

# IP Statistics 2024

Seiwa Patent & Law

(Tokyo, JAPAN)

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Abstract: This article summarizes recent statistical data relating to matters of intellectual property, such as patents, utility models, designs and trademarks, available from the Japan Patent Office (JPO), the Supreme Court of Japan (SCJ), the Intellectual Property High Court (IPHC) and WIPO, etc. **This edition includes updates based on the IPHC statistical data updated in May 2024, and the JPO Annual Report 2024 Edition published in July 2024, etc.**

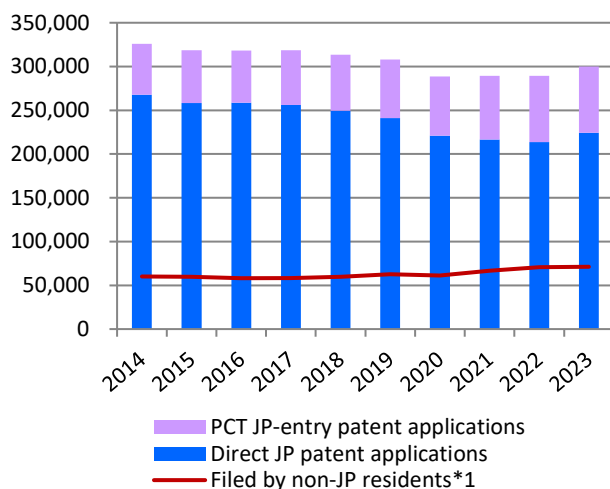
- In 2023, the JPO received 300,133 patent applications, marking a 3.7% year-over-year increase and surpassing the 300,000 mark for the first time in four years. While the number of international applications remained stable compared to the previous year, a notable rise in direct Japanese patent applications contributed to the overall increase (p.2, Graph P1-1).
- Regarding patent applications, the average pendency from request for examination to issuance of a first OA in 2023 was 9.3 months, with the average time to final disposition being just 13.8 months—the shortest ever recorded (p.3, Graphs P2-1, P2-2).
- The revocation and invalidation rates in patent post-grant oppositions and invalidation trials have seen further declines in recent years, averaging 10.7% and 16.4%, respectively, for the period from 2019 to 2023 (p.4, Graph P4-3; p.5, Graphs P4-4, P4-5).
- Regarding design applications, the total number filed at the JPO has remained steady at around 31,000 to 32,000 annually. In 2023, while the number of direct Japanese design applications decreased, there was a significant 24.1% year-over-year increase in international design applications designating Japan (p.10, Graph D1-1).
- The number of trademark registrations at the JPO in 2023 saw a substantial decrease of 32.4% year-over-year (p.12, Graph T1-2). This decline is presumed to be due to the elimination of the examination backlog (p.13, Graphs T2-1, T2-2).

Patents	.... Page 2
Utility Models	.... Page 9
Designs	.... Page 10
Trademarks	.... Page 12
Litigation	.... Page 14

# Statistics: Patents

## Patent applications and registrations at the JPO

Graph P1-1: Patent applications at the JPO



Graph P1-2: Patent registrations at the JPO

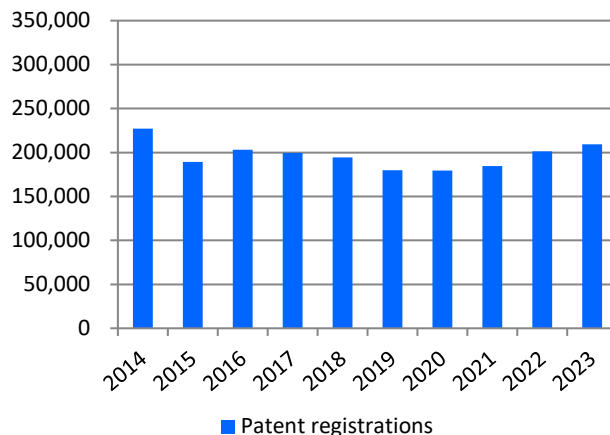
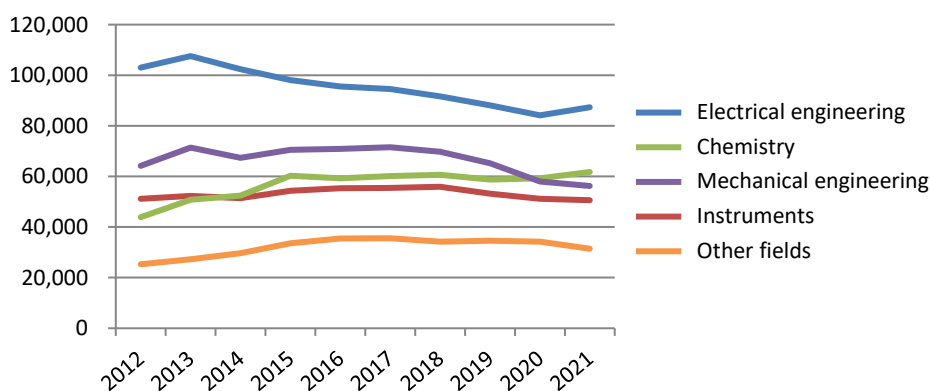


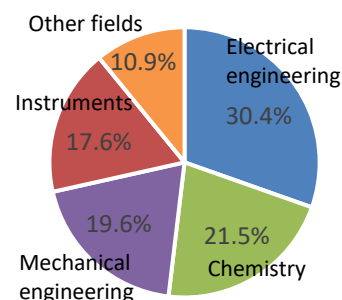
Table P1

Calendar Year	2019	2020	2021	2022	2023	y/y
JP patent applications in total	307,969	288,472	289,200	289,530	300,133	3.7%
PCT JP-entry patent applications	66,968	67,634	72,782	75,892	75,687	-0.3%
Direct JP patent applications	241,001	220,838	216,418	213,638	224,446	5.1%
Patent registrations	179,910	179,383	184,372	201,420	209,368	3.9%

Graph P1-3: Patent applications at the JPO by sectors of technology\*2



Graph P1-3: Proportions of patent applications at the JPO by sectors of technology in 2021



\*1 Sum of PCT JP-entry and direct-JP patent applications filed by foreign applicants.

\*2 The classification is based on the technology sectors according to the International Patent Classification (IPC and Technology Concordance Table) established by WIPO.

Electrical engineering: electrical machinery, electrical apparatus, electrical energy, audio-visual technology, telecommunications, digital communications, basic electronic elements, computer technology, IT methods for management, and semiconductors.

Chemistry: organic chemistry, agrochemicals, biotechnology, pharmaceuticals, macromolecular chemistry, polymers, food chemistry, basic materials chemistry, inorganic materials, metallurgy, surface processing, microstructure, nanotechnology, chemical engineering, and environmental chemistry.

Mechanical engineering: handling machinery, machining tools, engines, pumps, turbines, textiles, paper manufacturing, other special machinery, heat treatment mechanisms, machine components, and transportation.

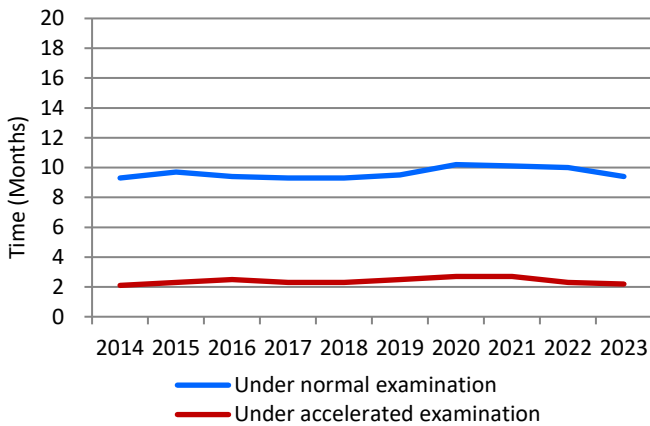
Instruments: optics, measurement, analysis of biological materials, control devices, and medical devices.

Other fields: furniture, gaming, other consumer goods, and civil engineering.

# Average time of pendency

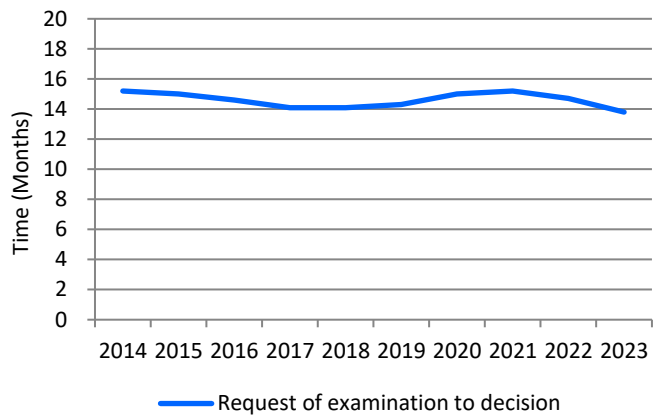
Updated

Graph P2-1: Pendency from request of examination to 1<sup>st</sup> OA

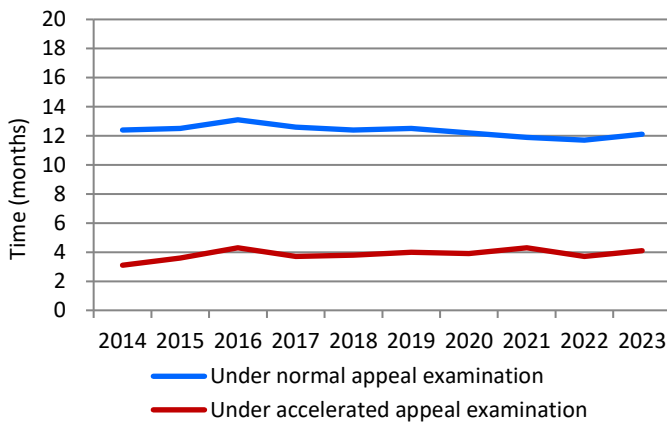


Updated

Graph P2-2: Pendency from request of examination to a final disposition\*1



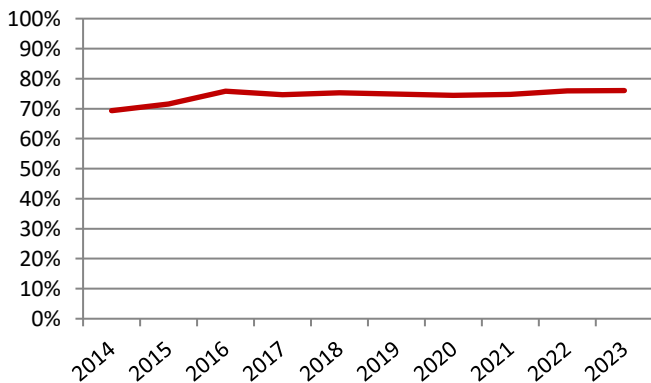
Graph P2-3: Pendency from demand of appeal trial to appeal decision



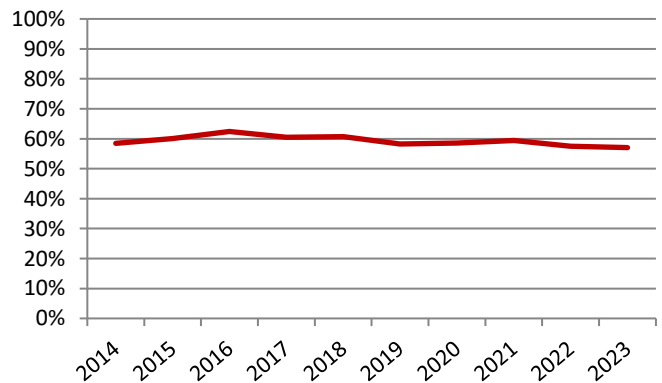
The JPO has been proactively outsourcing prior art searches to registered search organizations and strengthening its workforce of patent examiners to uphold its reputation for the world's fastest patent examination process. Concurrently, the JPO has been implementing various initiatives to maintain and enhance the quality of its patent examinations, ensuring that its examination results are recognized and respected internationally, thereby facilitating the seamless acquisition of patents in other countries and regions.

## Grant rate at the JPO

Graph P3-1: Grant rate at examination\*2



Graph P3-2: Grant rate at preappeal reexamination\*3



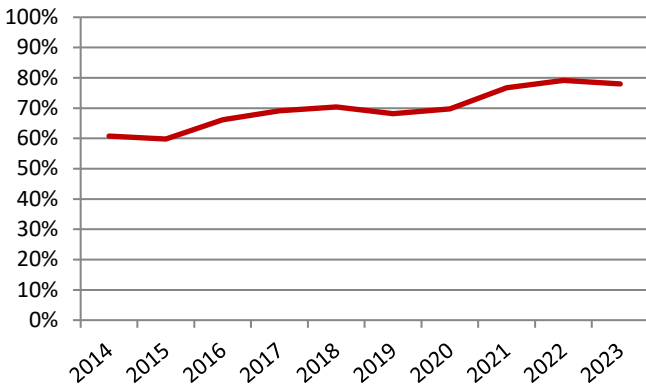
\*1 Withdrawal/Abandonment or Decision of Allowance or Decision of Rejection. Cases in which the applicant extended a response period for an Office Action are excluded.

\*2 Grant rate at examination = decisions of grant at examination / (decisions of grant at examination + decisions of rejection at examination + withdrawal or abandonment after request for examination)

\*3 Grant rate at pretrial reexamination = decisions of grant at pretrial reexamination / (decisions of grant at pretrial reexamination + cases transferred to appeal + withdrawal or abandonment at pretrial reexamination)

Updated

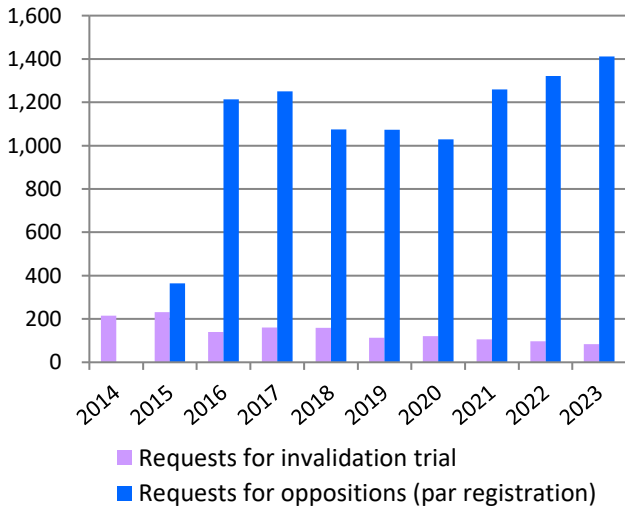
Graph P3-3: Grant rate at appeal\*1



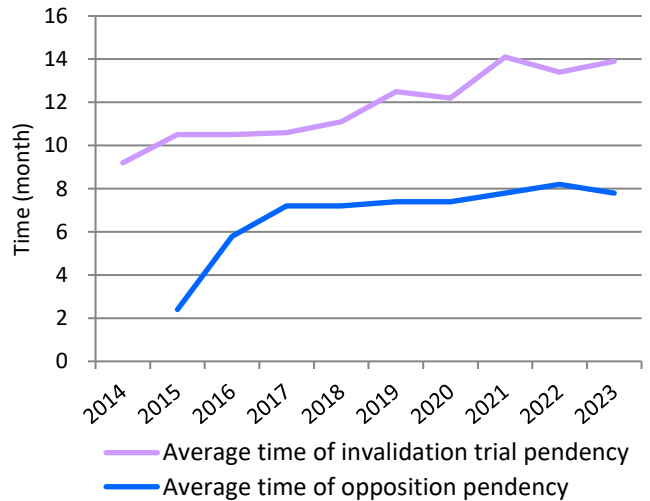
The patent grant rates in examination, pre-appeal and appeal examination at the JPO have remained consistently high in recent years. This trend can be attributed to several factors, including a shift in corporate IP strategies from focusing on quantity to prioritizing quality.

## Opposition & Invalidation Trial

Graph P4-1: Requests for opposition & invalidation trial

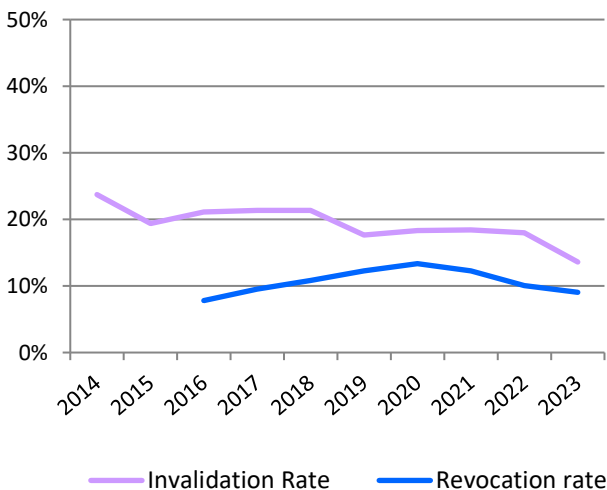


Graph P4-2: Average time of pendency at opposition & invalidation trial\*2



Updated

Graph P4-3: Rate of invalidation and revocation of patent (all or some claims)\*3

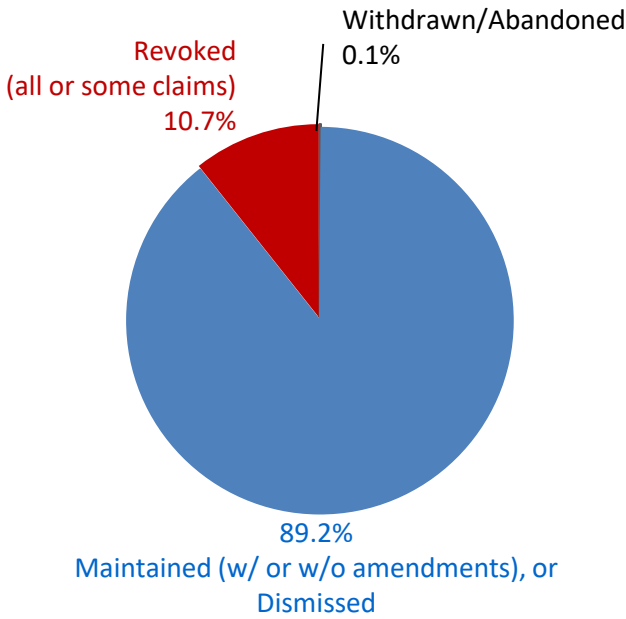


\*1 Grant rate at appeal = appeal decisions of grant / (appeal decisions of grant + appeal decisions of rejection)  
 \*2 Opposition: from request to Notice of Reasons for Revocation (Advance Notice of Decision) or Decision Invalidation Trial: from request to Advance notice of Decision or Decision  
 \*3 Rate of Invalidation of Patent (all or some claims) = Trial Decisions to Invalidate all or some claims of Patent / (Trial Decisions to Invalidate all or some claims of Patent + Trial Decisions to Maintain Patent)  
 Rate of Revocation of Patent (all or some claims) = Trial Decisions to Revoke all claims of Patent / (Trial Decisions to Revoke all or some claims of Patent + Trial Decisions to Maintain Patent)  
 The rate of invalidation and rate of revocation are calculated as a three-year moving average.

# Breakdown of Oppositions & Invalidation Trials Results

Updated

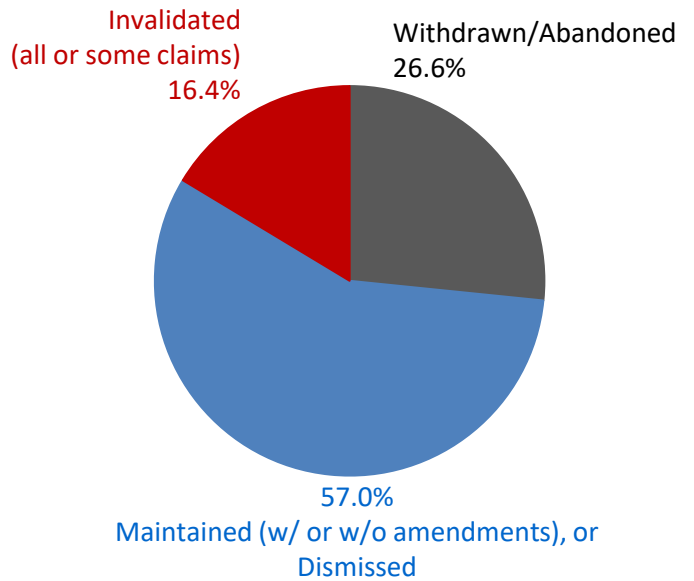
Graph P4-4: Results of Oppositions



Outcomes of oppositions disposed from Jan. 2019 to Dec. 2023

Updated

Graph P4-5: Results of Invalidation Trials

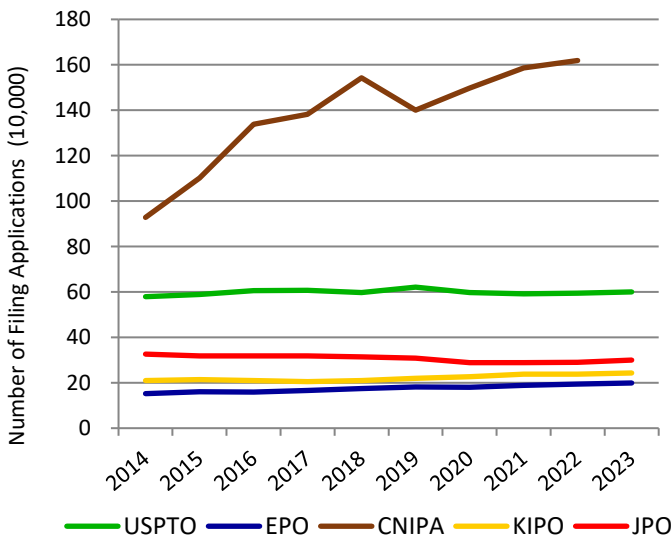


Outcomes of Invalidation trials disposed from Jan. 2019 to Dec. 2023

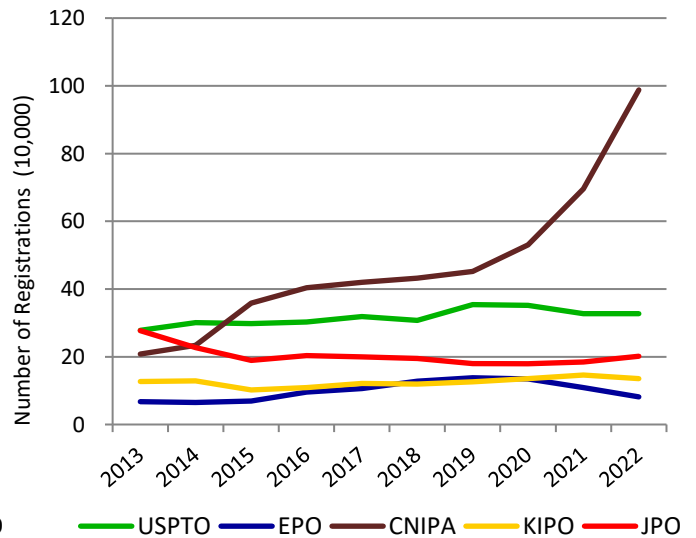
## Comparison between the five IP offices

Updated

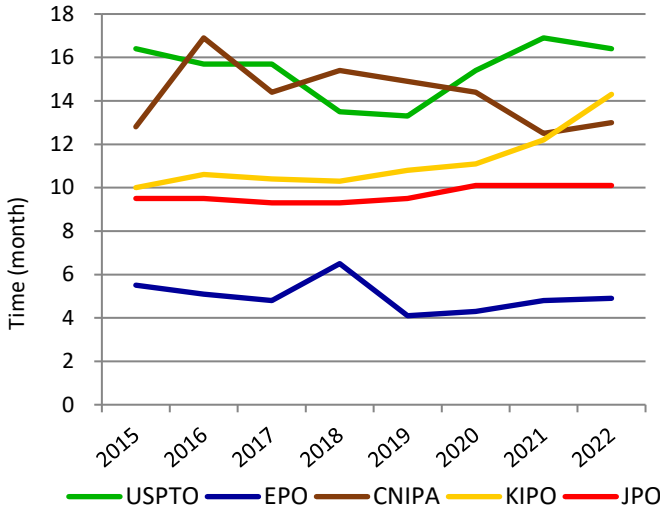
Graph P5-1: Patent applications at the five IP offices



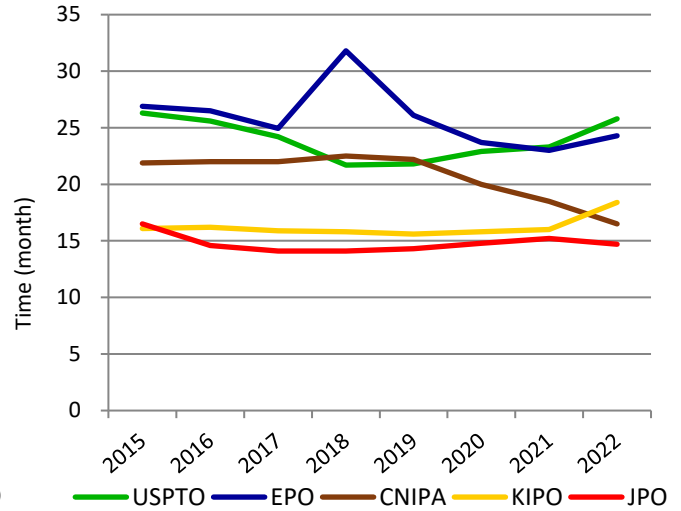
Graph P5-2: Patent registrations at the five IP offices



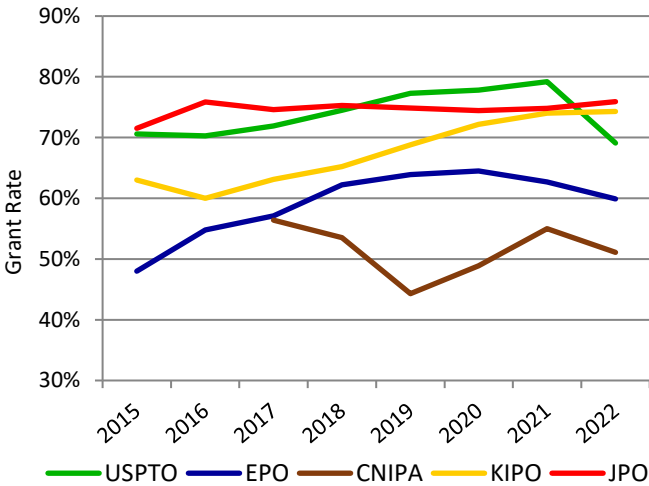
Graph P5-3: Average time of examination pendency to 1<sup>st</sup> OA\*<sup>1</sup>



Graph P5-4: Average time of examination pendency to disposition\*<sup>2</sup>



Graph P5-5: Patent grant rate at the five IP offices\*<sup>3</sup>



\*1 Average time of examination pendency to 1<sup>st</sup> OA:  
 JPO = average time of from requesting examination to 1<sup>st</sup> OA  
 USPTO = average time of from filing date to 1<sup>st</sup> OA  
 EPO = median time of from filing date to Extended European Search Report  
 KIPO = average time of from requesting examination to 1<sup>st</sup> OA  
 CNIPA = average time of from starting examination to 1<sup>st</sup> OA

\*2 Average time of examination pendency to decision:  
 JPO = average time of from requesting examination to withdrawal, abandonment, or Decision of Allowance or Decision of Rejection  
 USPTO = average time of from filing date to abandonment or a final disposal (including reexamination)  
 EPO = median time of from starting examination to final disposal  
 KIPO = (total examination period of patent applications disposed in the year) / (total number of patent applications disposed in the year)

\*3 Grant Rate at Examination:

JPO = Decision of Grant at Examination / (Decision of Grant at Examination + Decision of Rejection at Examination + Withdrawal or Abandonment after Request for Examination)

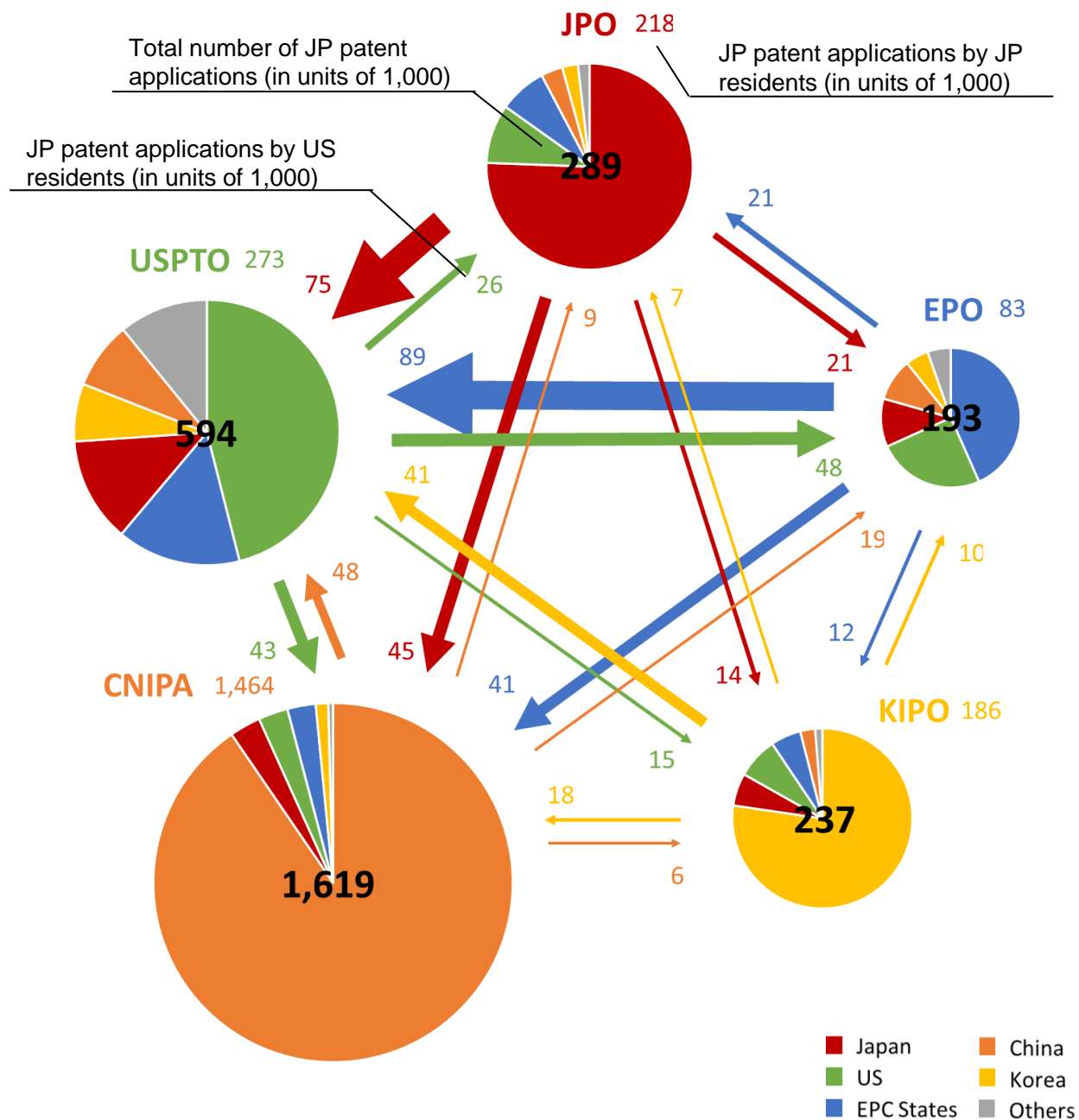
USPTO = Patent Grants / Patent Applications

EPO = Decision of Grant at Examination / (Decision of Grant at Examination + Decision of Rejection at Examination + Abandonment)

KIPO = Decision of Grant at Examination / (Decision of Grant at Examination + Decision of Rejection at Examination + Withdrawal after Request for Examination)

CNIPA does not disclose the definition of the Grant Rate at Examination.

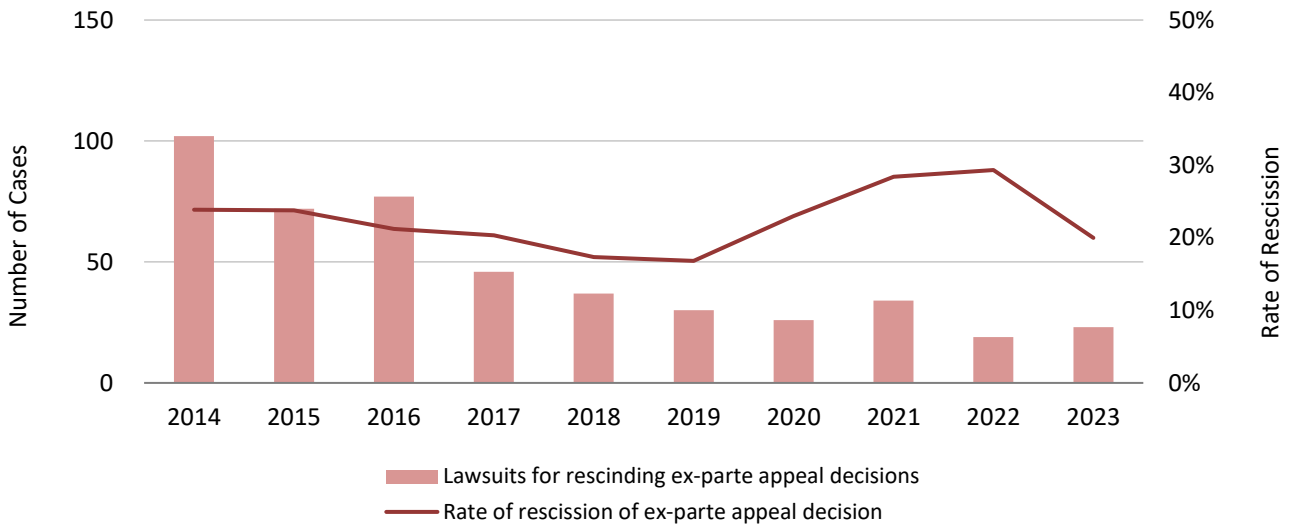
Graph P6: Patent applications filed at the five IP offices by origin\*1 (in 2022)



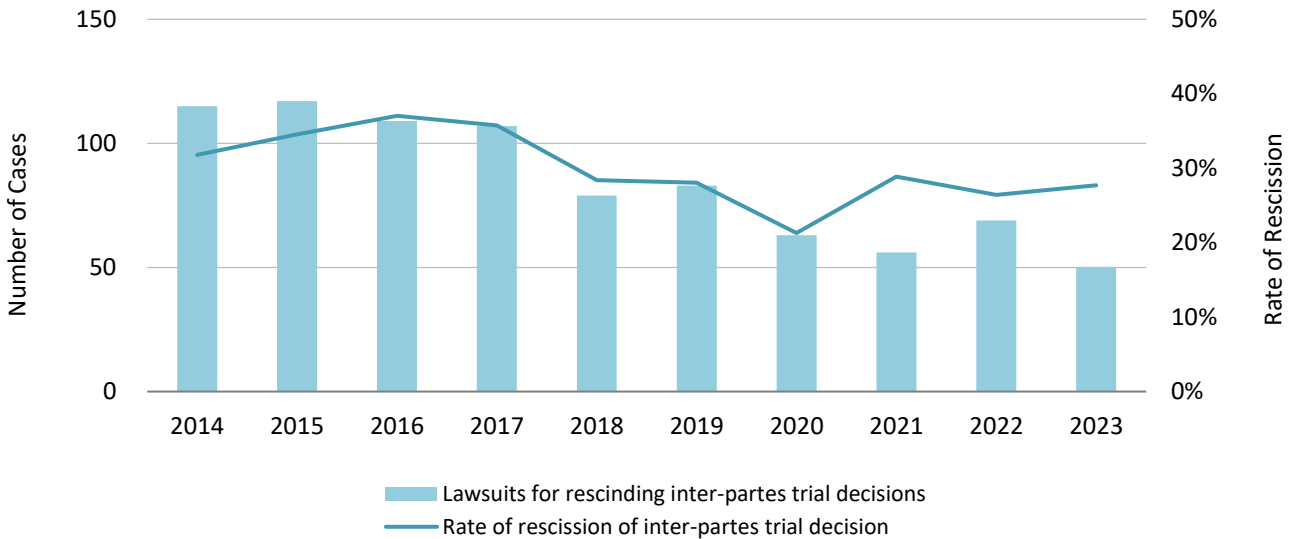
\*1 The origin is based on residence of first named applicants. The amounts were rounded down and given in units of 1,000.

# Lawsuits against the JPO's Appeal/Trial Decisions in relation to Patent

Graph P7-1: Lawsuits against *Ex-Parte* Appeal/Trial Decisions in relation to Patent Applications and their Total Rate of Rescission\*<sup>1</sup>



Graph P7-2: Lawsuits against *Inter-Partes* Appeal/Trial Decisions in relation to Patent Rights and their Total Rate of Rescission\*<sup>2</sup>



\*1 These data include lawsuits against Trial Decisions of Rejection and Dismissal of Amendment in relation to patent applications. The rate of rescission is a three-year moving average.

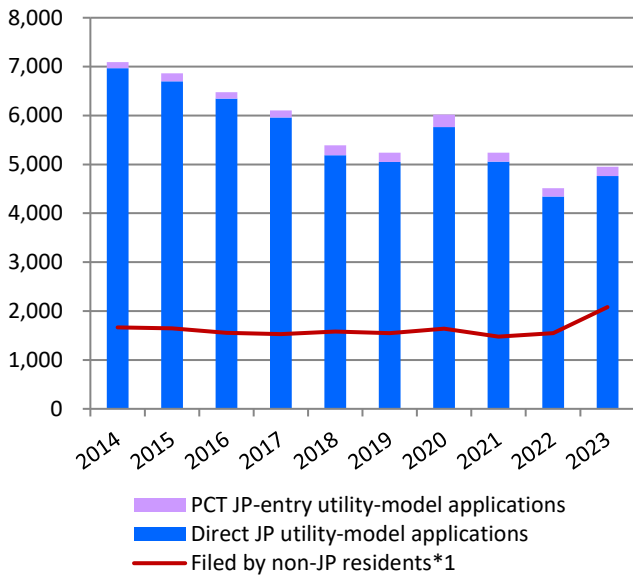
\*2 These data include lawsuits against Trial Decisions of Invalidation and Correction Trials in relation to patent rights. The rate of rescission is a three-year moving average.



# Statistics: Utility Models

## Utility model applications and registrations at the JPO

Graph U1-1: Utility model applications at the JPO



Graph U1-2: Utility model registrations at the JPO

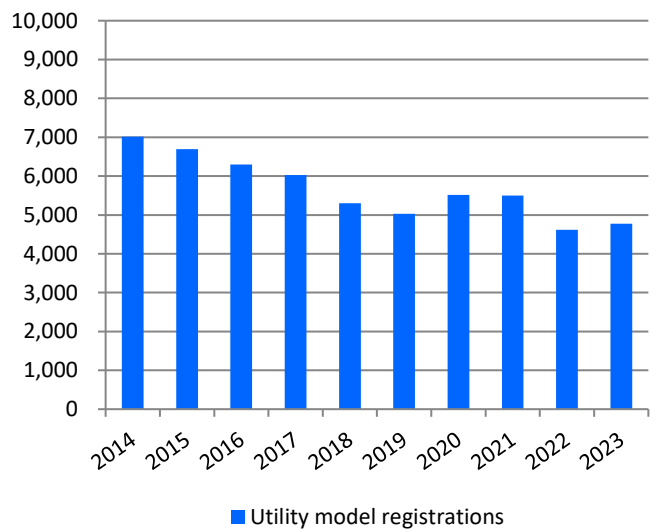
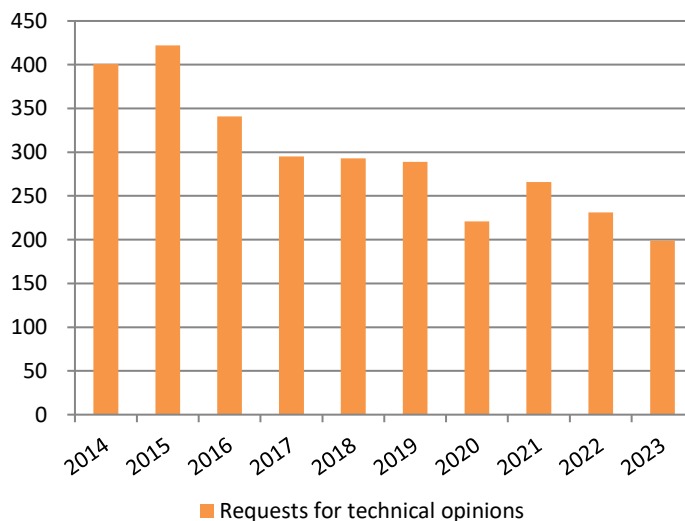


Table U1

Calendar Year	2019	2020	2021	2022	2023	y/y
JP utility-model applications in total	5,241	6,018	5,239	4,513	4,949	9.7%
PCT JP-entry utility-model applications	191	253	180	173	186	7.5%
Direct JP utility-model applications	5,050	5,765	5,059	4,340	4,763	9.7%
Utility model registrations	5,033	5,518	5,499	4,615	4,772	3.4%
Requests for technical opinions	289	221	266	231	199	-13.9%

## Requests for Technical Opinions\*2

Graph U2



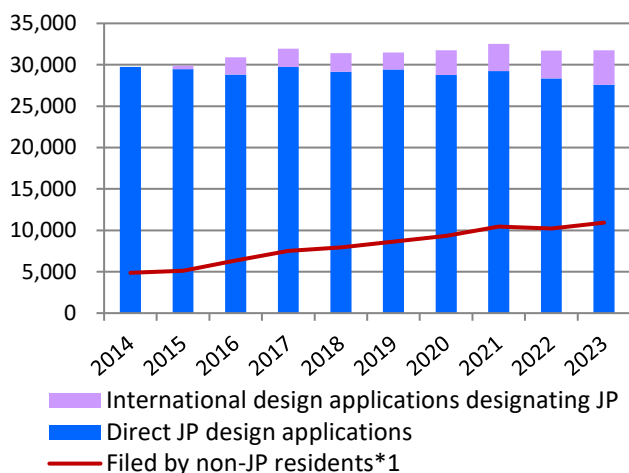
\*1 Sum of PCT JP-entry and direct-JP utility-model applications filed by foreign applicants.

\*2 A utility model right owner cannot enforce its utility model right without warning an opposing party in advance with indicating a technical opinion by the examiner.

# Statistics: Designs

## Design applications and registrations at the JPO

Graph D1-1: Design applications at the JPO



Graph D2-2: Design registrations at the JPO

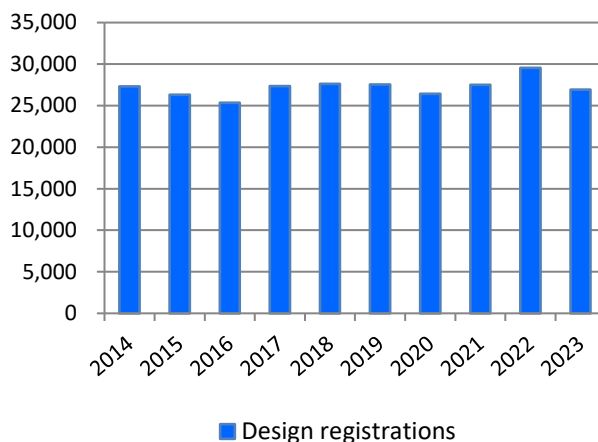


Table D1-1

	Calendar Year	2019	2020	2021	2022	2023	y/y
JP design applications in total		31,489	31,752	32,525	31,711	31,747	0.1%
International design applications designating JP		2,072	2,986	3,303	3,353	4,160	24.1%
Direct JP design applications		29,417	28,766	29,222	28,358	27,587	-2.7%
Design registrations		27,556	26,417	27,490	29,540	26,908	-8.9%

Updated

The number of applications and registrations for new types of design (from April 1, 2020 to August 5, 2024)

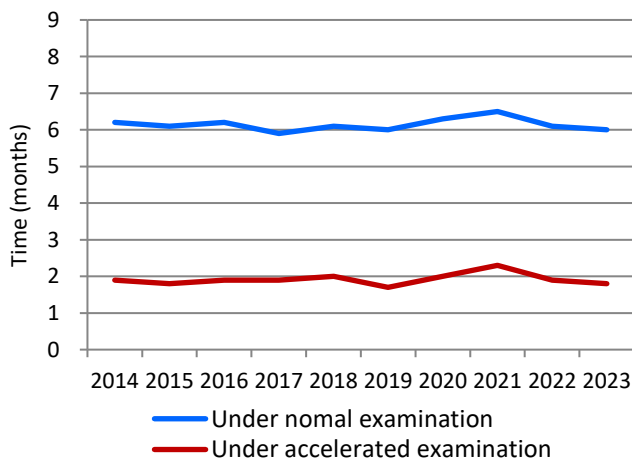
Table D1-2

	Applications	Registrations
Graphic Images	6,096	4,319
Buildings	1,685	1,228
Interior Designs	1,097	783

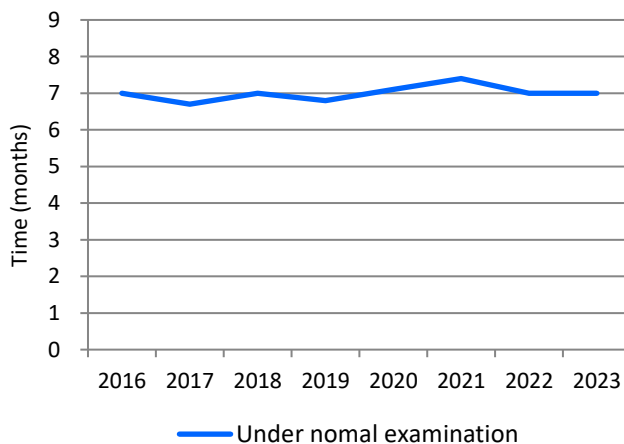
It became possible to protect graphic images, buildings and interior designs from April 1, 2020. This table shows the number of applications and registrations for these new types of design from April 1, 2020 to August 5, 2024.

## Average time of pendency

Graph D2-1: Examination pendency to 1<sup>st</sup> OA



Graph D2-2: Design examination pendency to a final disposition\*2

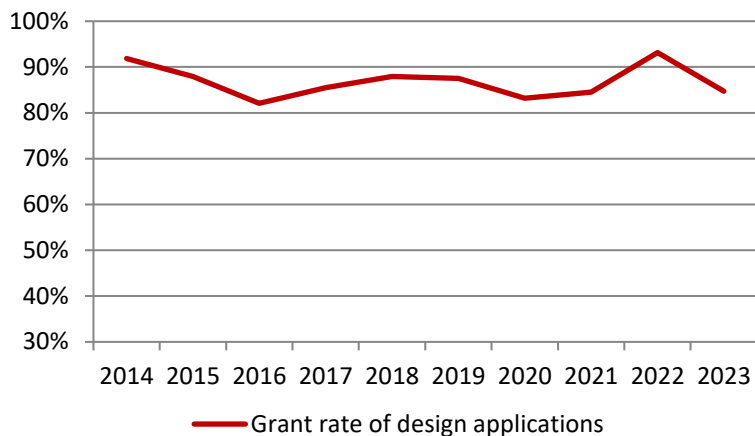


\*1 Sum of international design applications designating JP and direct-JP design applications filed by foreign applicants.

\*2 Withdrawal/Abandonment or Decision of Allowance or Decision of Rejection. Cases in which the applicant extended a response period for an Office Action are excluded.

# Grant rate at examination of design applications\*<sup>1</sup>

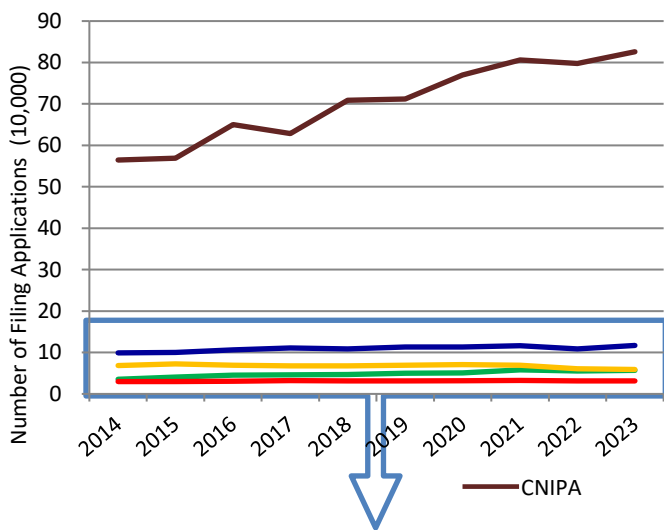
Graph D3: Design grant rate



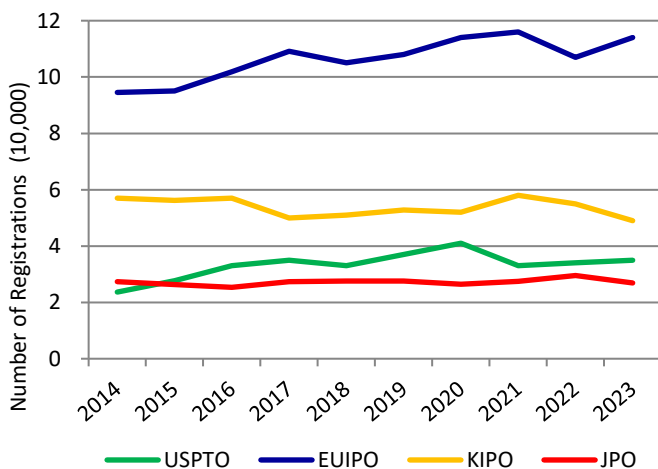
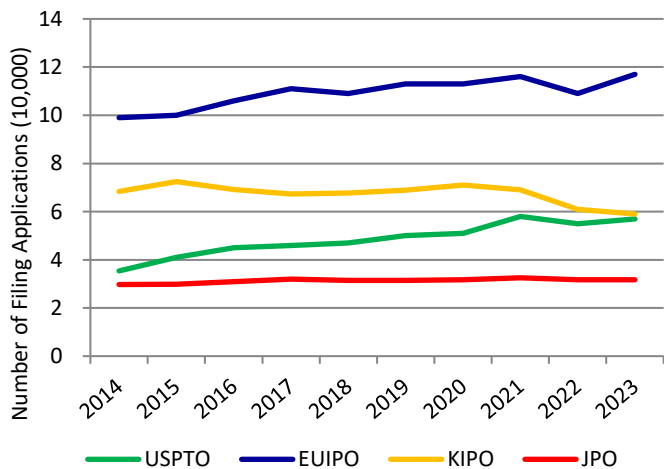
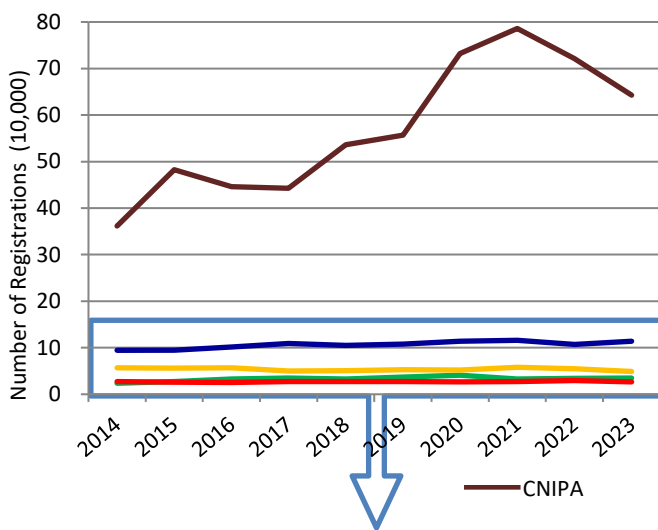
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## Comparison between the five IP offices

Graph D4-1: Design applications at the five IP offices



Graph D4-2: Design registrations at the five IP offices

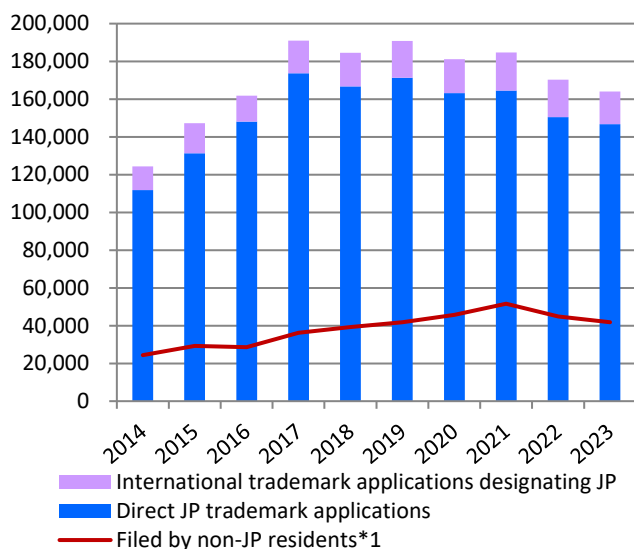


\*1 Grant Rate of Design Applications = Design Registrations / Design Applications

# Statistics: Trademarks

## Trademark applications and registrations at the JPO

Graph T1-1: Trademark applications at the JPO



Graph T1-2: Trademark registrations at the JPO

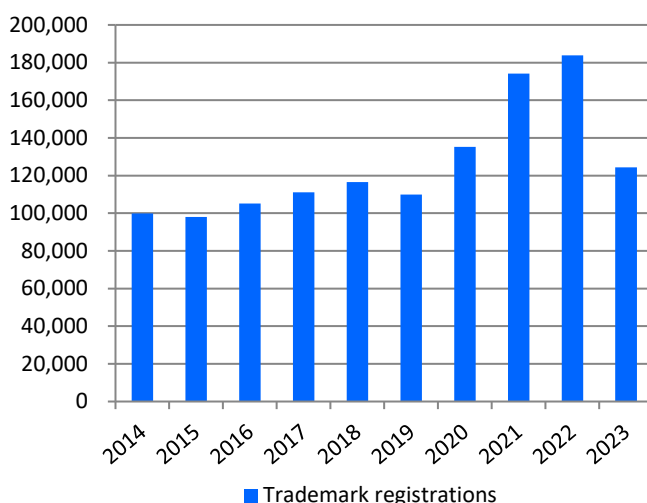


Table T1-1

Calendar Year	2019	2020	2021	2022	2023	y/y
JP trademark applications in total	190,773	181,072	184,631	170,275	164,061	-3.6%
International trademark applications designating JP	19,450	17,924	20,094	19,769	17,397	-12.0%
Direct JP trademark applications	171,323	163,148	164,537	150,506	146,664	-2.6%
Trademark registrations	109,859	135,313	174,098	183,804	124,334	-32.4%

Updated

## Trademark applications for non-traditional marks\*2

Table T1-2

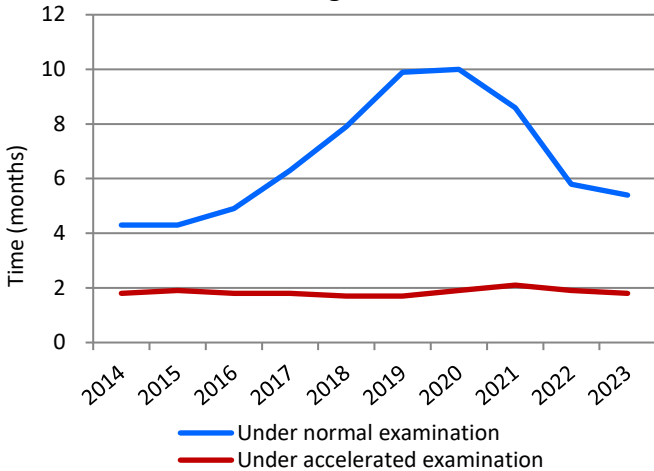
Calendar Year	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
3D / Applications	265	308	267	295	276	254	285	337	311	274
Registrations	146	174	150	141	137	125	155	160	202	159
Sound / Applications	-	365	133	80	51	37	20	22	19	21
Registrations	-	21	74	113	49	32	28	18	11	16
Motion / Applications	-	80	38	8	26	24	18	22	18	20
Registrations	-	13	47	31	8	17	20	16	27	10
Position / Applications	-	243	80	51	41	44	40	44	30	32
Registrations	-	5	14	21	19	16	15	13	28	27
Color / Applications	-	448	42	22	19	6	5	8	7	11
Registrations	-	0	0	2	5	1	0	0	1	0
Hologram / Applications	-	14	3	0	2	1	0	0	1	0
Registrations	-	1	8	2	1	2	1	0	1	0

\*1 Sum of international trademark applications designating JP and direct-JP trademark applications filed by foreign applicants.

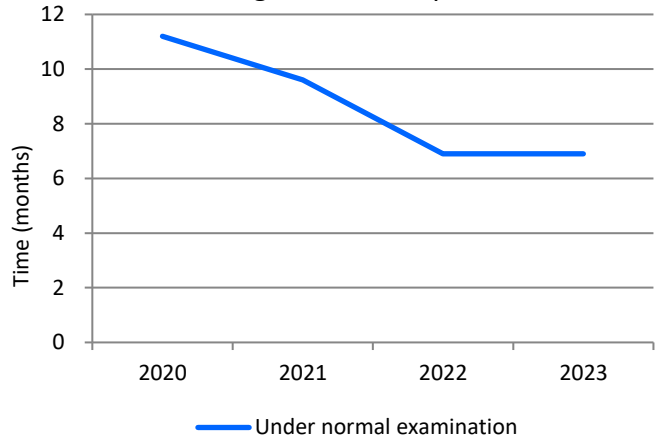
\*2 These data do not include the numbers of international trademark applications designating JP.

# Average time of pendency

Graph T2-1: Trademark examination pendency from filing to 1<sup>st</sup> OA\*1

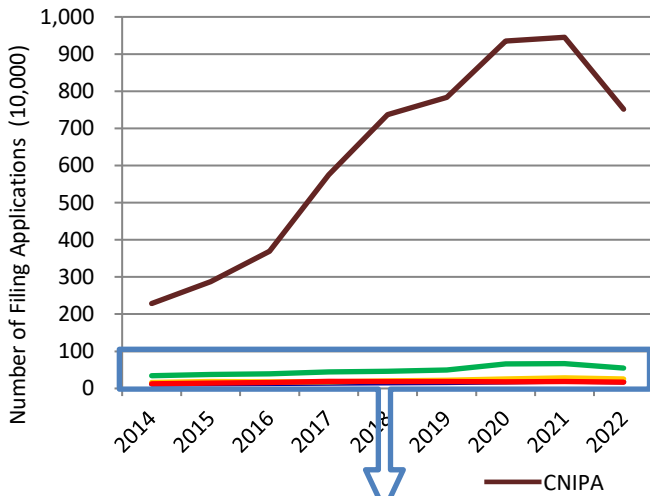


Graph T2-2: Trademark examination pendency from filing to a final disposition\*2

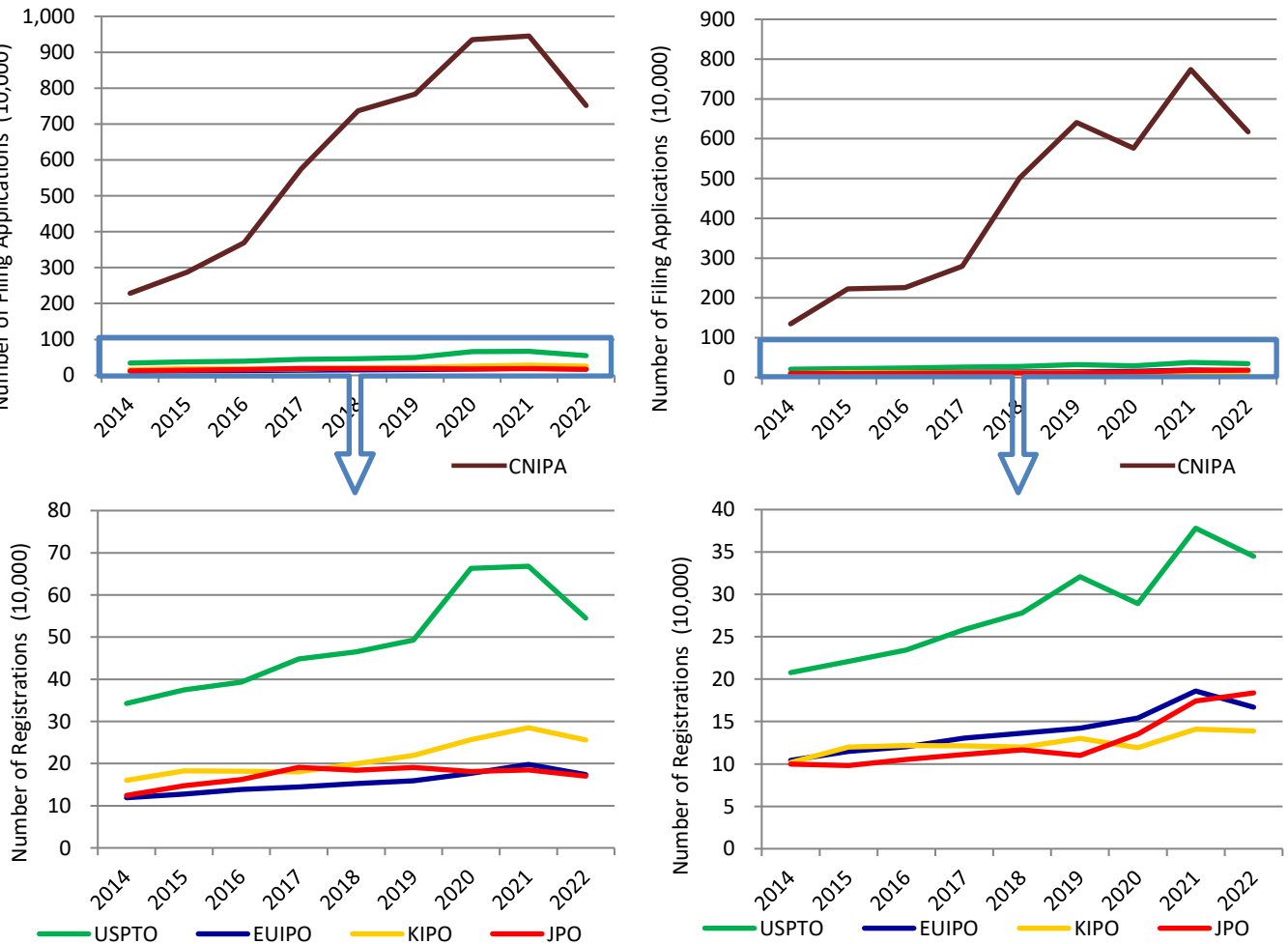


## Comparison between the five IP offices

Graph T3-1: Trademark applications at the five IP offices\*3



Graph T3-2: Trademark registrations at the five IP offices\*3



\*1 Applications that were filed on or after February 1, 2020, and satisfy certain requirements, shall be automatically subject to Fast Track Examination, and a first action will be issued within about six months from the filing date.

\*2 Withdrawal/Abandonment or Decision of Allowance or Rejection. Cases in which the applicant extended a response period for an Office Action are excluded.

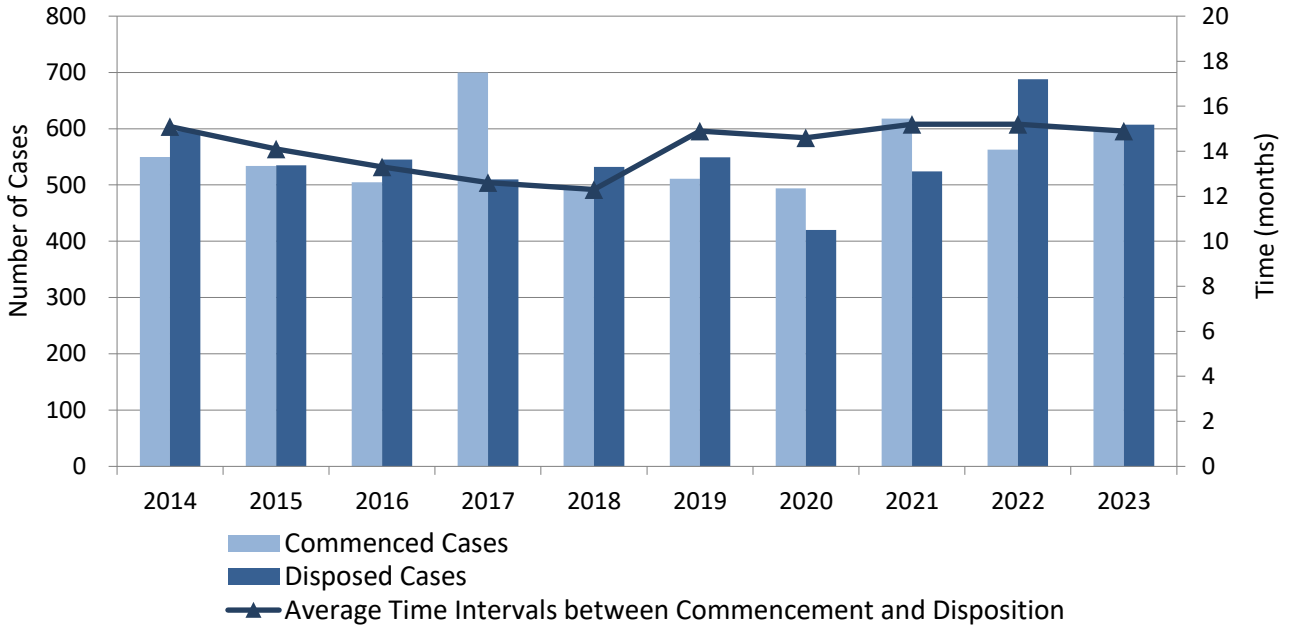
\*3 Since CNIPA does not publish the number of trademark applications, the values are based on the number of trademark classes.

# Statistics: Litigation

## Infringement Suits and other IP-Related Civil Cases\*1

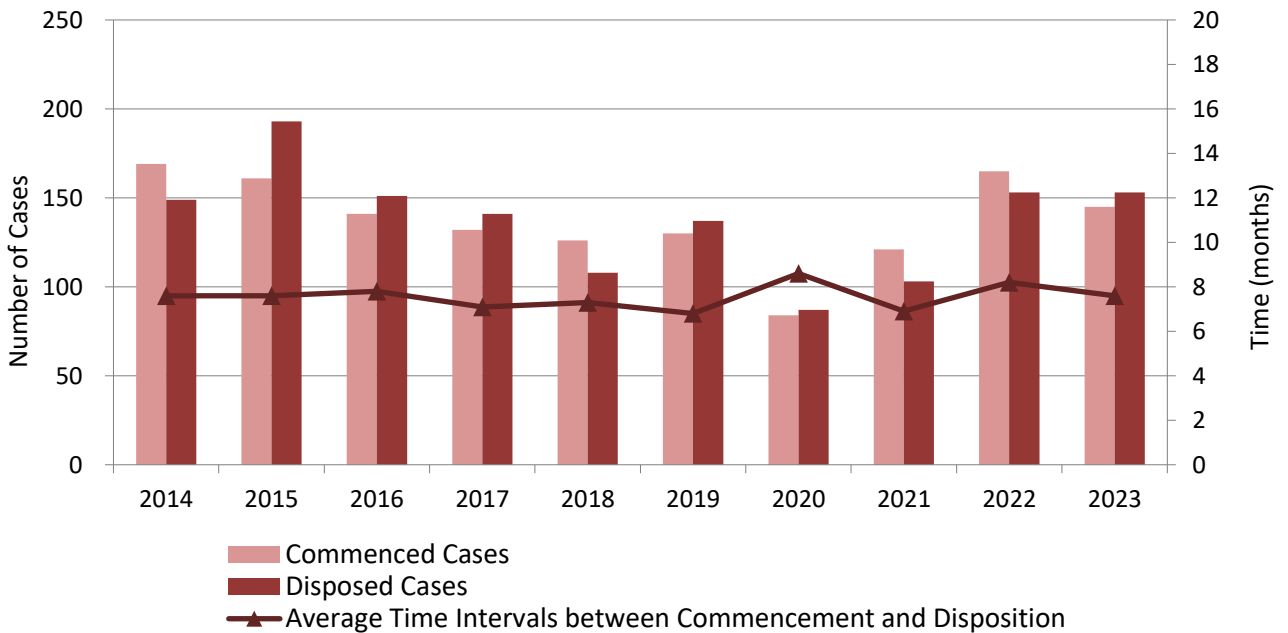
Updated

Graph L1-1: IP-Related Civil Cases at all District Courts (First Instances)



Updated

Graph L1-2: IP-Related Civil Cases at all High Courts (Second Instances)

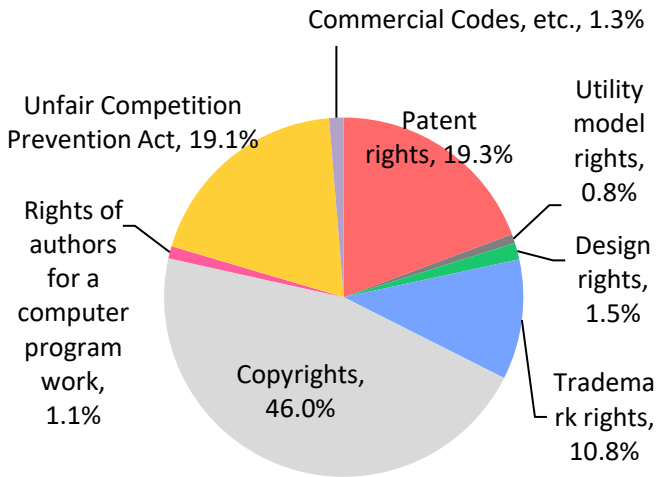


\*1 These data include all the civil cases relating to patents, utility model registrations, design registrations and trademark registrations.

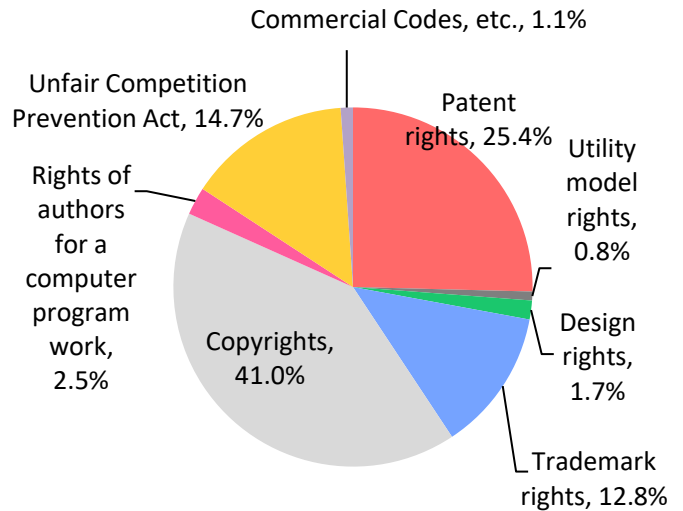
# Breakdown of IP-Related Civil Cases by IP Rights\*1 (2021)

## Graphs L2-1: All District Courts

Commenced

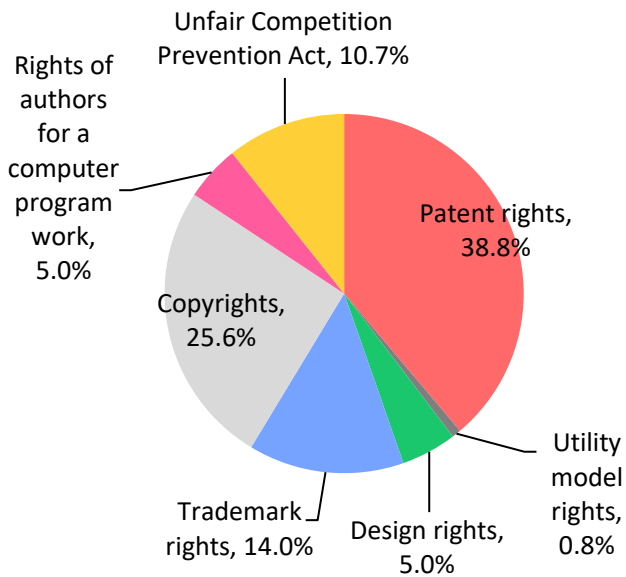


Disposed

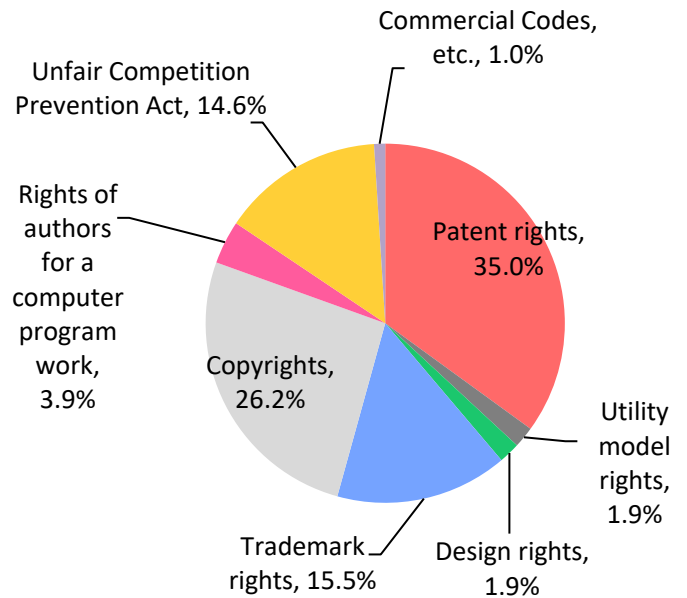


## Graphs L2-2: All High Courts

Commenced



Disposed



\*1 These data relate to IP-related civil cases, and thus do not include administrative litigations.

Updated

### Graph L3: Breakdown of the Results of Patent Infringement Suits at the Tokyo & Osaka District Courts\*1 (2014 to 2023)

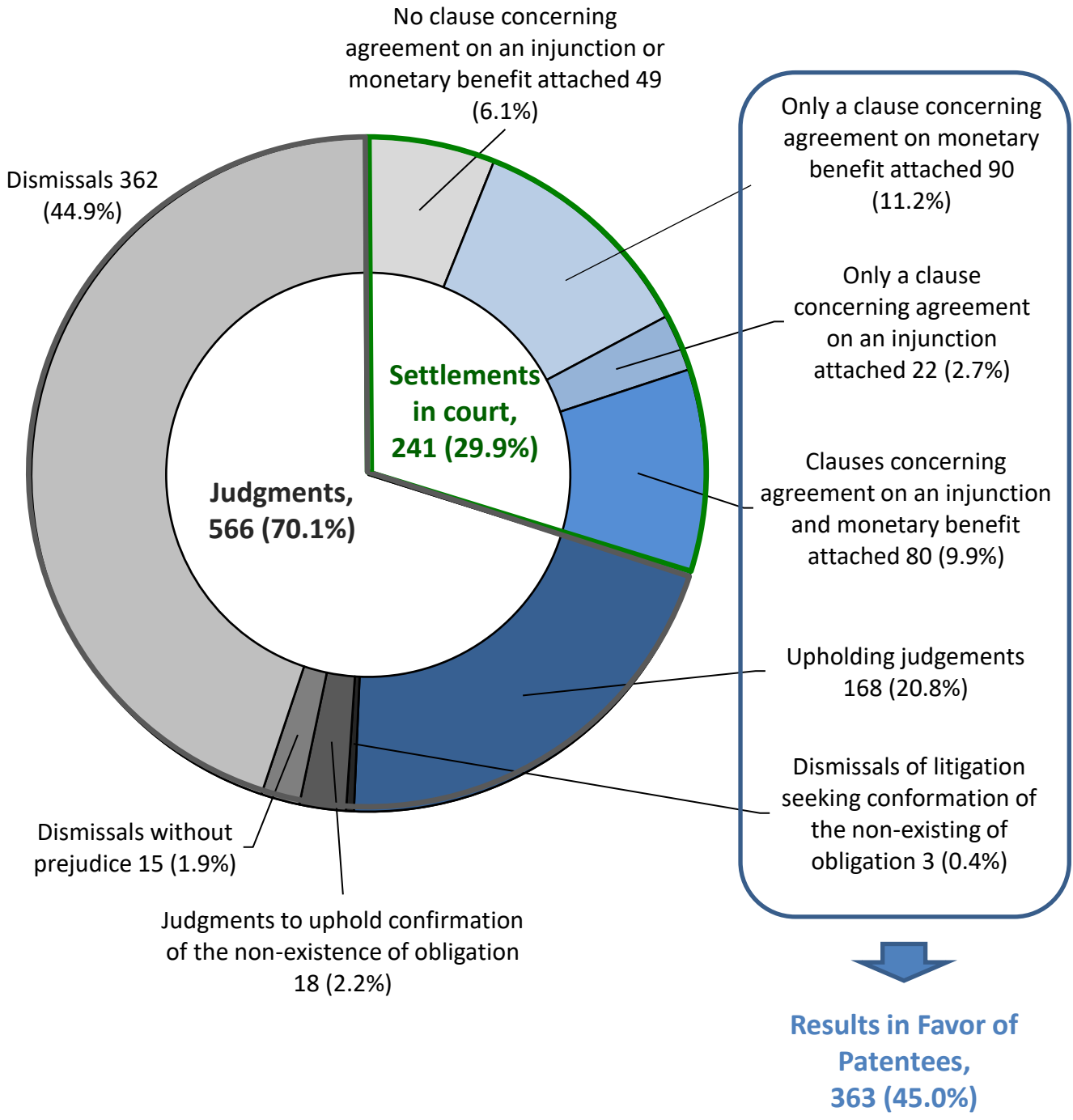


Table L1

	From 2014 to 2017	2018	2019	2020	2021	2022	2023
Results in favor of patentees	43.8%	43.4%	44.6%	45.8%	45.8%	45.4%	45.0%

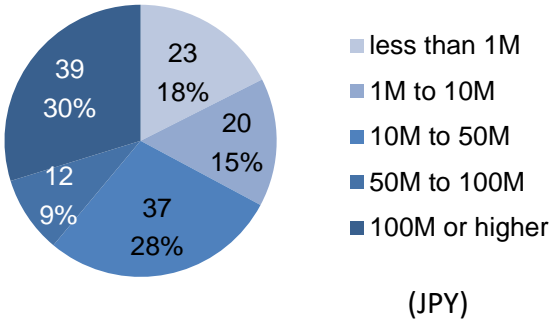
\*1 Upholding judgments include judgments that partially uphold the claim.



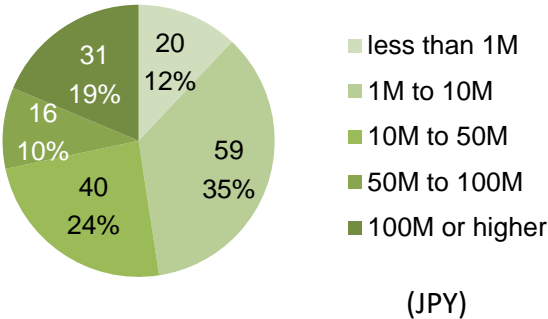
Updated

# Amounts Approved in Judgments and agreed to be paid in settlements in court in patent infringement cases (2014-2023)\*<sup>1</sup>

Graph L4-1: Number and proportion of amounts approved in judgments

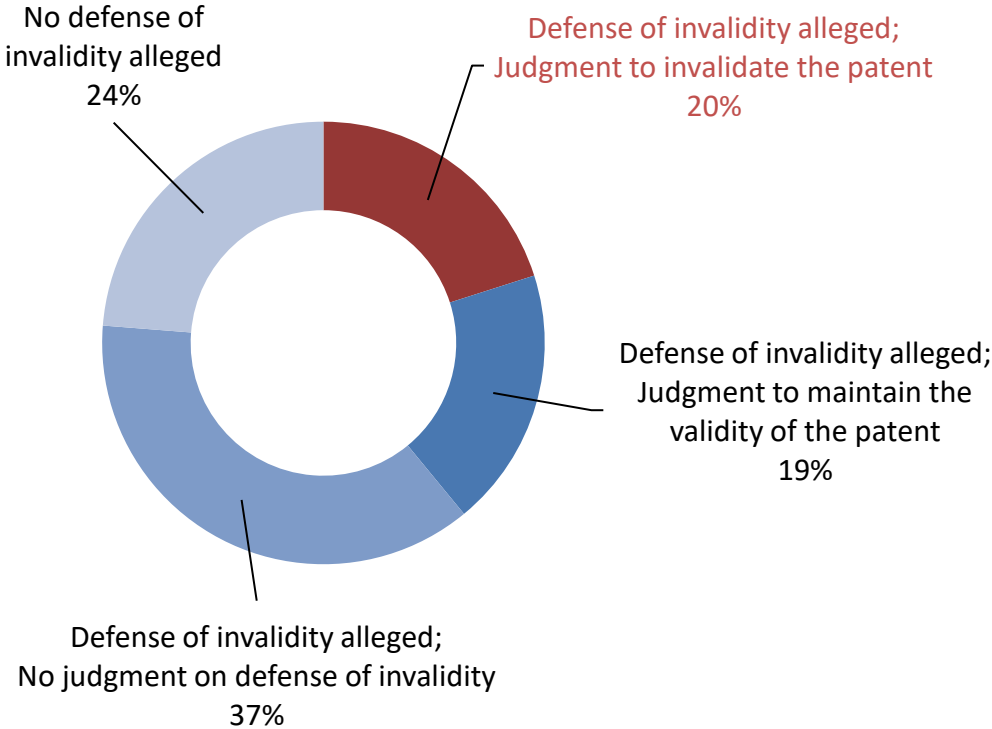


Graph L4-2: Number and proportion of amounts agreed to be paid in settlements



Updated

# Graph L5: Whether defense of invalidity was judged and how it was judged in patent infringement cases (2014 to 2023)\*<sup>2</sup>



\*1 Amounts related to attendant claims and court costs are not included.

\*2 Each number indicated presents the total number of patent rights claimed in cases concluded by final judgments. For example, if two patent rights were claimed in one patent infringement case, the number of patent rights is counted as two.