

Do trademarks and design registrations provide a better perspective on national innovation activity?

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Abstract

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When discussing intellectual property performance patents usually dominate. (Tether, 2007) The modes of protection more likely to be used in the creative industries, trademark and design registrations, are under studied and under reported. (Schmoch, 2003, Mendonca, 2004) This may lead to a misunderstanding of the innovation impact of the creative industries, due to a bias in the indicators used, and also may be under utilising indicators which may be a closer to market indicator of innovation activity.

This paper provides an overview of the literature on the importance of trademarks and design registrations to the innovation process, comments on the relative use of each form of intellectual property protection for different sectors, and investigates patterns of intellectual property protection to ascertain the relative strengths and weakness of a set of countries in regard to trademark and design registrations. Collection and analysis of data is complicated by the multiple levels open to companies for registration of a trademark or a design. We will focus on registrations at the US Patent and Trademark Office (USPTO), the Office of Harmonisation for the Internal Market (OHIM) and the World Intellectual Property Organisation (WIPO).

Initial work indicates that there are different patterns for which mode of protection is more often used (on a relative basis) and different organisational routes for each country. For example, China appears to be increasing its trademark activity significantly and using WIPO registrations almost exclusively. (Yang and Clarke, 2005)

References

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