

The Patent Regulation Board and the Trade Mark Regulation Board**Minutes****Wednesday 30th October 2019 at 12 noon**

The Seminar Room, Hardwicke Building, New Square, Lincoln's Inn, London WC2A 3SB

Attending:

Rt Hon Lord Smith of Finsbury (Chair)
Jonathan Clegg
Samantha Funnell
Keith Howick
Alan Kershaw
Emma Reeve
Nigel Robinson
Caroline Seddon
Nick Whitaker

In attendance: Fran Gillon, Shelley Edwards, Victoria Swan, [REDACTED] from Purple (items 1- 3)

1. **Apologies** - apologies received from Alicia Chantrey and Steve Gregory.
2. **Notification of any conflicts of interest** – none.

PART A – CONFIDENTIAL ITEMS**3. Information Technology****a) CRM implementation – lessons learned**

3.1 FG reported that the new CRM system had gone live and had been rolled out to registrants. Some User Acceptance Testing (UAT) was still being undertaken on the annual renewal process, including financial integration work. [REDACTED]

3.2 [REDACTED] presented a Benefits Realisation report identifying advantages of new CRM database:

- improved user experience for both registrants and applicants;
- better functioning registers with easier identification of practising category anomalies;
- workflow automations enabling staff to focus on other value-added work;
- centralised capture of previously disparate data sources;
- mitigation of cyber security (hosted on UKFast servers) and GDPR risks; and
- flexibility of the system to adapt to requirement.

3.3 The lessons learned from a review of the project included:

[REDACTED]

[REDACTED]

3.4 The Board noted the suggested next steps for the project:

[REDACTED]

[REDACTED]

b) Replacement PCs

3.5 FG presented a paper proposing the purchase of new IT equipment given that the current hardware and, in some cases, software was becoming obsolete.

3.6 [REDACTED]
[REDACTED] The Board agreed to the proposal to replace the office IT equipment.

Action: FG to arrange for purchase of new IT equipment through our IT support contractor

[REDACTED]

[REDACTED] left the meeting.

4. Office move update

4.1 FG reported that the licence agreement for the Little Britain offices had been signed and the move had been arranged for Monday 16th December. [REDACTED]

[REDACTED]

5. Complaints Update

5.1 SE presented the complaints paper, which the Board noted.

6. Corporate Risk Register

6.1 FG presented the corporate Risk Register paper, with Board discussion on the following items:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7. Brexit

7.1 [REDACTED]

[REDACTED]

NW left the meeting.

PART B – NON-CONFIDENTIAL ITEMS

8. Minutes of July 2019 meeting and matters arising

8.1 Minutes – the Board agreed the minutes of the 18 July 2019 meeting as a correct record.

8.2 Matter arising – the Chair reported that the Board member appraisal meetings have commenced and will be completed by the end of the calendar year.

9. New Practice Fee Regulations

9.1 FG presented the paper setting out the LSB's approval of the 2020 practising fee application. The Board noted the LSB decision to approve the application and formally made the Practice Fee Regulations.

10. Action Log

10.1 The Board noted the action log. In addition, SE provided an oral update regarding the:

Anti-Money Laundering item – [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11. Chair and CEO activities (not covered elsewhere):

3 x CEO: 31 July, 25 September and 24 October

11.1 FG reported that the meetings had discussed matters including:

- CRM progress;
- office accommodation;
- pro bono and run-off cover consultations;
- education;
- regulatory arrangements review; and
- anti-money laundering guidance;
- IGRs and future IPReg Board structure.

LSB relationship management: 16 August and 18 October

11.3 [REDACTED]

Action: [REDACTED]**Action:** [REDACTED]**Regulatory Forum: 10 September (Chair)**

11.4 The Chair reported the meeting he and FG had with CIPA/CITMA discussed matters including:

- CRM progress;
- office accommodation;
- pro bono and run-off cover consultations;
- education;
- regulatory arrangements review;
- anti-money laundering position; and
- IGRs and future IPReg Board structure.

Regulator CEOs and LSB: 11 September

11.5 FG reported that the meeting had discussed matters including:

- the Legal Ombudsman - its performance issues and concerns about costs per complaint;
- Law Tech – a Consumer Panel paper.

PAMIA: 11 September

11.6 FG reported that the meeting had discussed the run-off cover consultation.

LSB CEO: 13 September

11.7 FG reported that she met Matthew Hill the new CEO of the Legal Services Board.

Action: FG to invite Matthew Hill to IPReg Board meeting**Responses to IPReg consultations on pro bono and run-off cover**

11.8 FG reported that the consultations had both received around 10 responses.

Action: FG to submit run-off cover application to LSB in consultation with Chair**Action: FG to submit a draft pro bono application to LSB in early 2020 following discussions with respondents****12. Education Group Report**

12.1 CS and the Chair introduced the Education Group's recommendations, first discussing the accreditation status of Brunel, QMUL and Nottingham, and then its proposed work plan.

12.2 Brunel University Patent Attorney Qualification Reaccreditation – the Board discussed the Brunel process and timeframe – the standard five-year accreditation cycle means Brunel would be due for assessment in 2020 - and the Board agreed the Education Group recommendations to:

- engage the two specialist assessors who have undertaken last four assessments;
- apply the same recharge costs policy, whilst also undertaking a time-recording exercise; and
- recruit a broader pool of assessors going forward.

Action: VS to arrange Brunel University accreditation exercise and record time allocated to it

Action: VS to recruit broader pool of accreditation assessors

12.3 Queen Mary University London (QMUL) Trade Mark Law and Practice Quality Concerns – the Education Group had received a disappointing progress update from the QMUL Programme Leader, which indicated that previous commitments had not been satisfactorily delivered. The Board agreed that unless there is clear progress towards major improvement in the areas of concern, IPReg will need to seriously consider its approach to QMUL's reaccreditation in 2022. A letter to QMUL setting out IPReg's disappointment at the absence of progress would be sent as soon as possible and would make the following further recommendations:

- administration of WhatsApp notification group for telling students if lectures had been changed or cancelled must be undertaken by QMUL staff (and not students as suggested by QMUL);
- QMUL must review of the structure, membership and processes of its Programme Management Group to deliver appropriate oversight and development of the programme.

Action: VS to draft letter to QMUL from the Chair setting out IPReg's concerns

12.4 Nottingham University accreditation - reported that the Education Group is content with how seriously Nottingham had taken the accreditation implementation plan update and the Board agreed with that assessment.

12.5 Education Group Work Plan – the proposed education work plan programme was discussed and the Board agreed the following workstreams and timeframes:

imminent implementation:

- accreditation assessment reports, findings and recommendations to be published; and
- regular progress updates against accreditation implementation plans to be published;

short-term preliminary review (aiming for November 2019 – March 2020):

- requiring annual reports (to include student feedback and improvements made as a result);
- development of a withdrawal process when accreditation standards are not met;

- cost reflective charges for accreditation (including some allocation of officer time);
- encouraging more pathway providers including other university/examination offers; and
- provision of online Frequently Asked Questions (agreed for further development);

medium-term preliminary review (aiming for the end of 2020)

- review of the IPReg Accreditation Handbook; and
- review of whether to quality assure the work-based element of attorneys' training;

longer-term preliminary review (aiming for 2020-21)

- encouraging more providers including consideration being given to apprenticeships;

mixed timetable

- changing overall work priorities or automating some of the process where possible.

12.6 The Board agreed the plan, whilst recognising that the regulatory arrangements review may need to take precedence and that some pieces of work may need to be externally sourced. The Board noted that the target timeframes relate to when the IPReg team will report to the Education Group on preliminary findings and are not necessarily reflective of when a formal policy recommendation can be expected.

Action: VS to issue letter to Examination Agencies and assessors advising that accreditation reports will be published and that regular updates will be required

Action: VS to schedule work plan items

12.7 Mercer Review – overarching review of the Patent Examination Board's Final Examinations – the Board agreed to maintain a watching brief and await the Review's draft Terms of Reference to determine the extent, if any, of IPReg involvement in the review.

13. Regulatory Statement – for Part A and Part B: Confirmation that, except where expressly stated, all matters are approved by the Patent Regulation Board and the Trade Mark Regulation Board.

14. Any Other Business: the Board endorsed the Chair's thanks to Jonathan Clegg for his 7 years of service to the IPReg Board.