



August is supposed to be a quiet month. At least outside of Government.

While all seemed quiet on the streets around Whitehall and Westminster (apart from the odd wandering tourist), there was distant but constant clattering-clicking sound of civil servants hard at work while others took some well-earned rest.

Post 23rd June, there have been a raft of changes across Government, both in terms of departments as well as personnel. Throughout the rollercoaster ride that is a cabinet reshuffle, the IP Community (IPO included) has been planning and strategising about what the domestic IP framework could look like in a few years' time.

The IPO has been in regular contact with many IP Connect readers and we will continue to engage over the coming weeks and months as we look to you to help us find the right outcome for IP. In the future, please keep in contact with your usual helpful IPO contacts on specific areas or if unsure who to talk to, please email: EUEnquiries@ipo.gov.uk. We can then put you in contact with the right person.

Round about now, some will wonder why you are reading something from me rather than from John or Rosa.

Well, you will be aware of the creation of a new Department for International Trade. Over the last while, our colleagues John Alty and Rosa Wilkinson have been assisting in setting up some of the structures. I'm both pleased and saddened to announce that both have seen their roles become more long term and involved than previously envisaged.

In the interim, Sean Dennehey will be acting CEO until a permanent successor is recruited. He looks forward to meeting many of you and your organisations in the coming months. Rest assured, the IPO will continue to bring you updates via IP Connect for the foreseeable future.

As always, please do let me what you would like more or less of or if you think we are missing out something altogether.

James Thomson LLM

Head of Stakeholder Engagement and Media Relations

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John Alty steps down as IPO CEO to focus on International Trade role



John Alty has announced he is stepping down as Chief Executive of the IPO to focus on his role as Acting Director General at the Department For International Trade (DIT).

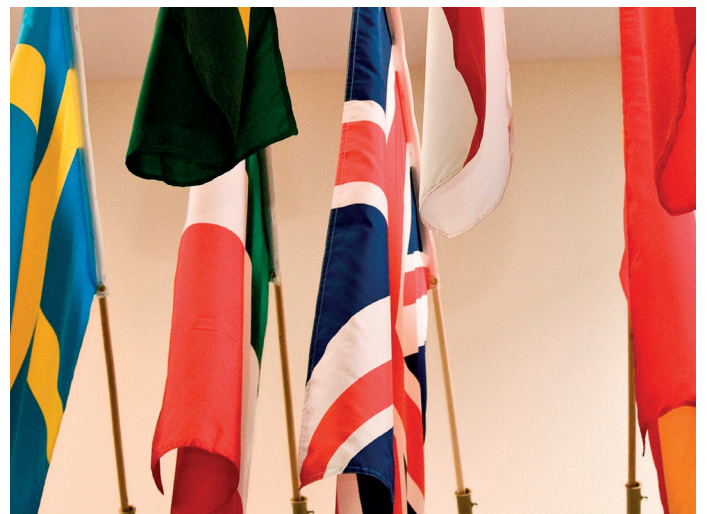
In a message to staff, John noted that "The IPO is one of the best organisations in Government, and a world leader in its field".

He added "There are lots of things we have done together of which I'm proud, including the complex legislative programme of copyright changes, the establishment of our overseas networks and strong international influence, our EU work on the new unitary patent and court and the digital single market, increased digital capability, our determination to build capacity to provide an even more responsive and high quality service to our rights granting customers, our outreach and enforcement activity and much more. I am also proud of the work we have done to express clearly our mission and purpose, our goals and our plans; and to make the IPO a great place to work."

In due course BEIS will launch a competition to recruit a successor to lead the organisation for the future. Meanwhile Sean Dennehey will continue to lead the organisation, working with board colleagues.

We also say goodbye to Rosa Wilkinson, Director of Innovation who is joining John at DIT to lead on stakeholder and business engagement.

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IPO publishes “mythbusters” on BREXIT

There has been much speculation on the future of many intellectual property laws following the recent Referendum outcome.

The IPO has published an online guide that looks to offer factual information on the future of many international IP agreements that UK rights holders and business can make use of. We will continue to review the content and update it as needs be. Should you have any thought son questions that you want answered (and that you think will be useful for others.

Visit the on-line Guide >>

<https://www.gov.uk/government/news/ip-and-brex-it-the-facts>

International

Baroness Neville-Rolfe encourages further IP collaboration between UK and China



Baroness Neville-Rolfe, Minister of State for Energy and Intellectual Property has returned from China after leading a successful IP delegation to that country.

The ministerial visit aimed to reinforce the strength of UK -China collaboration on IP, and to highlight the important role it plays in supporting innovation and creativity in both countries.

The trip, between 20th and 27th of August, took the delegation to Hong Kong (<https://www.gov.uk/government/speeches/baroness-neville-rolfes-speech-at-the-ip-forum-in-hong-kong>) Shenzhen, Guangzhou, Xi'an and Beijing, saw Baroness Neville-Rolfe witness a number of landmark agreements and new initiatives. Highlights included:

- The witnessing of an agreement (<http://www.cbcc.org/news/china-britain-business-council-international-publ/>) on IP protection between internet giant Tencent, the China Britain Business Council and British Businesses.
- The launch of a new UK-China Film and TV toolkit, designed to provide guidance for the rapidly growing cross border collaborations.
- The publication of business guidance (<https://www.gov.uk/government/publications/factsheet-on-bad-faith-trade-marks-in-china>) on bad-faith trade marks in China, a resource which will support businesses to better understand the Chinese IP landscape.
- The launch of a factsheet ([https://www.gov.uk/government/publications/factsheet-to-support-chinese-companies-with-overseas-ip-protection-and-](https://www.gov.uk/government/publications/factsheet-to-support-chinese-companies-with-overseas-ip-protection-and-technology-commercialisation-chinese-language)

[technology-commercialisation-chinese-language](https://www.gov.uk/government/publications/factsheet-to-support-chinese-companies-with-overseas-ip-protection-and-technology-commercialisation-chinese-language)) to support Chinese companies with overseas IP protection and technology commercialisation, created in conjunction with CIPA and ITMA.

- The co-hosting of both the 3rd UK-China IP Symposium (<https://www.gov.uk/government/speeches/baroness-neville-rolfe-speech-at-the-2016-uk-china-ip-symposium>) and the UK-China Trade Mark Summit focussing on the relationship between Brands, Intellectual Property and Economic growth.

“ The ministerial visit aimed to reinforce the strength of UK -China collaboration on IP ”

The Minister held meetings with a wide range of Chinese companies including Tencent, Huawei, Alibaba, and Lenovo to discuss the increasing importance of IP and brand protection, as well as British businesses operating in China who have received support through the UK IPO Attaché network including BP, the Scotch Whiskey Association and Whittards of Chelsea.

The Minister's delegation included representatives from the UK Chartered Institute of Patent Attorneys (CIPA) and the Institute of Trade Mark Attorneys (ITMA), British businesses and also the Presiding Judge of the UK Intellectual Property Enterprise Court, Richard Hacon (for the fifth annual UK-China IP judicial exchange), strengthening a wider focus on rule of law and enforcement. Judge Hacon met senior judges at the Supreme People's Court and specialist IP courts in Guangzhou and Beijing, and discussed priority topics such as bad-faith trademarks, copyright licensing and evidence disclosure.

Baroness Neville-Rolfe, UK Minister of State for Energy and Intellectual Property, said: “It is very encouraging to see the momentous strides China is taking in the field of intellectual property. I am pleased that the UK is playing a vital advisory role and the UK's IP regime is one that other nations wish to emulate. “The IPO-SIPO relationship has gone from strength-to-strength. The engagement this week has been excellent, demonstrating the strength of our relationship with China.

International

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IP cooperation is a central part of the UK-China bilateral relationship, underpinning our mutual passion for innovation and creativity.”

Catherine Wolfe , Former President of the Institute of Trade Mark Attorneys added: “ITMA, CIPA and ACID were delighted to accompany Baroness Neville-Rolfe on her visit to China. We visited Chinese patent and Trade Mark attorneys in four cities in five days to discuss Trade Marks, patents and designs in the UK and the EU and to grow our mutual understanding of IP registration and enforcement processes in China and in the UK countries. We are already looking forward to the next Symposium!”

It was excellent to meet the China Trade mark Association in Beijing and ITMA is now looking forward to receiving a delegation of Chinese Trade Mark Attorneys in London, to continue the mutual collaboration on the different understandings of Trade Mark registration, opposition, and enforcement processes.”

Catriona Hammer, Former President of the Chartered Institute of Patent Attorneys said: “It was great to meet old friends and to make new friends across China. CIPA looks forward to working with our colleagues in China to learn from one another and to cooperate in improving the IP systems in both countries and globally.”

Dids Macdonald, OBE, CEO of Anti Copying in Design (ACID) & Vice Chair of the Alliance for Intellectual Property said: “Joining the delegation in Hong Kong, Shenzhen and Beijing on the 20th anniversary of UK Intellectual Property Office cooperation with China’s State Intellectual Property Office demonstrated just how important it is to share best practice. Ensuring that there is consistency and continuity through bilateral collaboration and international networks reinforces the importance of IP globally. I was particularly encouraged to see Designs recognised and acknowledged for their contribution to brands and their economic growth.”

“ It was excellent to meet the China Trade mark Association in Beijing and ITMA is now looking forward to receiving a delegation of Chinese Trade Mark Attorneys in London. ”



Enforcement

Kosovan Enforcement colleagues visit IPO



In late August the IPO's newly created team for IP Enforcement and Capacity Building (Dave Lowe and Andrea Pearce) hosted a Technical Assistance and Information Exchange (TAIEX) Study tour for three delegates from Kosovo:

Mr Valon Kashtanjeva – Director of Office of Copyright and Ministry of Culture, Youth and Sports; Mr Shaip Havolli – Chief of Investigations, Economic Crimes and Corruption and Mr Lulzim Sylja – Ministry of Trade and Industry.

Following a request by Kosovo colleagues, the visit was funded and co-ordinated by TAIEX to share the expertise and experience built up in the UK in the enforcement of copyright and related rights both online and at physical locations.

The three day visit consisted of a detailed study of the structures and processes in place across government departments, law enforcement agencies and the private sector in the UK and how they interact towards delivering the key objectives of the [IP enforcement strategy](#).

PIPCU

As the Kosovan team were particularly interested in how the UK has developed its online capabilities, they visited PIPCU where they worked alongside officers there to gain an understanding of how interventions are developed directly into criminals and serious infringers and indirectly through intermediaries.

Trading Standards National eCrime Team

A visit to Trading Standards National eCrime Team in Northallerton followed where they looked closely at the work from a consumer protection perspective. Of particular interest was Operation Jasper that focusses on social media as a new market place and how industry, government and law enforcement have combined to disrupt and prevent trading of counterfeits. The comparison in Kosovo, and throughout the Balkans, is the use of social media to invite consumers to 'selling parties' in rented accommodation that circumvents any consumer protection measures. They have taken back a number of new initiatives to put into practice.

“ The three day visit consisted of a detailed study of the structures and processes in place across government departments, law enforcement agencies and the private sector in the UK. ”

Camden Market

The group also visited Camden Market. This market has historically been plagued with counterfeits on both stalls and in shops. The National Markets Group has provided consistent assistance to Trading Standards and the tide has turned through enforcement and a commitment to 'Real Deal' where the traders and market operators commit to a safe and fake free market. New work is being developed to disrupt the upstream supply of counterfeits which includes online interventions so the visit provided some key examples of how different agencies can contribute to a common commitment to making markets and car boot sales across the country a safe and fair environment in which to trade and to shop.

The Kosovans have formed the basic structures to develop this themselves and are keen to continue to develop their capabilities. At the end of the visit it was agreed that the experience had been of great benefit to the delegates and would be helpful when furthering their processes for tackling infringement in Kosovo particularly in the arena of online infringement.

Patents

GB published patent applications and granted patents now available on Patent Scope

The Intellectual Property Office has for some time been exploring ways of extending the availability of our collection of patent specifications.

We are pleased to announce that in cooperation with the World Intellectual Property Organisation in Geneva, the descriptions and claims of all post 1900 GB published patent applications and granted patents are now available on Patent Scope in a searchable text format.

Additionally, the European Patent Office have been gradually adding batches of historical GB granted specifications on to Espacenet. It is anticipated that the final batch of GB granted specifications will have been uploaded on to the database by the end of August 2016.

Copyright

Amended Extended Collective Licensing guidance published

The government has updated the guidance to 2014 Extended Collective Licensing (ECL) Regulations. The update reflects the implementation of the Collective Management of Copyright (EU Directive) Regulations 2016. The guidance sets out the application process for collective management organisations seeking to operate an ECL scheme in the UK.

The main change requires applicant collective management organisations to declare that they are compliant with the Collective Management of Copyright (EU Directive) Regulations 2016. If an organisation intends to apply to operate an ECL scheme, they will need to make this declaration as part of an application to the IPO. The revised Extended Collective Licensing guidance is available here: <https://www.gov.uk/government/publications/extended-collective-licensing>

Changes to the Patents Rules on 1 October 2016 and 6 April 2017

Following the recent [consultation seeking views on a package of proposed amendments to the Patents Rules](#), various changes will come into effect on 1 October 2016 in relation to patent applications and patents. These will include:

- Introduction of notifications of intention to grant.
- Simplifying the time period for requesting reinstatement.
- Allowing extensions to the period for providing an address for service.
- Relaxing the requirements for formal drawings.
- Clarifying requirements concerning changes of names and addresses.

Two further changes will come into effect on 6 April 2017:

- Omnibus claims generally no longer allowable
- Address used to receive renewal reminders

For further details please refer to the [guidance on forthcoming amendments to the Patents Rules](#).



Orphan works commercial and non-commercial licences: Guidance for commercial and non-commercial users published

Orphan works are copyright works where one or more right holder is unknown or cannot be found. The IPO can issue licences for orphan works for use in the UK for both non-commercial and commercial purposes, for up to seven years.

Applications can cover up to 30 works, with commercial, non-commercial or both uses for each and every work. Licence fees are kept for eight years in case the right holder comes forward, so applicants have business certainty if they obtain a licence. This guidance explains how a commercial or non-commercial licence might be useful for you. <https://www.gov.uk/government/publications/orphan-works-commercial-and-non-commercial-licences/orphan-works-commercial-and-non-commercial-licences>



Consultations

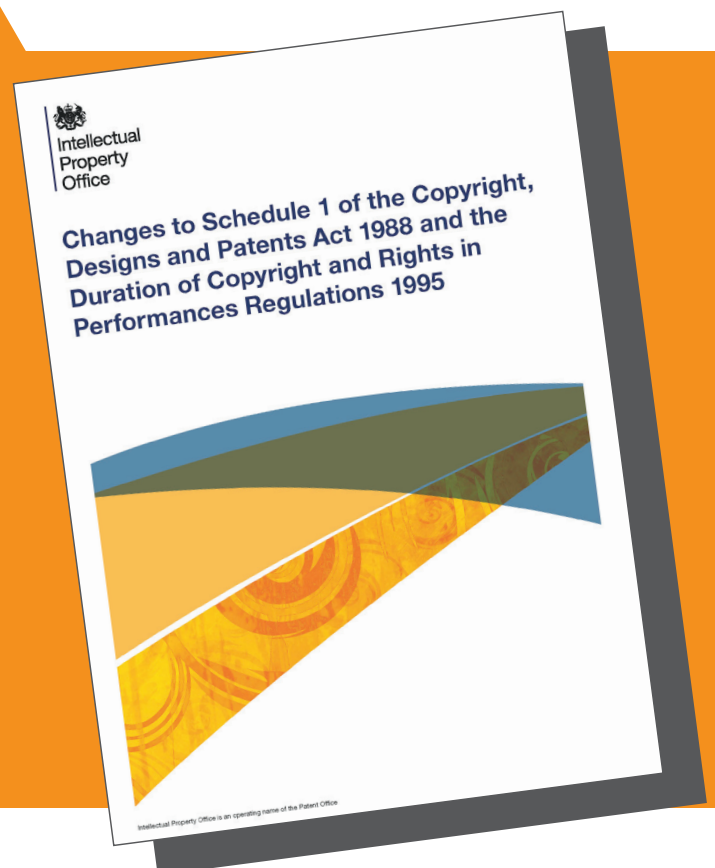
Changes to Schedule 1 CDPA and Duration of Copyright Regulations

This technical consultation covers two sets of legislative changes. Schedule 1 of the Copyright, Designs and Patents Act 1988 will ensure copyright protection for design works made before 1 June 1957. The Duration of Copyright and Rights in Performances Regulations 1995 will be amended to remove compulsory licensing of works where copyright is revived.

The consultation asks questions to ensure the proposed changes do only what is intended. Comments are invited on whether they achieve this aim.

**This consultation closes at 15 September 2016
4:00pm**

<https://www.gov.uk/government/consultations/changes-to-schedule-1-cdpa-and-duration-of-copyright-regulations>



IP Awareness

New research finds poor knowledge of IP in universities

Knowledge about intellectual property (IP) continues to be poor across the university sector and is frequently limited to copyright and plagiarism, a new research report has found.

The research, conducted by NUS Insight on behalf of the Intellectual Property Awareness Network (IPAN) surveyed views about IP, its teaching and policy impact of 2800 students and 250 teaching staff across 150 UK universities and higher education institutions (HEIs).

The report found that university staff feel under-prepared and therefore reluctant to advise students about the implications of IP. Students want more to be done by their university to protect their interests in work that goes on public display at end of year degree shows.

The research found that:

19% of students have no idea whether there is any IP in their project work.

14% of students know how to protect their IP.

The understanding and operation of IP policy is inconsistent across institutions.

Students want to understand more about IP and its implications for them and their future careers.

International students are more likely to have heard about IP than UK educated counterparts.

The report made several recommendations to policy makers including:

Universities should provide adequate and explicit opportunities for students to learn about broad aspects of IP.

IP policy wording should be improved, particularly regarding ownership of IP rights arising in student work.

Staff ability to advise and enable students to understand how institution IP policy may impact them should be improved.

Good practice guidelines should be developed that ensure necessary confidentiality and control so that IP rights are not compromised at public exhibitions of student work.

HEI IP policies should be available in comprehensible form to staff and students and should include specific

reference to IP education of staff and students.

IP rights learning should feature in Quality Assurance Agency subject benchmark statements.

The report was prepared by Prof. Ruth Soetendorp, Mandy Haberman and Steve Smith of the IPAN Education Group and is based on analysis and research findings by NUS Insight.

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