

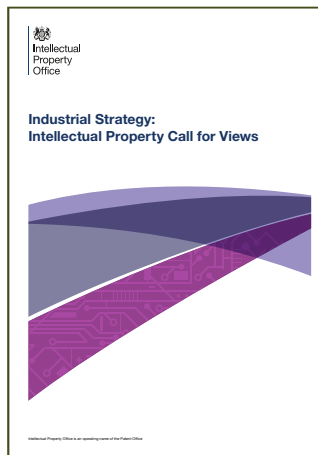


## Industrial strategy: intellectual property call for views

The IPO has published a call for views on [IP and industrial strategy](#). The consultation will run for five weeks, closing on 15 November 2017.

We want your views on ways we can get innovators to work together more effectively and get the most out of their IP. We also want to know if there are new products or services the IPO could offer which would encourage more collaboration, more creation and exploitation of IP.

In particular we want to hear from users of the IP system, including those who protect their ideas via means other than formal registration.



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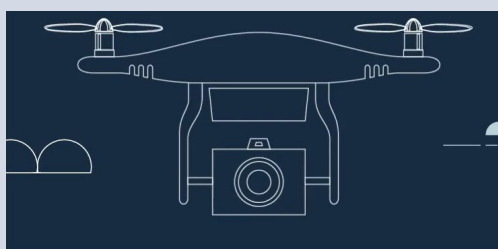
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The IPO has released an [animation video for its IP crime and enforcement for businesses pages](#) to highlight how IP crime and infringement affect businesses and individuals. See inside.

# Designs

## Designs (International Registration of Industrial Designs) Order 2016

The [Designs \(International Registration of Industrial Designs\) Order 2016](#) was laid in Parliament on 19 October 2017.

This Order makes the required modifications to the Registered Designs Act and Registered Designs Rules to give effect to the Hague Agreement in UK law. Joining the

Hague Agreement in national capacity will improve choice for users of the system who will have increased options for how they protect and manage their design rights.

The Order is subject to the affirmative process and will be debated by both Houses. Timing of debates will be subject to the parliamentary timetable.

# Trade marks

## EUIPO British Day and EU Legislative Reform workshop

IP Professionals gathered in London to participate in the (EUIPO) British Day (see the programme on the [CITMA website](#)) and [EU Legislative Reform workshop](#) on the 27 September.

The day began with an update from João Negrão Director, International Cooperation and Legal Affairs, who provided the delegates with an insight into the EUIPO's present level of demand for EU trade marks and designs.

Next was a vision of the co-operation that is taking place between the UK IPO and EUIPO by Nathan Abraham (UK IPO), who outlined the close working relationship that has developed between the two offices through their work on European convergence projects.

The highlight of the day was a presentation Hugh O'Neill (EUIPO) on some of the key changes to the EU trade mark system that came into effect from 1 October 2017. These include:

- the introduction of the new mark types which have resulted from the removal of the graphical representation requirement
- acquired distinctiveness as a subsidiary claim
- the introduction of the new EU certification trade mark

The changes stimulated a high level of discussion within the audience and led to a number of additional questions, such as the effects of new mark types on the ability to file for an International trade mark based on an EU trade mark.

Delegates appeared to leave the event enlightened and with an enhanced sense of openness and co-operation between the IP profession, the EUIPO and the IPO.



Gowling WLG hosted the European Intellectual Property Office's (EUIPO) British Day and EU Legislative Reform Workshop. Simon White, Head of Service, European Cooperation Service, EUIPO

# Trade marks

## New webmarking system launched

From 1 October, [registered design owners can mark their product with a website address instead of a registered design number to show the product is protected by a registered design.](#)

Previously the only way to do this was to put the registered design number on the product. Removing the need to mark the registered design numbers directly on the product will reduce burdens and costs for businesses and individuals who own registered designs.

Marking the product as protected by a registered design is optional, but it gives the design owner the best chance of being awarded financial remedies if their design is infringed.

Using a website address will also make it easier for the public to access up-to-date registered design information in relation to a product. Read our guidance on how to [display your rights](#) for more information.

# Patents

## Government response to proposed changes to statutory patent fees

The IPO has recently published the [outcome of the consultation on proposed changes to patents fees](#). The response document summarises the feedback received as part of the consultation and sets out how the Government intends to proceed.

Based on the responses to the consultation, the Government intends to:

- Make the proposed increases to the fees for application, search and substantive examination of a patent application (as set out in proposals 1 and 2 of the consultation document).
- Significantly adjust the excess claims and pages fees – so that the excess claims fee is more modest (£20 for each claim over 25) and so that both fees apply to fewer patent applications.
- Make a £10 increase to post-grant renewal fees, but only from year 12 onwards.

We envisage introducing the above fee changes on 6 April 2018.

The table below summarises the new pre-grant fees. If you're interested in finding out more, you can find further details in the consultation documents.

We would like to thank all respondents for their contributions.

Patents fee	New fee from 6 April 2018 – when filed online*
Application Fee	£60
25% surcharge for paying the application fee after filing the application	£15
Search Fee	£150
Search Fee for an international application (UK)	£120
Substantive examination fee	£100
Excess claims fee	£20 for each claim over 25
Excess pages fee	£10 for each page of description over 35

\* From 6 April 2018 the application, search and examination fees will be £30 higher if filed on paper. The surcharge for paying the application fee after filing will be £22.50 on paper.

## Unified Patent Court

The [UPC Privileges and Immunities Order for Scotland](#) was debated and passed by the Scottish Parliament Justice Committee on the 28 September.

It was approved by the Scottish Parliament in Chamber on the 25 October. A separate Order was laid in Westminster prior to the summer recess.

Debates for this will be subject to parliament timetable. Both Orders must be approved by Privy Council.

# International news

## The annual UK-China IP symposium 2017

**The annual [UK-China IP symposium](#) took place in London on 22 September, co-hosted by the UK's Intellectual Property Office and China's State Intellectual Property Office (SIPO). More than 150 representatives from UK businesses, the IP sector and Chinese delegations attended.**

The Symposium is the flagship event for UK-China cooperation on intellectual property. It is an opportunity for businesses to engage with influential thought leaders, policy makers and industry trendsetters from both countries to discuss and learn about current and future IP reforms.

Opening remarks were given by Lord Prior of Brampton and Vice Commissioner Gan Shaoning of SIPO which set the scene for the thought-provoking day ahead.

In his address, Lord Prior highlighted the increased co-operation and work sharing between the UK and China on intellectual property. He said:

“The fourth industrial revolution will be based above all on new ideas and new technology this means that the need for a robust IP regime has never been stronger or more necessary.

“This Symposium presents a key opportunity for UK industry to engage with Chinese policy makers to discuss

a wide range of IP issues, ensuring we deliver an IP system that protects innovation and creativity that can help boost economic growth and trade for both countries.”

Stimulating panel and breakout sessions followed, centred on future-proofing the IP system, developments in trade mark policy and practice and enforcement. There was also practical advice for researchers, innovators, creators and cross-border collaborators.

IPO speakers and moderators included Sean Dennehey (Deputy Chief Executive), Ros Lynch (Director of Copyright and Enforcement), Adam Williams (Director of International Policy), Andy Bartlett (Director of Patents Division) and Nathan Abraham (Head of Trade Mark Examination Practice).

We also had guest speakers and moderators from Chartered Institute of Trade Mark Attorneys (CITMA), Xiaomi, Creative Barcode, Business Action to Stop Counterfeiting and Piracy (BASCAP), Department for International Trade (DIT) and Chartered Institute of Patent Attorneys.

Following on from this successful symposium, UK IPO Chief Executive Tim Moss will visit China later in the Autumn as part of continued engagement with his Chinese counterparts.



Trade Mark Forum



Deputy Chief Executive – Sean Dennehey



Future Proofing the IP System – Adam Williams (Director of International Policy)



Lord Prior of Brampton and Vice Commissioner Gan Shaoning of SIPO



# International news

## Meet our new IP attaché for India



**We are pleased to announce the new IPO attaché for India, Shilpi Mehta Nanda. Shilpi has been practising IP law in India since 2008 and has worked with leading law firms. She has sound experience of resolving IP issues for multinational business operating in India.**

Based in the British High Commission in Delhi, Shilpi will assist UK businesses with their IP and provide practical support and will liaise with the Indian government on the local and international IP landscape, as well as building strategic partnerships between UK and India.

Shilpi is part of the UK IPO IP attaché network of four overseas advisers based in India, SE Asia (Singapore), China (Beijing) and Brazil (Sao Paulo). They advise UK businesses trading overseas on domestic IP regimes and promote respect for and awareness of the value of IP in market.

## UKIPO supports WIPO Match to promote effective IP technical assistance and capacity building

**WIPO's Development Matchmaking Database is an online tool to match seekers of specific IP-related development needs with potential providers offering resources.**

Seekers must come from developing countries or countries in transition. Providers may include governments, businesses and universities from across the world.

During the recent WIPO General Assembly, the UK IPO became an official supporter of WIPO Match, meaning that we officially endorse the platform, and commit to promoting it amongst potential seekers and providers.



Adam Williams (Director IPD, UK IPO) meets Mario Matus (DDG Development Sector, WIPO) – also pictured is Andrew Staines (Ambo, UKMis)

“ During the recent WIPO General Assembly, the UK IPO became an official supporter of WIPO Match... ”

# Enforcement

## IP (Unjustified Threats) Act comes into force

**On 1 October 2017, changes were made to the law on [unjustified threats of infringement](#). The new law on threats is clearer, consistent across all relevant IP rights, and will help businesses to avoid expensive litigation. The changes follow from detailed proposals put forward by the Law Commission for reform in this area of law.**

An unjustified threat is made when someone unfairly threatens someone else with legal action for infringing their intellectual property, when no infringement has actually

taken place. These threats are costly and disruptive, drive customers away and stop businesses trading legitimately in goods and services.

The new Act helps bring consistency and certainty in this area of law, protects businesses who can be most harmed by unjustified threats and helps businesses negotiate fairly over IP disputes.

Read our [business guidance](#) to find out more information on unjustified threats and how they affect the actions you can take.

## Multi agency operation cracks down on counterfeiters in Manchester

**On 10 October a multi-agency operation seized more than £2 million of counterfeit clothing.**

As part of a week of activity tackling criminality in the Strangeways area of Manchester, a multi-agency team led by Trading Standards descended upon unsuspecting criminal traders operating from two business units. Support was provided by Greater Manchester Police, Home Office Immigration Enforcement, and brand representatives.

Inside a vast array of counterfeit goods was uncovered, including clothing, footwear, cosmetics, belts, watches, headphones and handbags. Enough infringing product was seized to fill the entire trailer of the 40 foot lorry necessary to remove the goods from the crime scene.

Two intelligence operatives from the IPO were present, to ascertain identities of suppliers and build on the success of the operation.

Trading Standards and Greater Manchester Police have demonstrated their resolve in continuing to tackle intellectual property crime in their area.

Through working with national and international partners, the IPO aims to effect interventions and disruption further up the supply chain. This will reduce pressure on law enforcement dealing locally with the epicentre of a nationwide issue, and maximise resources in a co-ordinated response to the threat posed by IP criminals.



“ Through working with national and international partners, the IPO aims to effect interventions and disruption further up the supply chain. ”

# Enforcement

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## New IPO IP Crime and Enforcement pages for businesses and consumers

The IPO published its revised [IP Crime and Enforcement](#) pages providing helpful advice particularly for SMEs and consumers.

As part of the revised pages, an [animation video highlighting how IP crime and infringement affect businesses and individuals](#) was also released.



# Research and innovation

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## Hidden value: a study of the UK IP valuation market

Our research '[Hidden Value - A Study of the UK IP Valuation Market](#)' has been published. This explores market structure, motivations and barriers to valuation activity, and potential solutions to enhance the efficient functioning of the market. It builds on the IPO's 2014 report '[Markets in IP and Enabling Information Ecosystems](#)' and is cited in the [Bazalgette Review](#) and the [Creative Industries' work on their Early Sector Deal](#).

The research was commissioned to better understand why companies don't routinely consider the hidden financial value of their intangible assets, including IP.

IP can promote innovation through efficient, contestable markets. However, if companies have difficulty commercialising this IP, it will limit its impact on innovation and growth, and therefore reduce the incentive to create new products, processes and ideas.

Researchers also considered the extent of IP valuation activity in the UK, whether common and consistent methods and approaches are being applied, and whether the market is working effectively from a competition perspective.



## Be alert to IP news

You may have seen that the IPO issues email updates on IP Rights, events, news and blogs. This may have been how you were alerted to this edition of IP Connect. We have a variety of topics for people to subscribe to, you just need to register to receive regular alerts and updates. You can subscribe to email alerts via the [subscribe link](#). Register today and get an email when the next edition of IP Connect is available.

## IP Connect – call for views

The IPO is committed to keeping our stakeholders informed and provide the right information at the right time in the most appropriate way. IP Connect is one way we do this. Providing feedback will help ensure it meets your needs. We would appreciate it if you could spare a minute to complete our [short survey](#) to share your views.

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