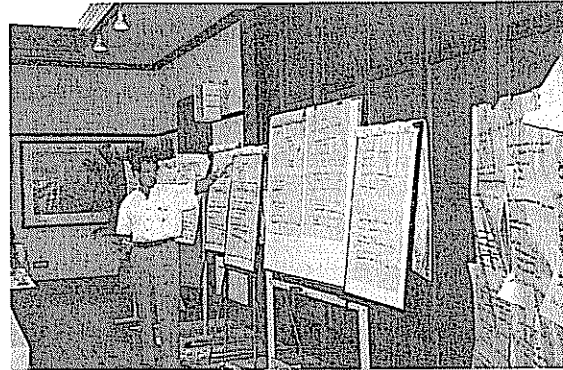


# FICPI STRATEGIC PLAN

## Background

Between March 30 and April 3, 1998, delegates of La Fédération Internationale des Conseils en Propriété Industrielle (FICPI), an international association of Intellectual Property (AIPPI) Practitioners, gathered for the 1998 Executive Committee Meeting in Broome, Australia. A portion of the meeting was dedicated to the initiation of a long-term Strategic Plan for FICPI. At the request of FICPI, Marc P. Chinoy of The Regis Group Inc. facilitated group deliberations which resulted in the Vision, Assessment, Goals and Initiatives presented in this report.



Marc Chinoy, Facilitator

## The Principal Aims of FICPI

- To enhance international co-operation within the profession of industrial property attorneys in private practice, promote the exchange of information and facilitate business relations between the members.
- To maintain the dignity of the profession.
- To study and express opinions on developments of legislation at the international level as well as the national level to the extent that such developments may have a wider international impact.
- To promote the training and continuing education of its members and others interested in intellectual property protection.

## CURRENT ASSESSMENT

FICPI is focused on the interests of patent and trademark professionals worldwide. Currently, patent attorneys are the dominant echelon within FICPI. The Federation maintains a very high standard of membership. Members of FICPI are highly trained, highly motivated and independent in spirit.

The Federation conducts its activities through voluntary member participation and currently does not have dedicated full-time administrative support staff.

While FICPI does not have immediate financial concerns, the primary source of revenue is member fees with either slow or no growth projected at this time. Additional revenues are derived from customary activities planned and managed on a voluntary basis instead of derived from professionally managed programs. The largest of these FICPI activities is the Forum, for which there is no formal or structured business/marketing plan.

FICPI is a federation of national organisations and individual members in a country where a national organisation does not exist.

National organisations have been formed in those countries where a substantive patent or trademark infrastructure exists. FICPI relies on the national organisations to stimulate succession in their countries and existing reputation and word of mouth to stimulate succession in all other countries.

Only national organisations participate in the voting structure. Voting membership does not reflect the international demographics of the general membership, but does appropriately reflect the countries which have traditionally used and respected IP rights.

FICPI has evolved a complex culture which relies on personal memory and oral tradition, typified by a heritage of collegiality. FICPI is confronted with rapid and considerable changes in industry, government, finance, and culture through the world, which in turn is reflected in changes both within the individual law firms and within the Federation as a group.

FICPI has recently initiated a training program in S.E. Asia to provide accreditation for professionals in that region as a way of promoting a specialised, qualified profession in that area.

While generally concerned by the changes to long established national procedures as promoted by multi-national corporations with large in-house capabilities, the FICPI ExCo remains optimistic as to the long-term prospect for the independent IP professional culture.

## VISION OF FICPI 2003

The members of FICPI are committed to sustaining and advancing the skill and prestige of leading IP professionals worldwide. During the next five years, FICPI will further internationalise the scope of general membership without reducing the high standards for which FICPI is known. To this end, FICPI will actively resist any governmental efforts to lower the qualifications of IP professionals.

FICPI will review and update the FICPI Code of Conduct on a cyclical basis to keep pace with changes in industry, society and the profession.

During this time, FICPI will stimulate appropriate growth by applying membership criteria to trademark attorneys similar to those that have historically been reserved for patent attorneys. FICPI will not initiate expansion of membership into other areas of IP without further study.

In order to enhance operations, FICPI will engage full-time administrative support while continuing to rely on member groups for active participation in project development and implementation.

In order to raise the profile of FICPI and to fund the advancement of the Federation while continuing to contain individual member fees, FICPI will establish an affirmative marketing and promotion plan which will include:

- formal marketing of the Forum
- enhance of the WebSite
- maintenance of the FICPI Newsletter
- appropriate advertising
- joint activities with other similarly situation organisations
- active pursuit of a presence in other professional journals
- full internal dissemination of membership information and sample marketing materials
- an enhanced liability insurance program for members.

As a direct result of the evolution of the information-based global economy, there will continue to be a critical role for highly trained IP professionals. In this environment, there is also a distinct role for FICPI as a platform of excellence and the steward of professional standards worldwide.

## EXCO '98 GROUP FINDINGS

### Year 2030 - The Future Of The Intellectual Property System

Despite dynamic changes in the workplace, the group expressed a strong belief that there will still be a need for private practice IP professionals to assist both individuals and corporations in the filing of both patents and trademarks. The ExCo believes that by the Year 2030, IP practitioners will not have been replaced by Information Technology systems. Pure patent law firms will still exist and patent attorneys will continue to be required to have technical qualifications.

Over the next thirty years, a widening base of clients is likely to demand efficient patent and trademark protection globally. This assumption, if correct, coupled with enhanced worldwide enforcement and more specialised courts is likely to increase the need for professional intervention on behalf of patent and trademark holders. As a result, there will be greater competition for patent attorneys from third party professionals and para-professionals, however the IP profession will require technically qualified individuals, and will continue to remain allied with the legal profession. Most if not all IP Practitioners will acquire legal qualifications in one form or another.

As the 21st century progresses, IP will become more important relative to other forms of business/industrial output and will steadily increase in relative economic value. Corporations will have established larger budgets for IP management and will continue to increase R&D spending targeted at IP. There will be increased conflict related to both patent and trademark interests. Advanced innovations will challenge conventional forms of IP protections and will create many new types of IP protections.

In general, the IP system will be heavily influenced by the emergence of intelligent software which is likely to enable rapid examination of patent officers and move the international system toward standardised mutual recognition of examination results.

By the year 2030, specialised courts, better defined worldwide laws and cross-border enforcement will either be in place or will be close to implementation.

Professional liability will be of increasing concern to legal professionals leading to not only an increase in the cost of litigation insurance, but also to the availability of coverage.

Multi-disciplinary firms and patent law as a component of broader practice legal firms are likely to emerge.

Advances in language recognition and translation software are likely to reduce the prospect of a global IP system moving to one language only.

The group believes that there is a prospect of the creation of a single centralised patent office. There is also a prospect that WIPO will act as a recipient for centrally filed and examined applications and that registration will be made without further examination. In addition, there is likely to be a radically modified registration methodology which will rely heavily on computers, but which will call none-the-less for expert intervention on behalf of the patent and trademark holders. In response to these changes, the appearance of a broader group of potential clients is likely to stimulate the emergence of a globally qualified attorney.

### Year 2020 Vision Of The Internet

The enhanced information dissemination provided by the Internet has had a direct impact on the IP profession in the short term and is likely to continue to affect IP practice in the longer term. The ExCo therefore considered the further development of this medium over the next 25 years as a part of the planning exercise.

By the Year 2020, the Internet, in whatever form it will prove to take, is likely to serve as the primary communication tool for sending and receiving of messages worldwide. The growth of and use of the Internet will lead to the creation and stimulation of a profusion of new tools of commerce. While there is a prospect that the Internet will lead to an information overload, the continued growth of information-on-demand is not likely to create complexities very different in nature to those caused by the profusion of information confronting society today. To meet the growing demand of the Worldwide Web, international communication laws are likely to be modified, and in some instances created. Similarly, the Internet may have a profound affect on languages, and user preferences may result in the selection of a limited number of core languages as the primary verbal and written forms of global communication. At the same time, there is a distinct prospect that cultural differentiation, supported by the emergence of robust translating software, may sustain the use of local languages in both business and legal proceedings conducted on the Internet well into the 21st Century.

As a result of open access to an unimaginably large global database and steady improvements in information gathering and management methods, both the value and the cost of information is likely to decrease. One possible effect of readily accessible information-on-demand will be an accentuated split in society between educated population segments and those segments of the population which remain relatively uninformed.

The Internet is likely to stimulate cultural changes in education, in the inter-relation of individuals and in employment. There is a prospect that the Internet may affect literacy, although the nature and degree of the shifts in the use of the written word by large populations is uncertain. Although there is a prospect that in the future on-line communication may largely replace printed publications, there was not a general consensus that this will occur. In fact, there is the potential that the Internet might actually stimulate larger publication in hard copy form.

The FICPI ExCo indicated that the Internet is now and will remain a great concern as it continues to expand and modify in fundamental nature. The functional effect of national boundaries will progressively break down as commerce in the form of intellectual property moves across historic borders with little regulation possible.

The group concurred that the Internet itself is likely to change dramatically, Inventions driven by the Internet will increase client needs and create new and broader client service opportunities. Additionally, the Internet could significantly affect the patent profession by moving the world closer to a unified patent system.

Overall, there was general concurrence that the Internet in and of itself would not lead to the disintegration of cultural values or of the family, and that in all likelihood, the existence of the Internet and the openness of communication which it fosters, may reduce the prospect of general war.

### FICPI GOALS

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|------|-------------|---|
| I.   | RECOGNITION | Assure that FICPI is appropriate recognised in the IP community and by the international business press.  |
| II.  | STANDARDS   | Establish and maintain high standards for membership.   |
| III. | PROGRAMS    | To provide Forums, programs, and materials which enhance the capabilities of the membership while bringing value to IP professionals worldwide. |
| IV.  | MEMBERSHIP  | Assure the recruitment, encouragement, and appropriate growth of a membership body comprised of leaders in Patent and Trademark Law.            |
| V.   | ALLIANCES   | Foster working alliances with leading national and international IP organisations.  |
| VI.  | SUPPORT     | Establish dedicated support sufficient to meet the ongoing needs of FICPI and FICPI's members.  |