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USPTO Report Strikes a Positive Tone on Improved Gender Representation in Inventorship and Reflects Opportunity for Additional Growth

The United States Patent and Trademark Office (“USPTO”) recently published an updated analysis of entry and participation by women into the patent system. While the report shows improvement in the gender diversity of U.S. patents, the representation of women-patentees continues to lag. However, once women enter the patent system, they are almost as likely as men to patent again. This finding reflects an opportunity for organizations to harness women-led innovation for years to come.

The USPTO recently released a [2020 update](#) to the February 2019 report titled “[Progress and Potential: A Profile of Women Inventors on U.S. Patents.](#)” The 2020 update offers an analysis of entry by women into the patent system and updates the findings of the 2019 report with new data spanning January 2017 through December 2019.

The USPTO tracks two metrics to evaluate the participation of women inventor-patentees: the share of patents that include at least one woman inventor and the woman inventor rate (“WIR”), which represents the share of women among all inventor-patentees in a given time period. The 2019 report found a WIR of 12.1 percent for the 2007-2016 data set. However, when recalculating with the data set through 2019, the WIR rose to 12.8 percent.

Notably, in recalculating the average WIR to cover through 2019, the authors found that the average WIR values for nine out of a set of 29 top assignees increased by more than a percentage point. 3M Company has shown the largest increase in average WIR—1.4 percentage points. The impressive increase is perhaps a reflection of the concerted and public efforts of

Sandra K. Nowak, Assistant Chief Intellectual Property Counsel of 3M Company, and a pilot testing program implementing the Intellectual Property Owners’ Association’s [Gender Diversity in Innovation](#) toolkit.”

The 2020 update found that the share of women among new inventor-patentees increased from about five percent in 1980 to about 17percent by the end of 2019. While the four percent annual growth in the number of new women inventor-patentees between 2014 and 2019 is considerably less than the almost 11 percent annual growth between 2009 and 2014, it is still quite a bit higher than the 2.5 percent annual growth in the number of new men inventor-patentees for the same time period. In addition, the authors found that although women make up a small fraction of the total number of new inventor-patentees each year, once active in the patent system women inventor-patentees are nearly as likely to remain active as men inventor-patentees. For new inventor-patentees in 2014, about 46 percent of women patented again within the next five years compared to 52 percent of men.

Despite the increase, the WIR remains far below the 29 percent employment rate of women in science and engineering. In 2017, women held approximately two million science and engineering jobs, but only 27,000 women were inventor-patentees that year. However, the nearly equal likelihood to patent again within five years indicates that once set on the path, organizations can continue to harness innovation from women inventor-patentees and capture value for years to come. This encouraging sign highlights the value of taking action now to encourage diverse participation in the patent process. In-house patent counsel and patent professionals are in a unique position to drive inclusive representation in innovation.

As part of our Inclusive Inventorship Initiative, Blank Rome continues to follow research on gender representation in inventorship and techniques to foster diverse participation in the patent process. For more information, and to learn how Blank Rome can help your organization improve diverse inventorship, see our webinar on [Gender Parity in Inventorship—Improving Diverse Representation on U.S. Patents](#) and reach out to [Katherine Franco](#).

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