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Protect Your Intellectual Property

Switzerland offers a globally respected legal and regulatory environment for managing intellectual property (IP), making it an ideal location for innovation-driven companies and R&D-intensive operations. Its IP regime covers patents, trademarks, designs, and copyrights and is fully aligned with international treaties. The system is administered by the Swiss Federal Institute of Intellectual Property (IPI), which ensures efficient registration and enforcement processes.

Switzerland is a preferred jurisdiction for locating R&D centers, holding IP rights, and structuring licensing agreements:

- Strong legal enforcement of IP rights, with low litigation risk and efficient courts
- International treaty integration, including the European Patent Convention (EPC), Patent Cooperation Treaty (PCT), and the WIPO Madrid and Hague Systems
- Efficient patent process with limited substantive examination, reducing time and costs
- Attractive tax treatment for IP income, including patent box deductions at the cantonal level
- R&D super deductions for qualifying expenditures

Patents

Registration options:

- National patent via the IPI (Switzerland and Liechtenstein).
- European patent via the European Patent Office (EPO) under the EPC, with up to 39 European countries.
- International patent application via the PCT, with 158 contracting states. All PCT contracting states except Uruguay are bound by Chapter II of the PCT relating to the international preliminary examination.

Key features:

- Limited substantive examination: Switzerland does not conduct a full novelty review for national patents, enabling lower filing costs and faster registration.
- Protection term: Up to 20 years, with annual renewal fees starting at CHF 100.
- Filing cost: Basic Swiss patent application fee is CHF 200, whereas the examination fee is CHF 500, significantly less than other jurisdictions.
- In employer-employee relationships, ownership in inventions produced by the employee in the course of his/her work for the employer and in performance of his/her contractual obligations typically lies with the employer. For non-work-related inventions and for inventions not produced in performance of the contractual obligations, ownership generally belongs to the employee, if no written agreement exists that states otherwise.

For broader protection, most companies register with the EPO and designate Switzerland as a member country. A Swiss filing can act as an initial step before broader filings (e.g., European patent or PCT application), especially if a company is still

evaluating the commercial potential or market entry or a first filing is needed to establish a priority date under the Paris Convention.

Tax Incentives for IP in Switzerland

Switzerland combines strong IP protection with favorable tax regimes for innovation-based income.

Patent box regime:

- Available at the cantonal level (under the Federal Law on Tax Reform and AHV Financing (TRAF))
- Up to 90% exemption on net income derived from qualifying patents and similar IP rights
- Applies to patents registered in Switzerland, via the EPO, or under the PCT
- Must be linked to R&D activity carried out in Switzerland (nexus approach)

R&D super deductions:

- Additional deductions of up to 50% on eligible domestic R&D personnel costs
- Encourages companies to co-locate IP development and ownership structures

Trademarks

Trademarks can be registered through the Swissreg portal at the IPI and are valid for 10 years, renewable indefinitely.

Key features:

- No automatic conflict search by the IPI—preliminary clearance searches are strongly advised
- Application fee: CHF 450 for three classes; CHF 100 for each additional class
- Processing time: Typically, between 6 working days and 2 months after payment of the filing fees

International protection options:

- WIPO Madrid System: Extend protection to over 120 countries from a Swiss base
- EUIPO: Use for EU-wide coverage (Swiss companies must appoint an EU representative)

The IPI's online submission portal for international registration allows applicants to file an international application for trademark registration under the WIPO Madrid System, or an international design registration under the WIPO Hague System, via the Swiss IPI as the office of origin—the applicant is based in Switzerland.

Design Protection

Switzerland offers up to 25 years of protection for the aesthetic or visual appearance of products (2D or 3D).

Key features:

- Must be new and sufficiently different from existing designs.
- Filing cost: CHF 200 for the first design, with discounts for multiple designs in one application.
- Designs are not examined for novelty, enabling quick and cost-effective protection.
- For international design protection registration via WIPO's Hague System (99 countries covered).
- In employer-employee relationships, ownership in designs produced by the employee follow the same rules as inventions.

Copyright

In Switzerland, copyright is automatic upon creation and requires no registration. It covers literary, musical, artistic, and scientific works, software, architecture, choreography, and databases (if original).

Key Features:

- Protection lasts for the life of the author plus 70 years (50 years for computer programs).
- In employer-employee relationships, ownership in copyrights produced by the employee follow the same rules as inventions.
- For licensing and copyrights management, creators can rely on Swiss organizations such as the Swiss Society of Authors (SSA) and ProLitteris.

Sources and More Information

Swiss Federal Institute of Intellectual Property (IPI)
Swissreg database
Swiss Society of Authors (SSA)
Berne Convention for the Protection of Literary and Artistic Works
World Intellectual Property Organization (WIPO)
European Patent Office (EPO)
WIPO Madrid System
WIPO Hague System