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UK, Germany and US top first IP Index

James Nurton, London

A new Global IP Index rates the UK, US and Germany as top three major jurisdictions in the world for IP protection, while China is ranked bottom

The Index, which will be regularly updated, ranks the IP regimes of 22 jurisdictions based on robust statistical analysis.

It was prepared by law firm Taylor Wessing, with the support of Managing IP , and is published tomorrow (May 2).

The index uses a mix of 43 objective factors and subjective jurisdiction assessments to rate each jurisdiction in respect of obtaining, exploiting, enforcing and attacking IP rights.

The 43 factors include data on the number of specialist IP judges and lawyers, the number of patent and trade mark filings and the number of patents and trade marks in force.

The 9,333 jurisdiction assessments were provided by 341 senior respondents from all over the world, including CEOs, IP lawyers and in-house counsel. They covered questions such as speed and cost of procedures, availability of specialist advisers and judges, certainty and fairness.

The Index gives each of the 22 jurisdictions a rating out of 1000 in three sub-categories of patents, trade mark and copyright. Each jurisdiction then receives an overall IP rating which places it in one of five tiers.

Despite intended harmonization in the EU, there is wide variance in the positioning of EU member states. While the UK and Germany are in tier 1 and the Netherlands and France in tier 2, Poland and Italy are in tier 4.

India, Brazil, Russia and China - the so-called developing BRIC markets - make up tier 5 in all three sub-categories and the main index. China is ranked bottom in each one.

However, Roland Mallinson, a partner of Taylor Wessing, said China's rank and rating 'may lag behind reality' in



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the light of recent reforms and more effective enforcement.

The highest-ranked Asian country is Singapore, which appears in tier 2. Japan is in tier 3.

Among the best-rated countries, the UK is rated top except in copyright, where it is beaten by the US. The US is rated only sixth out of the 22 countries for trade marks.

The Index was developed by Taylor Wessing in association with Z/Yen Limited, who also worked on the Global Financial Centres Index.

It will be updated regularly and anyone can participate by rating jurisdictions with which they are familiar online .

Mallinson said: 'We expect future reports to show material changes over time. It will be particularly interesting to monitor those changes, more so perhaps than seeing who comes top and bottom at any one time. In particular, the index is not intended to be another stick with which to beat perceived IP-defaulting countries.'

An in-depth analysis of the survey results is published in the May 2008 issue of *Managing IP* , available online to subscribers next week.

ManagingIP

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