

WIPO Pathfinders Report

Exploring the
futures of IP
driven innovation
and creativity



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Foreword



Intellectual property never stands still. It is inherently dynamic – influenced and influencing the forces of technology, innovation, and creativity. This helps to explain why the IP community has always been open, curious, and forward-looking.

Today, that mindset is more essential than ever. Digital technologies, including artificial intelligence, are transforming innovation and creativity. In many economies, value creation is shifting from tangible to intangible assets. Global challenges demand new forms of innovation and their accelerated deployment. Shifting geopolitical dynamics are redrawing the contours of global collaboration.

These and other considerations are putting established IP frameworks under some strain. We are facing challenges and opportunities that their architects and our predecessors could never have foreseen. We are also finding that many in the IP community have less time and space to engage with these questions as operational matters take priority.

This report is part of our response to these realities. It reflects WIPO's role as a global convenor, and the space for open and thoughtful dialogue about the future of IP. Based on insights from over 45 thought leaders from government, industry, civil society, academia, and international organizations, it is a navigational tool for IP issues today, tomorrow and in the decade ahead.

No one can predict the future, and the insights presented are not attempts to do so. Rather, they are signposts, illuminating the deeper undercurrents and converging forces of technology, economy, business, culture and society. It will therefore provide us with a structured frame to explore the future. This will hopefully help us to avoid a scenario where change is forced on us, to one where we proactively shape the changes that are needed.

I therefore invite you to approach this report with curiosity and openness. As you read, ask yourself: Which future scenario will we choose? And what role will you play in steering the future of innovation and creativity?

The horizon ahead offers many possible routes, some well-worn, many more yet to be discovered. So let us set out together – not as travelers on a predetermined course, but as true pathfinders exploring the frontiers of possibility, working toward a future where human ingenuity and creativity continue to flourish for generations to come.

Daren Tang

Director General

World Intellectual Property Organization

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It was prepared under the stewardship of Andrew Staines, Assistant Director General, WIPO Administration, Finance and Management Sector, and led by Martin Correa, Senior Counsellor, and Zhe Zhang, Senior Program Officer, of Future of Intellectual Property.

This report is the culmination of analysis of interviews with visionaries and experts from various sectors of the innovation and creation ecosystem, including government, business, academia and non-governmental and intergovernmental organizations from around the world. We extend our gratitude to these individuals and organizations for their contributions, without which the report would not have been possible.

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Executive summary

The World Intellectual Property Organization (WIPO) initiated the Pathfinders project to consider the future landscape of the intellectual property (IP) system and gain insight into critical issues, evolving trends and potential opportunities for IP-driven innovation and creativity. Rather than predicting the future, this initiative aims to help WIPO Member States and stakeholders examine and understand the impact of current trends, build preparedness to address the medium and long-term challenges impacting the evolution of the IP system, and seize the opportunities they may bring.

The Future of IP team conducted a series of interviews with thought leaders and experts from the innovation and creation ecosystem to explore IP-driven innovation and creativity to 2034. More than 45 interviews with visionaries and experts were analyzed, including from governments, businesses, academia, non-governmental organizations (NGOs) and intergovernmental organizations (IGOs) from all regions of the world.

It provided a general picture of the major trends that continue to impact the trajectory of IP-driven innovation and creativity, exploring positive and negative scenarios for IP systems, and expanding on potential priorities to consider in the future.

This report underscores the necessity to vigilantly observe emerging indicators and weak signals that could shape the landscape and how the IP system evolves. The insights provided in the interviews allow an understanding of the transformations over a long period and provide a foundation for forming future scenarios pertaining to IP-driven innovation and creativity.

Key findings

Critical forces impacting the IP system

Participants identified various factors with the potential to significantly impact the way IP drives innovation and creativity over the next 10 years. Their insights were categorized using the PESTLE (political, economic, social, technological, legal and environmental) framework (see figure 1). Balancing these competing forces requires consideration and strategic planning to ensure the continued relevance and effectiveness of the IP system in fostering innovation and creativity.

Political forces and geopolitical shifts are reshaping the global IP landscape, affecting perception, use and trust across nations. As new digital and physical territories emerge, the IP system must evolve beyond traditional territorial principles to accommodate changing international dynamics and collaboration patterns.

Economically, the rise in the importance of intangible assets demands a global IP marketplace with standardized valuation methods. Key considerations include aligning protection terms with asset life cycles, reducing barriers for small and medium-sized enterprises (SMEs), and striking a balance between innovation incentives and knowledge accessibility.

Social trends, particularly the shift towards digital spaces and postmillennial perspectives, challenge traditional IP frameworks. Enhanced awareness and education, especially in developing regions, are essential to bridge global disparities. Repositioning IP as a tool for development, diversity and sustainability could improve its societal perception and relevance.

Technological advances emerged as the most significant factor affecting the future of IP. The accelerating pace of innovation demands faster policy development and implementation. IP offices must embrace artificial intelligence (AI) and new technologies while addressing digital gaps and data management challenges. The emergence of digital worlds presents novel challenges for trademark protection and cross-border enforcement.

Legal considerations center on the disconnect between rapid technological change and slower IP policy development, threatening system trust and relevance. While approaches vary, stakeholders agree on the need for new frameworks to protect future innovation. Emerging territories, such as metaverses and outer space exploration, will require innovative regulatory solutions.

Environmental challenges, including climate change and pandemics, will increasingly influence IP system development. The system must adapt to address global crises while maintaining coherence across jurisdictions. The WIPO Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge in 2024 demonstrates a shift towards inclusive approaches that value diverse knowledge sources.

Figure 1. Critical forces impacting the IP system



Source: WIPO.

Scenarios for IP in 2034

To better understand the potential implications of prevailing trends on the future of IP-driven innovation and creativity, two fictional stories were developed based on participant visions. These stories, the Yin and the Yang, illustrate contrasting pictures for 2034.

In the Yin, a challenging future unfolds as the IP landscape struggles under the weight of the compounded effects of global crises, resulting in a fragmented and divided system. This scenario features isolationist IP policies, predatory practices and the dominance of AI in IP creation, marginalizing human creativity.

In contrast, the Yang presents a preferred future in which the global IP system has transformed into an accessible framework that fosters global collaboration and inclusivity. This vision highlights standardized IP laws, digital transformation, widespread understanding of IP rights and a balanced approach to fostering technological progress and protecting human creativity.

Both stories offer valuable insights into the potential evolution of the IP system and its impact on innovation and creativity.

What needs to change today and what should we prioritize?

Participants shared their thoughts on the critical changes required to ensure IP systems continue to drive innovation and creativity. Five priority areas or themes were identified:

1. Modernizing regulation and policy frameworks
2. Accelerating digital transformation
3. Reinventing IP education
4. Building stronger collaboration networks
5. Ensuring IP relevance and inclusiveness.

Areas to explore in the future involved expanding IP office services, integrating IP policies into national economic strategies, implementing AI and blockchain solutions, tailoring IP education, strengthening collaboration and increasing participation of underrepresented groups. These changes aim to create a more dynamic and effective IP ecosystem that serves the future needs of society.

Conclusions

The research presents an overview of the major trends shaping IP-driven innovation and creativity, while also identifying emerging signals that warrant monitoring. The insights gathered through interviews explain long-term transformations and provide a framework for constructing plausible future scenarios.

Analysis reveals that drivers of change in the IP system have evolved through distinct phases rather than following a linear progression. Globalization, for example, previously served as a catalyst for connecting worldwide IP systems, leading to the establishment of the Patent Cooperation Treaty (PCT), the Madrid System for the International Registration of Marks (Madrid System) and other multilateral IP treaties. However, the influence on multilateral cooperation has weakened in recent years, suggesting a shift in how international IP collaboration may develop.

There is also a consistent emphasis on the need to establish common objectives for the future IP system, particularly focusing on compatibility at procedural and regulatory levels. The continued importance of multilateral collaboration emerges as a key finding, with broad agreement that multilateral frameworks offer the most effective path for innovators and creators from diverse regions to reach global audiences efficiently and in a cost-effective manner.

The research underscores the critical importance of IP awareness as a strategic priority. As future generations inherit the responsibility for using and shaping the IP system, expanding knowledge of its opportunities and challenges becomes crucial. Enhanced understanding will better equip these future creators and innovators to maintain and develop a balanced IP system that promotes inclusive innovation while addressing emerging technological and social challenges.

Introduction

What is the future of intellectual property? Answering this question is something that many in the IP community ponder daily. Government authorities, business leaders and academics around the world are constantly looking at the vast amount of data available and trying to understand which major drivers shaping the world today will impact the way the IP system evolves, and to what extent, in the medium to long term.

The challenge is that the world is transforming at an accelerated pace and major forces, including changing demographics, ageing populations, climate change, geopolitical conflicts, technological advancements and economical disruptions, are testing every aspect of our life, including the social constructs that have been shaping society for centuries.

Throughout our history, innovation and creativity have been vital drivers of economic growth, social development and technological progress. They have realized what was once considered impossible and the IP system has been at the heart of this innovative and creative process.

The IP system has traditionally provided a means to recognize individuals who have excelled at innovating and creating for society as well economic incentives to compensate the time and effort invested in their endeavors.

As we look ahead to the next decade, it is important to gain a better understanding of how small signals can develop into big trends and drivers, affecting the direction and evolution of the IP system, and its ability to foster and enable creativity and innovation for the benefit of all in the future.

In 2024, WIPO undertook a comprehensive series of structured interviews with prominent thought leaders and experts within the innovation and creation ecosystem. The objective was to explore the trajectory of IP-driven innovation and creativity over the next decade, culminating in 2034. This report encapsulates the insights derived from more than 45 interviews with these distinguished individuals representing a diverse array of sectors, including government, business, academia, NGOs and IGOs from all regions of the world.

This report is designed to aid our Member States and the intellectual property (IP) community in comprehending how current trends may shape the future landscape, providing a foundation for exploring various potential futures for the IP system in the medium to long term. Each chapter addresses a distinct aspect that emerged during the interviews. Chapter 1 outlines the major forces impacting the IP system and their significance for the IP community. Chapter 2 presents scenarios illustrating IP-driven innovation and creativity in 2034, and Chapter 3 highlights the necessary changes and priorities to ensure that IP continues to foster innovation and creativity over the next decade. Finally, Chapter 4 summarizes the key conclusions from the interviews.

The report underscores the necessity to vigilantly observe emerging indicators and weak signals that could shape the future landscape and evolution of the IP system. Insights from the interviews help us understand long-term transformations and provide a foundation for formulating future scenarios related to IP-driven innovation and creativity. While not exhaustive, the report aims to highlight key areas of interest and emerging trends within the IP landscape, and to foster conversations about the future of IP-driven innovation and creativity.



1 Critical forces impacting the IP system

This chapter explores the critical forces affecting the way in which the IP system could be shaped in 2034 (covering 10 years into the future). Throughout the interviews, participants shared a sample of issues that in their view are critical to the future of IP-driven innovation and creativity.

Participants provided a wealth of perspectives on the most significant factors. Their insights were organized using the PESTLE (political, economic, social, technological, legal and environmental) analysis framework, offering a structured view of the multifaceted landscape for the future of IP-driven innovation and creativity. It should be noted that some factors identified during the interviews have a profound impact across multiple categories, highlighting their scale and interconnected nature.

Political factors

Main drivers

- Intersection of IP and global politics
- Geopolitical dynamics and trade relations
- Globalization impact
- Changing geography of innovation
- Emerging territories and future jurisdictions

Participants perceived the IP system as being closely linked to political factors, given they would influence how and for what purpose IP is used in national and international contexts. This factor was also identified as indirectly affecting the way in which IP is globally perceived and trusted. Such interconnection has the potential to unite communities worldwide, facilitating innovation and creativity to reach beyond borders and fostering development, but it also risks fragmentation and undermining trust in the IP system.



Several participants expressed concern about the potential role of IP in regional and bilateral conflicts, envisioning scenarios where patents and designs might restrict access to innovations, or where AI-generated content could be strategically released as prior art to limit IP protection in specific regions.

Current geopolitical shifts, changes in leadership and trade disruptions were highlighted as having the capability to incentivize the 'us versus them' nationalistic agenda that prioritizes short-term gains. The proliferation of IP chapters in free trade agreements exemplifies this trend, while also reflecting the multilateral IP system's slow response to business and SME needs.

The fragmentation of global relations due to conflicts, humanitarian or pandemic disasters, or political tensions is something we must keep an eye on as it could lead to a retaliatory world with increased protectionism and unilateral sanctions between major players, affecting primarily creators and innovators worldwide.

Thiru Balasubramaniam

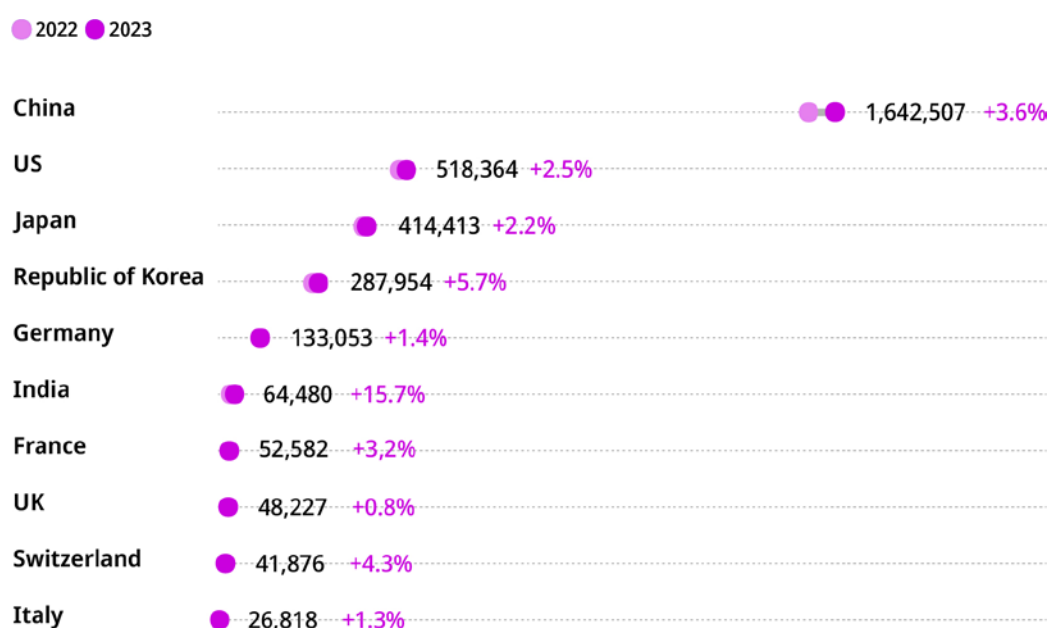
Geneva representative, Knowledge Ecology International

These developments raise questions about the IP system's future balance with regard to geographical inclusiveness, development considerations and the relationship between access and protection. Further, some participants pondered how this trend also highlights the importance of international organizations, such as WIPO, to enable a space for sharing and learning from others via best practices or norm setting.



Globalization was also an important factor in overall expectations of the IP system's ability to effectively protect, trade and commercialize ideas and innovations. Global interconnectedness, including the free flow of ideas and innovations, communications and access to global markets, was perceived as affecting the IP system on two distinct levels. First, on IP office collaboration, given it has enabled, and will continue to enable, collaboration between IP offices. This potentially paves the way for policies and procedural compatibility, and facilitates the use of IP offices by innovators and creators around the world. The second level is the way in which ideas are commercialized today, since it could offer the opportunity to create a global market for intangible goods, where IP would play a fundamental role in standardizing valuation methods and practices.

Figure 2. Applicants from which countries filed the most patent applications?



Note: Applicants based in nine of the 10 origins filed more patent applications in 2023 than in 2022. India-based applicants saw a remarkable 15.7% increase in patent applications filed worldwide, marking their fifth consecutive year of double-digit growth primarily driven by resident filing in India.

Source: WIPO Statistics Database, August 2024

While IP has traditionally been perceived as primarily benefiting developed countries, participants acknowledged that the changing geography of IP filings represents a crucial factor in its development. The gradual increase in filings from developing countries suggests an emerging sophistication in the innovation and creative ecosystem. Further, participants reflected on how this shift may challenge the developed-country values underlying the original IP system and potentially confront those values with developing and least-developed world perspectives.

Finally, participants saw the emergence of territories/jurisdictions/borders as a factor of future change. As nations explore new frontiers – digital and physical – traditional concepts of geographical jurisdiction may require substantial revision. This territorial expansion, whether through geopolitical changes, the emergence of virtual realms such as the metaverse, or advances in space exploration, could challenge the fundamental principle of IP territoriality. These developments signal a future where the current territorial-based IP system may require closer examination to accommodate new forms of sovereign space.

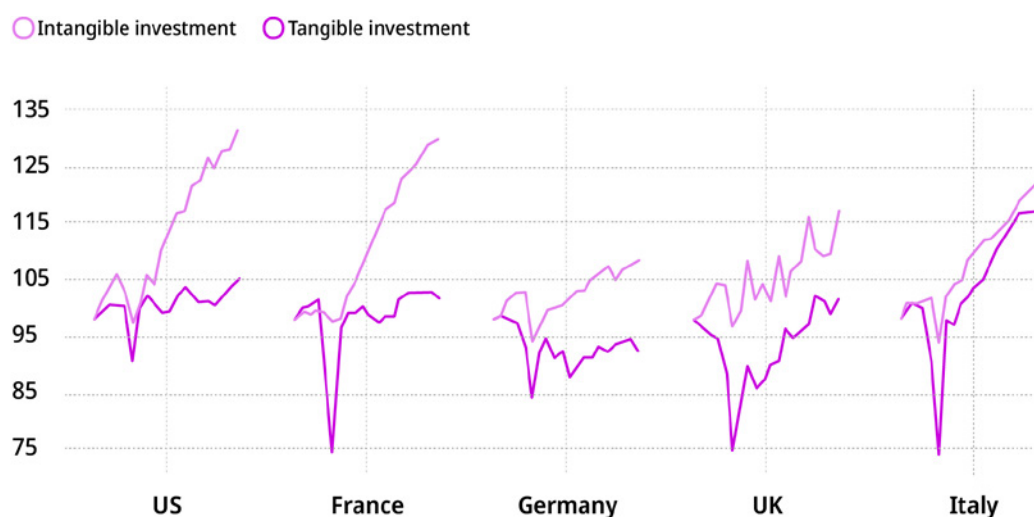
The interplay of political factors, from rising nationalism and regional tensions to shifting global power dynamics and institutional fragmentation, could profoundly transform the direction of the international IP system. The critical challenge ahead lies in preserving the IP system's role as a neutral facilitator of global innovation while navigating an increasingly complex political landscape that threatens to prioritize national interests over international collaboration.

Economic factors

Main drivers

- Growing value of intangibles in post-COVID economy
- Economic power and opportunities of an accessible IP system for SMEs
- Balancing interests of different stakeholders
- Collaboration between different actors in the innovation value chain
- Evolving role of IP offices

Figure 3. Quarterly investment, selected economies, 2019 - 2023, indexed (2019 Q1=100)



Note: Estimates are in terms of chain-linked volumes (reference year 2015).

Source: WIPO - LBS Global INTAN-Invest Database, June 2024.

Participants focused on the growing economic importance of intangible assets as a critical factor for the future of IP. Global recognition of the economic potential of this class of assets (the non-physical property of a business) post-COVID-19 is expected to continue long term, presenting an opportunity to create a worldwide market for trading and commercializing them, with IP serving as one of the fundamental building blocks by bringing credibility and recognized valuation.

The various elements required to initiate an economic virtuous cycle for IP were examined. Most participants agreed that global, standardized IP valuation and commercialization methodologies would build trust in such a marketplace while facilitating matches between supply and demand. This would encourage companies, particularly SMEs, to integrate IP strategies in their economic planning from the early stages of their business cycle. Further, it would position IP as a gateway to financial investments, ensuring IP is respected, while at the same time catalyzing job creation and economic growth.

The role of IP is not simply to incentivize people to spend time and energy on coming up with new solutions for things, it's also to enable markets to work so that we're not just enabling that first invention, but also for that invention to be commercialized afterwards.

Dana Robert Colarulli

Executive Director, Licensing Executive Society International

Participant responses emphasized the importance of extending IP system benefits to a broader audience, promoting equal opportunities and preventing economic concentration by a few powerful entities.

Participants also considered the economic implications of a more efficient IP system and how the elements could be reimagined to expedite the transformation of ideas into products and services.

In this context, operational costs within IP offices, uncertainty and inconsistencies in the quality of IP examination would challenge the system's ability to add value to the products and services they protect. In addition, some participants reflected on the economical dimension of the term of protection for IP rights, underscoring that the world is becoming more digital and contemporary consumption behaviors are increasingly characterized by abbreviated product lifecycles, reflecting a fundamental shift toward more ephemeral patterns of use.

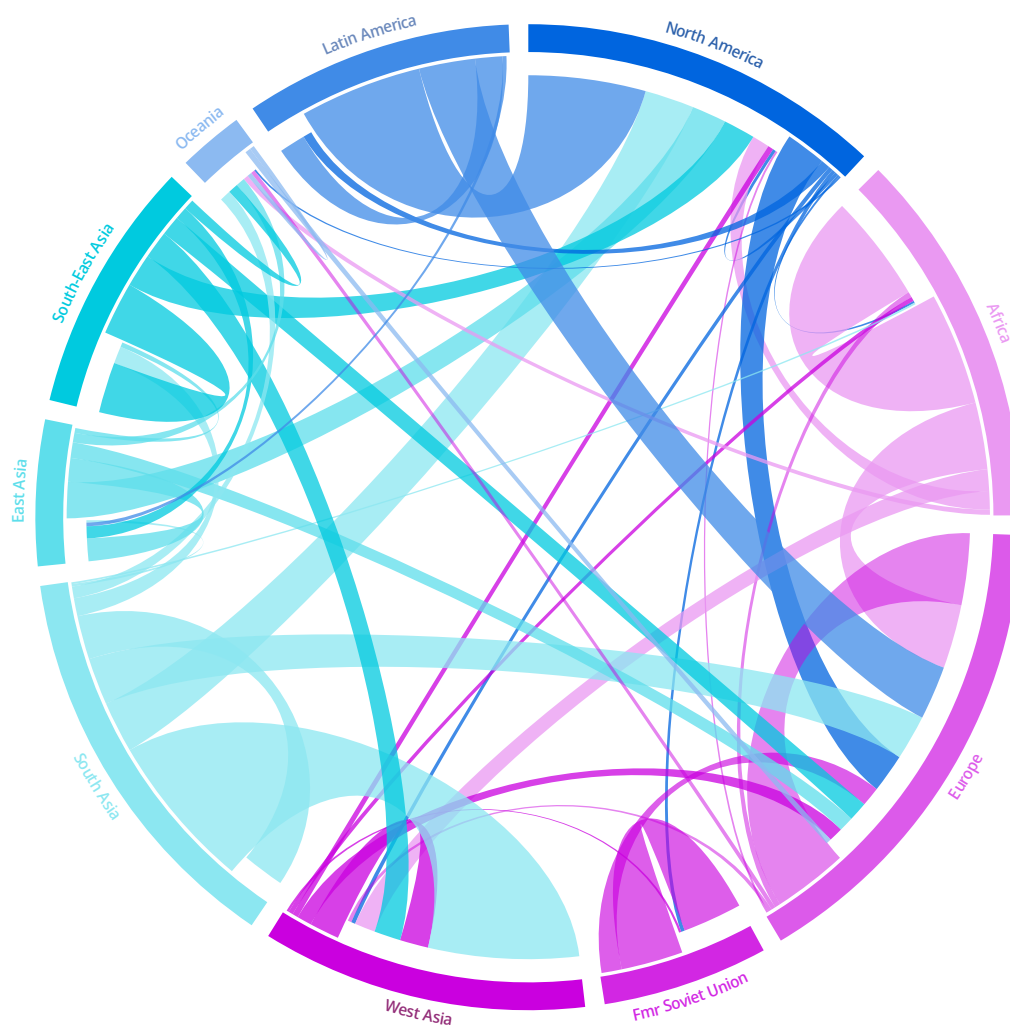
This observation led to suggestions for the consideration of a dynamic framework that aligns the term of protection with the economic lifecycle of IP assets. This nuanced approach would contemplate a shorter term for innovations with immediate, brief market impact, a longer term for those with sustained commercial value. Such a framework would allow for extensions in exceptional cases where market conditions or innovation significance warrant additional protection.

Potential migration of talent emerged as another critical factor. Participants noted that insufficient infrastructure and regulatory inconsistencies in developing countries could drive innovators to developed nations, possibly widening the innovation and economic gap.

Participants recognized intensifying tension between innovation incentives and broad knowledge access in an expanding global knowledge economy. The upward trend towards collaborative platforms and open-source models for research, development and knowledge sharing could be supported by the economic incentives brought by IP.

Responses also highlighted economic barriers to IP protection and enforcement by broader actors in the innovation and creative ecosystem, particularly for SMEs and entrepreneurs. Participants envisioned that by 2034, a more inclusive access model, with differentiated fee structures based on user size and capacity to pay, could expand system participation, especially in emerging markets, ultimately fostering a more inclusive ecosystem.

Figure 4. The global flow of people, 2005–2010



Source: The global flow of people by Nikola Sander, Guy J. Abel & Ramon Bauer.

The importance of understanding economic links within the innovation and creation value chain was emphasized, including the impact of counterfeiting and piracy on job losses, gross domestic product, tax revenues, social welfare and public health.

Finally, participants stressed that IP offices must adapt and expand their services to meet the needs of future innovators and to maintain relevance in an evolving IP landscape.

It is evident that the growing economic importance of intangible assets continues to drive the need for a global IP marketplace with standardized valuation methods. Other key economic considerations include adapting protection terms to asset lifecycles, addressing economic barriers for SMEs, and balancing innovation incentives with knowledge access. At IP office level, there is a perception that evolution is required to remain relevant in the changing landscape.

Social factors

Main drivers

- Cultural consumption shifts and the relevance of IP
- IP education and awareness building
- General attitudes towards IP: diversity, equity and inclusion
- Demographic shifts and ageing distribution

Participants highlighted that cultural shifts towards digital spaces are challenging the relevance of an IP system based primarily on domestic rules conceived in a non-digital age. The transformation in content consumption patterns, marked by a shift from traditional media to individual content creators on social media platforms, will impact IP-driven innovation and creativity. This raises questions about the system's agility and its ability to adapt sufficiently quickly to maintain its effectiveness in a global society and competitive business environment.

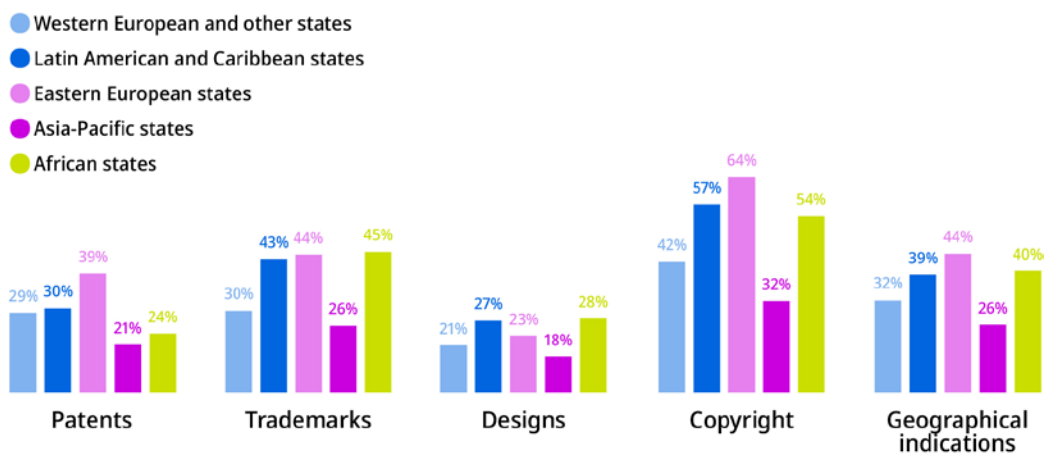
In the past, copyright helped drive creativity, but now the Internet architecture is changing this paradigm. Influencers, for example, create content and make money without the need for copyright protection. They rely on views and engagement on platforms for revenue, rather than copyright itself.

Linghan Zhang

Professor, Institute of Data Law, China University of Political Science and Law

Another critical issue raised during interviews was the need to improve the current level of knowledge and awareness of IP, particularly in developing regions. Participants emphasized the importance of improving public understanding of IP's societal and economic contribution, specifically the need to introduce IP concepts at early educational stages to foster positive attitudes and create an environment conducive to creation, innovation and knowledge dissemination.

Figure 5. Awareness index



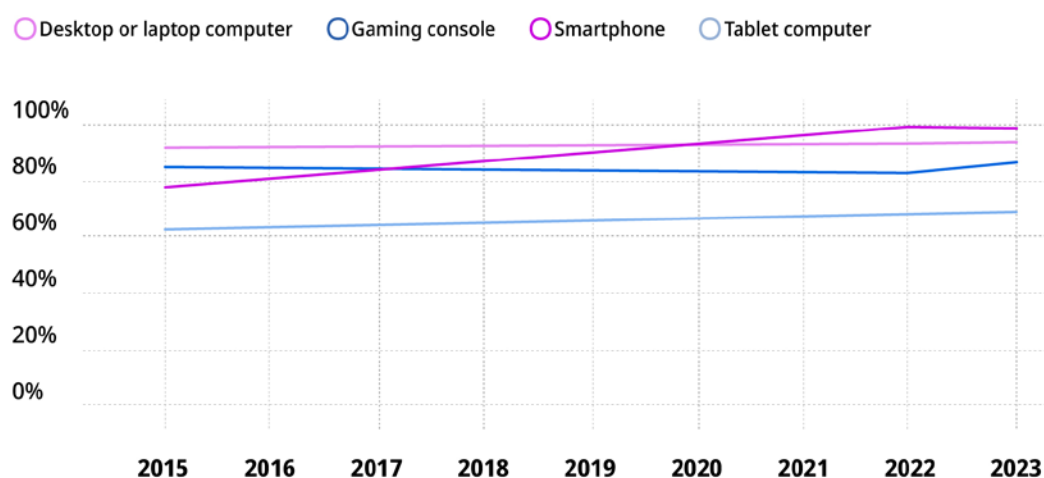
Note : Awareness index – a share of respondents (%) considered knowledgeable about patents. Condition: personal understanding evaluated as “know very little, fairly well or very well” (subjective awareness), combined with correctly answered control question (objective awareness).

Source: WIPO Pulse, Global intellectual property perception survey 2023

Addressing general attitudes towards IP was perceived as a crucial factor affecting the future of IP-driven innovation and creativity. The importance of repositioning IP as a tool to bridge development gaps and reach underrepresented groups was highlighted by participants. They proposed a new narrative for IP that encompasses development, diversity and sustainability, promoting a more holistic approach to inclusion. Enhanced collaboration between different actors in the innovation and creation value chain, particularly at grassroots level, would foster diversity, equity and inclusion, while improving attitudes towards the IP system.

Finally, participants recognized the need for the IP system to adapt to the postmillennial generations, acknowledging their seamless integration of digital and physical worlds. The system must evolve to serve a growing population of young innovators living outside traditional IP centers and societies.

Figure 6. % of US teens ages 13 to 17 who say they have access to the following devices at home



Note : Figures from 2015 depicted above were collected from 2014 to 2015. Those who did not give an answer are not shown.

Source: Surveys of US teens conducted 2014–2023; PEW Research Center

Social factors will play a pivotal role in the way IP drives innovation and creativity. Cultural shifts towards digital spaces will challenge the traditional system, necessitating rapid adaptation to remain effective. Improving IP awareness and education, particularly in developing regions, is crucial to bridge the gap between developed and developing nations. Repositioning IP as a tool for development, diversity and sustainability could enhance general perceptions about the IP system and its role in society, and for postmillennial generations.

Technological factors

Main drivers

- Emerging technologies and IP system adaptation
- The role of AI
- Managing digital transformation
- The data conundrum

All participants identified the impact of new disruptive technologies as a critical issue affecting the IP system, citing discussions around AI and large language model training. While acknowledging the IP system's historical ability to adapt to technological developments, participants noted that the unprecedented pace of the advance is outpacing policymaking. In this regard, AI and its use in creative and innovative endeavors is impacting the IP system at its core, including ownership of rights, recognition and use of IP-protected works and the use of exceptions and limitations, as well as IP offices at operational and examination level.

Participants noted insufficient understanding of AI's influence on innovation and creative processes, particularly with regard to balancing competing interests in an AI-dominated landscape. The world was seen as being at a crossroads, with uncertainty on the direction this driver will have in the future. While there were concerns about the trend towards concentration of technological resources among a few large entities, potentially limiting access for SMEs and the broader innovative community, a different scenario was also envisioned, where growing technological complexity will necessitate geographically distributed, cross-sectoral collaboration. Here, IP rights would serve as a crucial facilitator, enabling diverse expertise to converge and accelerate the commercialization of new technological solutions.

Another layer of uncertainty concerned the importance of finding a balance that maintains a human-centered approach while providing incentives for technological advancement, ensuring continued public support for the IP system. For some participants, this would represent a unique opportunity to recalibrate the balance for human-assisted creations and innovations, suggesting the development of new IP rights that would be easier to protect and manage, incorporating lessons from existing IP frameworks and facilitating digital content monitoring.

In the IP office space, AI and emerging technologies are already becoming seen as the new normal, and there is a sense of the risks and opportunities when thinking of reducing costs and streamlining procedures, services and management of IP rights. Some participants mentioned potentially using new technologies as a soft tool for aligning IP office procedures across regions, facilitating access for users globally, while recognizing there is still a digital gap that must be addressed in order to leave no one behind.

The digital transformation of IP offices was believed to be crucial, with special attention given to understanding data-IP interactions, as increased reliance on AI in IP offices would necessarily emphasize the need to address issues such as availability, accessibility, protection and disclosure of data. Further, participants identified that policymaking should rely more on data and accurate information when regulating to ensure alignment with stakeholder needs.

With the fifth industrial revolution driven by digital transformation, there is a huge gap that we need to bridge between the countries of the North and the South. The IP system should become an efficient tool to reduce disparities and inequalities in terms of innovation. Therefore, a critical issue would be to evolve the IP system so that it serves as a tool for bridging the inequalities and the gap between countries with different levels of development.

Koffi Paul Assande

Director General, Ivorian Office of Intellectual Property

Participants highlighted that the potential increase in digital worlds (including metaverses) could challenge IP fundamentals. There was a connection to trademarks and the need to safeguard consumers in the digital space and address cross-border enforcement of IP rights.

These technological factors were perceived as being among the most impactful for the future of IP. The speed with which technologies are emerging will exponentially accelerate, outpacing the time currently required to develop policies to address the implications. While concerns about technological resource concentration exist, there is potential for distributed collaboration, facilitated by IP rights. Balancing human-centered approaches with technological advancement would be crucial for preserving use of and trust in the system. For IP offices, embracing AI and other new technologies to streamline processes will become a necessity, while also addressing the digital gap and data management issues. The rise of digital worlds may further challenge IP fundamentals, particularly in trademark protection and cross-border enforcement.

Legal factors

Main drivers

- Fluidity within the IP system core paradigms
- IP system evolution
- Achieving a balance in a new AI world
- Addressing fragmentation
- Emerging jurisdictional challenges

Respondents identified current trends in policy and lawmaking speed as a crucial factor affecting the future IP system. A significant concern emerged regarding the disconnect between rapidly evolving technology and the slower pace of IP policy and law development.

I see that technology and IP law are constantly stimulating each other, as they mutually influence their direction and development through time.

Kamran Imanov

Chairman of the Board, Intellectual Property Agency of the Republic of Azerbaijan

A common fear was that this disconnect could impact trust in and relevance of the IP system in the creation and innovation context. Some participants wondered if outdated copyright laws could eventually become a barrier to global creativity and innovation by preventing full participation in computer-assisted information analysis and training.

Technological advancements have created a fluid IP landscape where traditional concepts, including ownership, attribution, inventorship, prior art and novelty, have become an increasingly salient debate. While participants acknowledged the continued relevance of existing tools within the IP system, they stressed the need for international organizations such as WIPO to provide a space and guidance when developing new frameworks and tools to protect future innovation and creativity.

I believe that there is an important role to play for intergovernmental organizations, including the WTO and WIPO, to also try to provide or formulate guidelines for countries who are trying to understand and develop policies around these issues.

Juan Antonio Dorantes

Chair, International Treaties Committee, Mexican Association for the Protection of Intellectual Property

With nations considering policy adjustments in this area, participants explored how to balance technological development and IP protection, and at the same time ensure a coordinated approach among governmental institutions. While some proposed amendments to current frameworks (existing laws and international treaties), others envisioned new rights, with a specific balance between protection and access.

Some participants cautioned about overregulating aspects where there is no clear understanding about the potential impacts, and suggested to consider allowing market-driven development and analyzing the data before policy decision are made in the future.

They also warned that differing policy and legal approaches could lead to fragmentation of the system, and flagged the importance of maintaining consistent communication and collaboration between IP offices and WIPO. Participants, cognizant of the status of multilateralism, explored the feasibility of developing guidelines and concept papers to help address issues not fully covered by the treaties.

The increasing relevance of undefined jurisdictions such as the metaverse and outer space emerged as a future consideration. Participants observed a need to provide regulatory frameworks for IP application in these new domains, and to assess the implications for international registration systems, including the Madrid System for the International Registration of Marks (Madrid System).

The slow pace of IP policy and lawmaking compared with rapid technological advancements is a critical concern, potentially impacting trust in the IP system and its relevance. Traditional IP concepts are being challenged, necessitating new frameworks and tools to protect future innovation. While some advocate for adjusting existing laws, others propose new rights with a balanced approach to protection and access. The risk of system fragmentation due to divergent legal approaches highlights the need for consistent international collaboration. Emerging, undefined jurisdictions such as the metaverse and outer space present new regulatory challenges for IP application.

Main drivers

- IP role in climate change and global challenges
 - Sustainability in the IP system
 - Pandemic preparedness
 - Indigenous knowledge integration
-

Participants stressed global challenges, including climate change and pandemics, would remain critical factors affecting the future of the IP system. They identified a need to learn from the past and avoid narratives that trigger mistrust and diminish confidence in the IP framework and the associated innovations. Building on the power of IP-driven innovation and creativity to solve global challenges was recognized as a future opportunity.

Some participants emphasized the need for IP to more actively support sustainability goals and facilitate the transition to a circular economy. Such a transformation would focus on improving efficiency and accessibility in sectors such as health care, food, transport and entertainment.

A common view was IP's potential as a tool for addressing global challenges, with participants highlighting the importance of strengthening partnerships with innovators to tackle issues such as biodiversity loss, food insecurity, and ocean acidification. They also underscored the need to adapt the IP system to address future existential events, such as the impact of climate change on geographical indications.

I believe the goal of the IP system of the XXI century should be to ensure not only a vibrant innovation ecosystem, but also sustainable innovation. This requires a smooth circular economy for the benefit of all. Legislators, courts, institutions, should all be involved in this debate and discuss how to protect the circular economy and think seriously about climate change.

Irene Calboli

Regents Professor of Law, Texas A&M University School of Law

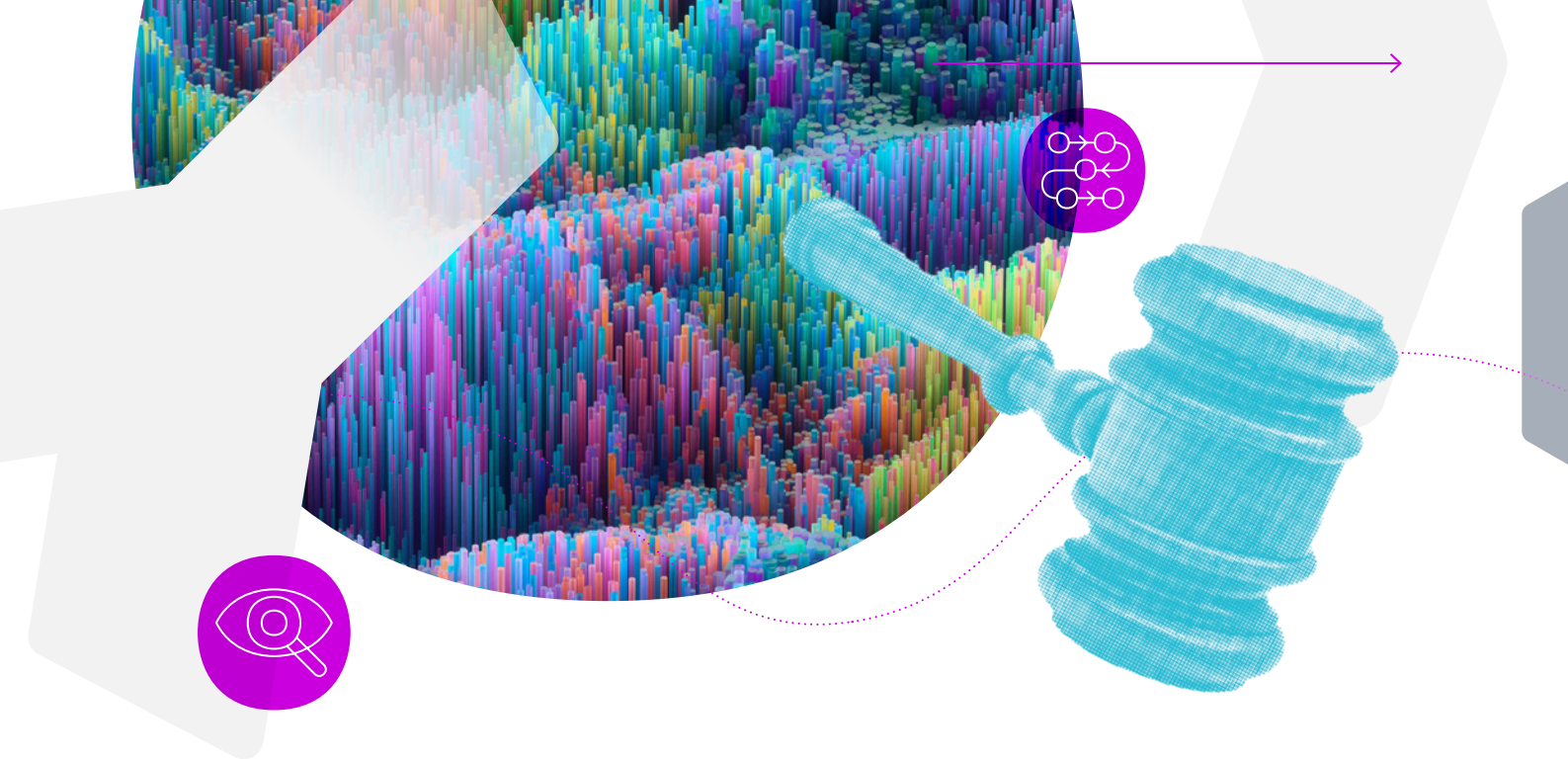
As for future pandemics, respondents anticipated challenges similar to COVID-19 within the next decade and the necessity of avoiding fragmented and unilateral approaches that have previously undermined the effectiveness and credibility of the IP system.

Participants acknowledged that the WIPO Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge agreed in 2024 will become a driver of change as it provides a way to include indigenous communities and their knowledge systems within the international IP system. Further, they recognized how indigenous knowledge could contribute to a better understanding of the past and inform solutions for the future.

Global challenges such as climate change and pandemics will continue to affect the IP system's future. IP is perceived as a potential tool for addressing such challenges and supporting sustainability goals. The need to adapt the IP system to future existential events and avoid fragmented approaches during crises was emphasized. The WIPO Treaty on Genetic Resources and Traditional Knowledge signals a shift towards inclusivity, recognizing the value of indigenous knowledge in informing future solutions.

Indigenous knowledge systems represent an untapped reservoir of innovative solutions for global challenges like climate change. By thoughtfully integrating these systems with intellectual property frameworks, we can unlock a more comprehensive approach to addressing complex societal issues, leveraging diverse forms of wisdom and innovation that have been historically overlooked.

Michael Schwager
Director General, IP Australia



2 Scenarios for IP in 2034

During the interviews, participants presented both optimistic and realistic perspectives on the future of IP-driven innovation and creativity, while also expressing concerns about potential challenges. These contrasting viewpoints provide insights into possible trajectories for IP development and highlight emerging trends that may influence how IP shapes innovation and creativity in the years ahead. The following fictional stories represent how these trajectories could evolve and become the working reality in 2034.

The challenging future: The Yin

The global IP landscape of 2034 bears little resemblance to the optimistic vision held a decade earlier. Our current innovation and creative ecosystem struggles under the weight of compounded global crises that have overwhelmed traditional IP frameworks. The economic collapse of 2031, ongoing regional conflicts, accelerating climate disasters and the emergence of new diseases have severely damaged worldwide innovation capacity. The once unified IP system – traditionally a beacon of progress and collaboration – has splintered, with stakeholders across sectors losing faith in its ability to protect and promote innovation and creativity.

The increasing trend of adopting isolationist IP policies by countries has hindered multilateralism and its power to make life better for communities around the world. Major players maintain separate, incompatible IP systems, and the fragmented approach has created a maze of conflicting jurisdictions. Developing nations find themselves trying to foster internal innovation and creativity without an IP global marketplace to place their innovation and creations, widening the already stark innovation gap between regions.

IP is a common feature in the trade dispute arsenal used by countries in free trade agreements, eroding the foundations of the multilateral rules-based system and eliminating incentives for cooperation.

Today's business environment is dominated by predatory IP practices tolerated by regulators.



Litigation has become so costly that lawsuits can paralyze smaller competitors in the market. The bureaucratic burden of maintaining IP protection, coupled with exorbitant AI licensing fees, has forced countless start-ups into bankruptcy or corporate absorption. Once thriving regional innovation hubs have been closing in the past three years, symbolizing this decline.

The mandatory implementation of digital policies has made IP protection unaffordable for small creators and innovators. The combination of a concentrated 6G network service provider and the extensive IP clearances demanded by WEB 4.0 platforms have made it difficult for independent innovators and creators with no corporate backing to commercialize their products and services for a global audience.

Table 1. Average duration and cost of patent litigation in jurisdictions

Country	Characteristics of legal system	Average duration	Average cost
France	Civil law Unified litigation No specialized courts	First Instance: 18 - 24 months Appeal: 18 - 24 months	EUR 80,000 - 150,000 (1 st Inst.)
Germany	Civil law Bifurcated litigation Specialized court for invalidity	First Instance: 12 months Appeal: 15 - 18 months	EUR 50,000 (1 st Inst.) EUR 70,000 (App.)
Italy	Civil law Unified litigation Specialized courts	First Instance: few months - 24 months Appeal: 18 - 24 months	EUR 50,000 - 150,000 (1 st Inst.) EUR 30,000 - 70,000 (App.)
Spain	Civil law Unified litigation Commercial courts	First Instance: 12 months Appeal: 12 - 18 months	EUR 100,000 (1 st Inst.) EUR 50,000 (2 nd Inst.)
UK	Common law Unified litigation Specialized courts Mediation promoted	First Instance: 12 months Appeal: 12 - 18 months House of Lords: 24 months	EUR 750,000 - 1,500,000 (1 st Inst.) EUR 150,000 - 1,500,000 (App.) EUR 150,000 - 1,500,000 (House of Lords.)
China	Civil law Bifurcated litigation Specialized courts	First Instance: 6 months (in law) Appeal: 3 months, no limit when foreigners litigate	USD 150,000 (1 st Inst.) USD 50,000 (App.)
Japan	Civil law Bifurcated litigation Specialized courts	First Instance: 14 months Appeal: 9 months	USD 300,000 (1 st Inst.) USD 100,000 (App.)
US	Common law Unified litigation Specialized courts of appeals (CAFC) Jury trial available Mediation promoted	First Instance: up to 24 months Appeal: 12 + months	Up to USD 4,000,000 (1 st Inst.) USD 150,000 - 250,000 (App.)

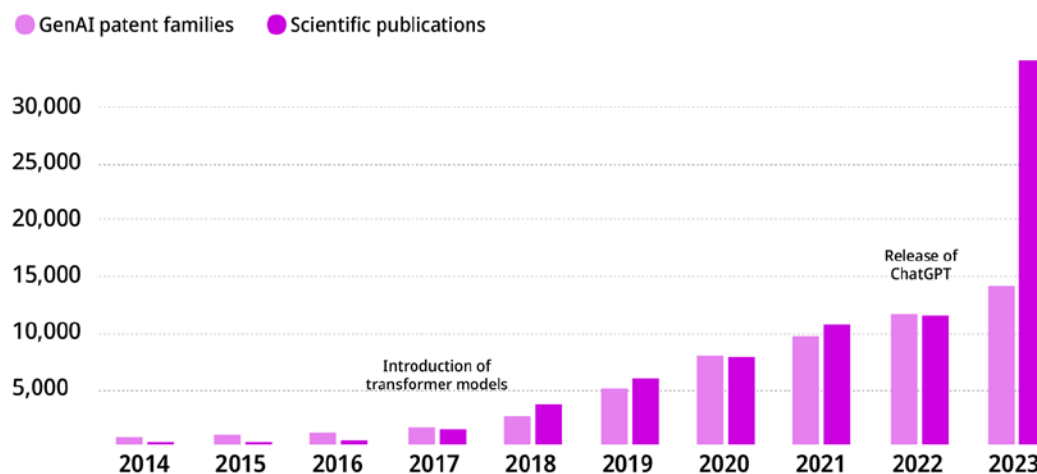
Source: This table has been developed by the WIPO Arbitration and Mediation Center, based on figures provided in "Patent Litigation, Jurisdictional Comparisons, The European Lawyer Ltd, London 2006", as well as the insights and experience of patent practitioners in particular jurisdictions.



Indigenous communities have suffered setbacks. Positive momentum created by the 2024 WIPO Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge has faded as the widespread use of traditional knowledge in AI-driven platforms make attribution of centuries-old cultural practices challenging.

The dominance of AI in IP creation and innovation has reached critical levels. IP offices worldwide are overwhelmed by the daily influx of millions of AI-generated patent applications and creative works losing relevance and harming community trust. The lack of common approaches and guidelines on IP issues, including inventorship, attribution in AI outputs and novelty, among others, has led to a market flooded with AI-generated content, fueling the growing influence of large corporations pushing to replace governmental and international organization functions. Human creativity has been marginalized, with traditional artists and inventors struggling to compete with AI-generated works. A nostalgia for human connection and creativity has led to the creation of a new Nobel prize for human innovation and creativity.

Figure 7. Development of global patent families, by publication year, and scholarly publications in GenAI, 2014–2023



Source: WIPO, based on patent data from EconSight/IFI Claims, April 2024, and publications data from The Lens, January 2024

The rebirth of metaverses around the world demonstrated the regulators' inability to handle modern technological challenges, as virtual property rights remain in legal limbo. The lack of approaches on data protection has led to an overreliance on trade secrets, and major tech conglomerates now effectively function as private digital property regulators, with their AI systems determining what constitutes innovation and creativity within each metaverse.

This pessimistic vision of the world in 2034 stems from a failure to address the warning signs that emerged in the 2020s, and provide a cautionary tale about the consequences of an unbalanced approach to technological efficiency, human creativity and international cooperation.

I would be concerned with the overprotection and overvaluation of IP, leading to excessively high royalties and limited access to works. This could have a pendulum effect leading to governments and courts invalidating patents or introducing compulsory licensing, as a proxy to provide greater access to people and potentially undermine the value of IP.

Stanley Lai

Head of Intellectual Property Practice, Partner, Allen & Gledhill

The preferred future: The Yang

In 2034, the global IP system has been transformed into an accessible framework that fosters global collaboration and inclusivity. The benefits of this are now widely distributed across society, with enhanced global cooperation and compatibility frameworks becoming the norm rather than the exception.

Today's SMEs, creators and innovators routinely leverage IP protection from the beginning of their business ventures. This early adoption gives them negotiating power, especially when collaborating with larger corporations. The standardization of IP laws, regulations and practices across borders, combined with mobile and digital access worldwide, has made international business operations smoother than ever before.

The integration of new technologies – most recently AI and quantum computing – in IP offices has revolutionized how we register and manage IP. Such technologies now handle massive data processing and storage while maintaining robust cybersecurity. The digital transformation has made IP management remarkably efficient, with AI systems streamlining registration and identification processes, and effectively deterring and combating counterfeiting and piracy.

The widespread understanding of IP rights we see today is the result of years of dedicated, tailored education efforts. IP learning is a standard component of the education curricula worldwide, allowing young people to understand the value of their creations from an early age. The collaboration between governments, international organizations and private entities has created a society that understands and respects IP rights. WIPO has become a key resource for IP education and support, fostering a culture of innovation and respect for creator rights.

In principle, I agree that global harmonization or collaboration in IP law could be the desirable outcome, but a more realistic outcome would be to have global guidelines for the country to develop the IP system based on their specific situation.

Intellectual property expert

The workforce of 2034 is well equipped to navigate the complexities of IP in our knowledge-driven economy. Companies now prioritize holistic teams, which include professionals with comprehensive IP knowledge, resulting in more effective decision-making and integrated protection strategies for intangible assets.

The modern IP system not only drives innovation but also facilitates the seamless commercialization of ideas. The open, collaborative innovation ecosystem enables organizations of all sizes to strategically combine open and closed source platforms. IP offices have evolved into dynamic hubs, serving as the glue that binds ideas, IP and commercialization opportunities. The streamlined, easy licensing processes have made it remarkably simple for inventors and creators to reach global markets.

Financial institutions now readily accept IP assets as collateral, as a result of established valuation methodologies that have brought trust and investment to the sector. IP certificates have become a valuable financial instrument, opening new funding avenues for innovators and creators.

The enforcement of IP rights has reached new levels of efficiency, nationally and internationally. Governments work together to protect consumers from counterfeit goods and piracy, staying abreast of emerging technologies and new forms of infringement. The hybrid alternative dispute resolution mechanisms implemented in 2029 allow for fast and cost-effective solutions for the small digital business and creator globally, at the same time ensuring robust IP protection across physical and digital domains.

The regulation of generative AI has struck a perfect balance between fostering technological advancement and protecting human creativity. The world has converged on AI as a tool that accelerates research and development while respecting IP. The widespread availability of AI tools has created a vibrant ecosystem where innovation thrives alongside traditional creative processes.

Perhaps most significantly, the IP system has helped raise living standards globally by unlocking the potential of new technologies and bridging the development divide. The multilateral momentum initiated by the 2024 WIPO Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge has been amplified and the IP system now embraces all forms of innovation and wisdom, including indigenous knowledge, creating a truly inclusive approach to innovation and creativity.

The IP community relies on international organizations to provide a place where reflection and coordination is conducted on a global scale to address critical issues that keep IP at the forefront of global discourse. This enhanced cooperation has been crucial in addressing pressing challenges such as climate change, health-care access and sustainable development.

Looking back, it is clear that the IP system has successfully adapted, remaining relevant while providing certainty and balance. As we move forward, this robust IP framework continues to evolve, supporting the next generation of creators and innovators in ways we could only imagine a decade ago.



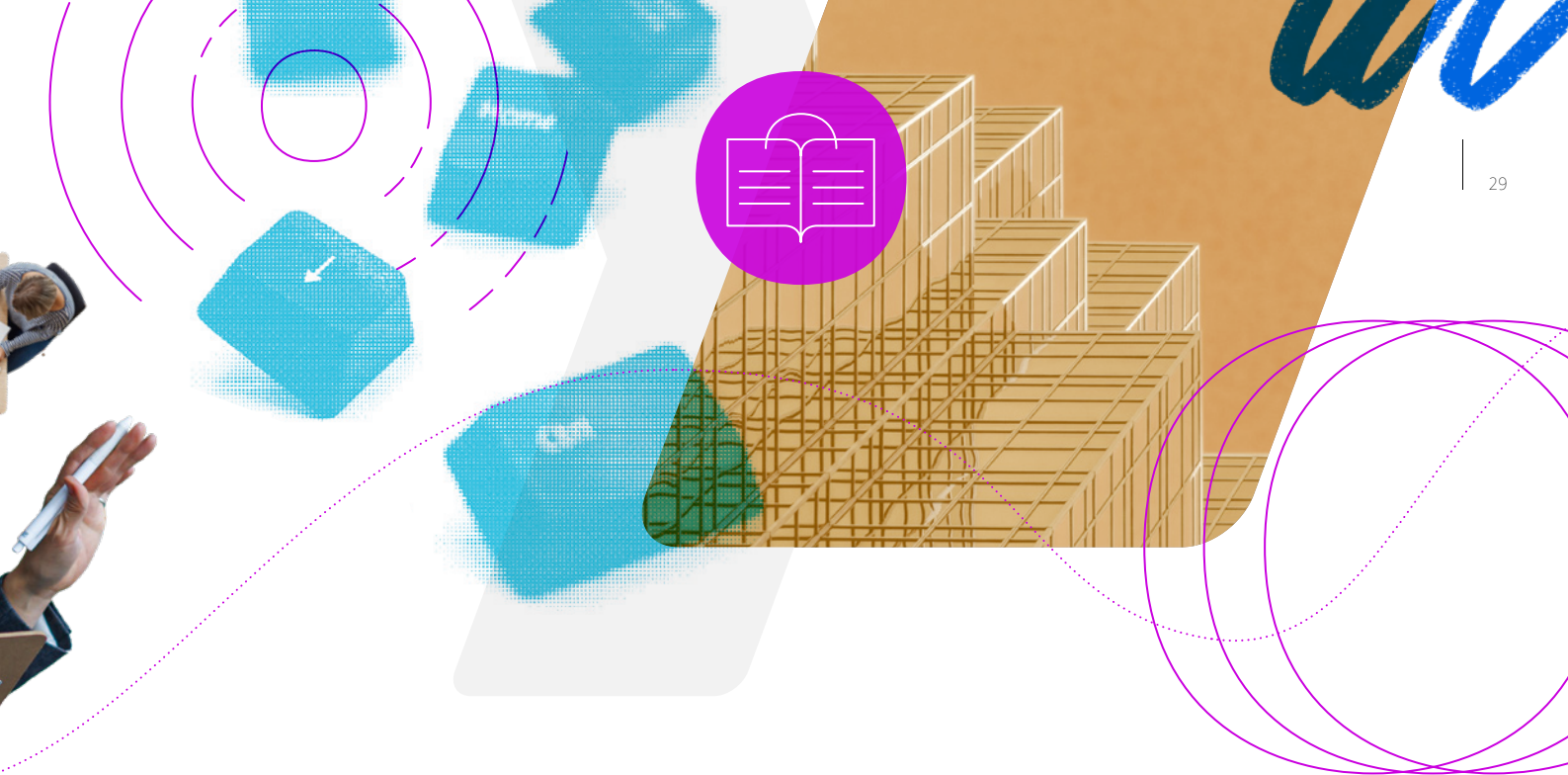
3 What needs to change today and what should we prioritize?

The interviews provided a picture of the critical transformations required to guarantee that IP systems continue to drive innovation and creativity in the future. These insights revealed five priority areas or themes where changes are required for a more dynamic and effective IP ecosystem.

Modernizing regulation and policy frameworks

To prepare for future challenges, participants stressed that IP offices must evolve beyond their traditional role as registration authorities. While considering the diverse needs and context of IP offices in different regions, the immediate priority is to expand services and reimagine the IP office as an innovation and creativity enabler in societies, and develop internal capacity to monitor emerging technologies and their effects in the IP system.

Current IP policies must be redesigned to better serve society's future needs through deeper integration into national economic strategies. This transformation requires strengthening IP offices' decision-making authority and expanding support mechanisms for SMEs and individual innovators. Enhanced technical and legal assistance emerged from the interviews as being critical components of this support system.



In addition, while expediting policymaking to maintain the pace of current change was deemed a priority, there was significant debate about the future regulatory framework. Some participants proposed more flexible protection models, including open-source approaches, and reduced post-protection secrecy to accelerate innovation, while others believed that maintaining system stability through robust enforcement remains crucial for fostering long-term innovation.

With the emergence of AI and LLMs training, perhaps there should be a reevaluation of IP laws to accommodate AI-generated works. We need to see what market practices are and assess the need of leaving some space for market developments, rather than trying to capture everything from a legal perspective. The use of AI will also be part of creation. We need to look at what should be protected.

Peter Labody

Vice President, Hungarian Intellectual Property Office



Accelerating digital transformation

Technology integration emerged as a priority for future success. Participants emphasized that IP offices must immediately implement AI and technological solutions such as blockchain and non-fungible tokens into IP systems to streamline IP registration and protection. Development of secure digital platforms for cross-border rights management was identified as crucial, along with creating automated systems for more efficient application processing. The underlying digital infrastructure must be built with adaptability in mind to accommodate emerging technologies while ensuring efficiency, accuracy and accessibility.

While there was consensus on the necessity of digital transformation, different approaches were evident on implementation timing. Some participants urged rapid adoption to prevent falling behind global standards, others careful testing to ensure new systems enhance rather than disrupt existing processes.

Reinventing IP education

Future innovation capacity depends on reimagining IP education. While recognizing that education is a sensitive topic, participants suggested a strategic approach that includes tailoring IP education to different levels of understanding between age groups and sectors. The transformation should start by upgrading IP knowledge in government agencies beyond the IP office, then expanding to engage underrepresented communities, followed by comprehensive youth education programs. Finally, executive-level programs would be created to build innovation leadership.

When my son was seven, he had built his whole kind of world in Minecraft, and somebody came home and accidentally destroyed it completely by mistake. He told me he was devastated because he felt the connection to his creation...to something that belonged to him and he couldn't understand why anyone would take that away from him. Seven years old with full understanding of IP in a different way. We need to leverage that basic understanding, and we need to leverage that with public policies, which in the long term will ensure a better society in the future.

Etienne Sanz de Acedo
Chief Executive Officer, INTA

Building stronger collaboration networks

Enhanced collaboration was considered essential for future success. Participants emphasized the need to immediately establish stronger links among IP offices, industry, academia and international organizations such as WIPO. Interdisciplinary collaboration and coordination were seen as a way to improve common understanding of emerging technologies and their implications for IP rights, serving to counterbalance potential divides or fragmentation, as well as bridge the development gap.

Maintaining assistance from developed countries to developing and least developed countries to ensure IP benefits reach everyone was stressed by some participants.

International dialogue was also seen as critical to addressing new IP issues, bridging national divides and creating a more robust, effective IP system, particularly in the current state of multilateralism. A focus on working groups, memorandums of understanding, cooperative agreements and capacity-building to reconstruct the basic pillars of a functioning international IP system was considered a practical way to move forward.

Finally, improving communication and collaboration between different government departments involved in the IP value chain was considered a priority, given it could assist IP right holders to understand, navigate and use their IP more effectively.

There are ample opportunities for regulatory agencies in charge of different areas of IP to align objectives and expedite the innovation pipeline. For example, new medicines and therapies would require regulatory compliance from different governmental agencies, before reaching the market, including customs agencies, IP offices, and sanitary authorities.

Mariela Formas

Executive Vice President, Chamber of Pharmaceutical Innovation, Chile

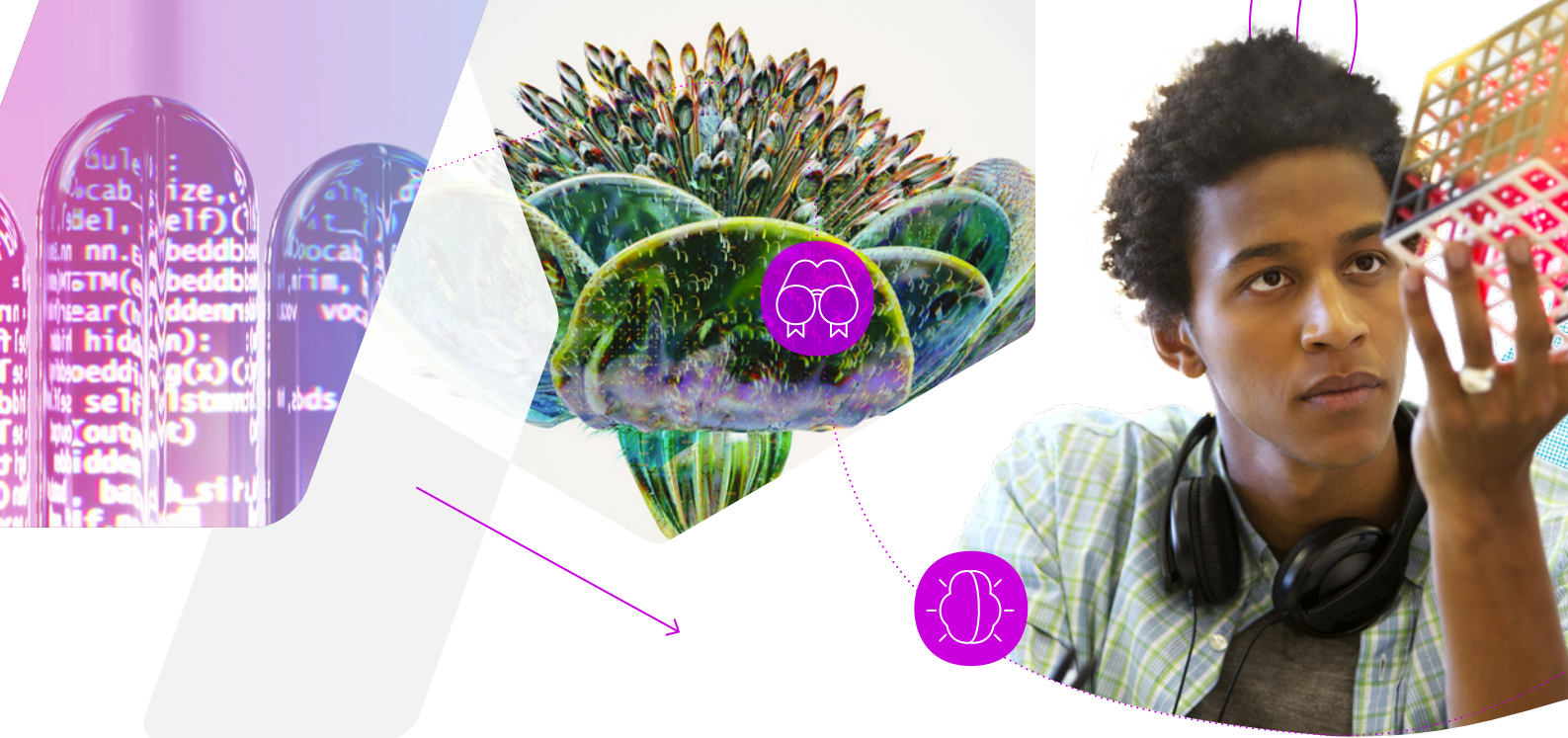
Ensuring IP relevance and inclusivity

Tomorrow's IP system must be elevated internally and become more accessible and equitable. Participants felt strongly that extra efforts are required to elevate IP profile in policy making. Also, it is important to increase the participation of underrepresented groups, including women innovators, in the IP community, and create mechanisms to recognize and include indigenous communities.

The key challenge is ensuring that IP systems become more adaptive, digital and inclusive over the next decade. As technology and globalization accelerate, we need to make sure IP systems are accessible to everyone – regardless of geography or economic background.

Bemanya Twebaze

Director General, African Regional Intellectual Property Organization



4 Conclusion from the conversations

This research presents an overview of the major trends shaping IP-driven innovation and creativity, while also identifying emerging signals that warrant future monitoring. The insights gathered through these interviews explain long-term transformations and provide a framework for constructing plausible future scenarios.

The analysis reveals that drivers of change in the IP system have evolved through distinct phases rather than following a linear progression. Globalization, for example, previously served as a catalyst for connecting worldwide IP systems, leading to the establishment of the Patent Cooperation Treaty, Madrid System and other multilateral IP treaties. However, its influence on multilateral cooperation has weakened in recent years, suggesting a shift in how international IP collaboration may develop.

There is also consistent emphasis on the need to establish common objectives for the future IP system, particularly focusing on compatibility at procedural and regulatory levels rather than pursuing strict harmonization. The continued importance of multilateral collaboration emerges as a key finding, with broad agreement that multilateral frameworks offer the most effective way for innovators and creators from diverse regions to reach global audiences efficiently and in a cost-effective manner.

The research underscores the critical importance of improving IP awareness as a strategic priority. As future generations inherit the responsibility for using and shaping the IP system, expanding knowledge of its opportunities and challenges becomes crucial. Enhanced understanding will better equip these future creators and innovators to maintain and develop a balanced IP system that promotes inclusive innovation while addressing emerging technological and social challenges.



Young people are using their creativity and ingenuity to drive change and create a better future, but their limited knowledge of IP risks holding them back from their full potential. We must increase our efforts to foster IP awareness among young inventors, creators and entrepreneurs, and support them with the skills and know-how to use IP to translate their ideas into reality.

Daren Tang
WIPO Director General

Methodology

A systematic approach was used to identify suitable candidates for gathering insights on the future forces affecting the IP ecosystem. This process centered on conducting structured interviews with experts and visionaries across multiple sectors, including government, business, academia, NGOs and IGOs.

The research utilized the Seven Questions interview¹ methodology, an established foresight practice tool designed to gather strategic insights from diverse stakeholders. The methodology is particularly effective in identifying conflicting perspectives on future scenarios and extracting detailed information on underlying policy concerns. It has proved especially valuable in securing meaningful engagement from senior stakeholders in foresight initiatives.

The central interview topic was the future of IP-driven innovation and creativity over the next 10 years. The structured interview comprised seven core questions:

1. What would you identify as the critical issue for the topic?
2. If things went well, being optimistic but realistic, talk about what you would see as a desirable outcome?
3. If things went wrong, what factors would you worry about?
4. Looking at internal systems, how might these need to be changed to help bring about the desired outcome?
5. Looking back, what would you identify as the significant events that have produced the current situation?
6. Looking forward, what do you see as priority actions that should be carried out soon?
7. If all constraints were removed and you could direct what is done, what more would you wish to include?

The study involved more than 45 interviews conducted between April and October 2024, ensuring balanced representation across geographical regions and levels of economic development.

¹ The Futures Toolkit. United Kingdom, *Government Office for Science*, 2024: p. 27.
<https://assets.publishing.service.gov.uk/media/66c4493f057d859c0e8fa778/futures-toolkit-edition-2.pdf>

The World Intellectual Property Organization (WIPO) initiated the Pathfinders project to consider the future landscape of the intellectual property (IP) system and to gain insight into critical issues, evolving trends and potential opportunities for IP-driven innovation and creativity. This report underscores the need to observe emerging indicators and weak signals that could shape the landscape and how the IP system evolves. The insights provided in the interviews provide an understanding of transformations over a long period and provide a foundation for forming future scenarios related to IP-driven innovation and creativity.