



For me, the quieter moments of a new year are often devoted to reflections around what the coming months will hold. As a woman who puts little faith in Nostradamus (his 2016 predictions were clearly developed on a bad day), I'm optimistic about what this year will hold.

So what are my top IP predictions for 2016?

First, a prediction that I could have made at any time in the past 5 years: in 2016 more and more people will come to recognise the importance of intellectual property assets in building economic growth. I'm pretty confident about that one. The UK invests more in intangible assets like IP than it does in physical things. I think businesses are beginning to recognise that they often ignore the potential for securing a return on that investment and under-exploit IP assets. Watch IP Connect through the year to hear how the IPO will be working to help them turn that recognition into action.

Second, in 2016 the world will get smaller. I don't mean physically smaller, but I predict that in IP terms the UK will continue to build ever closer relationships with partners around the globe. A key part of that will involve maximising opportunities for British innovators in some of the world's most exciting markets. You'll see some early glimmers of how the IPO will be delivering on this in these pages but, trust me, there'll be more to come.

Third, in 2016 we'll get smarter about defending IP rights. We're lucky, here in the UK, to have the IP & Enterprise Court, which already works incredibly well compared to arrangements in some other jurisdictions. But legal costs can still be significant and off-putting to many. I predict we will see a renewed focus on alternative dispute resolution and better access to help for those unable to handle disputes themselves. I also hope we will see new, more affordable legal expenses insurance offerings that put businesses in a better position to handle those disputes that do go to court. You can guess that the IPO is encouraging progress in all of these areas. As ever keep an eye on IP Connect to find out more!

I know that the roads to these outcomes won't always be smooth – let no-one accuse me of seeing life only through 'Rosa-tinted' glasses, but my sense as we begin 2016 is that the time for IP to take centre stage has come. Will you be standing in the spotlight?

Rosa Wilkinson, Director of Innovation and Strategic Communications

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Enforcement

Raid on Camden Market Counterfeiters



Nearly 7000 counterfeit items have been seized in Camden Market following a surprise raid by Trading Standards.

Enforcement officers methodically stripped suspected fraudsters of their stalls of counterfeit items including:

- 4000 items of clothing
- 1800 accessories including belts, purses, handbags, phone covers and sunglasses
- 800 cigarette lighters

A video of the raid, produced by the UK's Intellectual Property office can be viewed here <https://youtu.be/BMZ3MEGdcyl>

The raid represents another success for the National Markets Group, of which the IPO is a major partner, set up in 2008 to tackle the systemic trade of counterfeit goods at markets across the country.

The IPO has been encouraging and facilitating information share between enforcement authorities, and continues to provide invaluable intelligence on illegal activity to their enforcement partners across the UK and internationally.

Baroness Neville-Rolfe, Minister for Intellectual Property, said:

“The raid at Camden Market should serve as a warning to criminals across London and the UK as a whole. The net is tightening. The ongoing and successful partnership between the Intellectual Property Office and our enforcement partners across the country leave nowhere for unscrupulous fraudsters to hide.

“Intellectual Property theft and the sale of counterfeit goods harms consumers and businesses alike. Our enforcement partners will continue to raid, seize fake goods, and prosecute those responsible.”

Graham Mogg, Intelligence Co-ordinator for the Anti-counterfeiting Group (ACG) and Chair of the National Markets Group said:

“As is evident in Camden's markets this approach ensures that consumers feel confident that they are buying real products and not counterfeit goods, which are often unsafe and undermine legitimate local businesses.

“We will continue to work in partnership across the country to reduce the availability of counterfeit and pirated goods.”

The National Market group includes the Intellectual Property Office, the Police, British Recorded Music Industry, Anti-counterfeiting Group, Federation against Copyright Theft, Department for Work and Pensions, the Alliance for Intellectual Property, Her Majesty's Revenue and Customs, the Electrical Safety Council, Scambusters and many local authority Trading Standards teams.

The IPO's enforcement team would like to thank Camden Trading Standards, the NMG and OHIM for their support in making the film on Camden.

No kidding around with Operation Goat

Members of the IPO's Intelligence Hub worked alongside HMRC, UK Border Force and Industry Rights Holders to prevent 5 tonnes of counterfeit goods from entering the UK.

This involved two separate operation days in late November, early December getting hands-on access to consignments of counterfeit goods.

The consignments came into the UK on commercial flights from China, Hong Kong and Turkey. Goods included mainly clothing, footwear and accessories such as handbags, belts, and watches.

Head of the Intelligence Hub, Huw Watkins, said: "This was a good example of how we can work with our partners to achieve great results. Our intelligence work is key to identifying the most suitable opportunities for interventions."



Social media piracy

Enforcement teams raided premises across the country in December as Operation Jasper, the UK's biggest crackdown on counterfeiting and piracy in social media, entered its second phase.

The raids saw Trading Standards and police officers seize a range of counterfeit and dangerous goods destined for sale to unsuspecting consumers on popular social media channels. Goods seized in the latest phase of the operation include Internet Protocol television boxes, clothing, footwear, headphones, and illicit tobacco.

Social media has now overtaken car boot sales, markets and auction sites as the one of the biggest marketplaces for counterfeit and pirated goods. According to Ofcom, 72% of UK Internet users now have a social media profile compared to just 22% in 2007 and 81% use social media at least once a day. It has become easier than ever for criminals and rogue traders to target victims online through social media.

Since its launch back in May of 2015, Operation Jasper has seen 7,800 Facebook profiles taken down or delisted, 42 warrants executed, 210 warnings issued, 55 cease and desist letters sent and now involves 46 separate investigations.

Mike Andrews from the National Trading Standards eCrime Team said: "This year we've worked more closely with Facebook than before to take down rogue profiles and listings selling dangerous counterfeit goods and pirated material. Interestingly, we've also seen more Facebook sellers switch to taking orders from consumers and fulfilling those orders with goods from third party sources. This reduces the seller's risk of losing large amounts of their own stock if seized in any raids."

Baroness Neville-Rolfe, Minister for Intellectual Property, said:

"The Government is committed to tackling counterfeiting and it's great to see a repeat of this successful operation. Industry, government and enforcement agencies need to continue to work together to tackle counterfeiting and disrupt organised criminal networks who use social media sites to commit IP crime. The fantastic results of this operation show what partnership working can achieve."

Operation Jasper brings together officers from local authority trading standards teams, police officers, industry bodies and government agencies under the co-ordination of the National Markets Group working closely with National Trading Standards eCrime Team.



Designs

Consultation on proposal for changes in registered design fees

In 2011, Professor Hargreaves highlighted the need to focus on designs in the UK. Intellectual property law needed to adapt to our changing world, particularly to reflect digital developments.

The government has consulted with the design community. You shared your views on what would make the system better for registered designs. Making sure it meets the needs of the designers now and in the future in the UK.

The government is developing a new digital service for design customers. This will streamline the registration and renewal process and make it easier for businesses to use.

The introduction of the new online registration will lead to a reduction in our costs. The government needs to pass on these cost savings to our customers.

This [consultation](#) seeks your views on the proposed changes to fees for the registered design service.

Email responses to: RegisteredDesignFees@ipo.gov.uk

Write to:

Trade Marks and Designs Policy Section
Intellectual Property Office
Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

UPC update

As some of you will have seen over 2015, the pace of developments for the UPC really picked up, and we anticipate it to continue to do so over 2016. Speedy progress over the next six months is vital in order for the UPC to achieve its stated aim of opening in early 2017. Over the first half of this year, we move towards the start of provisional application of the court, and this will signify the end of the hard work by the Preparatory Committee.

This means that there must be agreement on the level of court fees, recoverable costs and SME support. Understandably this is an important matter for the Preparatory Committee to agree upon, and which will be of interest to many of IP professionals. There will also be work done to agree on judges' salaries and also terms and conditions for court staff. We also anticipate the HR working group to agree on the recruitment process for judges.

The Case Management System will be handed over to the UPC for the beginning of provisional application. For those of you who have been logging in and testing it out, thank you very much!

For those of you who haven't given it a go yet, please do. The link is <https://secure.unified-patent-court.org/login> and you'll be asked to log in, or create an account. From that page you'll be able to select the 'Feedback' button in the bottom right corner and provide our team with your comments. For those that logged in weeks ago, hopefully you'll see some changes have been made, and more processes are available. Please do keep sending your feedback.

On the home front, we are looking forward to laying legislation to amend the Patents Act in the coming weeks. For those of you that took part in the consultation, you'll know it's taken a while to get to this stage and we're grateful for your assistance and input – it is so essential in policy-making to hear the stories from people who will be using the system in reality.

That isn't the end of the journey for the team working on the legislative changes though as there will be the introduction of a Privileges and Immunities Order later in the spring. And we are currently in the process of finalising designs for our court location, in readiness for the builders to come in.



Trade marks

Changes to EU laws on Trade Marks



A package of proposals governing EU laws on trade marks have been [approved by the European Parliament](#). They include changes to Community Trade Mark Regulation (CTMR) and the creation of a new Trade Mark Directive.

These reforms to the governance of EU trade marks look to modernise proceedings, increase legal certainty and sufficiently reflect rulings by European case law. The measures will bring national laws in Member States closer together and align practice on national trade marks in relation to the EU-wide trade mark.

The UK welcomes the vast majority of changes as they will make the process easier, cheaper and clearer for businesses to use.

Baroness Neville-Rolfe, Minister for Intellectual Property, said:

“Every business has a trade mark. It is important that businesses understand the need to register their marks to get the best protection for their brand and reputation. A reformed European trade mark system will deliver real benefits for trade mark users and the UK has been a key partner throughout negotiations.

“The changes to the Directive and the Regulation should increase legal certainty and clarity for businesses looking to register and enforce their trade mark rights in Europe. The convergence of trade mark practices and processes throughout the EU will create a more robust and streamlined system fit for the digital age.

“This government has pledged to make the UK the best place in Europe to innovate, patent new ideas and to set up and expand a business. In early 2016 we will be seeking the views on how we should make changes to UK laws to reflect the Directive.”

UK-China 2016 plans finalised

John Alty, Chief Executive of the Intellectual Property Office (IPO) led a delegation to China last month. He participated in a series of high-level bilateral meetings with his Chinese counterparts and has finalised the UK-China IP work plans for 2016.



John met with his Chinese counterparts in the State Intellectual Property Office (SIPO, on patents and designs), the State Administration for Industry & Commerce (SAIC, on trade marks), the National Copyright Administration of China (NCAC, on copyright) and the Beijing and Guangzhou Provincial intellectual property offices.

Highlights from the work plans for 2016 include a Ministerial visit to China, the next phases of our expert and examiner exchanges on patents and trade marks, and a commitment by both SIPO and the IPO to organise the next UK-China IP Symposium. We will also be taking forward our cooperation on IP enforcement, including a further round of judicial exchanges.

Overall, this visit has strengthened UK-China cooperation on IP and has facilitated closer cooperation on key priority areas for 2016.

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IP Equip



Are you or your team equipped to deal with intellectual property matters? The IPO has a free online e-learning tool that helps businesses and business advisors understand intellectual property rights ie trade marks, patents, copyright and designs.

[IP Equip](#) contains 4 short modules and uses case studies to show why intellectual property is important.

Many of our customers complete IP Equip to learn about IP.

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