



**CIPA**

The Chartered Institute of Patent Attorneys

Patents • Trade Marks • Designs • Copyright



**ANNUAL REPORT**

2019



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# Contents

- 2** An introduction from our President
- 3** Chief Executive's message
- 4** Our objectives

## Status

- 5** Enhancing the status of members
- 6** Supporting IP Paralegals
- 7** Pro bono services and free advice

## Influence

- 8** Influencing at the highest levels
- 10** Policy and public affairs
- 11** Regulation of the profession

## Learning

- 12** Review of member learning activities
- 13** Around the CIPA conferences

## Community

- 14** The work of our committees
- 15** Membership summary
- 16** Social media expansion; CIPA staff

# Introduction from the President



**Julia Florence**

**W**hat a year it's been! It has been an absolute pleasure to serve as President and I can safely say that CIPA has been keeping me very busy since I gave up my day job – I have never felt less retired! I'm very glad to have the opportunity to stay involved with the IP community and to give something back.

Over the last year, CIPA has been busy working on many different IP matters.

Brexit has kept us busy again and we have continued to spread the message to our overseas colleagues that for European patent work in the UK, it's business as usual. As a major part of this effort, CIPA arranged a series of roadshows in the US, covering Washington, Boston and Palo Alto – not only delivering the 'Keep Calm' message, but also providing high quality seminars on a variety of European hot topics in the biotech, computer technology and AI areas.

On the home front, we have prepared and updated guidance for our members regarding the IP implications of a no-deal Brexit, which can be found on the CIPA website. We also recently provided further advice in our live broadcast 'IP in a Post Brexit World'.

Another of my priorities for this year was education, and I'm pleased to say that our Education Committee has been revamped and revitalised under the able leadership of Vicki Salmon, and with the help of many enthusiastic volunteers. There have been a number of seminars and webinars with an education focus, including two webinars on FD4 - one for the tutors and trainers and another aimed at students. The committee now has in hand a very large piece of work, namely a comprehensive review of education and training needs, the Mercer Review. One of the intended outcomes is to enable all our students to face what are undoubtedly difficult professional exams, with the best possible preparation.

This year we have been delighted to welcome to CIPA 221 members in our new Paralegal membership category. The enthusiasm and professionalism of our paralegals was showcased at the very successful Paralegal Conference and Dinner in September.

I'd like to finish with a word about IP Inclusive. CIPA is a very proud supporter and key stakeholder of IP Inclusive and we've been delighted at its great success in promoting inclusion and diversity in the IP sector. For this much credit goes to Andrea Brewster and a band of dedicated volunteers.

I hope you find the 2019 Annual Report an interesting overview of the CIPA year. CIPA is nothing without its members and we are grateful to all of you for your support and engagement.

A handwritten signature in black ink that reads "Julia Florence". The signature is fluid and cursive, with a large initial 'J'.

# Chief Executive's message



**Lee Davies**

**I** have interests outside of CIPA. One of those interests has led me to become President and Chair of the Institute of Association Leadership, the small but perfectly formed membership body for people who do what I do. This complements my work at CIPA. Being able to share knowledge and experience with peers enables me to gain a sense of how CIPA benchmarks against other associations and how we might continue to improve. It also enables others to see what CIPA does well and to learn from our successes.

What can other associations learn from CIPA?

The two hardy perennial issues for membership associations are recruitment and retention. Recruitment and retention are the most important performance indicators for an association and most professional bodies would give anything to match CIPA. At a time of great uncertainty, CIPA has continued to grow its membership at a rate of at least 5% per year for the last five years. 2019 exceeded all expectations, with student membership increasing by 26% and the new IP Paralegal membership category bringing in almost 400 new members.

In terms of retention, CIPA regularly exceeds 97% membership retention at annual renewal. The average for the association sector is 75%. That is not to say we are complacent. The membership team at CIPA work hard to ensure that the renewal process runs smoothly and that members' enquiries are dealt with promptly and effectively. That we do not have to apply the level of resource to renewals as many other associations require means that we can spend more time providing the benefits of membership that members value.

The underlying lesson in this for me is the importance of people in membership associations. In all that CIPA does well - webinars, seminars, conferences, events, CPD, publications, lobbying, professional representation, advocacy, research - it does so because of some amazing people. The third perennial issue for associations is membership engagement. It is difficult to measure. There are consultants selling different methods for determining membership engagement. I believe it is something you can feel more than you can measure and at CIPA it feels that we are better than most.

For a relatively small professional body, our members give their time freely to ensure that CIPA punches well above its weight. Whether it is serving as an Officer or member of Council, serving on a committee, writing for the Journal or one of our many publications, leading a webinar or seminar, providing an IP clinic or engaging in other pro bono activities, our members involve themselves in the work of CIPA in a way that other associations can only envy.

Without the commitment, enthusiasm and expertise of its members, CIPA would not be the highly regarded professional body that it is and would not be able to influence IP policy in the UK and abroad. CIPA is the 'go-to' organisation for IP policy formers and decision makers and this is a testament to the hard work and energy of the many members who give of their time to CIPA.

A handwritten signature in black ink, appearing to be 'Lee Davies', written over a horizontal line.

# Our Objectives

The Chartered Institute of Patent Attorneys (CIPA) was founded in 1882 and was incorporated by Royal Charter in 1891. CIPA is the professional body for the patent attorney profession in the UK, representing over 2,300 Chartered Patent Attorneys, working in industry or in private practice. CIPA's total membership is approximately 4,300 and includes trainee patent attorneys, patent administrators and other professionals with an interest in intellectual property law.

The principal objects of CIPA, as set out in its Royal Charter, are:

- to act as a professional and representative body for intellectual property practitioners in patents, designs, trade marks and other forms of intellectual property
- to promote the education, standing, training and continuing professional expertise of intellectual property practitioners and to establish, maintain and enforce high standards of professional conduct and compliance with the law.

These objects and all of CIPA's membership benefits and services are delivered through four distinct themes:

- **Status**  
*Advancing and promoting the professional **status** of Chartered Patent Attorneys as a global brand*
- **Influence**  
*Working to **influence** intellectual property policy in the UK and abroad in the interests of its members and for the wider public good*
- **Learning**  
*Supporting the **learning** of its members, during initial professional formation when trainees and through high quality, relevant continuing professional development*
- **Community**  
*Providing the infrastructure and resources required for a **community** of practice to flourish*

Well done CIPA. The 2019 annual report describes another successful year in the work of the institute, promoting the interests of the UK patent attorneys' profession and developing a wider understanding of the importance of all kinds of intellectual property. Alongside its partner professional associations, CIPA plays a vital role maintaining our position as a knowledge based economy and as a major jurisdiction for filing, maintaining and litigating IP rights. I value my links with the institute and the attorney professions as a whole.

**Sir Colin Birss**  
Judge of the High Court of England & Wales



# Enhancing the status of members

The Institute promoted the UK profession at home and abroad throughout 2019, demonstrating how Chartered Patent Attorneys were adding value to the IP system for their clients and other stakeholders.

The President and other CIPA representatives visited key countries to promote the profession and the UK system ahead of Brexit and to provide updates on important UK IP developments.

In preparation for a potential No-Deal Brexit in October, we broadcast a live panel discussion on YouTube with Julia Florence, Lee Davies and CIPA Council members Matt Dixon and Alicia Instone, entitled *IP in a Post-Brexit World*. The broadcast was watched by a large online audience in the UK, USA, Canada and across Europe.

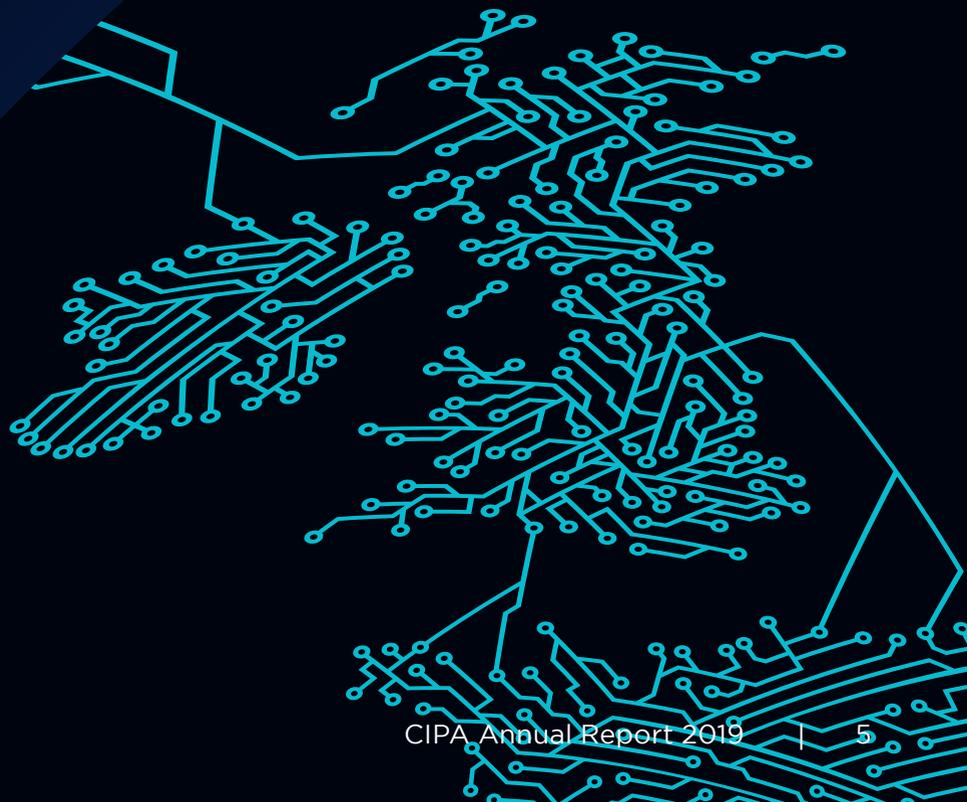
Julia Florence led a high-powered delegation, including Sir Colin Birss, a judge of the High Court of England and Wales and two UK IPO Directors, to the US IP hubs of Washington, Boston and San Francisco in April to promote the UK as a centre of IP excellence.

We worked with the Intellectual property Regulation Board (IPReg) to ensure that the regulation of patent attorneys in the UK was fit for purpose and continued to inspire confidence among users of the system.

The Institute was a publishing partner to the annual special report into intellectual property, published in The Times in March.

We continued to work with partners to support the work of IP Inclusive in promoting diversity and inclusion across the IP professions.

CIPA enhanced the professional status of IP Paralegals through the introduction of a Paralegal membership category and tailored services such as additional qualifications and continuing professional development.



# Supporting IP Paralegals



**A** total of 221 IP Paralegals were elected to membership in 2019 following the introduction of the institute's IP Paralegal membership grade in October 2018.

Eighty-six IP Paralegals were automatically elected members through qualification from the Intellectual Property Administrators Course.

The IP Paralegals Conference 2019 was the largest and most successful to date, attracting 183 delegates.

Following the conference a celebration dinner was held to mark the 20th anniversary of the Patent Administrators' Course (previously known as the Introductory Patent Administrator Course).

There were over 100 in attendance for this special occasion, including speakers involved in the creation of the original course.

Recognising that the IP Paralegal Member category now had a significant number of members, CIPA Council agreed that representation on Council was important and created a seat at Council for a representative from the IP Paralegal Committee.

We will continue to work alongside the IP Paralegal Committee to deliver webinars, seminars and social events targeted at the IP Paralegal membership group.

# Pro bono services and free advice

Volunteering by Chartered Patent Attorneys helps to sustain two important initiatives which provide free intellectual property advice to the public: IP Pro Bono and CIPA clinics.

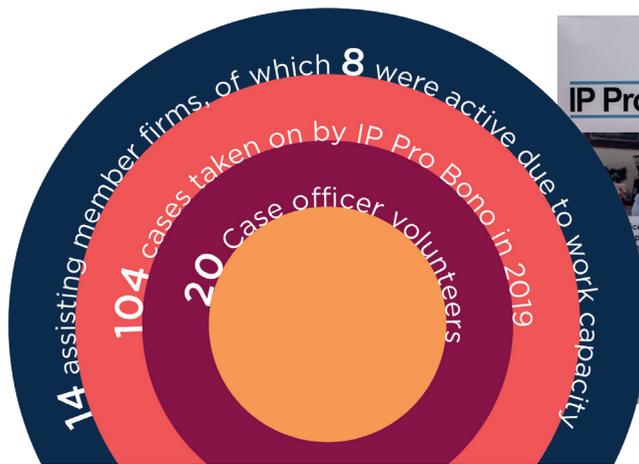
IP Pro Bono provides advice and legal support for claimants and defendants in intellectual property disputes who cannot afford to pay.

The scheme is the collaboration of a number of leading IP organisations, including CIPA, the Chartered Institute of Trade Mark Attorneys

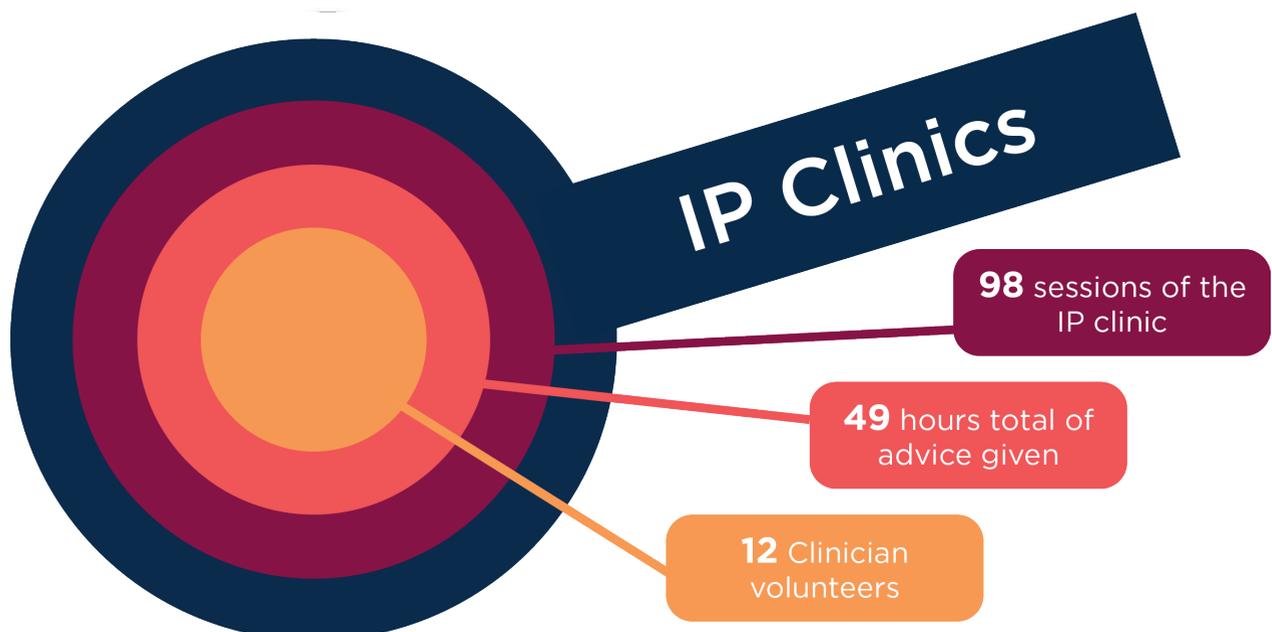
(CITMA), the Intellectual Property Lawyers' Association (IPLA), the IP Bar Association and the Law Society. We manage the scheme.

Our clinics are held at sites around the UK to provide free basic advice to unrepresented innovators who are at the early stages of developing an idea. The Clinics are all given by a Registered Patent Attorney who is a Fellow of the Institute.

Both services had busy 2019, as shown in the graphics below.



## IP Pro Bono



# Influencing at the highest levels

Relationships with policy makers, parliamentarians, fellow institutes and other stakeholders at home and overseas are critical to our work in promoting the interests of our members and the UK IP system.

As well as regular meetings at all levels with the UK IPO, delegations from the institute met US Patent and Trade Mark Office Director Andre Iancu and colleagues; EPO President António Campinos and his top team (see below); and liaised with senior parliamentarians including former IP Minister Baroness Neville-Rolfe and Baroness Hayter, Shadow Deputy Leader of the House of Lords.

We also had meetings with the Federation of Small

Businesses and forged new contacts with the Institute of Directors.

CIPA continued to promote the UK IP profession to key markets around the world, hosting and visiting sister organisations and government departments. The International Liaison Committee remained pivotal in delivering the message abroad that European patent work will not be affected by Brexit.

The institute produced Japanese language versions of two of its promotional videos which were shown as introductions to seminars when a CIPA delegation visited Tokyo and Osaka in February.

The large UK delegation, headed by CIPA President



**CIPA's Julia Florence and EPO President Antonio Campinos with their teams**



CIPA and the KPAA have enjoyed a great relationship for more than 20 years. We have held annual meetings, alternatingly in the UK and Korea, where we share insights and information regarding the latest trends in our two countries. Our 2019 annual meeting was also another opportunity to strengthen the already friendly relations between the two organisations. I hope that this partnership will continue and CIPA and the KPAA will lead into the future together.

**Se Joong Oh**  
President, Korea Patent Attorneys  
Association (KPAA)

Julia Florence and Past President Tony Rollins and including Patents Court Judge Sir Colin Birss, CITMA President and Vice President Tania Clark and Richard Goddard and senior UKIPO officials, held all-day seminars supported by the American Intellectual Property Law Association (AIPLA) in Washington, Boston and Palo Alto.

The US delegates heard about the impact of Brexit on patents, trade marks and designs, comparisons between the US and UK IP litigation systems, insights into filing at the European Patent Office, the patentability of artificial intelligence in Europe and modernisation programmes at the UKIPO and USPTO.

Sir Colin was joined in Washington by retired Federal Circuit Judge Paul Michel and in Boston by Chief District Court Judge Patti Saris, of Massachusetts. Sir Colin explained the benefits of litigating at the Intellectual Property Enterprise Court (IPEC) for smaller companies, due to the cap

on costs and fast track procedures. Judge Michel, in particular, was full of praise for the IPEC.

In Palo Alto we were joined by senior in-house litigators Laurie Hill and Rebecca Grant of biotech giant Genentech, Catherine Maresh of Immersion Corp and Nick Aries, partner and co-head of Bird and Bird's San Francisco office, for a panel exploring best practice in international IP litigation strategy.

All panel sessions were well received with our AIPLA moderators doing a fantastic job. In Palo Alto two moderators travelled in from Chicago and Texas and we also had an award-winning entrepreneur in the audience – Patrick O'Neill, inventor of the iPhone removable lens, the Olloclip.

American delegates to the Roadshows liked what they heard so much that they asked us to return in 2020.

AIPLA continues to be an innovator, a powerful advocate and a visible global leader in intellectual property law – both now and in the future. As such, the opportunity to work closely with CIPA, a proven leader in the intellectual property law space, allows both of us the opportunity to leverage extensive knowledge to further enhance our members' professional and leadership development.

**Lisa Jorgenson**  
Executive Director, American  
Intellectual Property Lawyers  
Association (AIPLA)



# Policy and public affairs

**T**hroughout 2019 we worked hard on numerous policy initiatives with a particular focus on protecting the interests of the IP professions in Brexit negotiations and any future UK trade agreements.

We continued to lobby the Government to seek the best possible outcome from Brexit for our members and for all users of the IP system.

As well as regular meetings with the UK IPO we promoted our members' interests to the Ministry of Justice and the Department for International Trade as well as the European Patent Office.

While patents remain unaffected by Brexit, the UK's withdrawal from the EU is a source of uncertainty for all, including IP practitioners. We ensured our members were well informed and prepared for

all possible outcomes, producing and regularly updating advice and practice points for members.

As the recipient of a grant from the government's Brexit Readiness Fund, CIPA hosted a live panel discussion on the impact of a No Deal Brexit on intellectual property, watched by audiences in the UK, USA, Canada, Italy, Spain, Germany, Italy, Spain, Sweden, Finland and Poland.

A large UK delegation, headed by CIPA President Julia Florence, travelled to the USA to promote the UK IP professions and the UK IP system to US attorneys (see pages 8-9 for full report).



The relationship with CIPA is incredibly important to the UKIPO; I have been grateful for the support, engagement and constructive challenge provided by colleagues at CIPA, who share our ongoing commitment to ensuring the UK has a world-leading IP landscape. Engagement between CIPA and the IPO is key as we further develop the right IP services, framework and environment to support innovation and creativity.

**Tim Moss**  
Chief Executive Officer and Comptroller  
General, UK Intellectual Property Office

# Regulation of the profession

It is 10 years since the introduction of the Intellectual Property Regulation Board (IPReg) – CIPA and CITMA’s independent regulatory body created as a result of both institutes being named Approved Regulators under the 2007 Legal Services Act.

The relationship between CIPA and IPReg has developed over the decade. At times there has been disagreement, as IPReg’s approach to regulation has evolved and CIPA has robustly challenged its regulatory body.

Ten years on, having navigated a number of disputes and differences, the relationship is a highly effective one. IPReg has established itself as a regulatory body and, throughout 2019, has refined its resources and infrastructure in order to continually improve.

CIPA has come to terms with its residual supervisory role and has the belief that IPReg is on the road to becoming a regulator the profession can have confidence in. Importantly, the Officers and senior staff of CIPA, CITMA and IPReg meet on a regular basis in an atmosphere of trust and candour.

CIPA’s role is one of critical challenge and monitoring from an appropriate distance, to make sure that all is well.

The Legal Services Board’s new Internal Governance Rules help to set out the nature of this supervisory relationship. CIPA’s task is to put in place systems and processes to ensure it does this well.

CIPA doesn’t always make life easy for IPReg, but that’s part of the point. CIPA does a really good job of representing the interests and needs of patent attorneys, and they make us listen and understand. Our decision-making is all the better for it. I look forward to working in close collaboration in the year ahead.

**Lord Smith**  
**Chairman, Intellectual Property**  
**Regulation Board (IPReg)**



# Review of member learning activities

## Regional Events - Attendance



# Around the CIPA conferences



## CIPA Congress

2019 delegate breakdown

213 attendees

80% were CIPA members

## IP Paralegals Conference

2019 delegate breakdown

173 attendees

58% were CIPA members



## Life Sciences Conference

2019 delegate breakdown

150 attendees



# The work of our committees

Throughout this annual report you will see evidence of the hard work that CIPA carries out to promote the UK patent attorney profession and to influence governments and agencies at home and around the world on behalf of its members and users of the IP system. CIPA has a fantastic record of bringing about change and improvements in IP law and systems. This is due to the time, energy and expertise that CIPA's members offer to its committees.

The Laws Committees, in particular, work tirelessly to give the UK profession a voice at the highest level. As CIPA made the case for continuity and certainty post-Brexit, the **Patents Committee** worked closely with the UK Intellectual Property Office (UK IPO) and the European Patent Office to ensure that there was no doubt that Chartered Patent Attorneys would remain at the heart of the European patent system.

The situation with trade marks and designs presented more of a challenge. The **Trade Marks Committee** and the **Designs and Copyright Committee** have engaged with the UK IPO and the EU Intellectual Property Office to ensure that the transitional arrangements for Brexit are fit-for-purpose, not only for UK patent attorneys and trade mark attorneys, but also for UK rights holders.

This included a high-profile campaign for continued rights of representation before the EUIPO post-Brexit, which led to questions in both Houses of Parliament and interventions in the House of Lords.

Things may have been quiet in terms of the Unified Patent Court but this did not stop the **Litigation Committee** conducting a comprehensive survey of IP litigation in the UK and developing a number of webinars and seminars to meet the needs of members who advise on contentious matters. This year also saw the growth of **IP Pro Bono** as a committee of CIPA, providing intellectual property advice and legal support for claimants and defendants in intellectual property disputes (see p.7).

Away from IP law and the challenge of Brexit, the year saw the rejuvenation of the **Education Committee**. Providing support for initial qualification as a patent attorney and high-quality continuing professional development for all members are priorities for CIPA and the Education Committee launched the Mercer Review towards the end of 2019 to investigate how the education, training and assessment of patent attorneys need to evolve to meet the future needs of the profession and users of the IP system.



**CIPA Council in January 2019**

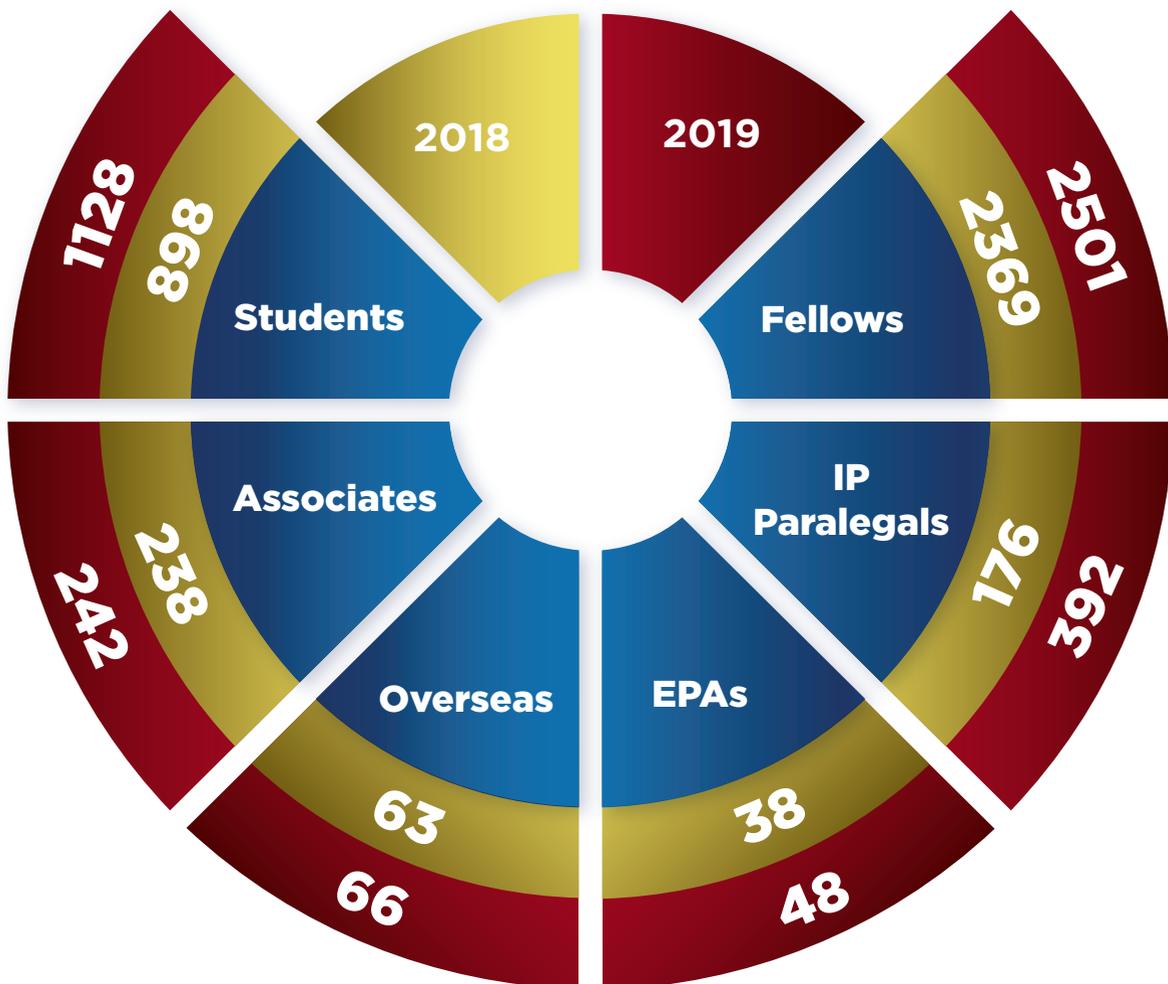
# Membership summary

At the end of 2018 CIPA's new bye-laws were approved by the Privy Council, part of which involved the creation of several new membership grades. This allowed us to take all those members who had been under the umbrella of Associates and move them into more focussed grades, giving us the ability to create more tailored services and support to our members.

Induction days and in general providing more bespoke CPD opportunities for our members via webinars and seminars.

At the end of 2019 we recorded a 15% growth in membership over the previous year and reached our annual target of having at least 97% of the membership renew their subscriptions.

The CIPA Membership team enacted several projects with the focus of promoting the IP Paralegal membership grade, actioning service improvements for Student members following feedback from



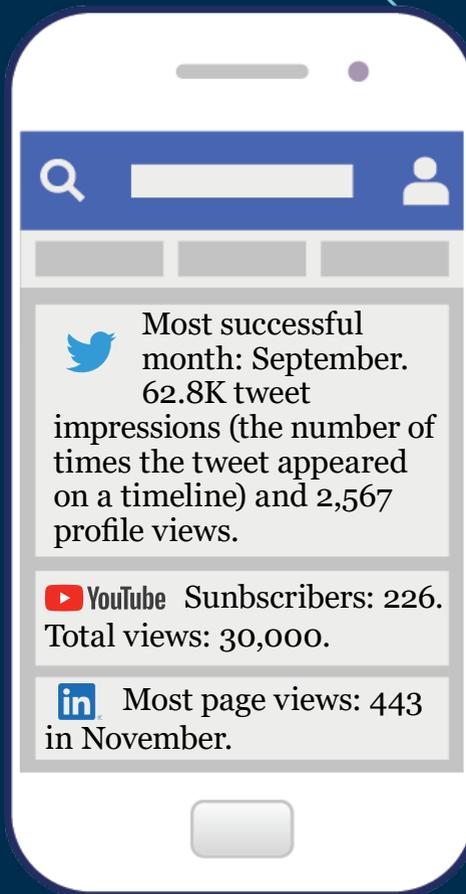
**Membership grade totals  
2018/2019**

# Social media expansion

One of our goals during 2019 was to expand our presence on social media. Our strategy included launching two new social media channels – on Instagram and Twitter.

In order to ensure our main Twitter activity was more relevant to our external, public audience and to provide more focussed information for members, we introduced a private, members only Twitter account, promoting the latest jobs, CIPA events, news for members, Journal release dates and other exclusive membership information.

With Instagram becoming the fastest growing social media platform in 2018, CIPA was



keen to develop its visual social strategy. This resulted in the launch of our Instagram page featuring photographs from events, video clips, polls, interviews and more.

LinkedIn became more important for business marketing and influencing, so the CIPA LinkedIn page received a soft relaunch with industry news and stories posted regularly. We also supported IP Pro Bono in launching a LinkedIn page.

We added six videos to our YouTube channel. Two of these were Japanese audio versions of existing videos: *European patent work unaffected by Brexit* and *IP – Why you should choose the UK*.

# Diversity and inclusion

For the IP sector's diversity initiative, IP Inclusive, 2019 was a year for new things: a new website; two new networking and support communities (IP Futures for early career IP professionals and IP Ability for disabled people, carers and their allies); three new regional networks, for the South West, the North of England and the Midlands, adding to our existing presence in Scotland; and our first ever diversity "bench-marking" survey, to help us target our future work and evaluate our progress. Not to mention a new "Lead Executive Officer" role, to which I was appointed in July 2019.

The new communities and networks organise their own events. This, combined with the seven webinars we broadcast, helped us to extend our reach, not only geographically but also to different types of IP professional. We provided content for both patent and trade mark paralegals and forged closer links with the IP Bar and the Law Society.

The topics we covered included social mobility and recruitment, through to inclusive leadership and mental health and wellbeing. A packed January event brought all our communities together to discuss diversity "allies".

During our second annual IP Inclusive Week (11-17 November), many of our 140+ Charter signatories joined in with projects to help promote diversity and inclusion in IP.

IPReg confirmed that IP Inclusive events can count as valid CPD, but we also organised purely social gatherings – for example the Women in IP community's nationwide "Connected Bubbles" events.

CIPA continues to support IP Inclusive as it grows, in particular through its governing body IP Inclusive Management and with operational funding. In turn, IP Inclusive has provided benefits to CIPA members: a stronger sense of community; greater access to the resources and support they need with diversity, inclusion and wellbeing; and wider networking opportunities throughout the IP sector.

CIPA can be proud of the part it played in setting up the original diversity round-table in 2015, which sowed the seeds for the flourishing, pan-professional initiative that IP Inclusive has become.

**Andrea Brewster**  
IP Inclusive Lead Executive Officer





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**[www.cipa.org.uk](http://www.cipa.org.uk)**