

## IPReg Practice Fee Regulations 2023

These regulations set out *IPReg's* requirements in relation to practice fees payable by *registered persons* on entry to the *register(s)* and on annual renewal of registration to the *register(s)*. They also set out the penalty fees that *IPReg* will apply in the event that a *registered attorney* fails to renew their registration by the *prescribed* date, and the penalty fee that *IPReg* may direct to be payable by an individual applicant seeking restoration to the *register(s)* following removal for failure to renew registration.

These regulations relate to provisions set out at Chapter 3 of *IPReg's* Core Regulatory Framework, and associated requirements set out in *IPReg's* Standard Operating Procedure in respect of admission and authorisation, and Chapter 6 of the Core Regulatory Framework, and associated requirements set out in the Standard Operating Procedure in respect of applications to waive the practice fees set out in these regulations.

### **Registered attorneys: entry onto the register and annual renewal of registration**

1. The *prescribed* practice fee for:
  - a. Applicants seeking entry onto the *register(s)* in accordance with 1.3 of Chapter 3 of the Core Regulatory Framework and paragraph 2 of the part of the *IPReg* Standard Operating Procedure relating to admission and authorisation requirements; and
  - b. *Registered attorneys* seeking renewal of their annual registration in accordance with 4.1 of Chapter 3 of the Core Regulatory Framework and paragraph 73 of the part of the *IPReg* Standard Operating Procedure relating to admission and authorisation requirements,

shall be in accordance with Table 1 below.

Table 1: *Registered attorneys*: practice fees for entry onto the relevant *register(s)* or annual renewal of registration

	For entry onto a single <i>register</i> , or renewal of registration for, a single <i>register</i>	For entry onto both <i>registers</i> , or renewal of registration for, both <i>registers</i>
<i>Registered attorney</i> solely undertaking corporate work	£203	£324
<i>Registered attorney</i> in private practice	£246	£404

<i>Registered attorney</i> not in active practice	£171	£273
<i>Registered attorney</i> practising as a sole trader and not employing other <i>registered attorneys</i> or other professionals *	£404	£577
<i>Registered attorney</i> practising as a sole trader and employing other <i>registered attorneys</i> or other professionals *	£404 + £81 for each registered attorney employed by the sole trader + £324 for each other professional employed by the sole trader	£577 + £81 for each registered attorney employed by the sole trader + £324 for each other professional employed by the sole trader

\* For the purposes of these Regulations, “other professional” shall mean a *manager* or *employee* based in the *UK* who is: (i) not a *registered attorney* but holds the qualifications necessary for registration; (ii) a qualified European patent and/or trade mark attorney; (iii) a barrister of England and Wales; or (iv) a solicitor of England and Wales.

#### **Registered attorneys: penalty fee for failure to renew registration by the prescribed date**

2. In accordance with 4.1 and 4.2 of Chapter 3 of the Core Regulatory Framework, and paragraphs 73 to 80, inclusive, of the part of the *IPReg* Standard Operating Procedure relating to admission and authorisation requirements, the penalty fee that will apply to *registered attorneys* who have not renewed their registration before the *prescribed* date in each year, shall be equal to 50% of the corresponding practising fee for entry on to or renewal for the *register(s)* in accordance with Table 1, up to a maximum penalty fee of £250.
  
3. In accordance with 5.3.7 of Chapter 3 of the Core Regulatory Framework and paragraph 98 of the part of the *IPReg* Standard Operating Procedure relating to admission and authorisation requirements, the penalty fee that *IPReg* may direct an individual applicant who is seeking restoration to the *register* following removal for failure to renew registration to pay, shall be equal to 50% of the corresponding practising fee for entry on to or renewal for the *register(s)* in accordance with Table 1, up to a maximum penalty fee of £250.

#### **Registered attorneys: waivers in respect of practising fees**

4. In accordance with 2 of Chapter 6 of the Core Regulatory Framework and associated requirements set out in the part of the *IPReg* Standard Operating Procedure relating to waivers, a *registered attorney* may apply to *IPReg* for all or part of their relevant practice fees as set out in Table 1 to be waived.

5. Waivers in respect of practice fees will only be granted where the *registered attorney* provides evidence of hardship.
6. A *registered attorney* whose practice fee is waived under this regulation will remain on the *register(s)* and must continue to comply with *IPReg's regulatory arrangements*, including, but not limited to, the requirement set out in 3.10 and 3.11 of the Code of Conduct in Chapter 2 of the Core Regulatory Framework, to take out and maintain a policy of Professional Indemnity Insurance and, where necessary, run-off cover insurance.
7. A *registered attorney* who has had their practice fee waived under this regulation must notify *IPReg* within 14 days of a change in their circumstances, such as an increase in income, becoming employed or resuming trading. In such event, their full practising fee will become payable to *IPReg* within 28 days of their notification to *IPReg* of their change in circumstances.

***Registered and licensed bodies: entry onto the register(s) and annual renewal of registration***

8. Subject to Regulation 5, the *prescribed* practice fee for:
  - a. Applicants seeking entry onto the *register(s)* in accordance with 2.1 of Chapter 3 of the Core Regulatory Framework and paragraph 33 of the part of the *IPReg* Standard Operating Procedure relating to admission and authorisation requirements; and
  - b. *Registered and licensed bodies* seeking to renew their annual registration in accordance with 4.1 of Chapter 3 of the Core Regulatory Framework and paragraph 73 of the part of the *IPReg* Standard Operating Procedure relating to admission and authorisation requirements,

shall be in accordance with Table 2 below.

Table 2: *Registered and licensed bodies* practice fees for entry onto the *register(s)* or annual renewal of registration

	For entry onto either or both <i>register(s)</i> , or renewal of registration
<i>Registered bodies</i> through which only a single <i>registered attorney</i> provides services (employing no other <i>registered attorneys</i> or other professionals) *	£158

Any other <i>registered</i> and <i>licensed bodies</i>	£404 + £81 for each <i>registered attorney</i> practising via the <i>registered</i> or <i>licensed body</i> + £324 for each other professional practising via the <i>registered</i> or <i>licensed body</i> *
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\* For the purposes of these Regulations, “other professional” shall mean a *manager* or *employee* based in the *UK* who is: (i) not a *registered attorney* but holds the qualifications necessary for registration; (ii) a qualified European patent and/or trade mark attorney; (iii) a barrister of England and Wales; or (iv) a solicitor of England and Wales.

9. *Registered bodies* and *licensed bodies* will be subject to an additional fee for their first approval, which shall be equal to the practice fee payable upon their entry onto a single or both *register(s)*.

#### **Commencement provisions**

10. The fees set out in these regulations shall apply from 1<sup>st</sup> January 2024 until further amended or substituted by further regulation.

#### **Supplemental notes**

These Regulations are made under section 275A of the Copyright Designs and Patents Act 1988 and section 83A of the Trade Marks Act 1994, respectively (pursuant to sections 185 and 184 of the Legal Services Act 2007) and section 21 of the Legal Services Act 2007.