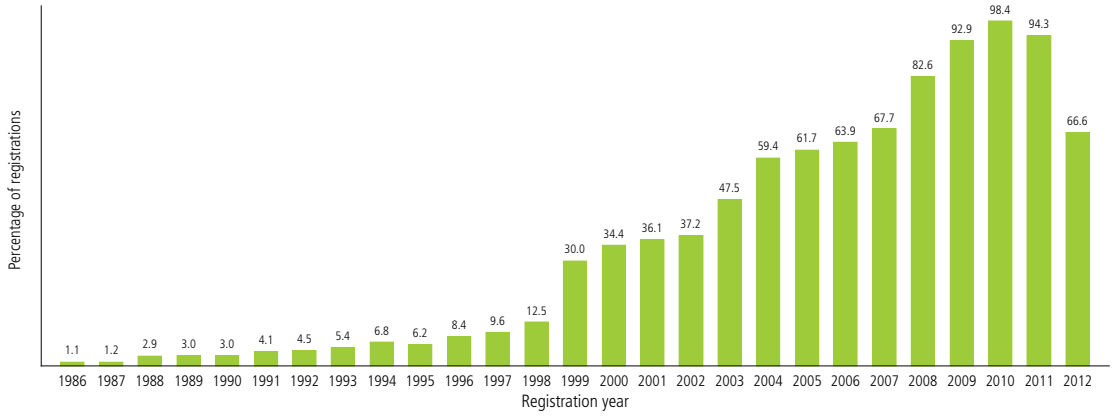
Figure C.6.1 Industrial design registrations in force by office, 2012



Note: ".." = not available; data refer to the number of industrial design registrations in force and not the number of designs contained in registrations. Registration data for Brazil, France and Italy were not available. OHIM = Office for Harmonization in the Internal Market

Source: WIPO Statistics Database, October 2013

Figure C.6.2 Industrial design registrations in force in 2012 as a percentage of total registrations

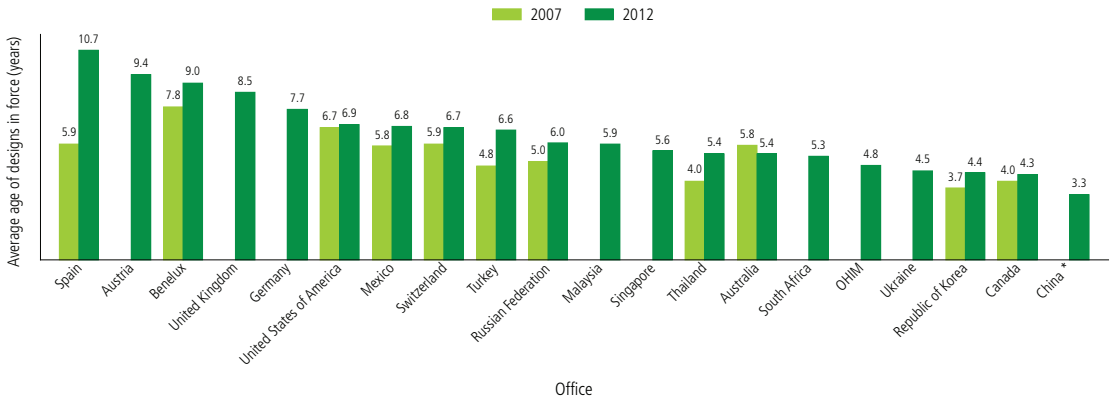


Note: Percentages are calculated as follows: the number of industrial designs registered in year t and in force in 2012 divided by the total number of industrial designs registered in year t. The graph is based on data from 68 IP offices (including most large IP offices, with the exception of China, France, Italy and Japan) for which a breakdown of industrial design registrations in force by year of registration was available.

Source: WIPO Statistics Database, October 2013

Figure C.6.2 shows the distribution of industrial design registrations in force in 2012 by their year of registration and as a percentage of total registrations in a given year, thus portraying the age distribution of industrial design registrations in force. Data for a number of large offices are included in this figure, but those for China, France, Italy and Japan were not available. Figure C.6.2 shows that 67.7% of industrial designs registered in 2007 and 30% of industrial designs registered in 1999 were still in force in 2012.

Figure C.6.3 Average age of Industrial design registrations in force at selected offices



Note: * 2011 data

Source: WIPO Statistics Database, October 2013

Figure C.6.3 shows the average age of industrial design registrations in force at selected offices for 2007 and 2012. The average age of 2012 registrations in force varied from 10.7 years in Spain to 3.3 years in China. The average age of registrations in force in Austria and at the Benelux office was approximately 9 years. In contrast, the average age at OHIM, Ukraine, KIPO and Canada was less than 5 years. In the case of OHIM, its low average age could be due to the fact that design registrations with this office have existed only since 2003. In the case of China, the low average age is partly due the fact that the majority of registrations in force at SIPO were issued in recent years. All the reported offices, with the exception of Australia, had a higher average age for 2012 industrial design registrations in force when data were compared with 2007 figures.