03/05/2008 Events

In a year that saw a record number of filings under the World Intellectual Property Organization (WIPO) Patent Cooperation Treaty (PCT), the cornerstone of the international patent system, inventors from the Republic of Korea (4th place) and China (7th) consolidated their top ten position in 2007, along with the United States of America (1st) , Japan (2nd), Germany (3rd), France (5th), United Kingdom (6th), Netherlands (8th), Switzerland (9th) and Sweden (10th). In total, a record 156,100 applications were filed in 2007, representing a 4.7% rate of growth over the previous year. For the fourth year running, the most notable growth rates came from countries in north east Asia which accounted for over a quarter (25.8%) of all international applications under the PCT.

“The growth in patent filings by a number of countries in north east Asia and their share of overall patenting activity is impressive and confirms shifting patterns of innovation around the world,” said Dr. Kamil Idris, Director General of WIPO. “It is most encouraging to see clear evidence that countries in the region are embracing the tools of the international patent system to stimulate commercial activity and economic growth,” he added, noting “The PCT remains an attractive option for businesses as it makes it easier for companies and inventors to obtain patent rights in multiple countries.” The Director General further noted that “Strategic use of the patent system is a business imperative in today’s knowledge-driven economy. The success of the PCT is largely due to the sustained use of the system by some of the world’s foremost innovation-based companies.”

The Republic of Korea, which experienced 18.8% growth in 2007 as compared to 2006, overtook France to become the 4th biggest country of origin of PCT filings, and applicants from China, whose use grew by 38.1%, dislodged the Netherlands to take the position of 7th largest country of origin.

With more than 52,000 PCT applications, inventors and industry from the United States of America represented 33.5% (a 2.6% increase over 2006) of all applications in 2007. Applicants from Japan, who unseated their German counterparts in 2003 for the number two spot, maintained their second place position with 17.8% of the total number of applications, representing a 2.6% increase over 2006. Inventors and industry from Germany held third position with 11.6% of all applications in 2007, representing an 8.4% increase, followed by users in the Republic of Korea (4.5% of all applications and an 18.8% increase) and France (4.1% of all applications and a 2.1% increase). Of the fifteen top filing countries, China achieved double-digit growth (7th highest filer, with a growth rate of 38.1% in 2007). Among other countries to register double-digit growth in 2007 were Brazil (15.3%), Malaysia (71.7%), Singapore (13.9%) and Turkey (10%).

Mr. Francis Gurry, Deputy Director General who oversees the work of the PCT, said “WIPO is continuing to enhance the PCT and its operations to ensure that applicants benefit from access to ever-more efficient, cost-effective quality services of the highest caliber”, and pointed out that WIPO receives on average over 400 PCT applications every day. Mr. Gurry said “We have seen tremendous efficiency gains in the delivery of PCT services over the last four years. WIPO is handling an unprecedented volume of applications with lower staff numbers and is effectively responding to increased demands resulting from changing patterns of innovation. We are clearly seeing a maturing of the system as the PCT celebrates 30 years of operations and currently enjoys a membership of 138 countries.”

Top Applicants. The year 2007 saw some changes in the list of top users of the PCT system. Matsushita of Japan moved into 1st place (2,100 applications published in 2007), overtaking the Dutch multinational Philips Electronics N.V. (2,041 applications published in 2007). Siemens (Germany) (1,644) retained 3rd place. Huawei Technologies of China moved up 9 places to become the 4th largest applicant with 1,365 applications published in 2007. These were followed by Bosch (Germany) (1,146), Toyota (Japan) (997), Qualcomm (USA) (974), Microsoft, which jumped 38 places to 8th place (USA) (845), Motorola (USA) (824) and Nokia (Finland) (822). Among the 20 top filing companies, six were from the USA, six from Japan and three from Germany.

Fields of Technology. The largest proportion of PCT applications published in 2007 related to the

telecommunications (10.5%), information technology (10.1%) and pharmaceuticals (9.3%) sectors. The fastest growing technology areas are nuclear engineering (24.5% increase) and telecommunications (15.5%).

The main fields of technology in which PCT applications were published in 2007 are broken down according to the International Patent Classification (IPC) - a classification system designed to facilitate the retrieval of technical information found in patent documents. These categories are outlined in Annex I. (For further information on IPC codes, please consult: www.wipo.int/classifications/ipc/ [1]).

Developing Countries. WIPO continued to receive international patent applications from developing countries in 2007. The largest number of applications received came from the Republic of Korea (7,061) and China (5,456) followed by India (686), South Africa (390), Brazil (384), Mexico (173), Malaysia (103), Egypt (41), Saudi Arabia (35) and Colombia (31). Developing countries make up 78% of the membership of the PCT, representing 108 of the 138 countries that have signed up to the treaty to date.

Other Developments. Applicants are increasingly submitting their international applications electronically. In 2007, more than half (53%) of the applications received were filed electronically. A further 15% were filed using PCT-EASY software (electronic bibliographic data with the patent specification on paper). The remaining 32% were filed entirely on paper. Approximately 5.6% - some 8,700 international applications - of all PCT applications in 2007 were filed directly with the WIPO PCT Receiving Office. Applicants, who so wish, may file their international applications directly with the WIPO PCT receiving office in Geneva rather than through the intermediary of a national or regional IP office. Through the application of information technologies and the outsourcing of certain functions, for example, in the field of translation, WIPO has augmented productivity levels in PCT operations. All PCT applications are now scanned on receipt at WIPO and processed electronically. Mr. Gurry said “With these changes, WIPO is able to contain costs and process the increased volume of PCT applications while keeping staff levels relatively constant.”

Background. The PCT offers inventors and industry an advantageous route for obtaining patent protection internationally. By filing one “international” patent application under the PCT, protection of an invention can be sought simultaneously in each of a large number of countries. Both applicants and patent offices of PCT member states benefit from the uniform formality requirements, the international search and preliminary examination reports, and the centralized international publication provided by the PCT system. The national patent granting procedure and the related expenses are postponed, in the majority of cases, by up to 18 months (or even longer in the case of some offices) as compared with the traditional patent system. By this time, the applicant will have received important value-added information concerning the likelihood of obtaining patent protection as well as potential commercial interest in that invention. Growth rates in the filing of PCT applications have been particularly dynamic over the last nine years. It took 18 years from the beginning of PCT operations in 1978 to reach 250,000 total applications, but only four years to double that figure (500,000), and another four to double it again (1,000,000).

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