

FOI Release
Information released under the Freedom of Information Act

Title: Statistics of patents, trade marks and designs.

Date of release: 8 May 2014

Information request:

- 1) patents, trade marks and designs granted in the UK in 1980 and 1990 and
- 2) patents, trade marks and designs in force in the UK in 1980 and 1990.

Also how far back does the UK intellectual property office has such data? Do you have data for as far as the 1960s?

Information released:

Please find attached extracts from Annual Reports for 1980 and 1990, showing TM and Design applications and registrations/grants. The figures for patents are in two parts for 1980; I think this is because of the change in legislation. Applications it seems could still be filed under the terms of the 1949 Act at that time, but most were filed under the 1977 Act.

I believe the term 'sealed' was equivalent to 'granted'.

I regret that it is no longer possible to provide data on trade marks in force during 1990 because our new TM case management system only holds records of expired marks that were live in 1996 or later, which also means that 1980 figures are inaccessible.

I believe the position is similar for designs and I'm still looking into the possibilities for patents.

I also mentioned that it may be possible to arrive at an estimate for designs and patents from renewals data, but again I need a little more time to explore that.

[9 May 2014]

I've had some further conversations with our IT and Informatics people around IPs in force for 1980 and 1990.

I'm afraid that we don't hold data as to how many patents were in force at year end for those dates; our corporate requirement has mainly been for statistics that focus on income generation information for each year, rather than totals in force at any given time.

The earliest we have is for grants published in 1995. Given that a patent may take 5 years to reach grant from application, it is possible that some will have been applied for during 1990 but there is no way we could compile a complete list for patents in force for 1990, let alone 1980.

Our dataset of published patents (at 'A' stage or grant stage) may enable you to work out how many patents were in force for 1995 and subsequent years if that would be of interest to you.

You can access it via the link from webpage:

<https://www.gov.uk/government/publications/ipo-patent-data> .

Other than that, you may gain some approximate figures from the attached renewals data for 1980 and 1990. The number of patents granted in each year plus all the renewals for that year will give you some indication, but the first renewal figure (after 5 years) may be misleading. This again is because of the long processing time for patent applications; it is possible that some patents will have fallen due for renewal even before they were granted, while most perhaps will have taken about 4 years to reach grant stage and were renewed the following year.

Furthermore, with respect to the 1980 patents, it appears that we didn't charge a fee for renewal beyond the 16th year, so the "survival rate" would have to be predicted from that of later years.

To turn to the problem with trade marks, we migrated our old system into a fully electronic case file system last year and the old system has been shut down. In doing so, we only captured cases that were live from 1996 onwards. This means that we cannot access figures of TMs in force from 1990 to 1995. (Even with the old system, we couldn't have searched for any cases that expired prior to 1989.) However, we may be able to run a query on our defunct system to arrive at a figure for 1990 as it appears to be supported still by our old mainframe contract.

I can't be certain that we can do this nor, if it is possible, how much it would cost us. As you are probably aware s.12 of the FOI Act allows us to refuse requests for information that are likely to cost over £600 (equivalent to 3.5 man days of work). I've asked for an answer from our IT people as a matter of urgency.

The same goes for your designs query. We gave you some qualified information last year which I'm hoping may be repeatable for the two years in question.

Other than the Annual Reports, there are no suitable written records we can refer to.

[23 May 2014]

I've looked into this thoroughly again, but I regret that information about trade marks and designs in force at specified points in time really isn't obtainable any more. The problem isn't one of archiving; we just can't obtain it any more. Unfortunately some data which has no direct business value has become as inaccessible as it was before computerisation.