

EUIPO Design Focus

2010 to 2019 Evolution



EXECUTIVE DIRECTOR FOREWORD

This new report showing the progressive success of the Registered Community Design over the last decade makes interesting reading and will be an important resource for both businesses and policy makers.

With an average annual growth rate of 3.5% over the past decade and nearly 1.5 million RCD filings since 2003, it is clear that EU designs are a force to reckon with in the global marketplace.

Great design makes businesses more competitive, drives innovation, and is a key component of success in the increasingly global marketplaces that are being tackled by EU businesses of all sizes.

EU companies, led by German firms, continue to be in the majority for RCD filings, but the United States, China and Japan are all featured in the top ten filing countries and the growth of interest from China has been particularly striking.

In its next multi-annual strategy, the EUIPO Strategic Plan 2025 (SP2025), the Office will be prioritising making EU trade marks and designs more user friendly by further modernising and updating the tools and information supporting different user segments according to their needs.

This is in line with the emerging policy priorities of the EU and the new Industrial policy being drawn up by the European Commission which puts an increased accent on innovation, SMEs, technology and the Green Deal.

It is clear that IP rights will be an important element of industrial policy and in parallel, the European Commission is evaluating the need for new legislation in the Design area.

A modernised design framework can only serve to further underline the importance of this sometimes underestimated IP right, since its accessibility makes it a key candidate for further promotion and wider use, especially for smaller businesses.



Christian Archambeau
Executive Director

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Disclaimer This report focuses primarily on Registered Community Designs (RCD) that were directly submitted to the European Union Intellectual Property Office (EUIPO) or the central industrial property offices of European Union (EU) Member States, which represent nearly 90% of all individual Community designs filed during the period under consideration.

The EUIPO is not responsible for publishing international registrations designating the EU that resulted from applications filed with the International Bureau of the World Intellectual Property Organization (WIPO) under the Geneva Act of the Hague Agreement, as this falls within the jurisdiction of the WIPO.

1. EXECUTIVE SUMMARY & INFOGRAPHIC

In business, design is crucial for success. Great design plays a key role in the competitiveness of businesses and acts as a driver of innovation.

A **Registered Community Design (RCD)** grants exclusive rights covering the outward appearance of a product within the **European Union (EU)** market, protecting it against copying and counterfeiting. This allows enterprises to safely reap the benefits of innovative practices while developing the value of marketable assets.

RCD filings experienced an average annual growth rate of **3.5%** between **2010** and **2019** and an overall growth rate of **36.2%** when comparing the 2019 and 2010 filing volumes.

Nearly **265,000** applications, containing on average **3.7** designs per application, were submitted to the **European Union Intellectual Property Office (EUIPO)** during this period, leading to **988,200** individual design filings. The forecasted filing volumes for **2020** provide an accumulated volume of approximately **1.1 million** RCD filings since the beginning of 2010.

The five largest EU economies (**Germany, United Kingdom, France, Italy** and **Spain**) represent almost **51%** of total Direct RCD filings during this period, while the World's three largest economies, the **United States of America**, the **People's Republic of China** and **Japan** respectively occupy the third, sixth and ninth positions in the Global Top 10 ranking of countries with the most Direct RCD filings. **Poland** and the **Netherlands** complete the ranking, with both EU countries having experienced strong positive growth. Collectively, the Top 10 accounted for **77.0%** of all filings that were directly submitted to the EUIPO or the central industrial property offices of EU Member States during the last decade.

However, a dynamic analysis of the annual evolution of the filing volumes by different countries or blocs

reveals important changes and the emergence of new trends. The **EU** share fell steadily (**-15%**) while the **United States (+4%)** and **China (+12%)** consistently increased their filing shares, with the Chinese in particular evolving from a small player in 2010 to being the second largest country of origin in 2019.

The Global Top 10 Direct RCD applicants from 2010 to 2019, which as a group represent **5.9%** of overall Direct RCD filings, are all global leaders in design intensive industries and commercial sectors. Half of the positions in the ranking are held by the following non-EU businesses: **Rieker Schuh, Nike, Samsung Electronics, Apple** and **LG Electronics**. The EU portion of the ranking is comprised by **Robert Bosch, Pierre Balmain, EGLO Leuchten, Philips** and **BSH Hausgeräte**.

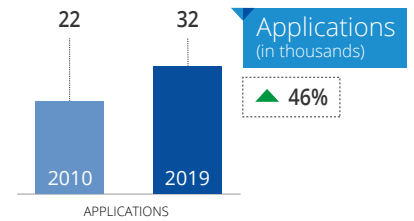
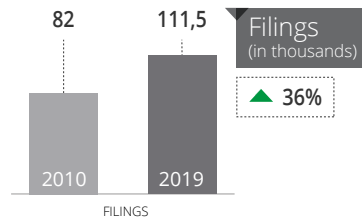
Class 6 (Furnishing) tops the ranking of most filed classes, followed by **Class 2** (Articles of clothing and haberdashery) and **Class 14** (Recording, telecommunication or data processing equipment), which had the highest average annual growth rate (**9.1%**) amongst the Top 10 classes. The top three classes accounted for nearly **30%** of total Direct filings while the Top 10 collectively represent two-thirds (**2/3**) of all filed classes.

Between 2010 and 2019, more than **3,700** RCD invalidity procedures were filed. The vast majority (**87.7%**) of the invoked grounds concerned claims that the contested designs lack novelty or do not possess individual character.

Registered Community Designs are initially valid for five years from the date of filing and can be renewed four times, in blocks of five years, up to a maximum of **25** years. During the last ten years, over **507,000** RCD registrations were renewed.

Additionally, more than **813,000** Registered Community Designs, containing nearly **826,000** associated Locarno classes, were in force on January 1st, 2020.

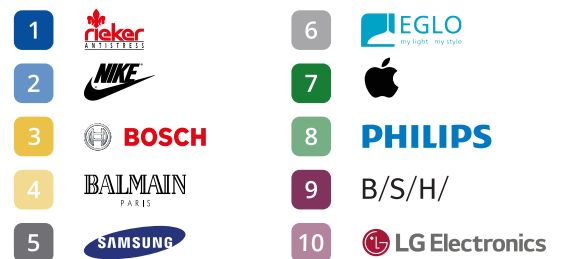
2010-2019 EVOLUTION OF RCD FILINGS



84,000 Applicants → 988,200 Design Filings

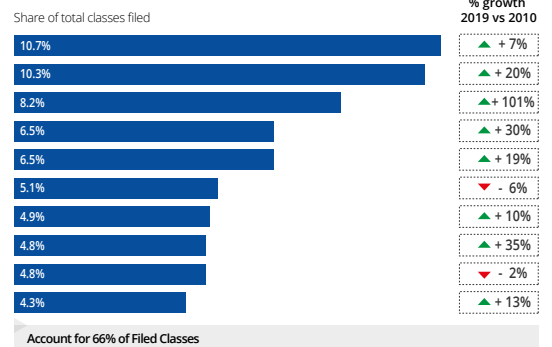
1 Applicants → 3.7 Design Filings (Average)

TOP 10 APPLICANTS

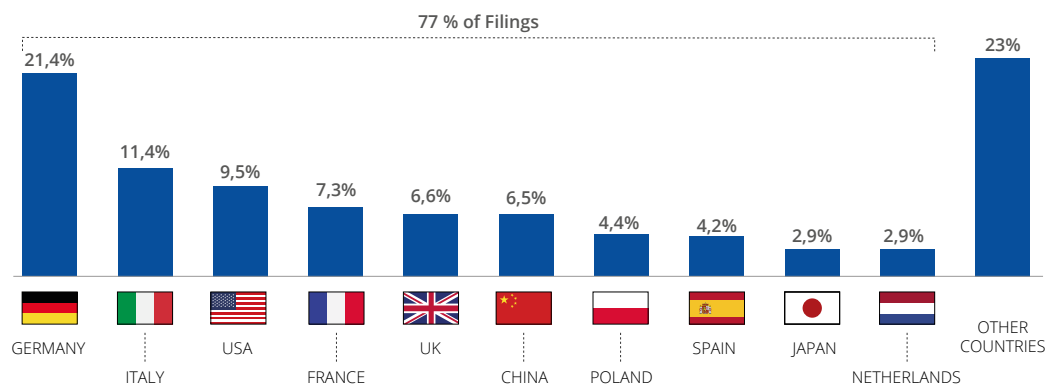


TOP 10 CLASSES

- 1 06 Furnishing
- 2 02 Articles of clothing and haberdashery
- 3 14 Recording & telecommunication equipment
- 4 26 Lighting apparatus
- 5 09 Packages & containers
- 6 23 Fluid distribution & HVAC equipment
- 7 32 Graphic symbols & logos
- 8 12 Means of transport or hoisting
- 9 07 Household goods
- 10 08 Tools & hardware

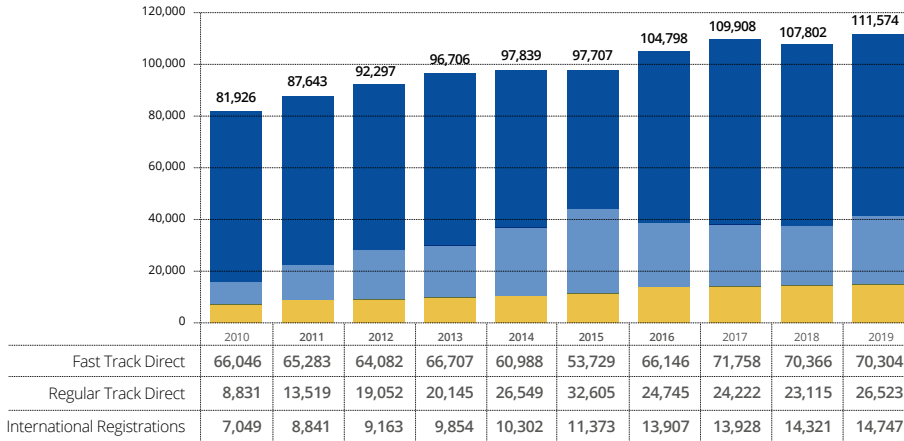


TOP 10 COUNTRIES



2. RCD FILINGS

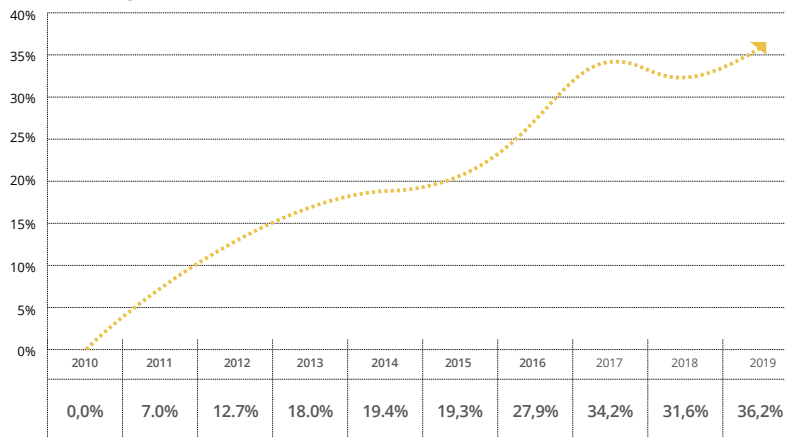
2.1 Global Filing Volumes



Registered Community Design (RCD) filings experienced an average annual growth rate of **3.5%** between 2010 and 2019 and an overall growth rate of **36.2%** when comparing the 2019 and 2010 filing volumes. Nearly **265,000** applications, containing on average **3.7** designs per application, were submitted to the EUIPO during this period, leading to **988,200** individual design filings.

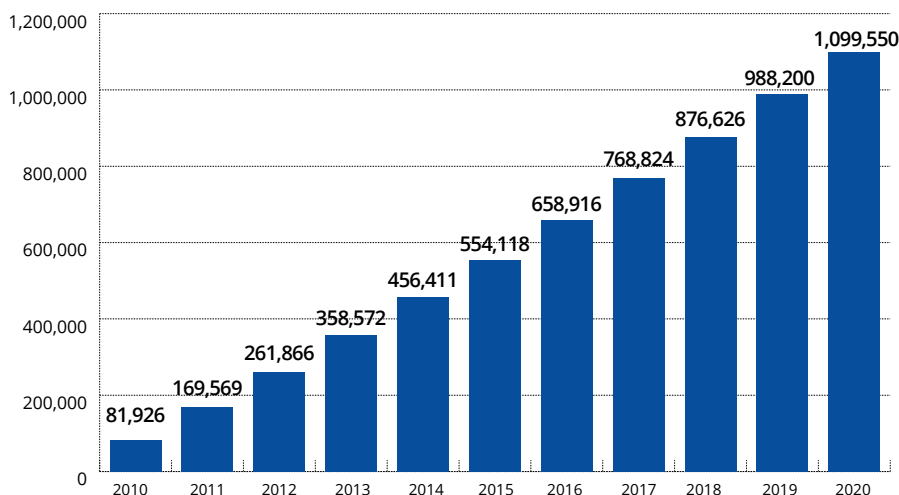
988,200 RCD Filings
2010 to 2019

Growth vs 2010 RCD Filings



+36.2% RCD Filings
2019 vs 2010

Accumulated RCD Filings since 2010



The forecasted RCD filing volume for 2020 (**111,350** designs) follows the pattern observed in recent years and serves to project an accumulated volume of nearly **1.1 million** design filings since the beginning of 2010.

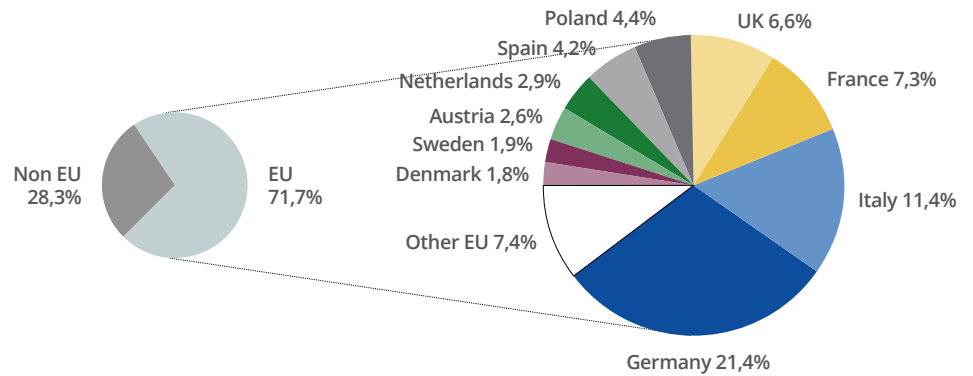
97.9% Of all 2019 Direct RCD Filings were E-filed, up from **63.9%** in 2010

27.4% Of all 2019 Direct RCD Filings were Fast Track Filings, up from **11.8%** in 2010

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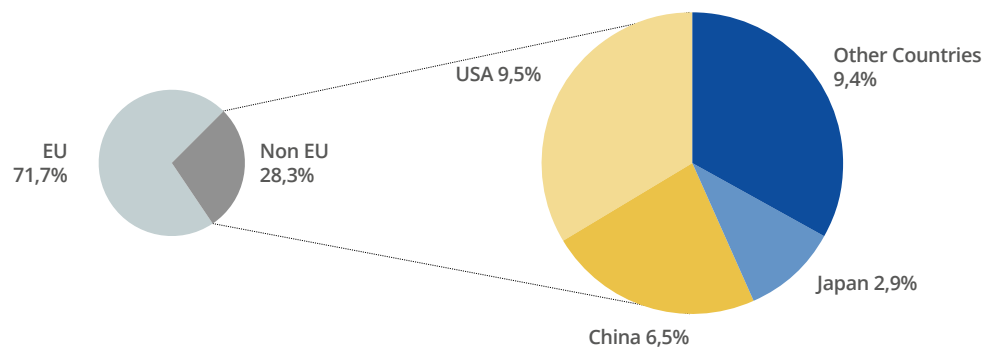
A cumulative analysis of the last decade confirms that the majority of Direct RCD filings continued to originate from within the EU, which had an average share of almost **72%** of total filings from 2010 to 2019. Germany led the way as the top EU and global filing country, followed by other large EU economies such as Italy, France and the United Kingdom.

Average Share of Total Direct RCD Filings
Non-EU vs EU



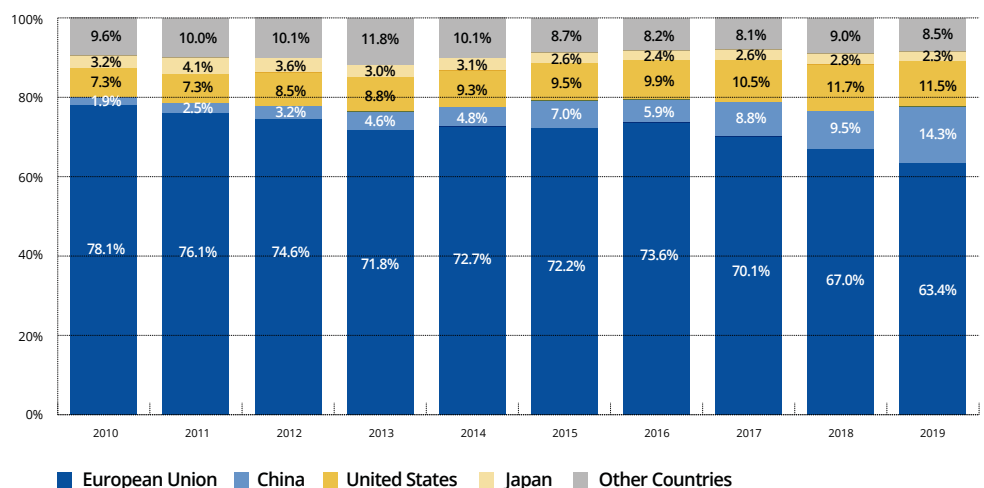
The United States, China and Japan were the three non-EU countries with the highest average shares of filings and collectively represent two-thirds (**2/3**) of all non-EU Direct filings during the relevant period.

Average Share of Total Direct RCD Filings
EU vs Non-EU



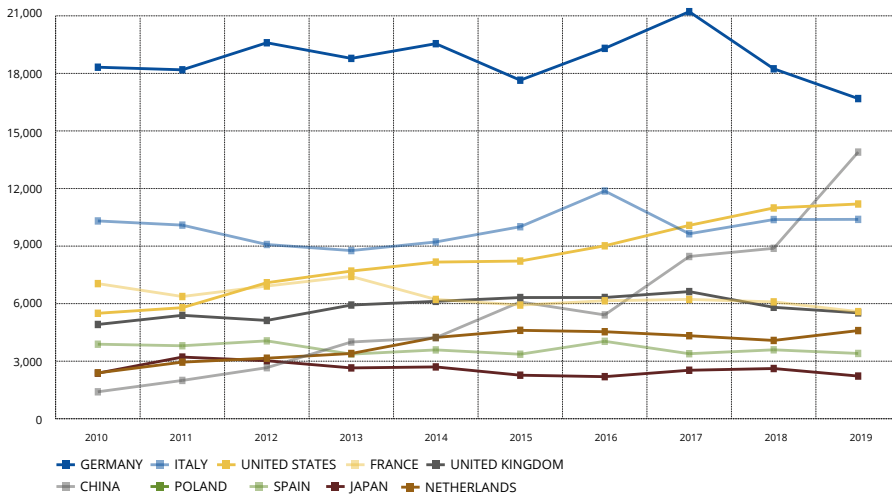
However, a dynamic analysis of the annual evolution of the Direct filing volumes by different countries or blocs reveals important changes and the emergence of new trends during the last decade. The EU share fell steadily (**-15%**) while the United States (**+4%**) and China (**+12%**) consistently increased their filing shares, with the Chinese in particular evolving from a small player in 2010 to being the second largest country of origin in 2019.

Dynamic Share of Total Direct RCD Filings
EU vs Non-EU

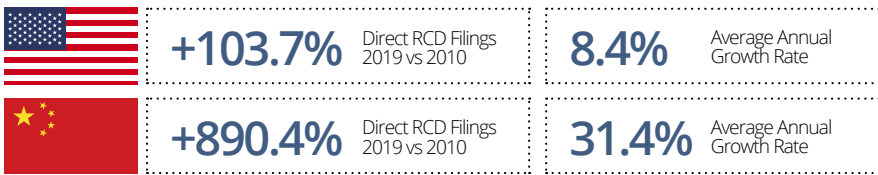


2.2 Top 10 Global Direct Filing Countries

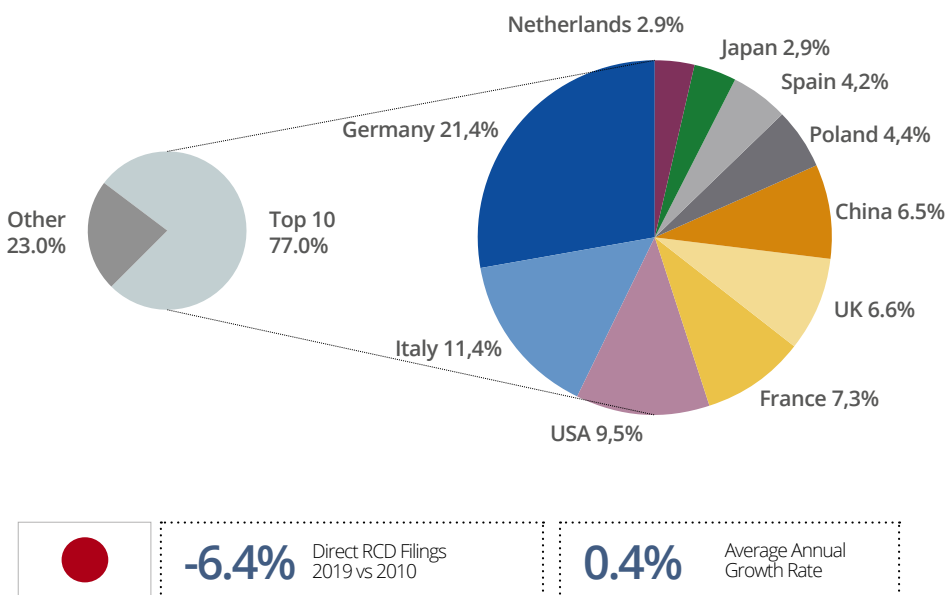
Yearly Evolution of Direct RCD Filings by Top 10 Countries



Within the scope of Direct RCD filings, Germany leads the Top 10 ranking of countries with the most cumulative filings, accounting for **21.4%** of the total, while the five largest EU economies (Germany, United Kingdom, France, Italy and Spain) collectively represent almost **51%** of total Direct filings. Poland and the Netherlands round out the EU portion of the ranking, with Poland's strong **8.0%** average annual growth rate being particularly worth noting as the leading rate amongst EU countries.



Share of Total Direct RCD Filings



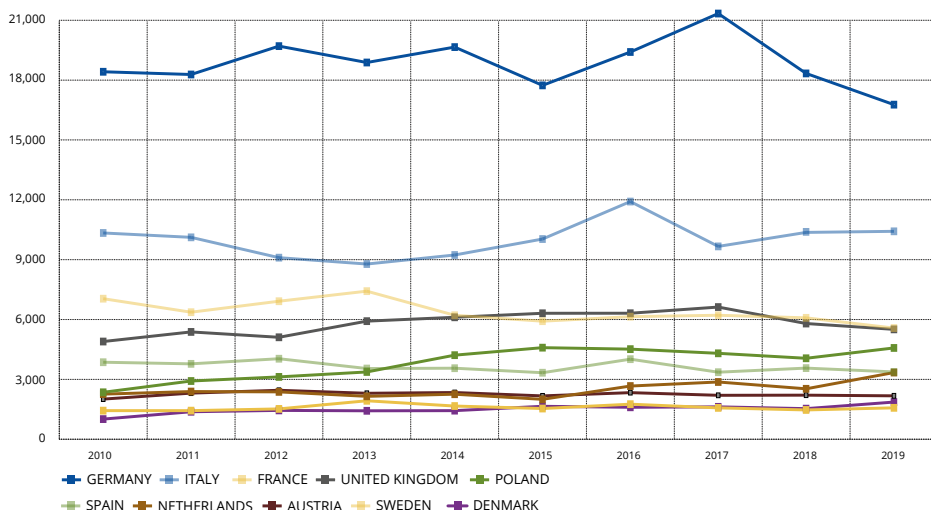
The three remaining Top 10 countries correspond to the world's three largest economies, with the United States of America, the People's Republic of China and Japan respectively occupying the third, sixth and ninth positions in the ranking. Within this microcosm, the remarkable growth rates of filings from the United States and China are worth noting, with the former increasing filings by **103.7%** and the latter experiencing growth of **890.4%** when comparing the 2019 and 2010 filing volumes.

Rank	Country	Volume	%
1	Germany	186,959	21.4%
2	Italy	99,450	11.4%
3	United States	83,470	9.5%
4	France	63,733	7.3%
5	United Kingdom	57,882	6.6%
6	China	56,846	6.5%
7	Poland	38,157	4.4%
8	Spain	36,368	4.2%
9	Japan	25,712	2.9%
10	Netherlands	25,118	2.9%
-	Other Countries	201,020	23.0%
-	All Countries	874,715	100.0%

Top 10 Countries Accounted for **77.0%** Of all Direct RCD Filings

2.3 Top 10 European Union Direct Filing Countries

Yearly Evolution of EU Direct RCD Filings by Top 10 EU Countries

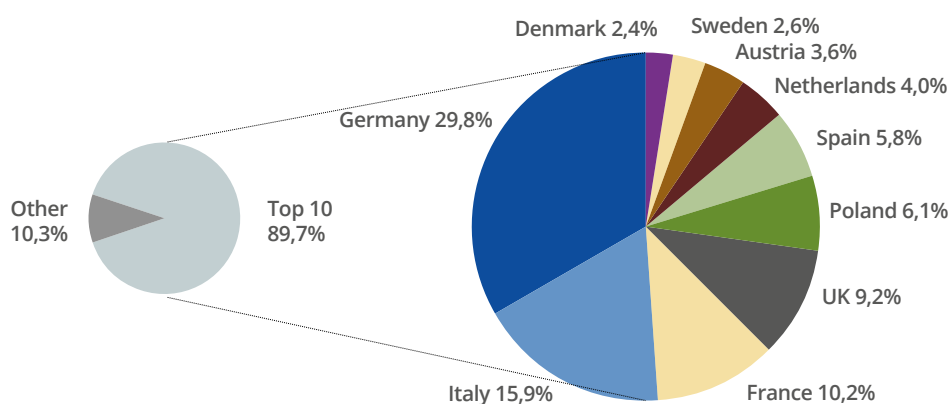


The seven EU countries that comprise the Global Top 10 countries ranking are joined by Austria, Sweden and Denmark in the EU version of the ranking. Although the five largest EU economies represent half of all Direct RCD filings, their filing behaviour trends during the last decade were either marked by significant negative growth (France), slightly negative growth (Germany and Spain), or stagnation (Italy), with only the United Kingdom demonstrating moderate positive growth.

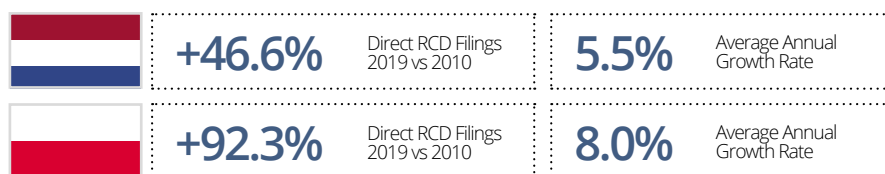
 **-20.7%** Direct RCD Filings 2019 vs 2010

-2.2% Average Annual Growth Rate

Share of EU Direct RCD Filings



The performance of the other members of the EU ranking during the last ten years was highly progressive, with countries like Poland (+8.0% Average Annual Growth (AAG)), Denmark (+7.4 AAG) and the Netherlands (+5.5% AAG) all demonstrating robust growth trends. Austria and Sweden had more moderately positive average annual growth rates but still increased filings by at least 8%, when comparing their 2019 and 2010 filing volumes.



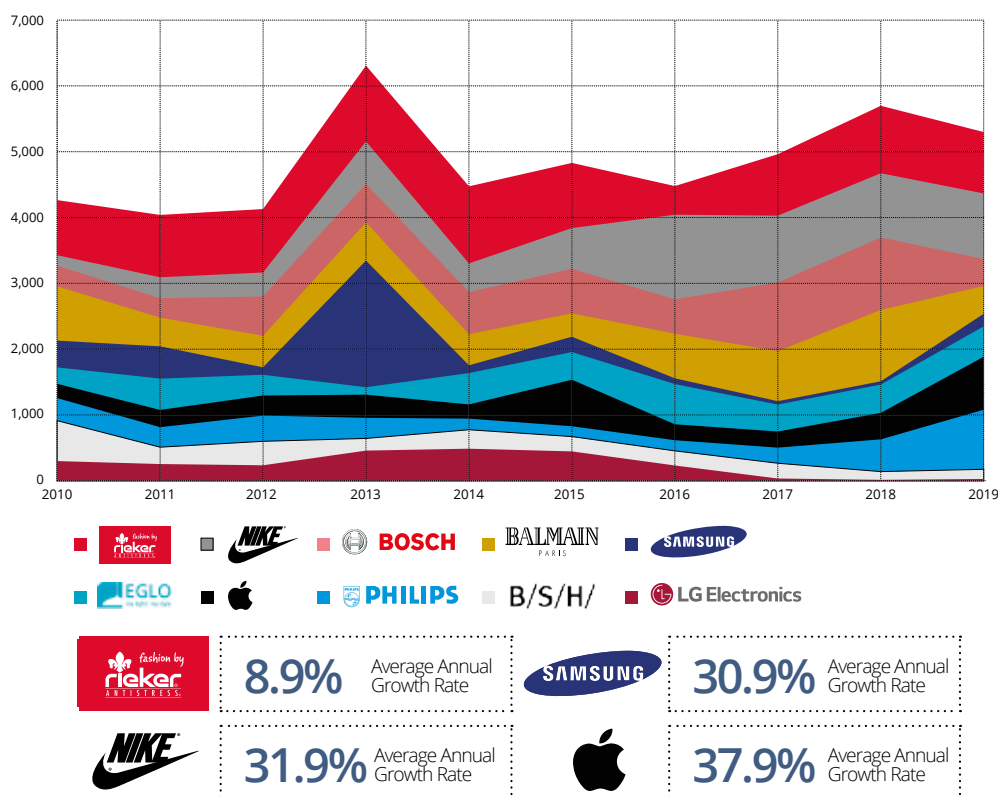
Rank	Country	Volume	%
1	Germany	186,959	29.8%
2	Italy	99,450	15.9%
3	France	63,733	10.2%
4	United Kingdom	57,882	9.2%
5	Poland	38,157	6.1%
6	Spain	36,368	5.8%
7	Netherlands	25,118	4.0%
8	Austria	22,822	3.6%
9	Sweden	16,269	2.6%
10	Denmark	15,353	2.4%
-	Other EU Countries	64,755	10.3%
-	All EU Countries	626,866	100.0%

Top 10 EU Countries Accounted for **89.7%** Of all EU Direct RCD Filings

2.4 Top 10 Global Direct Filing Applicants

Cumulative Yearly Evolution of Direct RCD Filings by Top 10 Applicants

The Top 10 Direct RCD applicants from 2010 to 2019 collectively represent **5.9%** of overall Direct RCD filings and are all global leaders in design intensive industries and commercial sectors such as: clothing, footwear, apparel and accessories; consumer electronic goods; home appliances; lighting apparatus and fixtures.



It is worth noting that half of the positions in the ranking are held by non-EU enterprises, with the Swiss footwear and accessories company Rieker Schuh leading the way, followed by the American multinational footwear, apparel, sports equipment and accessories corporation Nike. Third and fourth place are held by the German multinational engineering and electronics company Robert Bosch and the French fashion house Pierre Balmain. The South Korean electronics company Samsung Electronics follows in fifth place, with the non-EU portion of the ranking being completed by Apple (American multinational technology company) and LG Electronics (also from South Korea).

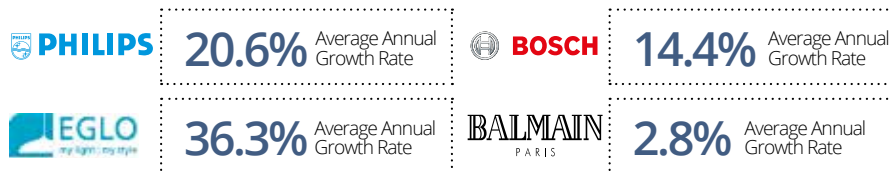
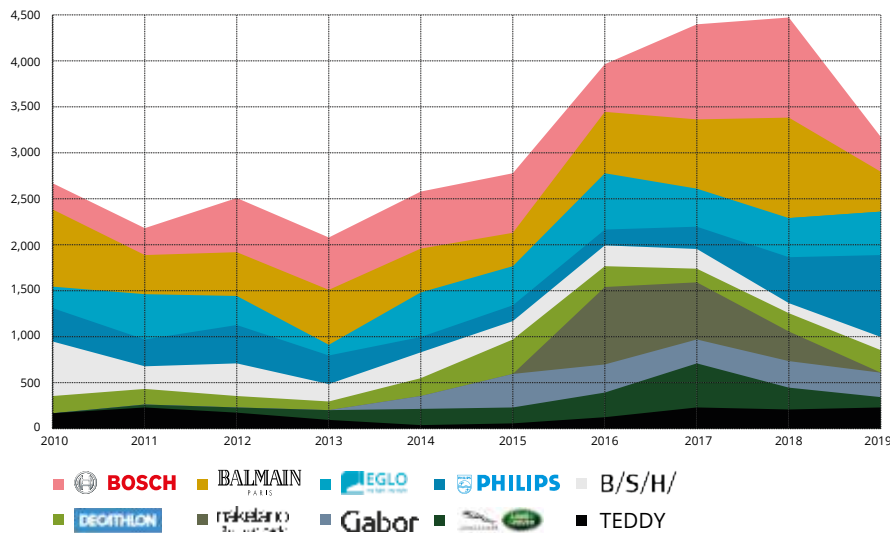
The Austrian lighting apparatus and fixtures company EGLO Leuchten and the Dutch multinational conglomerate Philips (currently focused in the area of health technologies) also represent the EU, while Robert Bosch actually has a dual presence in the ranking, given that BSH Hausgeräte, the largest manufacturer of home appliances in Europe and one of the leading companies in the sector worldwide, is a wholly owned subsidiary.

Top 10 Applicants accounted for 5.9% of all Direct RCD Filings

Rank	Applicant	Volume
1	Rieker Schuh	9,388
2	Nike	6,818
3	Robert Bosch	6,181
4	Pierre Balmain	6,094
5	Samsung Electronics	5,743
6	EGLO Leuchten	3,962
7	Apple	3,753
8	Philips	3,471
9	BSH Hausgeräte	2,658
10	LG Electronics	2,496

2.5 Top 10 European Union Direct Filing Applicants

Cumulative Yearly Evolution of EU Direct RCD Filings by Top 10 EU Applicants



Apart from the EU companies described in the previous section, the French sporting goods retailer Decathlon has over **1,500** stores in **49** countries and is the largest sporting goods retailer in the World. Naketano is a well-known German clothing and accessories brand with a large international market, while Gabor Shoes is a German family owned corporation and one of the largest shoe manufacturers in Europe. The British multinational automotive company Jaguar Land Rover designs, develops manufactures and sells motor vehicles in various countries, whereas Teddy is an Italian clothing, apparel and accessories manufacturer, wholesaler and retailer that also operates internationally.

Top 10 EU Applicants accounted for **4.9%** of all EU Direct RCD Filings

Rank	Applicant	Volume
1	Robert Bosch	6,181
2	Pierre Balmain	6,094
3	EGLO Leuchten	3,962
4	Philips	3,471
5	BSH Hausgeräte	2,658
6	Decathlon	1,963
7	Naketano	1,802
8	Gabor Shoes	1,649
9	Jaguar Land Rover	1,596
10	Teddy	1,564

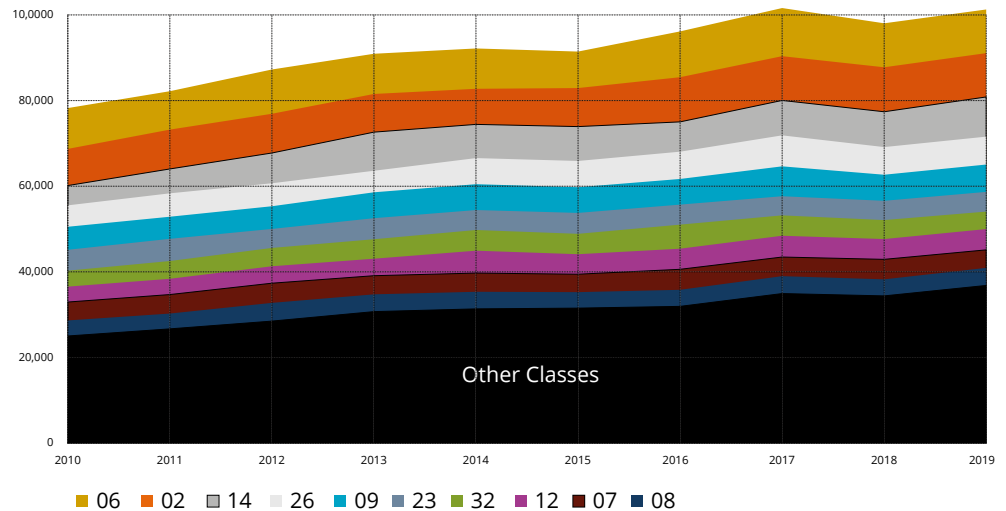
The five EU applicants that comprise the Global Top 10 applicants ranking are joined by an additional five EU companies in the EU version of the ranking. As a whole, the Top 10 EU applicants represent an interesting cross section of some of the most important industrial and commercial sectors in the European Union that extensively utilise Intellectual Property in general and designs in particular.

The majority of the EU Top 10 applicants had robust positive growth during the last decade, as is evidenced in the elevated growth rates of companies like EGLO Leuchten (+36.3% AAG), Philips (+20.6% AAG), Teddy (+18.3% AAG), Robert Bosch (+14.4% AAG) and Decathlon (+13.0% AGG). The two exceptions to this macro trend were BSH Hausgeräte (-6.3% AAG) and Naketano, which only submitted Direct RCD filings during the three year period from 2016 to 2018.

2.6 Top 10 Global Direct Filing Classes

Cumulative Yearly Evolution of Direct RCD Class Filings

Direct RCD filings between 2010 and 2019 included **919,385** associated classes of the Locarno Classification. **Class 6** (Furnishing) tops the ranking, followed by **Class 2** (Articles of clothing and haberdashery), with both classes having more than **90,000** filings. Third place is occupied by **Class 14** (Recording, telecommunication or data processing equipment), which had the highest average annual growth rate (**9.1%**) amongst the Top 10 classes. The top three classes accounted for nearly **30%** of total Direct filings while the Top 10 collectively represents two-thirds (**2/3**) of all filed classes.



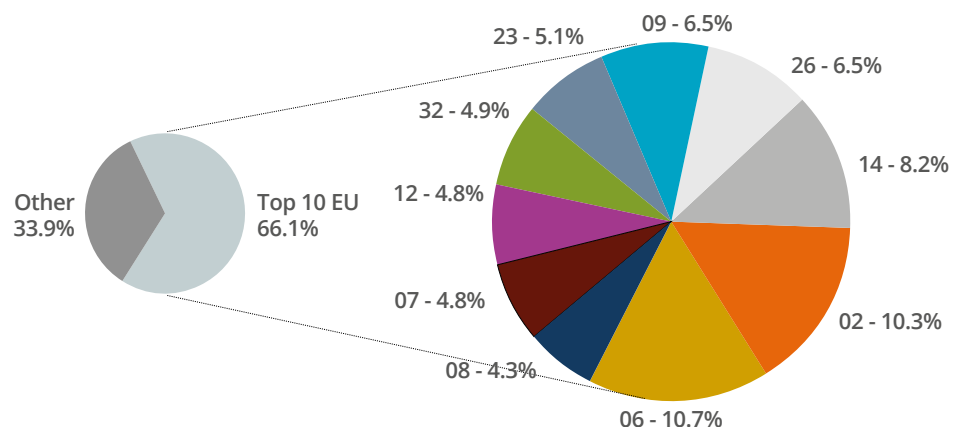
919,385 Direct RCD Class Filings
2010 to 2019

+29.4% Direct RCD Class Filings
2019 vs 2010

Class 14 +100.6% Direct RCD Class Filings
2019 vs 2010

Class filings for products such as lighting apparatus (**Class 26**) and means of transport or hoisting (**Class 12**) experienced strong growth, while other classes such as **Class 7** (Household goods, not elsewhere specified) and **Class 8** (Tools and hardware) grew at lower rates.

Share of Total Direct RCD Class Filings



Class 26 +30.3% Direct RCD Class Filings
2019 vs 2010

Rank	Class	Locarno Class Headings ¹	Volume	%
1	06	Furnishing	98,569	10.7%
2	02	Articles of clothing and haberdashery	94,569	10.3%
3	14	Recording, telecommunication or data processing equipment	74,948	8.2%
4	26	Lighting apparatus	59,695	6.5%
5	09	Packages and containers for the transport or handling of goods	59,373	6.5%
6	23	Fluid distribution equipment, sanitary, heating, ventilation and air conditioning equipment, solid fuel	47,218	5.1%
7	32	Graphic symbols and logos, surface patterns, ornamentation	45,216	4.9%
8	12	Means of transport or hoisting	44,483	4.8%
9	07	Household goods, not elsewhere specified	44,361	4.8%
10	08	Tools and hardware	39,165	4.3%
-	-	Other Classes	311,788	33.9%
-	-	All Classes	919,385	100.0%

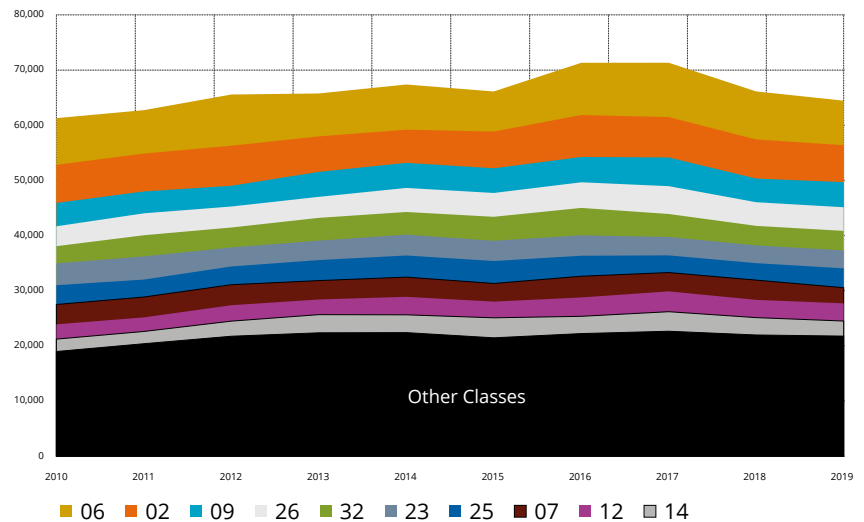
1 - Full Class Headings available in Annex

Top 10 Classes Accounted for **66.1%** Of all Direct RCD Class Filings

2.7 Top 10 European Union Direct Filing Classes

Cumulative Yearly Evolution of EU Direct RCD Class Filings

A comparative analysis between the Global Top 10 filing classes and the EU version of the ranking reveals various common trends and some noteworthy differences. Firstly, the vast majority of the same classes are present in both rankings, albeit with some variation in positioning, share and growth rates. However, the first and second positions identically coincide, with **Class 6** and **Class 2** leading the way. The majority of classes either demonstrated moderate positive average annual growth or stagnation, although **Classes 23** and **7** actually had slightly negative growth during the last decade.

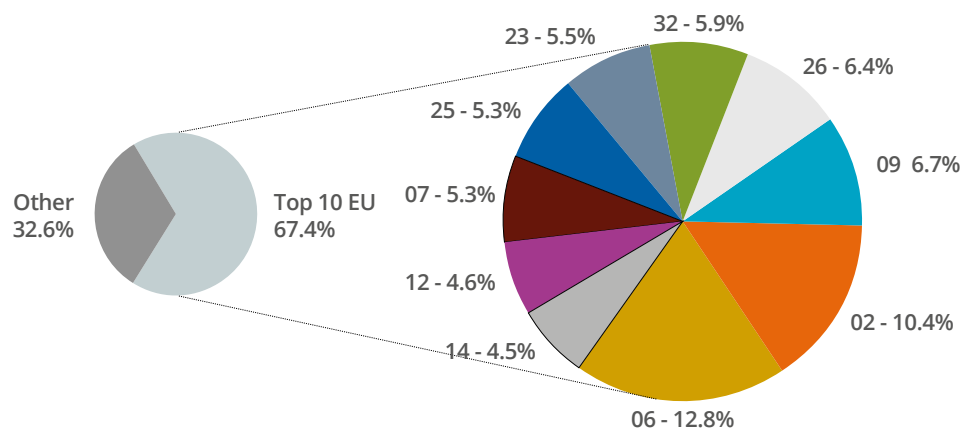


662,068 EU Direct RCD Class Filings
2010 to 2019

+5.2% EU Direct RCD Class Filings
2019 vs 2010

Class 14 +21.5% EU Direct RCD Class Filings
2019 vs 2010

Share of Total EU Direct RCD Class Filings



Class 26 +18.9% EU Direct RCD Class Filings
2019 vs 2010

The most relevant difference between the rankings concerns **Class 14**, which holds the third position globally (**8.2%** share) but only appears in tenth place (**4.5%** share) in the EU ranking. This may be correlated with the dominance of non-EU companies in the global computer and smartphone markets.

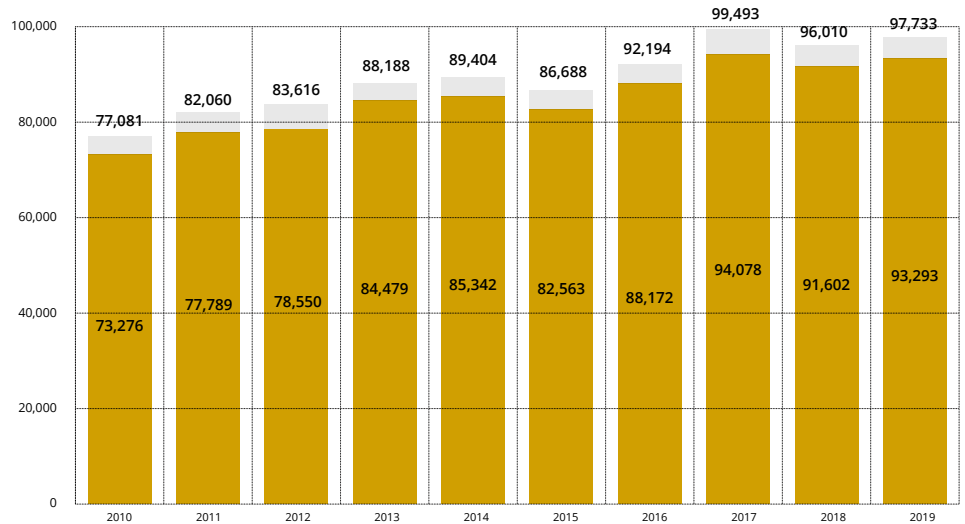
Rank	Class	Locarno Class Headings ²	Volume	%
1	06	Furnishing	85,017	12.8%
2	02	Articles of clothing and haberdashery	68,806	10.4%
3	09	Packages and containers for the transport or handling of goods	44,140	6.7%
4	26	Lighting apparatus	42,148	6.4%
5	32	Graphic symbols and logos, surface patterns, ornamentation	39,371	5.9%
6	23	Fluid distribution equipment, sanitary, heating, ventilation and air conditioning equipment, solid fuel	36,098	5.5%
7	25	Building units and construction elements	35,082	5.3%
8	07	Household goods, not elsewhere specified	34,974	5.3%
9	12	Means of transport or hoisting	30,605	4.6%
10	14	Recording, telecommunication or data processing equipment	29,919	4.5%
-	-	Other EU Classes	215,908	32.6%
-	-	All EU Classes	662,068	100.0%

2 - Full Class Headings available in Annex

Top 10 EU Classes Accounted for **67.4%** Of all EU Direct RCD Class Filings

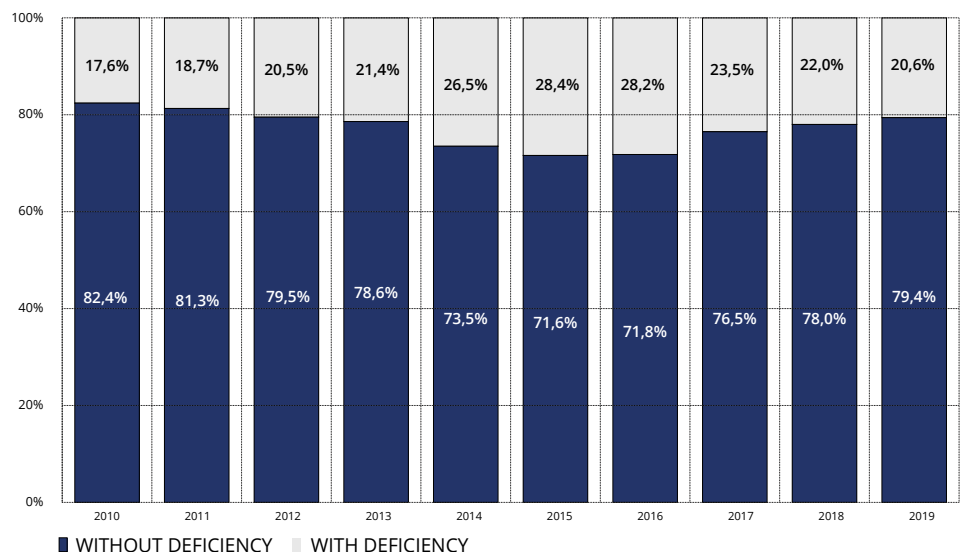
3. EXAMINATION OF RCD FILINGS

RCD applications are mainly examined for formalities such as proper filing languages, correct owner and/or representative data, clear representations and consistent views of the product(s) for which protection is sought and the full payment of the appropriate fees. The substantive examination is limited to the verification that the application is for a design, as defined in Article 3 of the Community Design Regulation (CDR), and that the design is not contrary to public policy or morality.

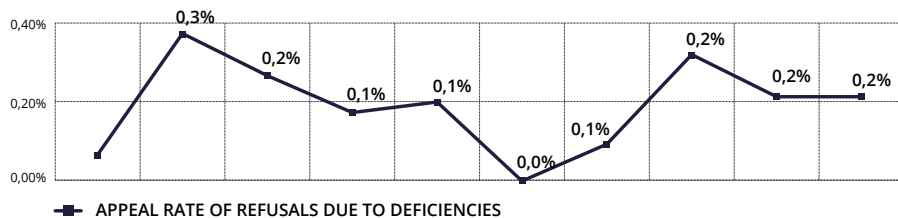


95.1% Average Registration Rate Examined Direct RCD Filings

If everything is in order, the design is registered and published immediately or following the deferment period. If the application does not meet all the formal and substantive requirements, an objection (usually called a 'deficiency letter', which sets a time limit to respond) will be raised and communicated to the owner or representative. This may lead to the amendment of the application or to its refusal if the objections raised are not dealt with. Failure to reply to the deficiency letter within the time limit (usually 2 months) can also lead to the refusal of the application, to the deletion of drawings or pictures depicting certain views of the design or to the loss of the claim of the priority right, if invoked.



22.7% Average Deficiency Rate Examined Direct RCD Filings

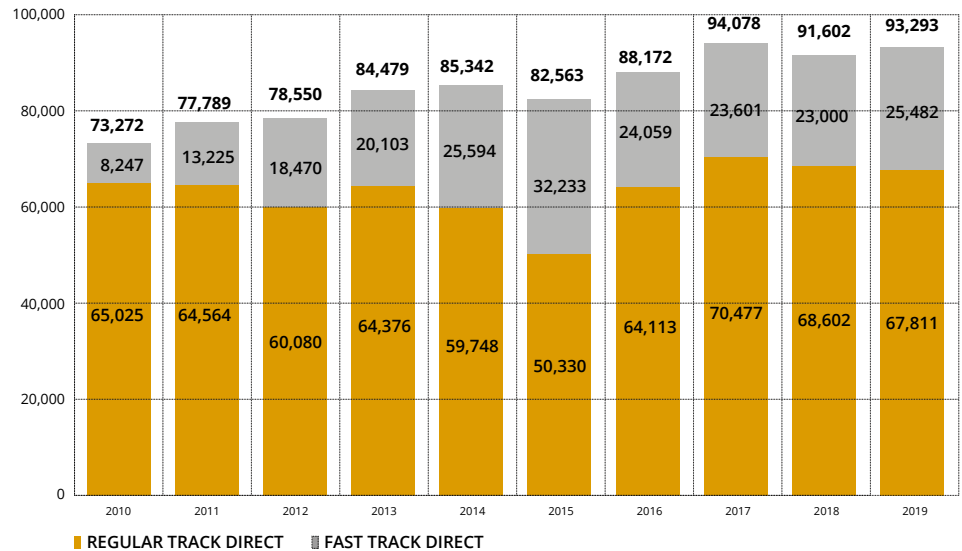


Although on average **22.7%** of all examined designs had at least one detected deficiency, the vast majority of these were corrected by applicants, as is evidenced by the corresponding average registration rate of **95.1%**. Refusal decisions were generally accepted without further actions, given the extremely low appeal rate (less than **1%** of refusals) to the EUIPO Boards of Appeal.

4. RCD REGISTRATIONS

4.1 Direct Registration Volumes & Timeliness

The robust growth in overall RCD filings during the last decade was reflected in the number of successful Direct RCD registrations, which grew at an average annual rate of **2.8%** and had an overall growth rate of **27.3%** when comparing the 2019 and 2010 filing volumes.



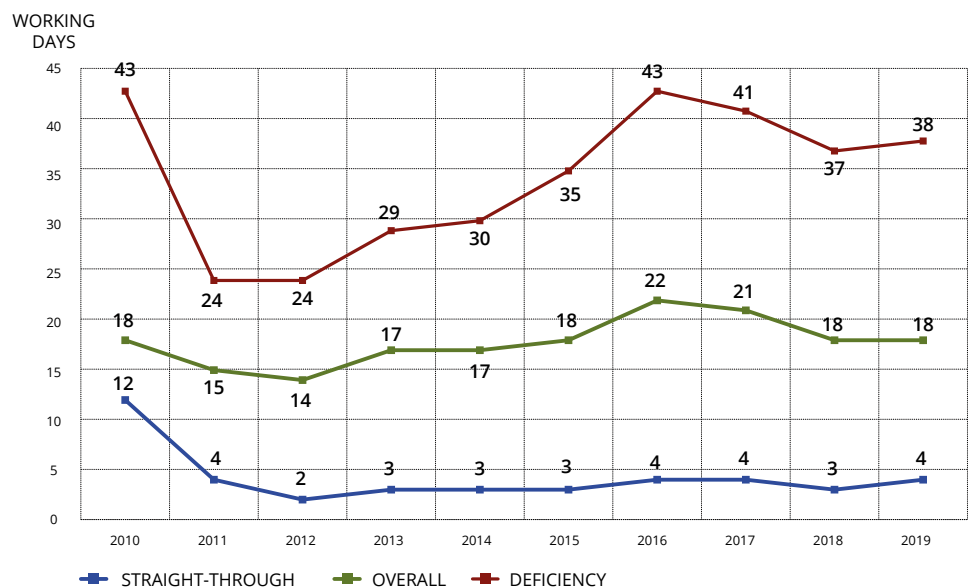
849,140 Direct RCD Registrations
2010 to 2019

+27.3% Direct RCD Registrations
2019 vs 2010

2.8% Average Annual
Growth Rate

Straight-through Direct filings (without examination deficiencies) improved their timeliness by **66.7%** by lowering their average filing to registration time from **12** working days in 2010 to **4** working days in 2019.

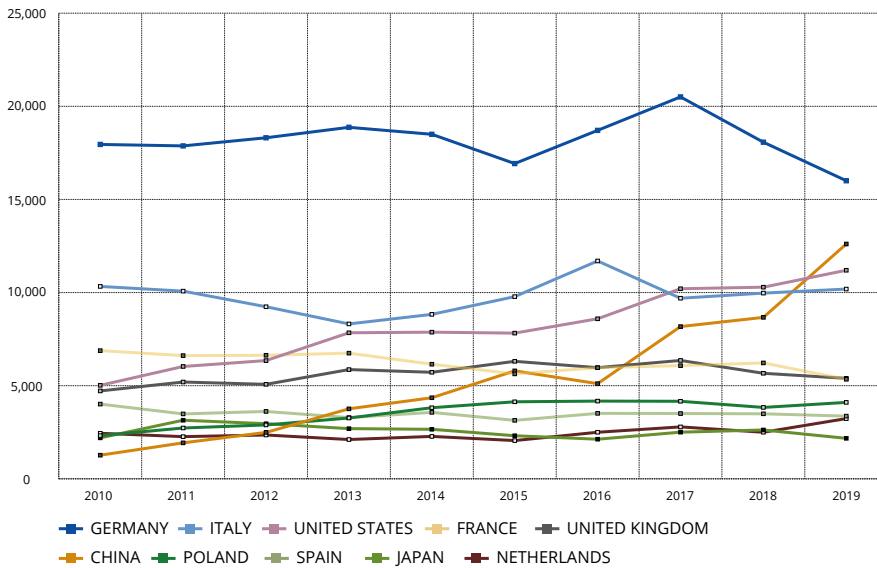
After the registration timeliness of filings with deficiencies improved drastically from 2010 to 2012, and then steadily increased from 2013 until 2016, figures finally returned below the highest level (**43** working days) in 2017. However, it is worth noting that the percentage of examined Direct filings with deficiencies increased approximately **5%** during the last ten years, which may partially explain the lack of sustained timeliness gains.



66.7% Reduction in time from Direct RCD Filing
to Registration (Straight-through)
2019 vs 2010
(8 working days)

4.2 Top 10 Global Direct Registration Countries

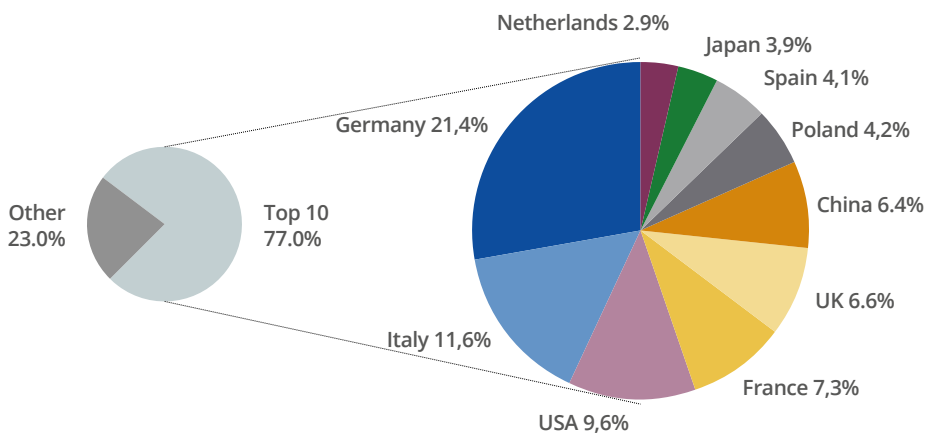
Yearly Evolution of Direct RCD Registrations by Top 10 Countries



The Top 10 countries with the most cumulative Direct RCD registrations coincide in composition with the Top 10 Direct RCD country filings, with all positions being identical. Once again, growth rates for some countries are noteworthy when comparing the 2019 and 2010 Direct RCD Registrations, with the United States experiencing a growth of **123.1%** and China showing an increase of **892.7%**.



Share of Total Direct RCD Registrations



The distribution of Direct registrations mimics the observed pattern for Direct filings, with variations of less than **1%** for all the Top 10 countries, both individually versus each other and collectively as opposed to all the other countries with registrations during the last ten years.

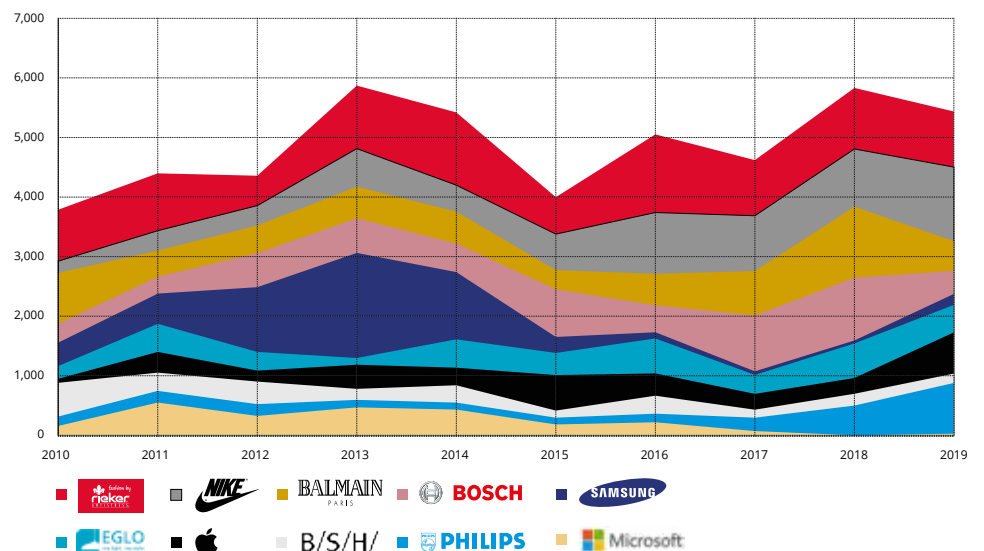
Rank	Country	Volume	%
1	Germany	181,716	21.4%
2	Italy	98,127	11.6%
3	United States	81,227	9.6%
4	France	62,282	7.3%
5	United Kingdom	56,275	6.6%
6	China	54,166	6.4%
7	Poland	35,443	4.2%
8	Spain	34,997	4.1%
9	Japan	25,410	3.0%
10	Netherlands	24,536	2.9%
-	Other Countries	194,961	23.0%
-	All Countries	849,140	100.0%



Top 10 Countries Accounted for **77.0%** Of all Direct RCD Class Registrations

4.3 Top 10 Global Direct Registration Owners

Cumulative Yearly Evolution of Direct RCD Registrations by Top 10 Owners

When comparing the Top 10 ranking of owners of Direct RCD registrations and the Top 10 Direct applicants during the last decade, some slight variations in the order of the two rankings are evident. Although the first two positions are identically occupied by Rieker Schuh and Nike, Pierre Balmain and Robert Bosch swap positions in third and fourth place, while Microsoft replaces LG Electronics, which narrowly misses the Top 10, finishing in eleventh place.



	+439.2% Direct RCD Registrations 2019 vs 2010	28.2% Average Annual Growth Rate
	+917.6% Direct RCD Registrations 2019 vs 2010	72.7% Average Annual Growth Rate

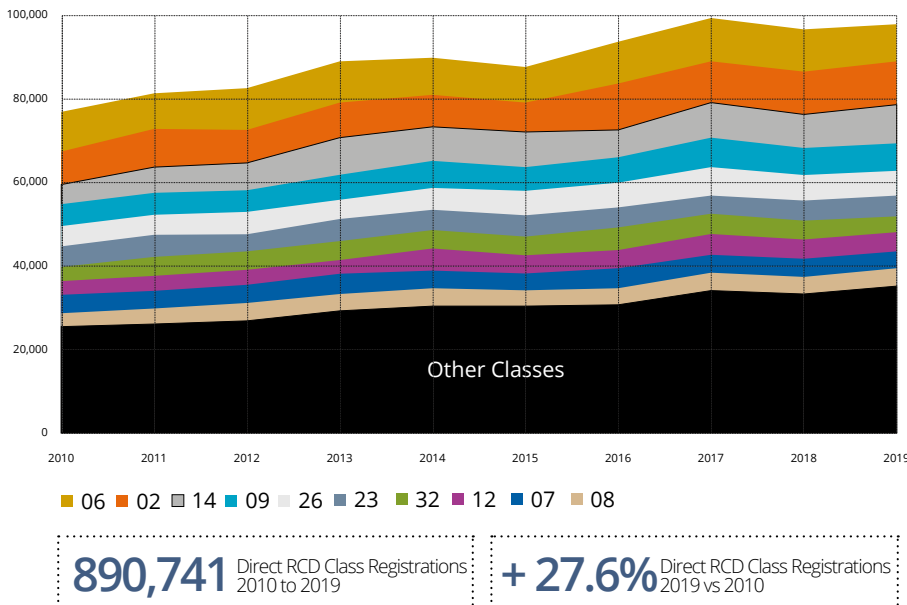
Apple and Nike significantly increased their ownership of registered designs, reflected in vigorous growth rates, well above the overall averages. This trend was also seen in some EU firms such as Philips, EGLO Leuchten and Robert Bosch; whereas the other companies in the Top 10 experienced more modest average annual growth rates.

Rank	Owner	Volume
1	Rieker Schuh	9,432
2	Nike	6,721
3	Pierre Balmain	6,102
4	Robert Bosch	5,874
5	Samsung Electronics	5,546
6	EGLO Leuchten	3,908
7	Apple	3,493
8	BSH Hausgeräte	2,637
9	Philips	2,629
10	Microsoft	2,432

Even though the Top 10 owners merely represent **5.7%** of overall Direct RCD registrations from 2010 to 2019, it is worth noting that within this microcosm, enterprises based in the EU account for **43.4%** of registrations, although the addition of Swiss-based Rieker Schuh takes the total European share up to **62.7%**. North American firms claim **25.9%** of registrations, while the lone Asian company in the Top 10 (Samsung Electronics) comprises the remaining **11.4%**.

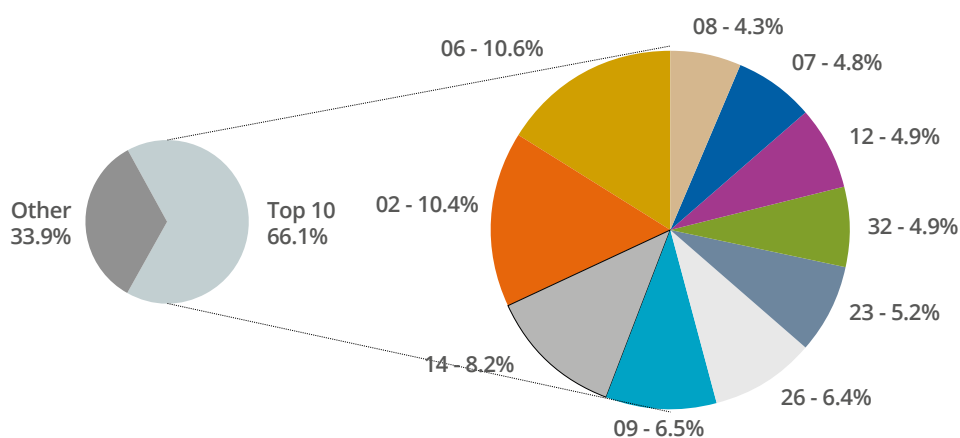
4.4 Top 10 Global Direct Registration Classes

Cumulative Yearly Evolution of Direct RCD Class Registrations



The strong link between Direct RCD class filings and Direct RCD class registrations is evident by the nearly identical nature in both composition and order of the two respective Top 10 cumulative class rankings for the 2010 to 2019 period. **Class 14** (Recording, telecommunication or data processing equipment) had the largest growth rates, possibly driven by the ever-expanding global market demand for computers, smartphones, tablets and similar devices.

Share of Total Direct RCD Class Registrations


Class 14
+ 111.6% Direct RCD Registrations
 2019 vs 2010

9.9% Average Annual
 Growth Rate

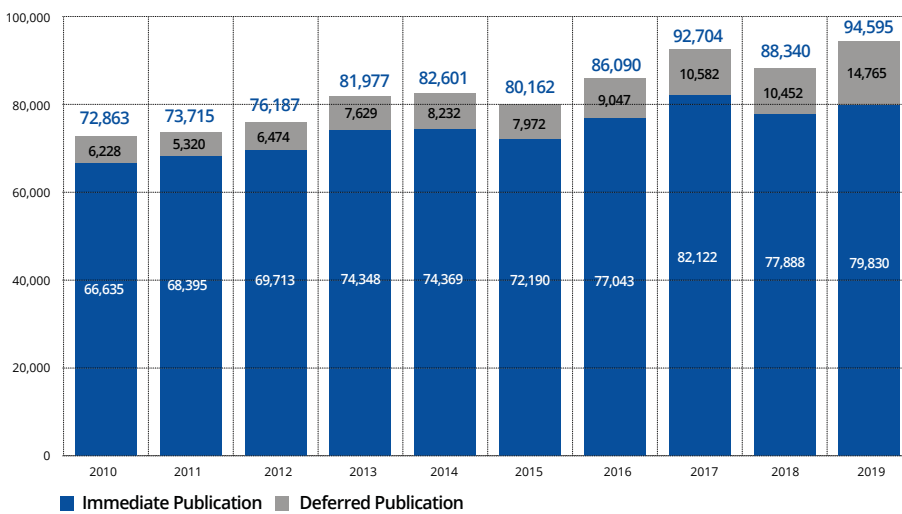
 3 - Full Class
 Headings
 available in
 Annex

Rank	Class	Locarno Class Headings ³	Volume	%
1	06	Furnishing	94,331	10.6%
2	02	Articles of clothing and haberdashery	92,715	10.4%
3	14	Recording, telecommunication or data processing equipment	72,610	8.2%
4	09	Packages and containers for the transport or handling of goods	57,696	6.5%
5	26	Lighting apparatus	57,434	6.4%
6	23	Fluid distribution equipment, sanitary, heating, ventilation and air conditioning equipment, solid fuel	45,893	5.2%
7	32	Graphic symbols and logos, surface patterns, ornamentation	43,878	4.9%
8	12	Means of transport or hoisting	43,477	4.9%
9	07	Household goods, not elsewhere specified	42,995	4.8%
10	08	Tools and hardware	37,981	4.3%
-	-	Other Classes	301,731	33.9%
-	-	All Classes	890,741	100.0%

Top 10 Classes
 Accounted for **66.1%** Of all
 Direct RCD Class Registrations

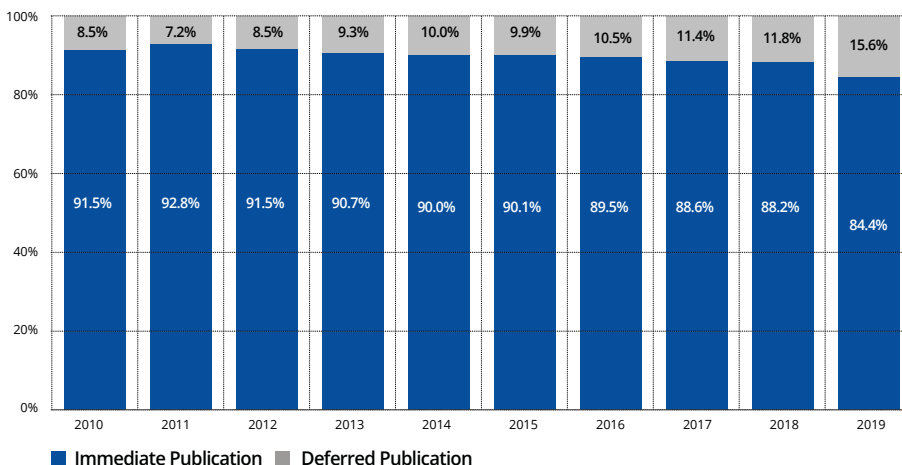
5. PUBLICATION OF RCD REGISTRATIONS

After successfully completing the registration process, Direct RCD registrations are either immediately published or subject to deferment of publication for up to 30 months from the filing date or from the date of the earliest priority claimed. Where an application contains a request for deferment of publication, only very basic details (design number, filing date, registration date and the names of the applicant and the representative, if any) are published in Part A.2 of the Community Designs Bulletin. The substance of the design (views, indication of product and classification) remains confidential. This period of confidentiality affords the applicant an opportunity to further develop their marketing strategy or to finalise their preparations for production without competitors being aware of the design(s) in question.



829,234 Published Direct RCD Registrations 2010 to 2019

If at any time within the period of 30 months the applicant wishes to cancel the deferment, they can do so by asking the EUIPO to publish the design. This grants designers and businesses a great deal of control over their creations. At the end of the deferment period, the holder or their representative is responsible for requesting the full publication by paying the publication fees. If the holder fails to do so before the deadline (27 months at the latest from the date of filing or from the date of priority, if any), the Registered Community Design right will not be published and will be lost.



10.3% Average Deferred Publication Rate Direct RCD Registrations - 2010 to 2019

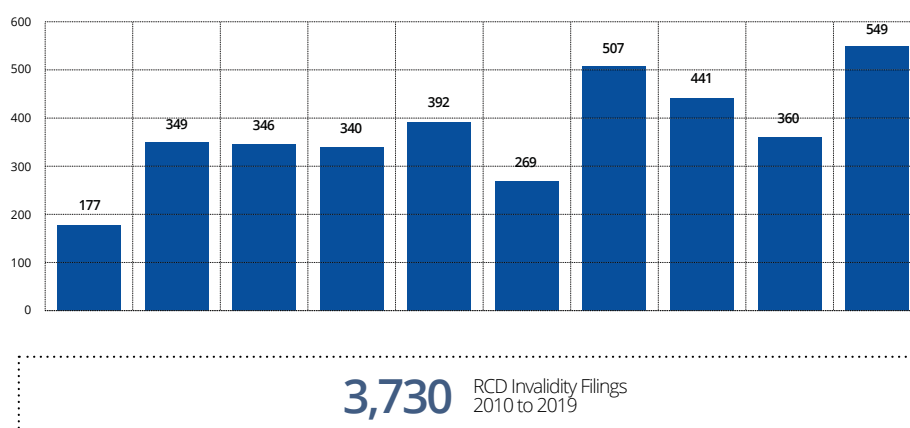
From 2010 to 2019, approximately **nine out of every ten** Direct RCD registrations were immediately published after being registered, with the remaining registration being published at a later date. The Office is not responsible for publishing international registrations designating the European Union, as this falls under the jurisdiction of the World Intellectual Property Organisation (WIPO).

6. RCD INVALIDITIES

During the registration process, the substantive examination is limited to the verification that the application is for a design and that the design is not contrary to public policy or morality. The Office does not, of its own motion, check whether the design is new or if it possesses individual character. Third parties can request that designs be declared invalid, although the invalidity procedure can only be launched once designs have been registered.

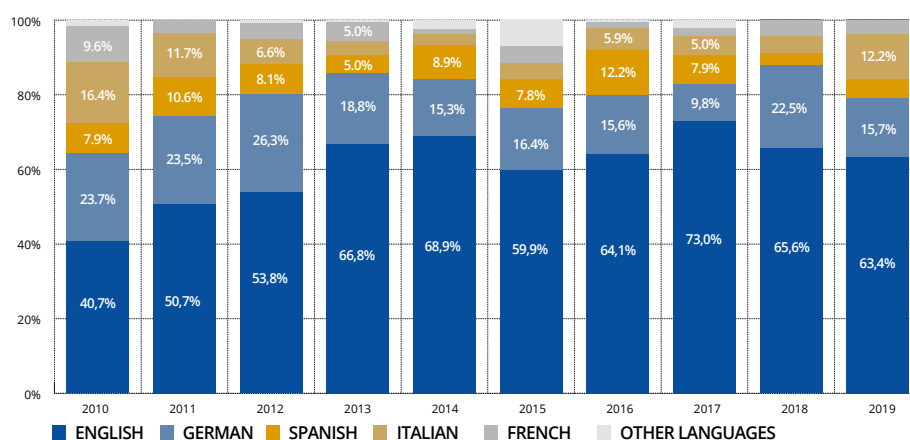
Applications for invalidity may be made to the EUIPO by any natural or legal person, as well as by a public authority empowered to do so. The procedure is *inter partes*; the action is between the holder and the opposing party who is requesting the invalidation of the design. The EUIPO's Invalidation Division organises the procedure and when it considers that the submissions and evidence provided are admissible and sufficient, it renders a decision on the case.

RCD Invalidation Filings



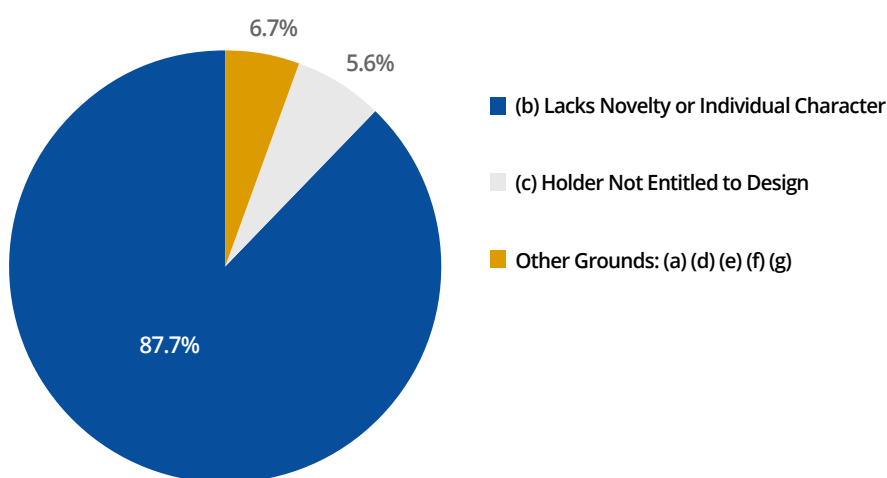
Between 2010 and 2019, more than **3,700** RCD invalidity procedures were filed, with the average annual growth rate of **20.9%** being aligned with the general increase in RCD filings during the last ten years, although this figure was highly influenced by the spikes that occurred in 2011 and 2016, where positive variations greater than **80%** in relation to the previous year's volumes were observed.

Invalidity proceedings may be undertaken in any of the official EU languages, as long as both parties are in agreement. However, the vast majority are carried out using one of the five working languages of the Office (English, French, German, Italian and Spanish), with English consistently being the most common language, having increased its share from **40.7%** in 2010 to **63.4%** in 2019.



Community designs may be declared invalid on the basis of the grounds described in Article 25 of the Community Design Regulation (CDR). The vast majority (**87.7%**) of the invoked grounds found in invalidity actions filed during the last decade concern claims by applicants that the contested designs lack novelty or do not possess individual character (Article 25 (1) (b) CDR). Claims that holders are not entitled to the contested designs (Article 25 (1) (c) CDR) accounted for **6.7%** of invoked grounds, with the remaining **5.6%** being distributed amongst the other existing grounds.

Types of Grounds invoked in RCD Invalidation Filings Article 25 (1) CDR



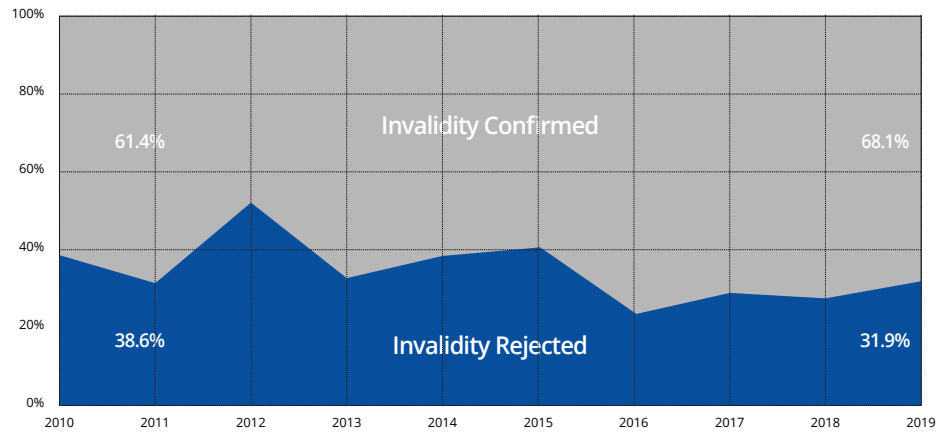
Invalidation procedures come to an end when one of the parties (or both) decide(s) to terminate the proceedings (because the parties have reached an amicable settlement, because the invalidity applicant withdraws their application or because the owner surrenders the Community design) or because the EUIPO issues a decision that concludes the proceedings, generally with two possible outcomes:

Invalidation Rejected: The RCD is not declared invalid (The applicant pays representation costs to the RCD owner – typically €400.)

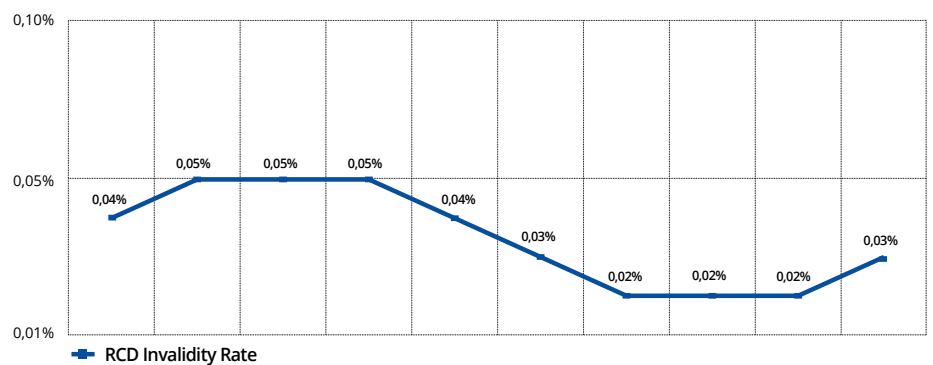
Invalidation Confirmed: The RCD is declared invalid (The RCD owner pays costs to the applicant – typically €750, made up of €350 for the invalidity application fee and €400 for representation costs.) A Community design that has been declared invalid will be deemed never to have existed.

The distribution of these outcomes suffered a **6.7%** shift in favour of confirmed invalidities, which grew from **61.4%** of all decisions in 2010 to **68.1%** of the decisions taken in 2019, with an average confirmation rate of **65.4%** during the last decade.

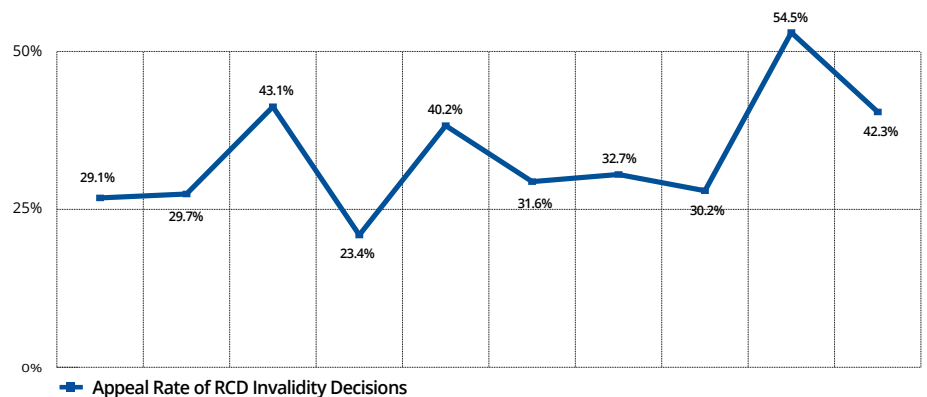
Invalidity Division Decisions on RCD Invalidation Filings



The relatively low annual volume of RCD invalidity filings and subsequent decisions have an extremely limited impact on the overall number of in force Community designs, with no more than **0.05%** of the total in force population being declared invalid during every year of the relevant period.



All invalidity decisions are published online and all adversely affected parties have a right to appeal. The EUIPO Boards of Appeal are responsible for deciding on appeals against first instance decisions taken by the Office concerning RCD and EUTM. Approximately **36%** of RCD invalidity decisions are appealed annually, although the relative proportion may vary considerably from one year to the next, due to the rather small absolute quantity of decisions and appeals.

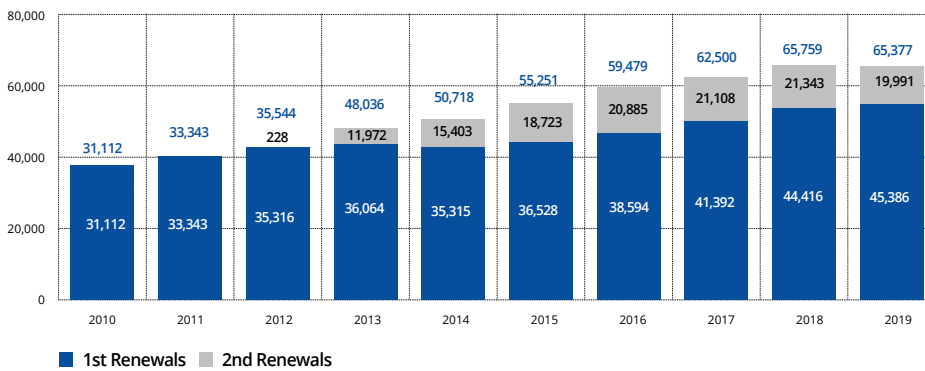


7. RCD RENEWALS

A Registered Community Design is initially valid for five years from the date of filing and can be renewed four times, in blocks of five years, up to a maximum of **25** years. Owners are responsible for ensuring that the time limit for renewal is respected. However, the EUIPO will generally inform owners or their representatives six months before expiry that an RCD is due for renewal. Any other person holding a right to the registered design, e.g. a licensee, will also be informed by the Office.

The renewal form should be submitted and the renewal fee must be paid within the six months preceding the RCD's expiry date. The form may be submitted right up until the last day of the month in which protection ends. An additional six-month grace period for renewal exists after the expiry date, although during this period a supplementary fee of **25%** is charged.

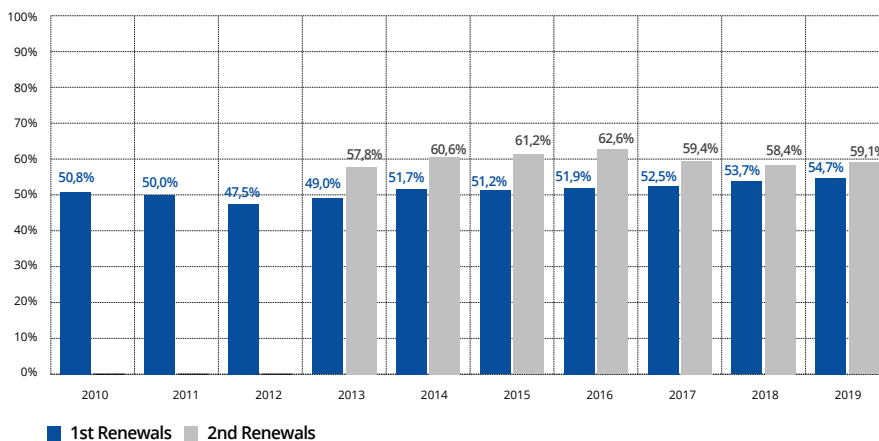
RCD Renewals



507,119 RCD Renewals
2010 to 2019

The 1st renewal rate for a given year represents the proportion of RCD registrations that were renewed vis-à-vis the total volume of RCD registrations filed five years earlier. In 2013, RCD registrations that were originally filed in 2003 (the "birth" year of the RCD) and were still in force after being initially renewed in 2008 became eligible for their second renewal. Of these, **57.8%** were renewed, with similar rates being observed from 2014 to 2019.

RCD Renewal Rates



51.3% Average
1st Renewal Rate

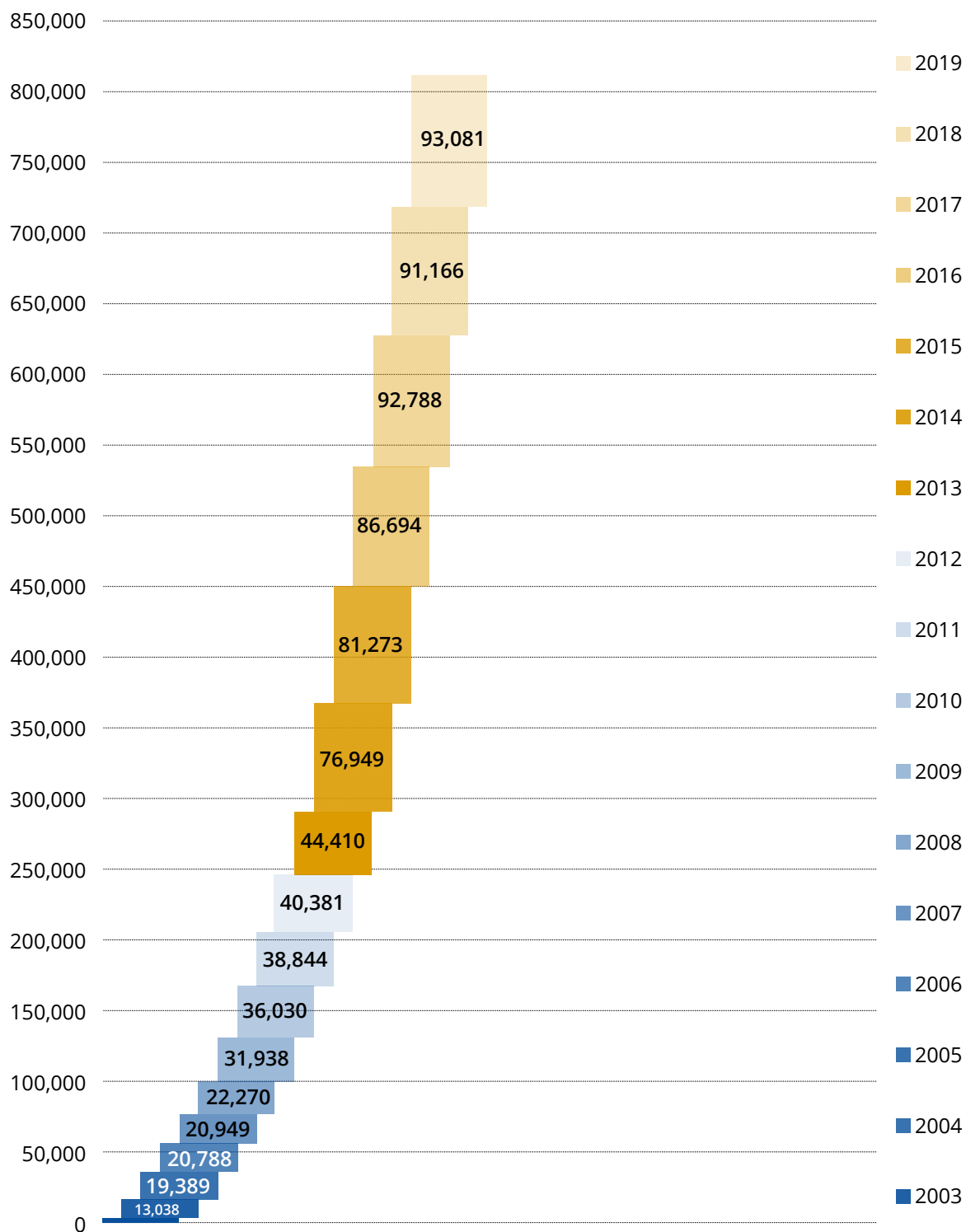
59.9% Average
2nd Renewal Rate

It is important to note that the 2nd renewal ratio considers the volume of registrations that were subjected to a first renewal as the base population (denominator) for the calculation, as opposed to considering the total amount of RCD registrations that were originally filed ten years earlier. If those volumes were taken as the base 100% populations, the 2nd renewal rates would be closer to **30%**.

8. RCD IN FORCE

More than 813,000 Registered Community Designs, containing nearly 826,000 associated Locarno classes, were in force on January 1st, 2020.

In Force Registered Community Designs by Filing Year



9. ANNEX

Class	Locarno Class Headings
02	Articles of clothing and haberdashery
06	Furnishing
07	Household goods, not elsewhere specified
08	Tools and hardware
09	Packages and containers for the transport or handling of goods
12	Means of transport or hoisting
14	Recording, telecommunication or data processing equipment
23	Fluid distribution equipment, sanitary, heating, ventilation and air-conditioning equipment, solid fuel
25	Building units and construction elements
26	Lighting apparatus
32	Graphic symbols and logos, surface patterns, ornamentation

EUIPO Design Focus 2010 to 2019 Evolution

