

The Patent Regulation Board and the Trade Mark Regulation Board
(The Intellectual Property Regulation Board)



ANNUAL REPORT 2012

Annual Report & Financial Summary for the Year Ended
31st December 2012



CHAIRMAN'S INTRODUCTION

Our third year of regulation has seen requirements of our job grow and grow. The earlier expectations of a small remit have developed as the expectations attaching to our task increased in volume and complexity. As we end the year of 2012 we look ahead, and see challenges, not only in the work areas of alternative business structures and IT, but also meeting the demands of regulatory principles which are wider ranging and more penetrative than was on our radar even two years ago.

IP professionals represent, on the whole, a low regulatory risk. That said it was not possible for the Board to make any assumption concerning a vital (albeit small) part of the legal economy. The year saw the launch of a questionnaire designed to provide evidence of any risks there may be. I am grateful to the profession for completing the documentation required by this exercise.

Communication is a vital part of what we do and I have been encouraged by the continuing development of the Approved Regulators Forum which brings together the Presidents of both ITMA and CIPA and members of the Board. Our regular discussions allow for the consideration of strategic issues as well as an opportunity to 'think things through' informally.

During the year I have been able to visit a number of firms and attend a meeting of the IP Federation. In addition IPReg has been involved in the presentation of events covering diversity, legal education, professional ethics, non core skills and induction for new members of the profession. The Board plans to continue a programme of meetings with entities and other interested groups.

The lay Board members were delighted to receive an invitation from His Honour Judge Birss QC to visit the Patents County Court. This was highly successful and members have sat as observers in his Court.

Turning to the subject of cost of regulation: the Board is conscious that registrants and entities meet the entire cost of regulation. It is inevitable that as IPReg is expected to meet the new regulatory challenges ('up our game' as it has been informally put to me) there will be consequences over resources and this will mean our fees will come under pressure. Elsewhere in this report is a letter of Board member Nicholas Fox, published in the professional journals, which sets out in eloquent terms the landscape on this topic.

As we approach the beginning of a new round of considerable activity, I am mindful of the pressure borne by the professionals here at Outer Temple and wish to place on record my appreciation of their ability, resilience and goodwill.

MICHAEL HEAP

COSTS OF REGULATION

A Letter to the Editor of CIPA Magazine (January 2013)

I read with interest Lee Davies' report on the Midlands OGM, which discussed the question set by the Legal Services Board (LSB): "**How does it feel to be part of a regulated community?**"

Members grumbling about the costs of regulation might find the following of interest.

The LSB's Developing Regulatory Standards document assessing the five smaller legal regulators, (available for download at http://www.legalservicesboard.org.uk/Projects/pdf/regulatory_standards_assessment_of_five_of_seven_regulators.pdf) contains an annex detailing the costs of the various legal regulators and the proportion of costs assigned to running LeO and the LSB.

In the context of other legal regulators IPReg's costs of £167 per registered attorney¹ (1,745 patent attorneys, 639 trade mark attorneys) compare favourably with those of the SRA (£450 per solicitor) and the Faculty Office (£377 per notary) and are not out of line with those of the costs lawyers (£190 per costs draughtsman) or the Bar (£184 per barrister).

Indeed, the cost of running IPReg is not significantly changed from the costs inherited from CIPA which charged £165 per patent attorney in 2009. In this respect, it should be remembered that the fees charged in the good old days (i.e. pre 2009) when the registration fee as an RPA was as little as £65 were only achievable because of a significant cross

subsidy from the CIPA membership fees, which were reduced when CIPA hived off its regulatory function to IPReg.

It is, however, undoubtedly the case that the costs of regulation have gone up. The primary reason is easy to find in the same annex since in addition to paying for IPReg, the annual practice fee now also funds LeO and the LSB. Although patent attorneys are charged less per head to support LeO and the LSB – our charges are £46 per head compared with charges of £63 and £167 for barristers and solicitors, the charges represent a 21% increase in the costs of regulation for patent attorneys. This is a particularly significant increase when one considered the extent to which the patent attorney client base can be said to benefit from either organisation. Although LeO now deals with the ten or so annual service complaints which the profession receives it is difficult to see how much better the public is served by LeO dealing with these complaints rather than the complaints being dealt with internally by the Institute as used to be the case. Similarly, it is difficult to see the relevance of the research undertaken by the LSB into for example regulation of will-writing to the patent professions.

If, as Lee suggests, the LSB is anxious to hear the views of practitioners, members should not hold back from letting their views be known. The primary criticisms in the LSB's report regarding IPReg are about a lack of resource and engagement in the role the LSB perceives is necessary. As such it would appear that the LSB is pushing for more regulation not less.

NICHOLAS FOX
(CIPA Fellow and IPReg Board Member)

¹ Net costs per registrant after deduction of the contribution to the costs of the LSB and the Legal Ombudsman

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CHIEF EXECUTIVE'S OVERVIEW

The Board

In November a resolution was passed for the re-appointment of Michael Heap for a further three year term from June 2013.

The Board welcomed David Musker, James Turner and Jonathan Clegg. We said goodbye to Ian Buchan, Philip Harris and Steve Smith who had been board members since the days of shadow board and who contributed enormously to the start up of IPReg.

The work this year has been particularly challenging. As reported last year we do not have sufficient numbers in the office to meet all the work demands and have employed project consultants to undertake additional work for us.

Sarah Willison has worked all year on the ABS project and a specialist consultant was employed for 3 months to assist in the risk profiling exercise.

Penny Nicholls (former board member) joined the team to concentrate on the delivery of the Education Plan particularly the outcome of the LETR review (detailed in the 2011 Annual Report and still awaited).

We completed the second of our two consultations on the new litigation qualification regime and the new regulations came into force on 1st January 2013.

In approving the application the LSB commented:

"I would like to thank you and your team for a well thought through application which gave a clear and sensible explanation of a very complex and specialised area of expertise.

We consider IPReg's newly approved regulations as a good example of a different regime which aims to consolidate and simplify two historically separate professions under a single regulatory regime."

We have also undertaken a detailed consultation on our proposed licensing application and our Project Consultant, Sarah Willison, reports on our progress later in this Report.

We are conscious that the introduction of the new licensing regime will bring considerable change virtually 'hot foot' on the implementation of the Legal Services Act itself in January 2010. Ahead of formal licensing, which we hope will take place in Spring 2014, we plan to provide training on key aspects such as the accounting regime and the roles of the Head of Legal Practice and Head of Finance and Administration.

During 2011 we formed an "AR Forum". The members of the forum are the presidents of CIPA and ITMA and the IPReg Chairman and the (lay) Chair of the IPReg Governance Committee plus two non-Council members of the patent and trade mark professions. The purpose of the forum is to allow open discussion. The AR Forum has met regularly during 2012 and has been the key focal point of the discussions with the Institutes regarding the development of our licensing policy. It was good to see the consensus between the Institutes and IPReg over the approach to licensing.

Our Business Plan for 2013 can be found at the end of this Report.

ANN WRIGHT

Education

A significant part of IPReg's general efforts in 2012 has been directed to implementing the ABS process; notwithstanding, we have continued the initiatives previously outlined in IPReg's Education Plan 2012/13, as follows:

- We have appointed an external auditor to review the Nottingham Law School and CIPA Basic Litigation Skills courses.
- We have collated and published the results of our CPD survey.
- Our rolling programme for accrediting academic providers of IP courses continues; we have met representatives from Brunel and recently been in contact with Oxford and Manchester Universities. A template for the conduct of future IP course accreditations has been agreed.
- We have drafted, and are consulting on, competency checklists for in-house training; we are liaising with CIPA and ITMA on provision of workshops for training in "non-core" business skills and a "train the trainer" initiative.

Communications

A significant effort is being undertaken in promoting diversity in and into the profession.

We held a presentation in November "A diverse workforce that understands its diverse clients" and invited speakers from the Society of Black Lawyers, Society of Women Solicitors and solicitors, Simmons and Simmons, to speak.

Ahead of the presentation we commissioned Marialuisa Taddia, an independent journalist, to research this issue. A copy of the article is being sent with this Report.

IPReg understands that as a small profession, with a significant scientific requirement, the

scope for widening access and inclusion may be limited but IPReg does not accept that is a reason for doing nothing. We also hope that this will be an opportunity for some 'joined up thinking' not just with CIPA and ITMA but also the IP Federation and other representative bodies within the profession.

Other Presentations:

- We gave a presentation on IPReg, the roles of the LSB and LeO and the regulatory environment and on complaints handling to attorneys based in Norwich.
- We gave a presentation to the CIPA Informals on the Code of Conduct and Ethics in the Profession.
- The Chairman attended the annual BAE CPD day in September.
- Bruce Alexander, Patent Board Member, joined the debate on the Profession: Training, Ethics, and Governance at this year's CIPA Annual Conference.

Other Matters

- We met representatives from the LETR Working Party in May 2012 as part of their consultation process and have commented on the discussion papers issued by them. Publication of the results of the LETR review has been delayed. A working party will be set up to review the report and respond to its recommendations as needed.
- We are adding new content to IPReg's revised website to reflect the consumer empowerment initiatives championed by the LSB's Consumer Panel.



Admissions

	2012	2011	2010
Applications for Admission to the Patent Register	78	96	89
Applications for Admission to the Trade Mark Register	72	51	26
Applications by Entities	22	24	4

Complaints

Legal Ombudsman

The Legal Ombudsman made 2 referrals to IPReg in relation to potential conduct matters but on investigation, both individuals had already ceased to be registered with IPReg at the end of 2011.

As at 31st December 2012, the Legal Ombudsman had accepted 10 cases for review. 9 were closed and 1 was still "pending".

Of the cases "closed"

- 2 – LeO Decision rejected by Complainant
- 1 – LeO Decision to Dismiss
- 1 – Informal Resolution
- 1 – Not within Jurisdiction
- 3 – Complaints Out of Time
- 1 – Withdrawn

IPReg

The Complaints Review Committee met twice in 2012. Both cases were remitted by the

CRC for full review of a Disciplinary Board.

In accordance with our publication policy the names of the registrants against whom complaints have been referred have been published in the relevant public registers.

The costs to the profession of the conduct cases are considerable. In 2012 IPReg spent c £80,000 on handling complaints. The budget has been increased for 2013 from £17,200 to £50,000.

This does not take into account the hidden costs of the time spent by the IPReg team in processing the cases even, for example, when quite obviously made to detract from commercial cases or indeed brought due to personal differences on the approach to a case.

We have developed a Complaints and Enforcement Policy and this has been published on our website. In the absence of evidence of client detriment or gross misconduct, a complaint by one professional lawyer against another is unlikely to be accepted.

First tier statistics (that is the numbers of complaints dealt with under an attorney firm's internal complaints procedure) for the 12 months to end December 2012 are as follows:

Type of Complaint (as declared by entities as at 17th April 2013)	Number
Failure to follow instructions	16
Failure to advise or poor/wrong advice	25
Failure to keep informed/failure to reply	16
Failure to comply with agreed action/remedy	2
Delay/Failure to progress	31
Failure to keep papers safe	0
Cost Information deficient/Costs Excessive	118
Failure to release/file papers	1
Conduct	6
Other	24
TOTAL NUMBER OF COMPLAINTS	239



ALTERNATIVE BUSINESS STRUCTURES

In last year's annual report we described the process by which we had arrived at a decision to apply, on behalf of CIPA and ITMA, to the Legal Services Board to be designated as a licensing authority for ABS. Since January we have been undertaking the preparatory work required prior to submission of the licensing authority application.

Progress to date

Our work has had four key elements:

1. amendments to our regulatory arrangements (ie, the Code and other rules) to accommodate requirements for ABS;
2. research amongst existing registrants to provide a strong evidence base on which to make policy decisions concerning those changes to the regulatory requirements;
3. development of a model for risk-assessing firms;
4. development of the application itself.

1. Amendments to regulatory arrangements

Our approach to regulating ABS has been harmonised, as much as possible, with our approach for existing registrants, since we believe that any differentiation must be capable of being justified either on the basis of statutory requirements or by virtue of the risks posed by each type of firm. At the present time, we believe there is limited substantive evidence that the overall risk profile of ABS differs significantly from that of traditional firms although, should evidence of additional risks emerge over time, that will inform our policy going forward.

Our approach for all firms, including ABS is to:

- **uphold and promote the regulatory objectives** – the regulatory objectives

are set out in section 1 of the Legal Services Act (LSA) and promotion of these objectives has been fundamental to the development of IPReg's regulatory arrangements and its approach to the exercising of its powers as a licensing authority;

- **be principles-based** – IPReg has always been strongly committed to a principles-based (but not light-touch) approach. We believe that having a set of regulatory requirements which focuses on the essentials and avoids unnecessary detail is the most effective way to ensure that legal services are provided to the right standard and with integrity. Moreover, the lack of detail facilitates innovation in the delivery of legal services – since we do not attempt to impose a 'one-size-fits-all' set of rules – without jeopardising vital protections;
- **be risk-based** – our approach has been developed on the basis of evidence received from the current regulated community, and discussions with key stakeholders;
- **be targeted** – our understanding of the risks will enable IPReg to target our resources to addressing areas of genuine need in furtherance of the regulatory objectives. This not only helps us to streamline our operations but also to be cost-effective;

- **be client-focused** – in developing our regulatory arrangements, and ensuring that those arrangements are appropriate and proportionate, we have had regard to the client base of current IP law firms and those that we expect to authorise and regulate in the future. Our experience and research demonstrates that by far the majority of clients are commercial organisations and only a limited number are private clients or charities. We have also sought to understand the needs of this client base by understanding the breakdown of clients amongst firms and the nature of services offered to them.

Our harmonised approach has meant that we have proposed changes to our regulatory arrangements not just for intended ABS applicants but also for non-ABS registrants. We consider these amendments to be necessary to protect the public interest, rather than simply for the sake of harmonisation – although one regulatory regime is simpler and more cost effective.

Key changes will be the introduction of:

- compensation arrangements that will protect clients in the event that their loss is not covered by professional indemnity insurance, primarily as the result of the dishonesty of all partners/directors within a firm;
- a requirement for all firms to have a Head of Legal Practice (HOLP) and the Head of Finance and Administration (HOFA) approved by IPReg who will take responsibility for ensuring that firms meet their regulatory responsibilities, and for reporting any failure to do so;
- a requirement for all firms to segregate client money, including monies held on account;
- appeals – in the future we intend appeals from IPReg’s regulatory decisions to be made to the General Regulatory Chamber;
- additional sanctions for breach of the regulatory requirements. These include fines, suspensions, disqualifications and public rebukes and reprimands.

These amendments will take effect at the point when IPReg becomes a licensing authority. We recognise the impact of the amendments and the need for firms to prepare for them. Therefore, in addition to the fact that firms have been given more than 12 months’ notice of the planned changes, the obligation to appoint a HOLP and HOFA will be subject to a transitional provision, under which IPReg will serve 6 months’ notice of the intended date of application to non-ABS existing registrants. Such notice will be served no earlier than 1st January 2015.

In order to implement some of the proposed changes it will be necessary for amendments to be made to the Copyright Designs and Patents Act, the Trade Marks Act and the Legal Services Act. We are currently in consultation with the Legal Services Board (LSB) and the Ministry of Justice concerning these changes. We anticipate that the order required to amend this legislation will come into effect at the planned date of designation of IPReg as a licensing authority.

One important aspect of our approach to licensing ABS is our intention to leverage our experience in regulating IP legal services and not go beyond that in terms of the types of body that we intend to authorise and regulate as ABS. What this means is that we do not intend to authorise firms that conduct non-IP legal work such as conveyancing, matrimonial work, etc. Where a firm intends to conduct such work, it could be authorised as an ABS by the Solicitors Regulation Authority or Council for Licensed Conveyancers.

2. Research

In July we also sent all firms a detailed questionnaire. The information that we received from the questionnaire strengthened our understanding of the ways that firms are structured and the locations in which they operate, how many firms are likely to require authorisation as ABS, and their approach to training, protecting client money, etc.

The results of the research are not intended for publication, but rather to ensure that IPReg's approach to regulation is proportionate to the risks run in the provision of intellectual property legal and ancillary services.

3. Risk model

Having conducted our research, we used the results to develop a model for risk assessing firms. Based on current information, we believe that the key categories of risks to the regulatory objectives include:

- i. Business model risk;
- ii. Governance and operational risk;
- iii. Competence/fitness and propriety.

Our model will assess the risks posed by individual firms (both in terms of impact and probability) in these three categories.

Our risk model is not static; it is intended to be reviewed on an annual basis, enabling us to respond quickly to changes in our policy, our assessment of firms and individuals during the authorisation process, and our supervision of firms.

4. Licensing authority application

We intend to submit the licensing authority application in May 2013 of this year. Our work on the application has been conducted in consultation with CIPA and ITMA and we have also held discussions with the Legal Services Consumer Panel and the Office of Fair Trading (on competition issues).

Looking ahead

The next twelve months will be a period of significant change for IPReg as we prepare for designation as a licensing authority. In particular we will be:

- conducting a consultation on the fees for becoming authorised and the periodic (annual) fees for all firms;
- changing our operations to gear up for authorising ABS, which may include taking on new staff and potentially moving premises;
- finalising changes to IPReg's regulatory requirements; and
- progressing the amendments to legislation.

Finally we promised to publish the costs of this exercise separately from our general budget.

We received £69,492 in ring-fenced income in 2012 and this was spent as follows:

Legal Consultants	£82,560
Legal Counsel	£8,741
Board and other related costs	£9,862

IPReg provided £18,800 towards 'start up' expenditure which is not included in the above figures. The 2013 entity renewals will bring in further ring-fenced income for this project.

FINANCIAL SUMMARY

The audited Financial Statements for the year ended 31st December 2011 made no changes to the reported figures in our management accounts. There were no qualifications.

The balance sheet separately identified our project-related and general reserves.

As with last year, we will continue our policy of bringing forward to 2013 unspent project-related reserves.

The 2013 budget has made provision for the likely expansion of the IPReg office and resources.

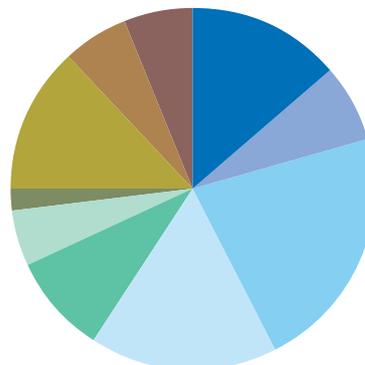
Additionally as a result of our experiences in 2012 the budget for dealing with conduct cases has been increased.

A copy of the Budget is included in this Report.

KAREN DUXBURY

2012 Breakdown of Income	£
Patent register	275,507
Entity registrations (including ABS project of £69,492)	209,367
Dual – qualified registrations	88,510
Trade mark register	85,025
Bank interest earned	1,031
TOTAL	659,440

2012 Breakdown of Expenditure & Costs



- LSB & LeO Levy
- Costs – registration services CIPA/ITMA
- Staff costs
- ABS costs
- Chairman & board fees
- Rent, services & running costs
- External Consultants
- Disciplinary hearings and disciplinary panel
- Website (inc. development)
- Other expenses

BUDGET 2013

	Notes	2013 Budget LSB Approved	2013 Budget plus Reserves b/f
		£	£
Staff Costs			
CEO Salary		56,800	56,800
Additional Officer Resource		30,000	30,000
CEO Employers NI Contribution		6,800	6,800
Additional Officer NI Contribution		–	–
Chair		24,000	24,000
Board Fees		40,000	40,000
Board Expenses (incl Travel)		10,000	10,000
IPReg Staff (Perm/Temp)		55,000	55,000
IPReg Staff Employer's NI Contribution		4,700	4,700
Legal Costs and Professional Services		12,000	12,000
Staff development		–	–
Board Appraisals		–	–
Replacement of 4 Board Members (2012 & 2013)	a	15,000	15,000
Board Appointments Reserve b/f		–	8,500
Disciplinary Hearings		50,000	50,000
			} 23,500
Administration Costs			
PR/communication		5,000	5,000
Office Costs (not rent & service charge)		5,000	5,000
Info mgt & website maintenance		2,000	2,000
Projects			
IT – Public/Professional access/communications		–	–
IT / Website Reserve b/f		–	32,500
Research and Education		25,000	25,000
ABS Costs (separate budget - entity only)		–	–
ABS Reserve b/f		–	–
Planned Office Restructuring Reserve		50,000	50,000
New reserve derived from accumulated operational surplus		–	50,000
			} 100,000
Contingency		10,000	10,000
Running Costs – Rent & Service Charge		30,000	30,000
CIPA – Registration Admin Charges	b	36,000	36,000
ITMA – Registration Admin Charges	c	11,500	11,500
Reserve		–	–
		478,800	569,800
LSB Levy	d	62,000	62,000
LSB Cost Uplift		–	–
LeO Levy	e	12,000	12,000
Budgeted Expenditure		552,800	643,800

Notes

a. Lay members retire in 2014.

b. & c. Budgeted to allow orderly move to website 2012/13

d. LSB Running costs levy is budgeted at £80,000 less a b/f reserve from the 2012 saving of approximately £18,000.

e. There is a saving of £5,000 from 2012 however as the LeO costs are dependent on the volume of complaints, this will not be b/f to decrease the budgeted amount to collect from registrants. This effectively creates a small contingency.

BUSINESS PLAN FOR 2013

1. Policy Focus and Objectives for 2013

The regulatory objectives which underpin all of IPReg's activities are:

- protecting and promoting the public interest;
- supporting the constitutional principle of the rule of law;
- improving access to justice;
- protecting and promoting the interests of consumers;
- promoting competition in the provision of legal services;
- encouraging an independent, strong, diverse and effective legal profession;
- increasing public understanding of the citizen's legal rights and duties;
- promoting and maintaining adherence to the professional principles.

Our Business Plan 2013 has, as its main focus, the progress of our application for licensing authority status.

We plan also to commission research to identify where intellectual property 'legal' services are being provided by non-regulated bodies and the risk to consumers of such activities.

We expect full commissioning of our new website enabling better access for consumers and, for registrants, the ability to maintain data and pay practice fees on line.

We will also continue to progress the work identified in our Education Plan.

2. Specific Work Programme for 2013

Details of the specific activities in our 2013 work programme are shown overleaf:

Note: annual activities, such as the appointment and appraisal of board members, submission of the IGR (internal governance review) to the LSB and formal admissions to, and publication of, the statutory registers, are not shown although the plan does highlight areas where the annual activities are intended to be undertaken in a different way in 2013.



ABS

Activity	Description	Priority
1. Entity Questionnaire	Analyse data received and complete risk profiling of registered entities. Consider impact on resources within IPReg's office.	
2. Licensing Application	Following submission of the licensing application, liaise with LSB regarding: <ul style="list-style-type: none"> the statutory consultations (ie, the OFT, the Lord Chancellor and the Legal Services Consumer Panel); approval by the LSB ; and submission to Parliament and approval of s69 and s80 orders Review fee scales and revise if necessary. Develop additional operations/processes for authorisation, supervision and disciplining of firms and individuals and revise or prepare (as necessary) application forms etc. Put in place contracts with third party suppliers in relation to the outsourcing of certain activities (e.g. elements of the authorisation process). Implement compensation arrangements.	
3. Communication	Working with CIPA and ITMA continue a programme of presentations, workshops, articles and FAQs regarding ABS licensing.	
4. Resource	Consider impact of new licensing regime on resources within IPReg's office. Liaise with the LSB. Implement programme of recruitment and (if necessary) search for new premises. Assess training requirements for staff to enhance skills base and purchase relevant training.	

Research and Communication

Activity	Description	Priority
1. Website Development	Complete commissioning of the new IPReg website. Registrants to maintain data and pay on line.	1
2. Research	Commission research on unregulated intellectual property legal services and review results. Monitor implementation (Oct 2012) of the Patent County Court small claims procedure (intended to widen access to the lay applicant).	2
3. Diversity	In autumn 2012 IPReg will have published the results of the IPReg diversity survey and run a programme of workshops and articles. In 2013 IPReg will continue to raise awareness of this issue.	2
4. Liaison meetings	Continue regular meetings with main stakeholders including LSB, CIPA, ITMA, LeO, PAMIA and other ARs as necessary	3
5. Meetings with registrants	Continue the programme of presentations at regular open meetings with registrants to maintain their awareness of the regulatory regime, update them on developments and to receive their feedback.	3

Consumer Protection

Activity	Description	Priority
1. First tier complaints	Continue annual collection of statistics and review. Publish any necessary guidelines.	1
2. Service Complaints (Legal Ombudsman)	Continue to review emerging patterns in the types and numbers of complaints being made.	2
3. Conduct Complaints (PRB and TRB)	Implement changes to the Disciplinary Rules to ensure rules are used appropriately in the promotion of the regulatory principles and to prevent their use in 'thicket litigation' and for other vexatious and similar reasons.	1

EDUCATION PLAN 2012/13

The overarching regulatory objective determining all IPReg education and training objectives is that of:

“encouraging an independent, strong, diverse and effective legal profession”
Section 1 Legal Services Act 2007

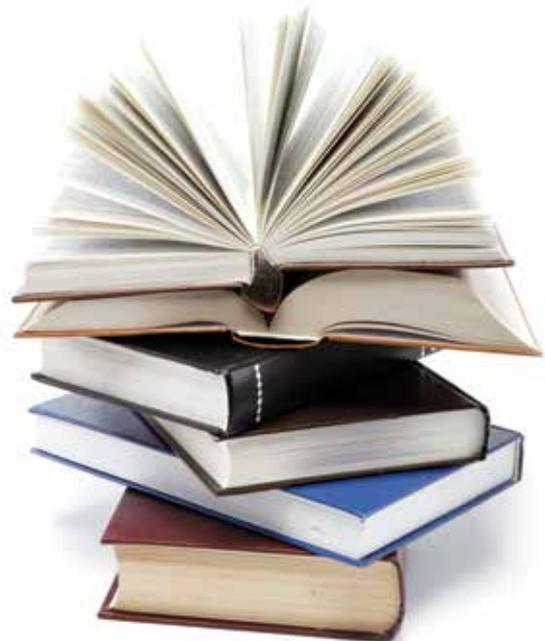
Elaborating upon this objective, the Chairman of the Legal Services Board stated:

“... we also have a specific duty: to assist in the maintenance and development of standards in relation to the education and training of authorised persons ... If the law is to ever more effectively serve the public, then the profession – or rather the entire legal workforce – needs to have the right skills and knowledge. That includes the capability to constantly update both skills and knowledge. In other words, meeting the objective isn’t just about making sure that people jump the right hurdles in their early twenties. It is about achieving a constant interplay between practice and education, with the two spheres in constant dialogue, each driving improvement and innovation in the other to the broader public good.”

David Edmonds, Lord Upjohn Lecture,
19 November 2010

Although strictly IPReg comprises the Patent Regulation Board and the Trade Mark Regulation Board, we have produced a single education plan because our policy is to meet the regulatory objectives in a consistent way across the whole of the profession.

Unlike our annual business plan, we have not allocated priorities to the activities; they all have equal priority.



Activity	Description
<p>1. Audit provision of existing examination arrangements for registration of patent and trade mark attorneys</p>	<p>Audit by an external specialist independent body approved by IPReg (e.g. Ofqual) of the provision by the JEB of the qualifying examinations for patent attorneys</p> <p>Audit by an external specialist independent body, approved by IPReg, of the provision by Queen Mary College and Nottingham Law School of the qualifying examinations for trade mark attorneys</p> <p>Establish a procedure for regular audits as above</p>
<p>2. Audit course providers</p>	<p>Develop and publish a procedure for course applications to be assessed prior to set-up</p> <p>Develop and publish a procedure for existing courses to be regularly audited</p>
<p>3. Facilitate enhanced access into the professions</p>	<p>Participate in appropriate career fairs and similar promotional events (will require commissioning of suitable materials, staff training, etc) to broaden awareness of a career as an IP attorney</p> <p>Encourage participation by CIPA and ITMA in such events</p> <p>Identify possible areas for, and the potential benefits of, harmonising aspects of the education of patent and trade mark students to facilitate consistency (and economies of scale)</p> <p>Establish data on diversity profiles of students entering into the professions</p>
<p>4. Facilitate minimum standards for in-service IP training</p>	<p>Consult on the establishment and implementation of minimum standards for in-service training including guidelines, checklists and model contracts (applicable to all parties: trainee, training body and trainer/manager)</p> <p>Develop a process for regular IPReg sampling of in-service training</p> <p>Commission or procure a basic course in organisational coaching and mentoring for in-house trainers</p> <p>Consult on the removal of qualification via 4 years' unsupervised practice</p>
<p>5. Training in Code of Conduct issues</p>	<p>Facilitate training courses on the IPReg Code tailored for entrants and also for established practitioners including those intending to make the transition from corporate to private practice</p>
<p>6. Professional Development</p>	<p>Issue a CPD questionnaire to identify areas for development</p> <p>Amend Guidelines and Rules as, and if, appropriate</p>



IPReg

Intellectual Property Regulation Board
5th Floor, The Outer Temple
222-225 Strand, London WC2R 1BA

020 7353 4373
www.ipreg.org.uk

