

IPReg Performance Management Dataset

1 April 2022–31 March 2023

Introduction

This is IPReg's performance management dataset (PMD) for the period 1 April 2022 to 31 March 2023. It includes information about our performance on authorisations, supervision, enforcement and governance.

The PMD was originally produced to fulfil a **Legal Services Board (LSB)** requirement as part of its performance management framework. Whilst no longer a LSB requirement, IPReg considers that it should continue to compile and publish a PMD in order to be transparent, accountable and consistent. In order to add some context to the dataset, we have included some trend analysis over the previous 3 years.

The key items to note about our performance are:

Authorisations

A reduction in processed applications from individuals for admission to the patent and/or trade mark registers

IPReg received 176 applications from individuals for admission to its registers (117 patent attorneys, 59 trade mark attorneys).¹ This is fewer than the 228 applications received in 2021-22 (173 patent attorneys, 55 trade mark attorneys). The level of admissions in 2021-22 was higher than usual because people were unable to sit the European Qualifying Examinations (EQE) in 2020 due to the Covid pandemic; passing the EQE provides an exemption to two patent Final Diploma papers. The level of applications in 2022-23 is comparable to the 172 applications received in 2020-21 (108 patent attorneys, 53 trade mark attorneys, 11 to both registers).



¹ An additional 35 applications were received between 27-31 March 2023 but these were deemed incomplete as no application fee was included and they were therefore processed after 31 March.

There has been a reduction in applications from firms for admission to the registers as a registered entity (a firm owned solely by lawyers)

IPReg processed 11 applications from firms for admission to the register(s) as a registered entity (5 patent firms, 6 trade mark firms). This is fewer than the 17 applications in 2021-22 (14 patent firms, 1 trade mark firm, 2 firms doing both patent and trade mark work) but is similar to 2020-21 (6 patent firms, 6 trade mark firms, 1 firm doing both patent and trade mark work). Evidence indicates that the Covid-19 pandemic may have been a catalyst for some attorneys to set up their own single-attorney firms after being employed in larger firms or in-house: 13 of the 17 applications in 2021-22 were for registration as a single-attorney firm.

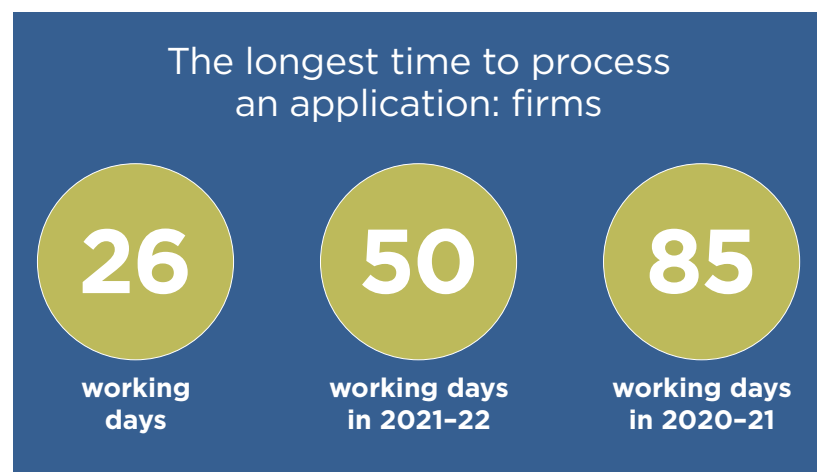


Broadly consistent number of applications from firms for admission to the registers as a licensed body (a firm with some non-lawyer ownership and/or management)

IPReg processed 5 applications from firms to be admitted to the register(s) as a licensed body (3 patent firms, 1 trade mark firm, 1 firm doing both patent and trade mark work). This is fewer than the 6 applications in 2021-22 (2 patent firms, 1 trade mark firm, 3 firms doing both patent and trade mark work) but is similar to the 4 applications in 2020-21 (3 patent firms, 1 trade mark firm).

Applications are being considered more quickly

For firms, the longest time taken to process an application (either a registered entity or licensed body) was 26 working days. This is a significant reduction from 50 working days in 2021-22 and 85 working days in 2020-21.



For individuals, the median figure of 8 working days to process an application to become an attorney is a slight improvement from 9 working days in 2021-22 but is longer than the 2.1 working days in 2020-21. Typically, a complete application – when all the necessary information and fees have been received – is decided the same day as the decision maker (the Head of Registration or the Registrar) reviews it. Going forward, we will record the date on which the last action on an application takes place (which will generally be

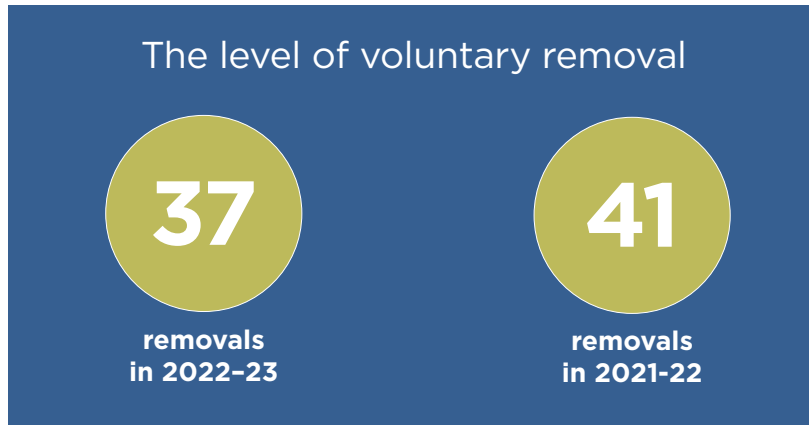
For individuals, the median figure is:



either receipt of the fee or receipt of information about qualifications) and this metric will reflect the difference between that date and the date the decision is made. This way, any delay because of a deficient application will not artificially increase the application processing time.

Broadly consistent numbers of voluntary removals

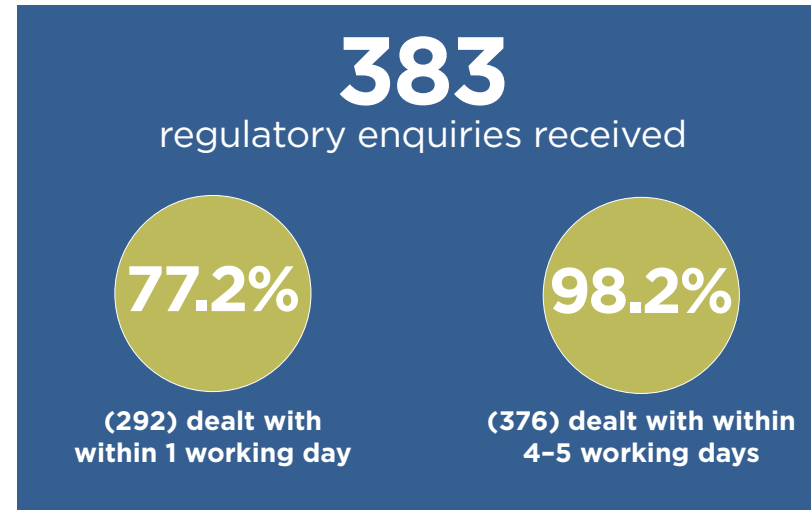
The majority of attorneys leave the register due to retirement (62% in 2022-23 and 75% in 2021-22) with other common reasons being career change (21%) and ill health (11%). The level of voluntary removal from the registers remains broadly consistent: 37 removals in 2022-23 compared to 41 in 2021-22.



Supervision

Consistently responding to regulatory enquiries within target times

Of the 383 regulatory enquiries received in 2022-23: 77.2% (292) were dealt with within 1 working day (this figure was not reported in previous PMDs). Altogether, 98.2% (376) were dealt with within our 4-5 working days target. In 2021-22: 98.2% were dealt with within 4-5 working days - up from 97.5% in 2020-21.

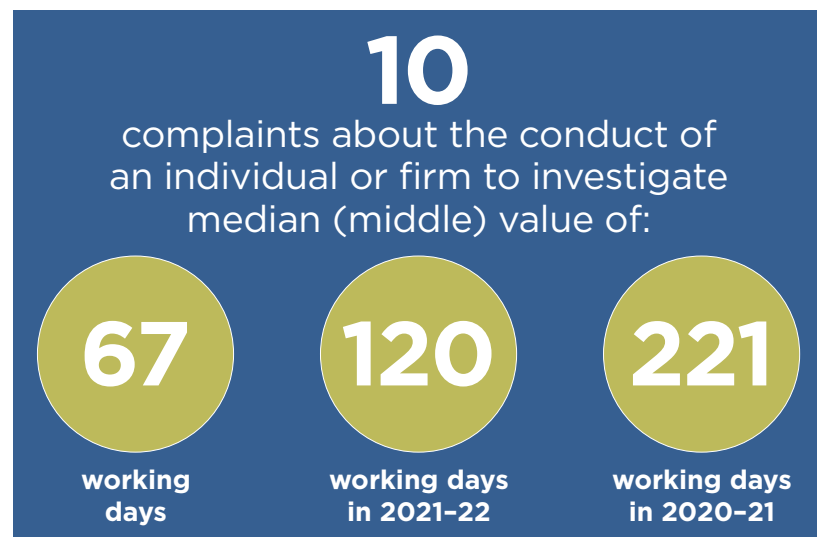


Enforcement

Regulatory enforcement – significant reduction in the time to investigate complaints

In 2022-23, IPReg received 10 complaints about the conduct of an individual or firm on its registers. This is fewer than the 12 received in 2021-22 and half the number received in 2020-21.

In terms of the time taken to investigate complaints, there was a median (middle) value of 67 working days from the initial receipt of a complaint to the final decision; this is significantly down from 120 working days in 2021-22 and 221 working days in 2020-21. The longest timeframe was 198 working days, up from 146 working days in 2021-22 but significantly fewer than 561 working days in 2020-21.



Governance and leadership

Restructuring the IPReg team to ensure efficient use of resources

IPReg is small team and currently has 7 members of staff. During the reporting year, the IPReg team was restructured. Two new posts were created: a Compliance and Authorisations Officer and an Education and Diversity Officer; the previous Assurance Officer post was abolished. The PMD reports on staff turnover and shows that this was 25%. Although this is double the turnover of 12.5% in 2021-22 and significantly more than zero in 2020-21, the turnover figure has to be considered in the context of IPReg's small size and the restructuring (there were 2 joiners and 2 leavers).

Consistently very low or no complaint levels made about IPReg

There were no complaints about IPReg in 2022-23 or in 2021-22. In 2020-21 there was 1 complaint about IPReg but this was not upheld.