Trade marks in Switzerland continue to be popular. More than 17,000 applications for trade marks were received by the Swiss Federal Institute of Intellectual Property (IPI) in 2019, which is slightly more than the previous year. There are now more than 500,000 trade marks in force nationally. Applications for design rights, on the other hand, have remained stable, while the number of patent applications has increased significantly. More than 130,000 patents are currently in force in Switzerland. Demand for assisted patent searches - a service that makes it possible to find out whether an invention is patentable - is also positive.

Trade marks serve as a means of differentiation and are an important part of a company's capital. Registering a trade mark gives companies security by protecting their trade mark from free riders.

This is why in the last year alone, the IPI received 17,177 trade mark applications (16,880 in the previous year). Although there was a slight decline of 0.2% in 2018, the number of applications has nevertheless been increasing steadily for years. By the end of 2019, there were 514,825 active trade marks in Switzerland. Ninety-seven per cent of applications are submitted online via eTrademark, with the IPI receiving most applications from the cantons of Zurich (15.3%), Vaud (7.7%) and Geneva (6.4%).

The most popular type of trade mark is the word mark (56%), followed by the combined word/figurative mark (39%), and the figurative mark (4%). The year 2019 also saw the addition of a few more unusual types of trade marks such as the 3D-mark and the acoustic mark (0.3% in total). The class of goods and services most in demand was Class 35 (advertising and business management).

Searching before applying to register avoids difficulties later down the line

After an application has been filed, trade mark examiners at the IPI review it. If the
trade mark fulfils the legal requirements, it is entered in the trade mark register, which means it is protected. This was the case for 15,137 trade marks in 2019. Once registered, the trade mark must be used within five years. If it is not used, third parties can request that the trade mark be cancelled on the grounds of non-use. The IPI received 39 requests for this procedure last year (51 requests in 2018).

It is therefore worthwhile carrying out a search for the intended trade mark before applying to register it. Although the registration procedure examines whether the legal requirements have been met, there is no examination as to whether the trade mark could conflict with existing registrations. If a new trade mark does conflict with an existing one, it can become very costly.

**Watch designs in the lead**

The number of applications received by the IPI for design protection has remained stable. In 2019, 705 designs with a total of 2,852 objects were entered in the design register. This brought the number of design rights in force to 9,433 with 32,416 objects (in 2018 it was 9,530 and 30,000 respectively). The high number for objects is because it is possible to file several objects within a single design application. The only condition is that they must all be in the same class of goods. Design protection is diverse. From car tyre treads and spoons to fabric patterns, watches and packaging, all kinds of objects can be found in the design register. As in the previous year, most designs in 2019 were in the watches and measuring instrument class of goods (Class 90), followed by packaging (Class 68), and recording equipment (Class 57).

**Growth in patents in Switzerland**

A total of 1,720 inventions were filed in Switzerland last year and 7,066 Swiss patents were in force. This latter figure jumps to 131,719 if patents with effect in Switzerland filed via the European Patent Office are also included. There is also a positive trend in the statistics for assisted patent searches. Independent inventors, SMEs and researchers can use such a search to find out whether their invention is novel and therefore whether it is worthwhile applying for a patent. The search also provides an overview of similar inventions and competitors. At the end of the search, the customer is able to determine how to proceed with their invention.

Last year, patent experts from the IPI carried out 824 such searches (697 in 2018) with most clients coming from the canton of Zurich (237), followed by Bern (110) and then Aargau (87). Approximately 30 per cent of these searches were carried out in 2019 as part of a collaboration with national and regional innovation institutions.
such as Innosuisse.

More statistics on trade marks and designs in Switzerland

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