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Record Global Trademark Filings in 2006; China Tops Designations

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The year 2006 was "a very good year" for the international trademark system with a record number of filings, according to the World Intellectual Property Organization (WIPO). China and Russia were the favourite countries in terms of where trademarks should apply, while Germany remained the top source country for filers for the 14th straight year.

The statistics do not indicate the disputes related to trademarks, which are fought nationally and can lead to overturned registrations, an official noted.

For the past two years, China has been the country in which most companies or parties are interested in getting trademark protection, surpassing Switzerland, which kicked off the trademark registration system with a chocolate registration in 1893 and topped the list in 2004, according to WIPO. China saw a total of 15,801 designations by a contracting party in 2006, up 16.4 percent on the prior year. WIPO said that this trend reflects increased foreign trading activity in the country and is expected to continue. Looking at the new statistics, the top five designations were China, Russia, Switzerland, United States and Japan.

Trademark applications in the European Union also jumped by 68.7 percent over 2005, to a total of 10,640 applications, showing that parties are increasingly using the European regional mechanism for trademark registration instead of individual European countries, WIPO said. The European Union joined the Madrid system for the international registration of marks in October 2004, and the United States joined in November 2003.

The Madrid system, managed by WIPO, makes it possible to obtain trademark protection in up to 79 countries (there are 80 members; 79 countries and the European Community), WIPO said. WIPO only keeps record and recommends whether a trademark should be considered or not, and it is the national or regional offices that actually approve the application, Ernesto Rubio, WIPO assistant director general in charge of trademarks, told Intellectual Property Watch.

WIPO does not get involved in trademark disputes, which for example involve parallel-imported medicines that need new packaging so that trademarks become an issue. Rubio said that these cases are dealt with at the national level and WIPO is only notified about a possible outcome, such as a trademark having been invalidated.

The total of 36,471 international trademark applications received by WIPO in 2006 was a record number of filings in the history of the Madrid system, up by 8.6 percent on the previous year. The Madrid system encompasses the Madrid Agreement (from the 1890s) and the Madrid Protocol (from 1996), WIPO said. It is also possible to file applications in the national offices for national protection outside the Madrid system.

Some countries are more active in filing than others, with Germany ranking first for the 14th consecutive year in terms of country of origin of trademark applications (followed by France, the United States, Italy, and the joint office of Belgium, Luxembourg and the Netherlands). With an 18 percent share of all trademark applications under the Madrid system in 2006, Germany had a total of 6,552 applications. But this lead may be overtaken at some point as its increase over 2005 was only 0.9 percent.

Among the top 20 filers under the Madrid system in 2006 were: Lidl (Germany), Novartis (Switzerland), Janssen Pharmaceutica (Belgium), Henkel (Germany), Nestlé (Switzerland), Siemens (Germany) and Aldi (Germany). From developing countries, the top three filers were Chinese (led by China Network Communications Group Corporation).

Among the most frequent users of the Madrid system are small and medium-sized companies, WIPO said. The average cost is 3,433 Swiss francs, it said. Among the filer countries with the highest increase over 2005 were Italy (25.5 percent), Australia (29.1 percent), Hungary (39.5 percent), Croatia (89.9), Morocco (80.3 percent) and Iceland (135.9 percent), WIPO said.

WIPO also noted that as the Madrid system was “almost exclusively” used in Europe before, it is now global with Asia and the United States on board. But African countries factor minimally in the statistics. There are quite a few developing countries or economies in transition on the list of designation countries, with China and Russia at the top and Ukraine, Turkey and Korea at ninth, tenth and eleventh respectively, but there are no African countries among the top 40. The same is true for filer countries.

WIPO said that on 1 January 2006 there was a fee reduction for applicants from least developed countries for international trademark protection. The Least developed countries that are members of the Madrid system are Bhutan, Lesotho, Liberia, Mozambique, Sierra Leone, Sudan and Zambia.

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1 Comment

1. The same top filers have been active in Russia, too - a post from Russian patents blog (http://russianpatentsblog.patentsfromru.com/2008/04/30/report-foreign-trade-mark-registrations-in-russia-by-country-and-companies-for-two-months-of-2008/) provides some interesting facts about US, Japanese and Chinese applications filed in Russian during 2 months of 2008

   Comment by Russian Patents () — 11 November 2008 @ 8:45 pm