



June is going to be hot! I would love that to be the case in terms of the UK weather, but what I really mean is that those of us in the IPO will certainly feel that the heat is on, not least as the global IP spotlight turns its focus to London for the world's first [International IP Enforcement Summit](#) which we will host with our partners OHIM and the EU Commission. The Team has been working tirelessly over the past few

months to deliver a brilliant programme with super speakers representing policy-makers, enforcement authorities, border authorities and businesses. With everyone who matters in the same room, I'm looking forward to an event that will ring the changes for global enforcement collaborations.

Now I have a sneaky suspicion that some IP Connect readers may not be wholly focussed on the Enforcement Summit on 12 June, thanks to a little football competition which I understand will be starting on the same day in Brazil. But we at the IPO don't let a bit of sport get in the way of IP! Off the pitch, the local organisers will have a role to play in ensuring IP issues around major sporting events are dealt with effectively. Our IP Attaché in Brazil recently helped arrange an event for stakeholder to share the UK's expertise and experience of the 2012 games and you can find out about that and John Alty's recent visit to Brazil in this issue.

Closer to home, I know that many of you have been watching developments around work to update the UK's copyright system for the digital age and help to build and maintain public confidence and respect for copyright. This month's edition of IP Connect therefore gives you an overview of the Intellectual Property Act which received Royal Assent in May and tells you more about reforms to copyright exceptions.

As ever, IP Connect wants to keep you in touch with the things we do that matter to you. If you have any ideas how we might improve it or would like to give more general feedback, do get in touch by [clicking here](#).

**Rosa Wilkinson,**  
**Director of Innovation and Strategic Communications**

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## All systems go for International IP Enforcement Summit



### International IP Enforcement Summit London 2014

There are only 4 days to go until the International IP Enforcement Summit London 2014, hosted by the IPO and our partners at the European

Commission and the Office for Harmonisation in the Internal Market (OHIM) kicks off on the 11 and 12 June.

Globally, it is projected that digitally pirated music, films and software could account for losses of around \$80bn. Some experts expect this to rise to \$240bn by 2015. Combined with the trade in physical counterfeit goods, this has a huge impact on the global economy.

The Summit will look at the international IP enforcement challenges and measures needed to tackle IP crime (counterfeiting and piracy), protecting the rights of creators, rights holders and consumers in an age of global trade and digital economies. The summit will also highlight the wealth of creativity and innovation in the UK and provide us with the opportunity to showcase our enforcement activities and forward thinking by British business to deal with infringement.

This unique event will bring together senior IP stakeholders including UK Ministers, representatives from the international enforcement agencies, (including the National Crime Agency, EUROPOL and INTERPOL) together with multinational companies including Google, Gucci and Unilever. The latest programme for this summit, including the speakers can be found [here](#). For up to date information follow us on [Twitter at #IPSummit14](#) including events in the lead up to and as they happen during the summit.

## New Intellectual Property Act receives Royal Assent

UK businesses will be able to better protect their intellectual property rights in the UK and abroad, with the new Intellectual Property Act receiving Royal Assent (14 May 2014). A key part of the Intellectual Property Act is the creation of new powers for the UK to implement the Unified Patent Court Agreement. This is a central part of introducing a single patent across almost all EU countries which could lead to savings of up to £40 million per year for UK businesses.

The Intellectual Property Act also provides new protections for designers, as well as removing red tape and some of the uncertainties for businesses when protecting their designs. It will also introduce a number of online services to help businesses better manage their intellectual property.

IP Minister Lord Younger said: "Continued investment in intellectual property is vital to all businesses, as it contributes billions to the UK economy each year. It is essential that we continue to work hard to create the right environment for them to flourish so we can benefit from their creative designs, inventions and ideas. I am confident that this Act will further strengthen our world-class IP system – from research to market – and to help businesses of all sizes continue to thrive."

The key policies that will be implemented include:

- new protections for pre-publication research to ensure the UK's universities and the research sector remains a world-leader;
- introduction of criminal sanctions for intentional copying of registered designs - this will deter those who knowingly copy UK registered designs and will provide greater protection for our hugely important design sector. In 2009, UK businesses invested over £15 billion in designs. The Act seeks to protect and develop this important industry;
- measures to help businesses assess the strength of their IP case before going through formal and costly legal proceedings, with the creation of a design opinions service;
- the expansion of the existing patent opinions service to give businesses involved in potential patent litigation an impartial view on the strength of their case on a much wider range of issues;
- an exemption to the Freedom of Information Act to better protect pre-publication research. As a result researchers can more easily validate and analyse their work before putting it into the public domain;
- allowing the UK Intellectual Property Office to share information on unpublished patent applications with other national patent offices. This will help clear backlogs internationally.

It is expected that the new measures will come into force from October 2014, with all measures implemented by late 2015.

## International

### IPO Chief Executive visits Brazil



British Embassy  
Brasilia

John Alty recently visited Brazil to explore the IP issues in this vast country with huge investment opportunities for UK businesses. Brazil is one of the key markets where the IPO has an IP Attaché (Sheila Alves). This has proved very fruitful in both establishing relationships with the Brazilian government, and in helping UK businesses with specific IP problems.



John visited three diverse cities, each with its own particular IP interest: Rio, the host city for the 2016 Olympics and where the Brazilian IPO (INPI) is based, is focused on technical IP issues and reducing the major blockages in the IP framework (such as the extremely slow court system or the 10 plus year backlog on patents);

Brasilia, where all the major government Ministries are based, is reflecting on the policy challenges faced by a country that is in some parts is very much 'first world' and in others clearly still developing both economically and in mindset;

And Sao Paulo, a sprawling city of 21 million, where the majority of big business are based, is very industry-led and in favour of enforcement of rights and protection.

Brazil is facing a number of challenges as it looks to achieve a modern and efficient IP framework. The new INPI President (Otávio Brandelli) has made the reduction of patent backlogs his main priority, and is recruiting a large number of examiners to help tackle the issue. The visit allowed the IPO to build some fruitful relationships with the main IP influencers from business, the law and government. This will help us engage better with Brazil to help them achieve a modern efficient global IP system and continue to provide advice for UK companies investing in Brazil.

### **Business Secretary Vince Cable's China visit highlights importance of effective IP system to stimulate innovation and economic development**

Business Secretary Vince Cable visited China at the end of May. His week long programme included visits to Beijing, Shenzhen, Guangzhou and Chongqing. He attended the UK/China Joint Economic and Trade Committee (JETC) where he met with Gao Hucheng, China's Minister of Commerce. They discussed issues of mutual interest, including due diligence, promoting two-way investment, and IP protection.

Both sides agreed on the importance of an effective intellectual property (IP) system to stimulate innovation and economic development and the UK and China will work together to help UK companies protect IP in China and Chinese companies protect IP in the UK. Co-operation activities between relevant agencies were welcomed and there was agreement to further exchanges on issues of mutual interest, including administrative enforcement and Measures to protect IP at trade fairs and exhibitions.

Chinese regulations on intellectual property (IP) at trade fairs will be revised to classify 'offering-for-sale' as an infringement of a registered design right (bringing the 2006 trade fair regulations in line with 2008/09 amendments to the Chinese Patent Law). Mofcom will undertake a review (wider than just Article 25) and has welcomed the UK's input into the process.

The UK's exports to China have grown faster than those of any other EU country in the past four years, while investment from China to the UK has reached billions of dollars.

The UK Government will also host the second [UK-China Intellectual Property Symposium](#) on 1 September, the latest in a series of high level international events to promote and protect intellectual property across borders to foster growth. Hosted by the UK Intellectual Property Office (IPO) and the Chinese State Intellectual Property Office (SIPO) the Symposium will be held in Beijing. Prime Minister David Cameron and Chinese Premier Li Keqiang agreed to hold this Summit during their meeting in December 2013.

### **Attaché Update**

#### **UK experts share major sporting events IP experience in Brazil**

Brazil is in the international spotlight at the moment, with the FIFA World Cup starting in a few of weeks and the Rio 2016 Olympics around the corner. Both events rely heavily on IP, and the UK's experience of brand protection for the 2012 games has been of great interest. The ongoing London 2012 Legacy project, led by the UK Government, looks to encourage the development of a constructive approach to intellectual property rights in Brazil. As part of this, the UK IPO has been assisting Brazilian stakeholders on issues related to intellectual property for major sport events.

The Brazilian authorities were keen to understand the challenges of London 2012. In particular, the UK's experience of protecting the Olympic brand, delivering the Games and how LOCOG, as a private company, worked with government.





To do this, the World Intellectual Property Organization and the Brazilian National Institute of Industrial Property (INPI) recently hosted an event in Fortaleza, one of the host cities for the football World Cup, which was attended by Brazilian government officials, IP professionals and business associations.

UK experts, who worked closely with the Olympic Delivery Authority (ODA), which was responsible for the planning and construction of new venues and infrastructure, were invited to share their LOCOG experience and on delivering the planning and development of the 2012 Games.

The IPO's support for this event is part of our continued co-operation with Brazil on the Olympic and Paralympic Games. This looks to deliver a mutually beneficial economic legacy for the 2016 Games and a strengthening of UK-Brazil relations.

It also looks to change Brazilian perceptions of the UK and promote the UK as a business and tourism destination.

### International Trade Mark Association (INTA) 136<sup>th</sup> Annual Meeting

More than 8,500 delegates from 140 countries recently gathered in Hong Kong for the International Trade Mark Association 136<sup>th</sup> Annual Meeting from 10 to 14 May 2014. This event featured sessions led by IP professionals, providing critical insights into protecting trade marks and advancing brands.

The IPO delegation consisted of Steve Rowan, Divisional Director of Trade Marks & Designs, China IP Attaché Tom Duke and SE Asia IP Attaché Christabel Koh. They had a series of meetings with UK businesses and bilateral meetings with IP offices on the margins of the event.



Tom and Christabel also took part in a panel discussion with other international IP Attachés on goods in transit.

### IPO and ITMA co-host event in Hong Kong



The Institute of Trade Mark Attorneys and the IPO recently hosted a reception at the British Consulate General Hong Kong, in the margins of INTA Annual Meeting.

The reception

showcased the excellence of the UK trade mark system and promoted the UK trade marks profession.



Steve Rowan, welcomed guests that included UKTI's Director of Trade Stephen Cartwright, ITMA President Chris McLeod, and our China IP and SE

Asia IP Attachés, Tom Duke and Christabel Koh. The event was attended by 120 guests made up of ITMA members, international partners and government officials.

## Copyright

### New copyright exceptions reflect digital age

Reforms to copyright law will bring estimated benefits of at least £250m to the UK economy over the next 10 years. The reforms will give a number of sectors a legal framework fit for the digital age, removing the burden of unnecessary regulations and helping the UK better preserve and use copyright material.

Changes include the removal of copyright barriers to text and data mining for non-commercial research. This important analytic technique helps the UK's scientific and academic community to deliver new advances in medicine, technology and research. Other essential changes will help organisations from charities to museums and archives both use and protect their own material.

IP Minister Lord Younger said: "These common sense reforms will update the UK's copyright system for the digital age, and help to build and maintain public confidence and respect for copyright. These changes bring an end to many instances where people carrying out minor, reasonable acts of copying could have found themselves on the wrong side of the law.

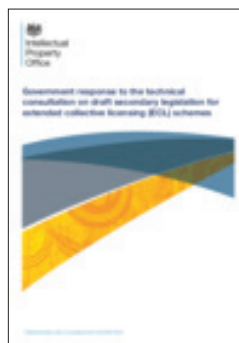
“The text and data mining exception is a particularly important step forward for researchers in the UK and will ensure they have the tools that they need to maintain their competitive edge in an increasingly global marketplace.”

The exceptions will benefit a wide range of groups:

- **Disabled people and disability groups** can now make accessible copies of copyright material (e.g. music, film, books) when no commercial alternative exists.
- **Researchers** will benefit from the introduction of the new text and data mining exception for non-commercial research, as well as the reforms to existing exceptions that will enable limited copying of all types of copyright works for non-commercial research and private study.
- **Schools, colleges and universities** can now use copyright material on interactive whiteboards and in presentations, and as long as they have a licence, they will not need to worry about accidentally infringing copyright.
- **Libraries, archives and museums** will now be better able to protect our cultural heritage and preserve their collections. The existing preservation exception has been expanded to cover all types of copyright work, and now applies to museums and galleries as well as libraries and archives. Removing the barriers to preservation will save cultural institutions up to £26m per year.
- **Public bodies** can now publish online the material they hold for public inspection, reducing costs and administrative burden of having to issue paper copies or requiring people to come to their offices.

### Independent Code Reviewer's report on collecting societies published

Walter Merricks CBE, the independent code reviewer, has published his first report of UK collecting societies. The report examines adherence by UK Collection Societies to HM Government's Minimum Standards, compliance to the British Copyright Council's Principles and the relevance of the Principles in the self-regulatory environment. This looks at how well the self-regulatory framework, implemented through industry codes of practice, is working one year on. To read the independent Code Reviewer's Report visit [www.independentcodereview.org.uk/](http://www.independentcodereview.org.uk/)



### Government response to the technical consultation on draft secondary legislation for ECL schemes

The Government has responded to the consultation on the draft secondary legislation, known as “The Copyright and Rights in Performances (Extended Collective Licensing) Regulations 2014.”

These regulations are being made using a power in the Enterprise and Regulatory Reform Act (2013). They enable qualifying collecting societies to apply to be authorised to operate ECL schemes. Once authorised, they can represent all rights holders in a sector, provided a number of safeguards are met, including the need for collecting societies to be significantly representative of rights holders affected, and for them to have a clear mandate from their members for the ECL.

As a result of the consultation process, the government intends to amend the secondary legislation to take account of certain issues raised by stakeholders. These include:

- changing the membership consent threshold, so that the collecting society must provide evidence in its application that it has the informed consent of a substantial proportion of its voting members
- the addition of provisions about the renewal of an authorisation and the evidence needed for it
- additional details about the process for reviewing authorisations after renewal
- some amendments to the opt out provisions
- how undistributed monies will be used

These amendments are being scrutinised in a revised draft currently before the UK Parliament's Joint Committee on Statutory Instruments (JCSI). The government intends to publish the final Regulations and Explanatory Memorandum, and draft legal guidance, when they are laid before Parliament in summer 2014.

### Orphan works consultation response published

On 30 May, the Government published its response to the technical consultation on the regulations governing the UK's orphan works licensing scheme and the regulations implementing the EU Directive on certain permitted uses of orphan works. It can be found here: [www.gov.uk/government/consultations/copyright-uk-orphan-works-licensing-scheme](http://www.gov.uk/government/consultations/copyright-uk-orphan-works-licensing-scheme)

The regulations will be presented to Parliament during the summer. It is planned for the licensing scheme to be launched at the same time as implementation of the EU Directive in October this year.

The IPO, as the authorising body for the UK licensing scheme is continuing to work with sector-specific groups and will also be producing guidance on what is expected in a diligent search, building on input from these groups. The IPO would like to thank those involved for their continuing help.

### Artist's Resale Right: Evidence Gathering

The IPO are [looking to learn more](#) about how Artist's Resale Right (ARR) is working since its introduction to UK law in 2006. The ARR entitles authors of original works of art (including paintings, engravings, sculpture and ceramics) to a royalty each time one of their works is resold through an auction house or art market professional. We are interested in evidence relating to the scale and cost of administering the Right and the impact this has on art businesses and the numbers of artists who are benefitting from the Right, particularly at the lower threshold.

Information received through this exercise will contribute to a periodic review at an EU level, which is likely to take place in 2015. Art dealers, galleries and auction houses are invited to complete the online questionnaire below as part of that evidence-gathering exercise.

We will also be seeking information from the Artists' Collecting Society and Design and Artists Copyright Society (DACS), who are the collecting societies through whom artists receive the royalty payment. This consultation closes at 4 July 2014. We intend to publish a report of the findings in September 2014. [Frequently asked questions](#) on ARR are answered on the DACS website.

## Patents

### Tegernsee User Consultation Final Report published



The Tegernsee Group has [published](#) its final consolidated report on the Tegernsee user consultation. The report includes an analysis of individual office reports, including commonalities and differences in user views. The adoption of this report marks the end of an intensive cycle of fact-finding and user consultations that focused on four key issues of substantive patent law harmonisation: (1) the Grace period (2) 18-month publication; (3) Treatment of conflicting applications and (4) Prior user rights.

The Tegernsee Group refers to those patent offices represented at a meeting in Tegernsee, Germany, in July 2011. The group has now concluded on the feasibility and implications of harmonisation for key offices and users of the patent system.

The final report will shortly be presented to John Alty as the Chair of the Group B+, for presentation to that forum. The fifth and final Tegernsee Heads meeting was attended by delegations from the UK, Japan, USA, Denmark, France, Germany and the EPO and took place on 8 April 2014 in Trieste, Italy.

### Patent Informatics

#### Eight Great technologies – patent data series published



The UK Government has identified 'eight great technologies' which will propel the UK to future growth. These are: the big data revolution and energy-efficient computing; satellites and commercial applications of space; robotics and autonomous systems; life sciences, genomics and synthetic biology; regenerative medicine; agri-science; advanced materials and nanotechnology; energy and its storage.



As patent data can give a valuable insight of innovative activity, the IPO Informatics team is producing a series of patent landscape reports looking at these eight technologies and the current level of UK patenting on the world stage. This will help people understand these technologies and in which direction the technology is developing.

The first two in a series of these reports investigating 'eight great technologies' relates to [satellite technologies](#) and [regenerative medicine](#) and are available on GOV.UK, with robotics, energy and its storage and energy efficient computing due to be published in June. The other reports in the series will be published over course of the summer.

Informatics involves mining this information to reveal patterns and trends, which can be used to provide insight and evidence for policymakers and decision makers, both in government and in industry. Informatics can provide valuable answers for those interested in an overview of existing technology, recent developments in any field of technology, or a competitors' activity, or in targeting research funding correctly.

## Consultations

### Proposed amendments to the Patents Rules 2007

The IPO are [seeking views](#) on proposed amendments to the Patents Rules 2007. These amendments would implement the expansion of our Patents Opinions Service and also clarify when renewal fees must be paid on restored European patents (UK).

The two measures were both included in the Intellectual Property Act 2014, and the proposed changes to secondary legislation are necessary in order to implement these provisions. The consultation seeks comments on the details to be set out in the secondary legislation. Please email your response to [consultation@ipo.gov.uk](mailto:consultation@ipo.gov.uk) by Friday 4 July 2014.

## Technical Review and Call for Evidence on Secondary Legislation Implementing the Unified Patent Court Agreement and EU Regulations Establishing the Unitary Patent

The IPO will be launching a technical review and call for evidence on the changes proposed to the Patents Act. These changes are needed to implement the UPC Agreement and the EU Regulations which establish the Unitary Patent.

The IPO is seeking views on the draft legislation and is also seeking evidence of the impacts of the proposed changes. We would particularly like to hear from those with legal insight and good knowledge of the Patents Act. The call for evidence seeks views on the potential impact of the proposed changes, so we would like to hear from those with an interest in patent litigation, those that may currently own patents, or that have an interest in patenting. Please check our [consultation pages](#) for more details.

## Enforcement

### Turn Back Crime - new Interpol campaign launched



Turn Back Crime is a new Interpol led global public awareness campaign that highlights the dangers of organised crime and the impact on our day-to-day lives. The campaign reaches out to companies and policy

makers in a bid to form a united front against contemporary crime challenges, and to support the ongoing activities of the global law enforcement community. Using a variety of media channels – including video, website and social networks – the campaign provides advice on how to stay safe and encourages the general public, businesses and governments to play a role in reducing the impact of organised crime.

It is clear that transnational organised crime networks are behind the trafficking of various commodities, such as illicit goods, fake medicines, drugs, arms and even people. These, and other seemingly unconnected crimes (as varied as cybercrime, fraud, crimes against children and corruption in sport) are in fact interconnected, as profits from one area are used to fund another.

As well as affecting the global economy, organised crime puts individuals at risk. Their health is endangered by poor quality counterfeit products; their financial safety is compromised by attempts to steal their personal data; and children face threats such as online grooming and sexual abuse. The Turn Back Crime website outlines a series of practical ways to protect consumers. These changes in behaviour can also help reduce the amount of money driven by crime syndicates into their illegal activities.

<https://twitter.com/TurnBackCrime> #TogetherWeCan #TurnBackCrime

## Man arrested on suspicion of Royal Mail fraud



**POLICE INTELLECTUAL  
PROPERTY CRIME UNIT**

Detectives from the Police Intellectual Property Crime Unit (PIPCU) **arrested a man** in Lancashire on 22 May on suspicion of committing fraud against the Royal Mail to facilitate a business selling fake CDs.

The man is believed to have been using a suspended Royal Mail postal account, which already owed the organisation more than £30,000 to post thousands of packages containing counterfeit CDs, free of charge.

The 28-year-old man was arrested at his home in Morecombe after the Royal Mail alerted the City of London Police unit that they had seized more than 2,000 postal packets at the beginning of 2013 suspected of containing illegally copied CDs including the albums from chart-topper artists Olly Murs and the Stereophonics. He was taken to a local police station for questioning and was later released on bail.

DCI Andy Fyfe, Head of PIPCU, said: "Intellectual property crime is a serious matter; not only is it breaking the law, but it harms the livelihoods of hard working people and the businesses they work for. PIPCU is a specialist unit dedicated to tackling IP crime and we want to ensure that unsuspecting consumers are not cheated by the individuals behind these criminal operations."

## Innovation

### Lambert practitioner working group update

The IPO convened a meeting of the Lambert Practitioner Group tasked with updating the Lambert toolkit on 13 May. This meeting follows an evaluation of the toolkit **published last year** identifying a number of key areas for improvement.

The Group includes representatives from different universities, businesses and technology sectors to make sure the updating work is relevant to all of those who use the toolkit. They are working together to develop improvements which will then be shared with a wider interest group before being rolled out as an updated toolkit.

The Group are aiming to draft improvements over the summer months and obtain feedback from wider interest groups throughout Autumn. IP Connect will keep you updated on progress of this work.

### IPO transition to GOV.UK



The IPO is moving its website to **GOV.UK** later this year. This move is part of the **Government's Digital Strategy** aimed at making online information and public

services simpler, clearer and faster. Content has already started moving from the current website (ipo.gov.uk) to the IPO area on GOV.UK.

Over the next few weeks, users may see similar information on our existing site as well as on GOV.UK. Until we 'flick the switch' existing weblinks will take users to pages on GOV.UK. Once the transfer takes place, bookmarks that have been created previously will be re-directed to the appropriate place on GOV.UK.

Following the website transition, the look and feel of our pages will change to reflect that of the GOV.UK site. We will continue to review our content, including the language used, to ensure it remains relevant to our customers whether they are professional intermediaries, organisations or individuals new to the world of Intellectual Property.

We will continue to have an area of the new website dedicated to professional users, and the services and information they need. We are working with the Government Digital Service (GDS) to seek customer input and ensure a smooth transition to GOV.UK and we will be providing more detailed updates as the work progresses. If you have any further questions not addressed here, please email [websitetransitionteam@ipo.gov.uk](mailto:websitetransitionteam@ipo.gov.uk)



# Events

Below is a list of forthcoming IP events which may be of interest to you or your clients/members.

[www.ipo.gov.uk/events](http://www.ipo.gov.uk/events)

9 June 2014	09:00 - 13:30	<a href="#">Every business owns IP, what do you own?</a>	Edinburgh <b>New</b>
10 June 2014	09:00 - 12:45	<a href="#">Every business owns IP, what do you own?</a>	Birmingham
12 June 2014	09:00 - 16:00	<a href="#">Thames Valley Expo</a>	Windsor
12 June 2014	09:30 - 13:30	<a href="#">EEN Intellectual Property Workshop</a>	Bristol <b>New</b>
18 June 2014	08:00 - 11:30	<a href="#">BIS - HMRC Innovation Workshop</a>	Glasgow
23 - 25 June 2014		<a href="#">IP Masterclass</a>	Newport <b>New</b>
25 June 2014	09:00 - 13:00	<a href="#">Every Business owns IP - become an IP Champion</a>	Birmingham <b>New</b>
1 July 2014	09:00-12:30	<a href="#">Get it right first time</a>	Bristol
18 July 2014	08:30 - 11:00	<a href="#">Need to know... An introduction to Intellectual Property</a>	Birmingham <b>New</b>



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