

The **i**NTERPATENT newsletter



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INNOVATIVE ITALY RACES AHEAD IN 2025: INDUSTRIAL PATENTS HIT NEW RECORD

The landscape of industrial property in Italy is undergoing an extraordinary transformation. Despite a complex global macroeconomic backdrop, the latest **"Patent Activity Report - Year 2025"** ("[Report Attività Brevettuali - Anno 2025](#)") published by the Italian Patent and Trademark Office (UIBM) describes a national system in high ferment and capable of constant renewal.

The Numbers Behind the Growth

The most striking figure of 2025 concerns **Industrial Inventions**. Patent applications for industrial inventions, the technological heart of IP protection, reached **11,996**, marking a significant **18.2% leap** compared to the previous year.

Utility Models are also growing remarkably (+13.2% with 2,073 filings), proving that the Italian productive fabric continues to find value in "incremental" innovations that improve the functionality of existing products.

This confirms that Italian companies are investing in high-tech solutions; they are no longer content merely to manufacture products, they are rather aiming to 'own' the technical solution. As recently stated by the **Minister of Enterprises and Made in Italy**, Adolfo Urso, *"Italy is accelerating on innovation... This is a tangible sign of the vitality of our companies, research centres, and universities, which continue to turn ideas into value."*

The Map of Ingenuity: Where is Italy Patenting?

The territorial distribution of patents in 2025 mirrors the historical strength of Italy's industrial districts:

- **Lombardy:** Remains the heart of the system, contributing 29.71% of national industrial invention filings.
- **Piedmont:** 20.49%
- **Veneto:** 11.31%

- **Emilia-Romagna:** 10.71%
- **Lazio:** 8.51%
- **Tuscany:** 4.99%

Tech Sectors & The New Academic Frontier

Where is the focus of Italian inventors shifting?
The 2025 report highlights three key pillars:

- 1. Health & Biomedical (33%):** The leading sector, particularly in academic research.
- 2. Chemistry & New Materials (10.2%):** Fundamental to the green transition.
- 3. Machinery & Equipment (8.4%):** The backbone of Italian exports.

A revolutionary shift concerns universities and research bodies: With 594 applications filed (**+20.7%**), the academic world has reached a historic peak. This success is closely tied to the reform of **Art. 65 of the Italian IP Code**, which abolished the "professor's privilege." Ownership now rests with the university or research institution, fostering professional portfolio management and easier technology transfer to the industrial world. Leaders in the trend include **Politecnico di Milano, Fondazione IIT**, and **CNR**.

The Unitary Patent: Less Bureaucracy, More Europe

The 2025 report notes a 13.3% drop in national validations of European patents, but this should not be misleading. It is, instead, a clear sign that businesses are opting for the **Unitary Patent**. Active since 2023, it allows for the protection of an idea across 18 EU States with a single

procedure. As of December 31, 2025, there were **77,464 Unitary Patents** in force, with Italy proudly holding a **6.7% share**.

Safeguards for Applicants

One aspect that is often overlooked, yet crucial for applicants, is the **transparency of the administrative procedure**.

In 2025, the Italian Patent and Trademark Office issued over 27,410 measures. In this connection, it is worth noting that the Office strictly applies Art. 173 of the Italian IP Code, which requires the issuance of an objection for every formal or substantive defect, setting a deadline of at least two months to remedy the deficiency. In 2025, out of 4,215 notifications of defects, around half were resolved positively without leading to rejection, demonstrating a system that seeks **dialogue with the applicant**.

Protection Strategies: Conversion

The report also confirms the effectiveness of an often-underestimated regulatory tool, namely **conversion into a utility model**, as provided for in Art. 84 of the Italian IP Code. In 2025, as many as 289 applications originally filed as industrial inventions were converted into utility models. This **flexibility** allows the value of an investment to be preserved even when the Office considers that the 'inventive step' is insufficient for an industrial invention patent but nevertheless recognises an innovative utility.

In this rapidly evolving scenario, our firm remains at your disposal to guide Clients in choosing the most effective patent protection strategy for their innovations.

ITALY TAKES A DECISIVE STEP TOWARD IMPLEMENTING THE EU DESIGN DIRECTIVE

Significant legislative developments took place this month in Italy concerning the implementation of the EU Design framework.

The final approval of the European Delegation Law 2025 by the Senate on 11 March 2026 and

the following publication of the Delegation Law (Law No. 36/2026), which took place just few days ago (25 March 2026), mark indeed a decisive step toward the incorporation of Directive (EU) 2024/2823 into the Italian legal system.

This reform, part of the so-called “Design Package,” aims to modernize a system that has remained largely unchanged for over twenty years, aligning it with the digital era and the growing relevance of 3D printing technologies.

Key Developments for Design Protection in Italy

The forthcoming legislative decrees will introduce substantial amendments to the Italian Industrial Property Code, focusing on simplification, digital protection, and enhanced administrative tools.

1. Broader Definition and Representation of Designs

The traditional concept of design as a purely physical object will be expanded. Protection will extend to digital elements, including graphical user interfaces (GUIs) and dynamic visual representations.

Design representations will still need to be “clear and precise,” but more flexible standards will allow the use of digital formats, including video files, to depict movement or virtual environments.

2. Introduction of Administrative Invalidity Proceedings

One of the most impactful changes is the introduction of an administrative procedure before the Italian Patent and Trademark Office (UIBM) to declare a registered design invalid.

Currently, invalidation actions must be brought before civil courts, often involving significant time and costs. The new procedure will provide a faster and more cost-effective alternative, similar to existing mechanisms for trademarks.

3. Simplification of Filing and Examination

The reform will facilitate multiple design applications by removing the requirement that designs belong to the same product class.

Examination will be streamlined and limited primarily to compliance with the definition of “design” and public policy considerations, while novelty and individual character will be

assessed only in the context of opposition or invalidity proceedings.

4. The “Repair Clause”

The reform harmonizes EU rules on spare parts. Design protection cannot be enforced against components used exclusively to restore the original appearance of a complex product (such as automotive parts), thereby promoting competition in the aftermarket sector.

Italian Implementation Timeline

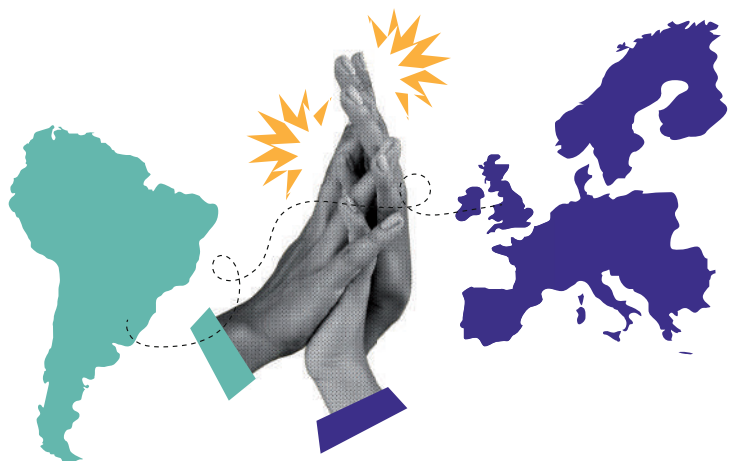
- Senate approval (final text): 11 March 2026
- Publication of the Delegation Law (Law No. 36/2026): 25 March 2026
- Deadline for implementing legislative decrees: by **11 December 2027** (final EU transposition deadline)

We will continue to monitor the legislative process and provide updates as the implementing decrees are drafted and adopted.

Should you have any questions or wish to discuss the potential impact of these changes, please do not hesitate to contact our attorneys at INTERPATENT.



EUROPEAN UNION-MERCOSUR INTERIM TRADE AGREEMENT: IMPACTS AND OPPORTUNITIES FOR INTELLECTUAL PROPERTY RIGHTS HOLDERS



After years of negotiations, the free trade agreement between the European Union and the Mercosur countries (**Argentina, Brazil, Paraguay, and Uruguay**) is back in the spotlight, with concrete prospects for entering into force.

On 17 January 2026, the European Union and Mercosur signed the Partnership Agreement (EMPA) and the Interim Trade Agreement (iTA).

The iTA will apply starting **1 May 2026**, for relations between the European Union and those Mercosur countries that have concluded their respective ratification procedures and notified the EU by the end of March. Argentina, Brazil, and Uruguay have already fulfilled these formalities, while Paraguay, which recently completed ratification, is expected to send its notification shortly.

The EMPA, instead, will have to be ratified by all EU Member States before entering into force. Ultimately, the iTA will be repealed and replaced by the EMPA, once the latter enters into force.

This is a broad-reaching agreement that, in addition to reducing tariff barriers, introduces **significant developments in the field of intellectual property**. In fact, one of the most relevant aspects of the agreement concerns the strengthening of industrial and intellectual property rights protection within Mercosur

countries.

The agreement provides for the adoption of higher standards and greater alignment with international practices, offering direct benefits to European companies operating in or intending to expand into these markets.

Geographical Indications (GIs)

A particularly significant chapter concerns the protection of GIs, with the recognition and protection of numerous European products in Mercosur countries.

The EU will recognize over 220 Mercosur GIs, while **Mercosur countries will protect 355 European GIs** (e.g., Parmigiano Reggiano, Champagne, Rioja), preventing the use of these names for non-authentic products, even when the true origin is indicated or when the name has been translated.

Previously, in countries like Brazil or Argentina, it was common to find local products labeled as "Parmesan-type" or "Italian-style prosciutto." The agreement now imposes a **ban on using misleading expressions like these**.

The Italian wine sector will benefit from the **elimination of customs duties**, which currently often exceed 20-30%. Furthermore, the aforementioned protection of GIs will prevent South American producers from misappropriating the names of the most renowned Italian wines. This promotes a crackdown on the improper use of GIs and imitations (**Italian Sounding**), reinforcing the value of authentic products.

Trademarks

Regarding trademarks, the agreement anticipates improvements in registration procedures, greater transparency in administrative processes (through the creation

of public online databases), and **a strengthening of enforcement measures** against counterfeiting and illicit use. New rules to **combat bad faith registrations** have also been added.

Designs and models

Designs and models will benefit from a **minimum protection duration of 15 years**.

Patents

The agreement also promotes higher standards for **patent protection**, encouraging investment in research and development and ensuring greater legal certainty for technology and pharmaceutical companies.

Also, the agreement encourages (though does not mandate) all Mercosur countries to join the **Patent Cooperation Treaty (PCT)**; Argentina, for example, has historically not been a party to this treaty.

Copyright and Trade Secrets

In terms of **copyright**, the agreement provides for strengthened protection, including online protection, as well as better measures against digital piracy.

Mercosur countries will align with European provisions regarding economic exploitation rights, providing that they last for the **life of the author plus 70 years after their death**.

Legal protection is also introduced against the circumvention of **Technological Protection Measures (TPM)**, such as digital watermarks or encryption systems applied to creative content. Furthermore, provisions are included that grant artists a percentage of the sale price during subsequent resales of their works (*droit de suite*).

More effective enforcement tools have been

introduced, such as the possibility for customs authorities to **seize counterfeit goods even in transit**.

For the first time in a Mercosur-level agreement, a specific framework is introduced for the **protection of trade secrets** against misappropriation, including judicial measures aimed at preserving confidentiality during litigation.

Conclusion

In general, the agreement introduces a harmonization of rules and greater transparency in legal procedures, creating a safer and more predictable environment for trade and innovation. This allows companies to enter Mercosur markets with fewer risks related to the infringement of their intellectual property rights, serving as an incentive for business internationalization.

From an operational standpoint, companies must closely monitor the evolution of the agreement and evaluate adjustments to their protection strategies in South American markets. The future entry into force of the EMPA may offer new opportunities but will also require an update of **IP portfolio management policies**.

In an increasingly global context, the EU-Mercosur agreement is among the tools destined to facilitate trade and strengthen the protection of intangible assets. For businesses, it will be essential to promptly seize the advantages offered by this new scenario by adopting a strategic and proactive approach to protecting their distinctive assets.

Our team remains available to further discuss the effects of the agreement and support Clients in defining the best strategies for protecting their IP rights in international markets.

The aim of this newsletter is to keep our Clients and Associates updated about developments in the sector of Intellectual Property in general and our firm in particular. In this way, we wish to provide a broader view of the tools that the field of trade marks, domain names, patents, designs and related rights offers to entrepreneurs to enhance and protect their efforts in researching and developing new solutions and ideas.



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