

# CIPA meets WIPO President, EC Commissioner and EU business chiefs

**P**resident Andrea Brewster and other leading lights in CIPA have met senior figures on the world IP stage in recent weeks to forge closer links and promote the UK profession.

A CIPA delegation travelled to WIPO headquarters in Geneva for three hours of talks, meeting WIPO President Francis Gurry for an hour before spending another two with senior Patent and Trade Mark staff.

“We were pleased to establish closer relationships with WIPO and will look to visit them at least once a year,” said Andrea.

“The connections have now been made and this will create opportunities to provide input via specific user groups in the future. We were asked, for example, to join their Madrid Trade Mark Protocol user group.

“We spoke to them about the harmonisation agenda and other international issues, such as Global Dossier, the Madrid Protocol and the Hague System. We stressed the importance of user consultation and offered our help in the future.”

The group comprised Andrea, Vice-President Tony Rollins, Immediate Past President Catriona Hammer, Honorary Secretary Chris Mercer, Trade Mark Committee Chair Keith

Howick, and Council Member John Brown.

Catriona, Tony and Chris also spent a day in Brussels, first meeting Jerome Chauvin and Ilias Konteas of BusinessEurope, an influential lobby group representing the



**Andrea Brewster**

interest of European business to the European Parliament and European Commission and Council among other stakeholders, before moving on to the European Commission to meet Slawomir Tokarski, EU Commissioner responsible for IP, and his Deputy Head of Unit, Michael Konig.

“We had wide-ranging discussions with BusinessEurope and were pleased to be able to update them on progress in the

UK on the Unified Patent Court,” said Catriona.

“One of the issues raised by BusinessEurope was the possibility of establishing a Unitary SPC. We also discussed progress in harmonisation discussions and had a very useful exchange of views.”

BusinessEurope also requested a copy of the CIPA position paper on the EU Referendum and this has since been forwarded.

During the EC meeting, the UPC was again a major topic of discussion, but this time around court fees. There was also a long exchange of views on how to fund innovation, especially for SMEs. The CIPA trio described the support it provides in the UK.

We were told that: the Commission was carrying out an evaluation of the IP Rights Enforcement Directive; was also looking at the possibility of non-agricultural GIs and was considering a Unitary SPC – perhaps in the second half of 2017.

OHIM becomes EUIPO on March 24. The Commission appreciates the risk of confusion with the EPO and we were told that both EUIPO and the EPO would take steps to ensure the misdirected correspondence was correctly forwarded and would combat any increased risk from “scammers”.

# CIPA signs historic declaration in pursuit of global harmonisation

The Japan Patent Attorneys Association, CIPA and eight fellow professional intellectual property institutes and associations, including those from the USA and China, have formed an alliance to help shape, promote and improve global patent initiatives.

The alliance has published a formal commitment to assist pan-governmental moves to create a harmonised global intellectual property system to improve and economise IP processes and protection for all businesses across the globe, not only large corporations but also small and medium scale enterprises as well as individual inventors.

The full list of organisations involved is:

- All-China Patent Attorneys Association (ACPAA)
- American Intellectual Property Law Association (AIPLA)
- Asian Patent Attorneys Association (APAA)
- Association of Singapore Patent Attorneys (ASPA)
- The Chartered Institute of Patent Attorneys (CIPA)
- Fédération Internationale des Conseils en Propriété Intellectuelle (FICPI)
- The Institute of Patent and Trade Mark

Attorneys of Australia (IPTA)

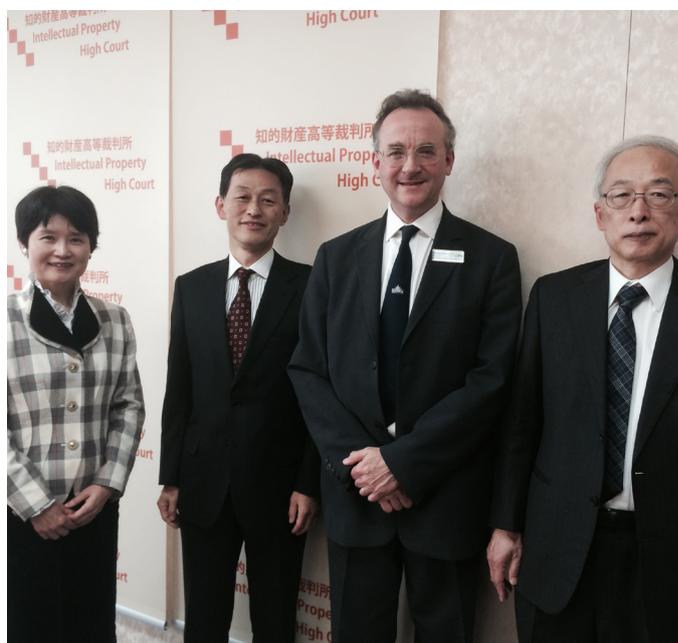
- Intellectual Property Association of Thailand (IPAT)
- Japan Patent Attorneys Association (JPAA)
- Korea Patent Attorneys Association (KPAA)

The declaration was a result of high-level discussions hosted by the Japanese Patent Attorneys Association (JPAA) in Tokyo. CIPA was represented by Richard Mair, Chairman of its International Liaison Committee.

CIPA President Andrea Brewster said: “CIPA will continue to work with its counterpart organisations around the world further to develop international patent systems that work well for both global and local businesses, and to create a globally-connected community of IP professionals who are able to guide and support IP users through those systems. It is important that patent attorneys from all countries collaborate to help shape harmonisation measures and to make the most of the opportunities that they offer. The meeting is therefore a very positive move and we are most grateful to the Japan Patent Attorney Association for hosting it.”

## CIPA meets Japanese High Court Judges

The JPAA President also arranged for the delegates to visit the Japanese Patent Office to meet the Commissioner and the country’s IP High Court judges. Those meetings were attended by the representatives from CIPA, China, the USA, Australia, Thailand, Japan and Korea (Richard is pictured, right, with Chief Judge Ryuichi Shitara and Judges Asayo Ohyori and Misao Shimizu). Richard spoke to the judges about the Unitary Patent and UK representation at the UPC, emphasising the UK profession’s good reputation for representing clients from outside Europe. He also discussed the EU referendum, explaining that, in the unlikely event that the UK voted to leave, it would remain an EPC country and that British EPAs with litigation rights would retain their rights of representation before the UPC.



## Preparing for the UPC: a CIPA training needs survey

The UPC is now on our doorstep, and CIPA is working to ensure that current and future members are the best prepared that they can be to represent clients before the Court. As one stage in this process, we are seeking input from across

the profession on a range of topics related to UPC representation and the EPLC that European Patent Attorneys will take to obtain representation rights. CIPA is currently liaising with potential course providers for the EPLC,

and your views are important in ensuring that the course is set up in a way best suited to fit this further qualification into already busy lives.

Please click [this link](#) and complete our short training needs survey.

## Data mining and copyright project wins CIPA PhD prize

A study of the impact of copyright on text and data mining by Christian Geib, of Strathclyde University, was the winner of CIPA's first intellectual property PhD prize.

Christian (pictured, left, discussing his work with Council member Dr Roger Burt) was one of a number of students who attended the PhD seminar in CIPA hall, hosted by CIPA Vice-President Tony Rollins.

Talks were given by the students, Prof Sir Robin Jacob, Rosa Wilkinson (Head of Innovation at the IPO) and Immediate Past President Catriona Hammer.

Read the IPKat blog post on the event. Review tweets from the event [here](#).



## New Fellows welcomed to CIPA



President Andrea Brewster welcomed the latest group of Fellows to CIPA at a social event in CIPA Hall where they chatted with Council members and staff.

Informal talks were given by IPReg Chairman Michael Heap, President Andrea Brewster and Chief Executive Lee Davies.

## UPC presentations attract members to CIPA meeting in Merseyside

Thirty members attended our regional meeting in Liverpool to hear presentations on:

- Commercialisation of IP (Alastair Poore)
- The economics of the UPC (Jim Boff)
- Preparing for the UPC (Jane Lambert)
- Working with your patent examiner (Phil Thorpe, IPO).

## Andrea Brewster gives interview to BBC radio

CIPA President Andrea Brewster gave an interview to regional BBC radio station, Radio Solent following the closure of a Chinese hoverboard-maker's stand by US marshals at

the CES tech show in Las Vegas due to alleged patent infringement. In the interview Andrea explained the process of applying for a patent and discussed the importance of IP rights.



# Unitary Patent Court update

## Preparatory Committee

Items coming up for agreement include the awaited final proposal on court fees, SME support and recoverable costs.

## Governance

There are now nine member states who have ratified with Finland being the latest. The UPC website has a new content management system, enabling better integration with the Case Management System.

## IT

The front end of the system is being refined with advice from members of the Expert Panel. Future plans include working with judges and staff to complete back end of the case management system. Pierre Véron hosted a presentation of the IT Case Management System in Paris on January 25.

Register onto the Case Management System [here](#). Please provide feedback via the 'send feedback' button at the bottom of the webpage.

There is a workshop to be hosted

in London for suppliers of case management, bundle, or patent management software to discuss options for enabling API access to the courts eFiling system. Register [here](#).

## Facilities

Work is continuing on Aldgate Tower is hoped to be completed by the end of May.

## Legal

In the final stages of preparation to lay the secondary legislation that will amend the Patent Act 1977 to implement the UPC Agreement. Read the Government Response to the consultation [here](#).

Draft secondary legislation that will amend UK patent law to implement the UPC Agreement was laid in Parliament on 19 January. View the draft legislation and the accompanying documents [here](#). After undergoing scrutiny the legislation will be debated in both houses.

## HR and Judicial Training

Work will intensify on the eligibility options as well as the judicial terms and conditions.

The UPC are moving towards conclusion on the remuneration package, with discussions around pensions being prioritised. The meeting of the HR working group in Brussels on the 21st of January made good progress on the judicial recruitment procedure.

## Unitary Patent

The EPO Select Committee has concluded its work on substantive items (fee levels, distribution key and administrative rules). It will meet again in March to finalise administrative instructions based on the provisions agreed in December. The committee will have oversight of the EPO's administration of the Unitary Patent when the system comes into force.

Details of EPO meetings are published [here](#).

An official Communiqué of the last Select Committee meeting can be found [here](#).

Relevant documentation regarding the rules relating to Unitary Patent Protection can be found [here](#).

## And finally...

At the second annual round-table meeting on Diversity in IP, in CIPA hall on 26 January, the IP Inclusive team reviewed its achievements and set objectives for 2016. Read a full update [here](#).

The IPO has released its five year strategy which, we were delighted to note, reflects CIPA's own three year strategy in many respects.

Read the IPO's five year strategy in full [here](#).

CIPA is looking to recruit a Deputy Editor to work on the CIPA Journal. The volunteer would work alongside Alisdair Poore, the current editor, and all the regular contributors on commissioning and deciding what is of interest and what should be covered. More information on the role can be found on the CIPA website under job vacancies. (Members will need to log in to access).

## Upcoming events

Come along to our [South Coast happy hour](#) on February, 11 from 6pm.

[CPD seminar on the effective use of procedural options](#) at the EPO on February, 12, 3-5pm.

View all CIPA's upcoming events [here](#).