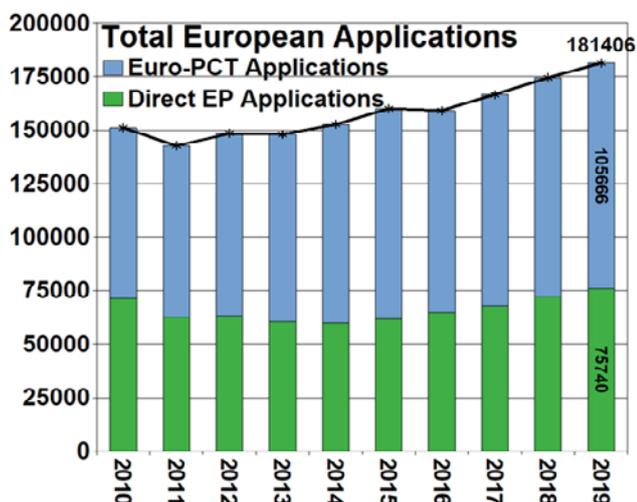


EPO Patent Applications – Update

November 2020

According to the EPO’s “Patent Index 2019” the total number of new European (EP) patent applications increased by 4% over the previous year (with a 13% 5 year increase over the total number of applications in 2015).

The number of direct EP applications (applications not filed via the PCT route) increased by 5% over the previous year (with a 23% increase over 2015) and Euro PCT applications (applications filed via the PCT route which enter the European phase) increased by 3% over 2018 (with an 8% increase over 2015).

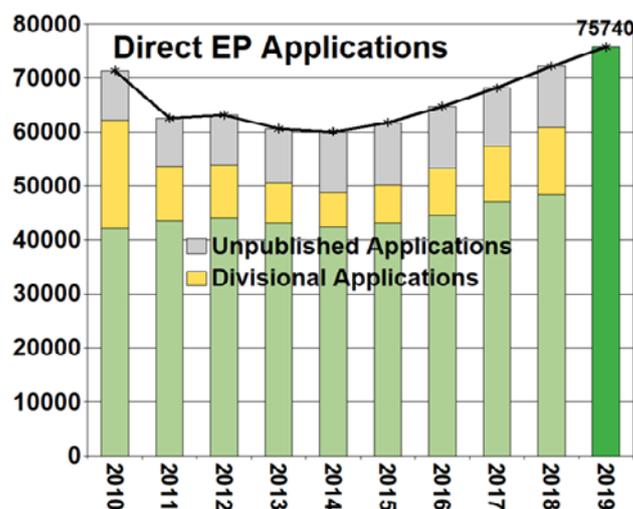


Typically around 10% to 15% of direct EP applications filed each year are divisional applications of parent applications (direct EP or Euro-PCT) from earlier years. These might be considered to be “continuation” applications rather than “new” applications.

A further proportion - around 15% - of direct EP applications filed each year are never published by the EPO. They

may be abandoned or withdrawn by the applicants but the fates of these “lost” applications do not appear anywhere in public EPO records. Some, perhaps, serve as priority applications for other applications later filed at the EPO or elsewhere.

An analysis of direct EP applications filed in 2019 is not yet possible.

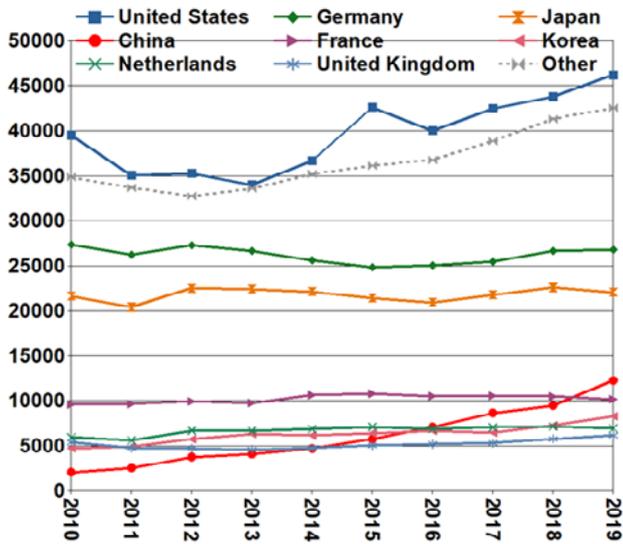


Applicants from eight countries account for three quarters of the total number of European applications filed each year. In 2019 applications by these applicants increased by about 4% over 2018 (with a 5 year increase of 12% over 2015).

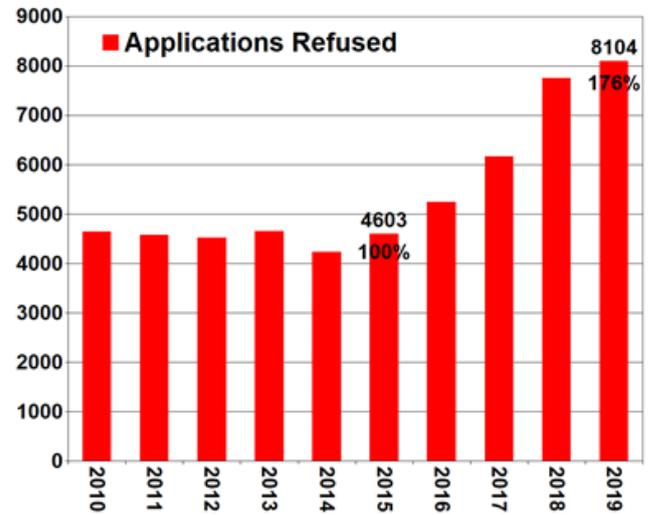
Applications by Chinese applicants grew the most: in 2019 a 30% increase over 2018, more than doubling since 2015. In 2019 applications by Korean applicants increased by 14% over 2018 and 30% over 2015. Applications by UK applicants increased by 7% over 2018 and 22% over 2015.

Applicants from all other countries,

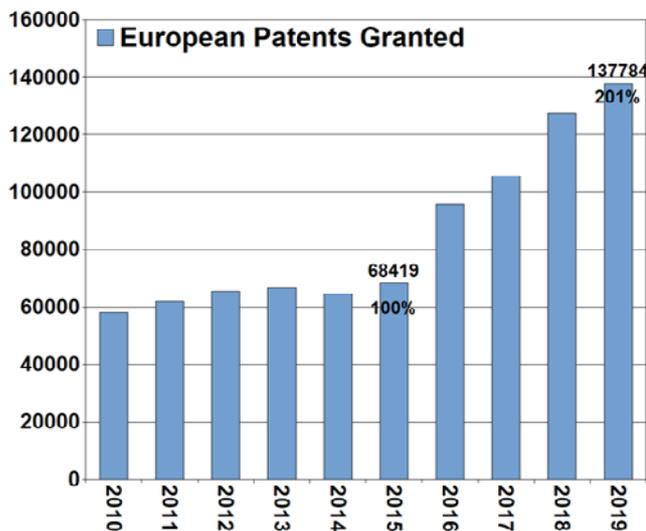
accounting for a quarter of the total number of applications, increased in 2019 by 3% over 2018 (and 18% over 2015).



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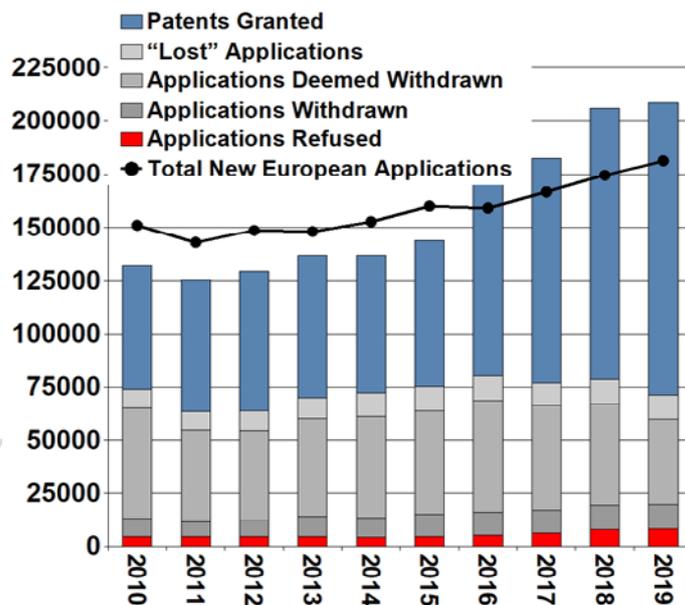
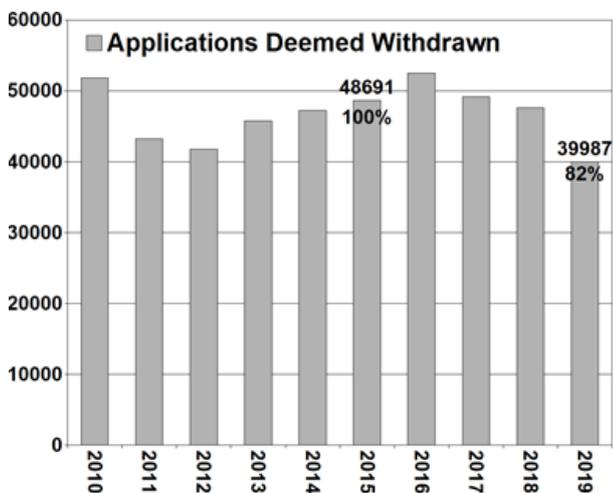
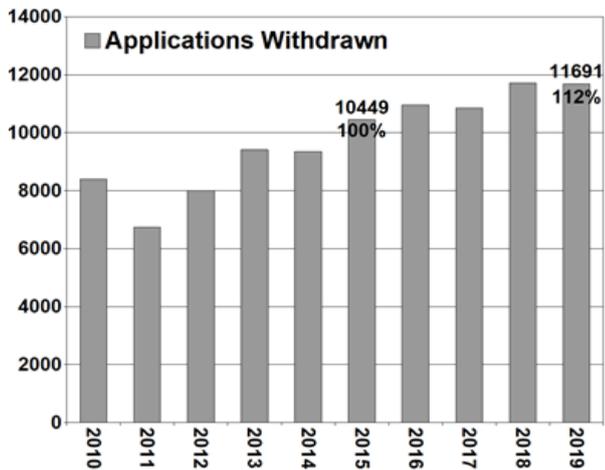
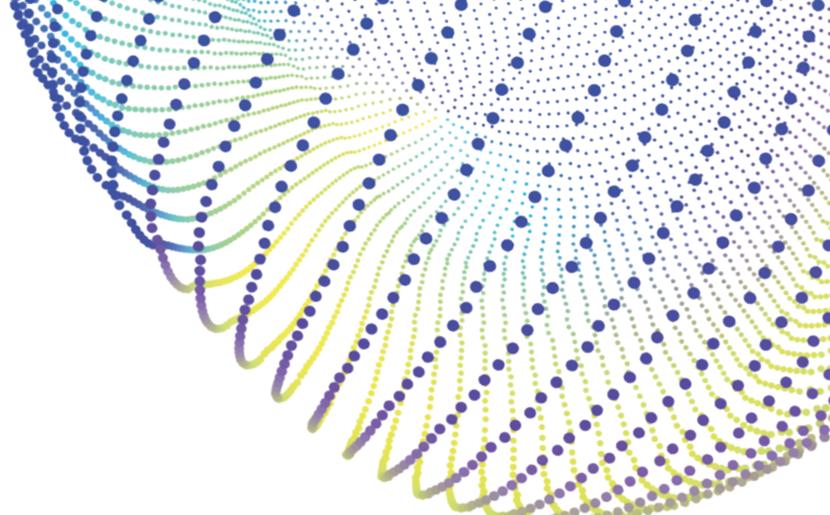
The number of European patents granted in 2019 increased by 8% over 2018 and to almost exactly 200% of the level of patents granted in 2015.



Whilst small in comparison to the number of patents granted, the number of applications refused in 2019 increased to around 175% of the level of refusals in 2015, not quite keeping up with the percentage increase in grants.

Also quite small in comparison to the number of patents granted, the number of applications withdrawn has increased somewhat in recent years (12% since 2015). In contrast, the larger number of applications deemed withdrawn has fallen (apparently down 18% since 2015, though this may not be final). The reasons why applicants might withdraw applications, or allow them to be withdrawn, is a matter of speculation. Perhaps the subject of an application is no longer of interest to the business of the applicant. Perhaps the applicant thinks the likelihood of overcoming problems encountered in examination is small or, with an eye to other jurisdictions, wishes to avoid an on-the-record decision to refuse the application by the EPO.

Taking into account patents granted, applications refused and the other ways in which prosecution of European applications can be brought to conclusions, it appears that since 2016 the number of applications brought to conclusion has exceeded the number of new applications.



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