

FICPI Australia AGM 9 August 2025

President's Report

Welcome to the 2025 Annual General Meeting.

Summary of Council Activities

The FICPI Australia Council has been actively engaged across a broad spectrum of initiatives and strategic discussions over the past year.

Key highlights include:

- **Council Operations & Membership:**
 - Held monthly Meetings from August to July.
 - Appointed Madeleine Kelly to fill a Council vacancy, with one vacancy remaining; we are actively seeking a dedicated Trade Mark attorney for this role.
 - Accepted new members: Maryam Tabari, George Griziotis, David Stewart, Hollie Ford, Mark Teoh, Daniel Holt, Jiarne (JJ) Hong, and Leon Trento.
 - Discussed streamlining the new member joining process, including redesigning Part A and Part B forms into a single form.
 - Investigating eCommerce payment solutions for membership fees.
 - Discussed the current Articles of Association, which do not allow Trade Mark lawyers who are not Trade Mark attorneys to join, with a discussion on this planned for later in this AGM.
- **Engagement with IP Australia & TTIPAB:**
 - Made submissions to IP Australia on location requirements and fee changes.
 - Participated in PCG (Patent Consultative Group) and TMDCG (Trade Mark and Design Consultative Group) meetings.
 - Held a productive meeting with IP Australia Director General, Michael Schwager.
 - Monitoring IP Australia's adoption of Artificial Intelligence (AI), noting their AI transparency statement.
 - Dedicated considerable attention to IP first response, liaising closely with IPTA (Institute of Patent and Trade Mark Attorneys of Australia) and AIPPI (International Association for the Protection of Intellectual Property).
 - Engaged in discussions regarding the excluded designs issue
 - Participated in Trade Mark quality workshops.
- **Examination Quality & System Improvements:**
 - Considered concerns regarding degrading examination quality, inconsistency, and increased difficulties with Manner of Manufacture (MoM).
 - Suggested Examination Quality workshops to IP Australia.

- Established a CII Task Force, with a first group meeting scheduled for 14 August.
- Discussed the CII report with Michael Falk and noted IP Australia's response on being okay with Australia's position being between US and EP on granting marginal CII's.
- **Communications & Outreach:**
 - Published regular newsletters and LinkedIn articles to keep members informed.
 - Facilitated F45 webinars tailored for AU/SE Asia time zones.
- **Legal & Ethical Landscape:**
 - Addressed fraud issues concerning Trade Mark attorneys.
 - Monitoring developments related to Anti-Money Laundering (AML) laws.
- **International Engagement & Harmonization:**
 - Engaged in international discussions on provisional applications, first-to-file/foreign filing license requirements, harmonization and attorney privilege
 - ExCo resolution on divisional applications.
 - Attended virtual ExCo meetings.
 - Note the upcoming FICPI International World Congress and Executive Committee meeting in Naples in October to be attended by Rohan and Ronelle and Delegate and Alternate Delegate for FICPI Australia.
- **Annual Conference**
 - Spend a great deal of time actively preparing for this conference.
 - Thanks to Alyssa, Madeleine, Neil and Bill for your work as the organising committee.

My FICPI Australia Vision

Immediate Past President, Bill McFarlane, introduced his mantra of *improvement, fellowship and opportunity* over his years as President. I endorse this and echo Bill's sentiment that FICPI Australia continues to provide excellent opportunities for attorney self and firm improvement, lifelong fellowship that can provide business development opportunities and the ability to contribute to the workings of the IP system locally and internationally.

My personal vision is similar, supported by a great team in Ronelle as Secretary, Tara as Treasurer, and more broadly our other Council members: Christian, Alyssa, Neil and Madeleine with IPP Bill and Steve also usually in attendance as an invitee. Collectively, we will continue to enhance members' improvement, foster growing friendships, and ensure opportunities flourish.

My particular focus is to work in this role to make the attorney profession better and to improve our interactions with IP Australia. We have a significant opportunity to advocate for these improvements, and there is a willingness to hear what we have to say. I believe

sensible, logical, and well-considered advocacy to the Trans-Tasman IP Attorneys Board (TTIPAB) and IP Australia, and potentially the Minister, can achieve tangible improvements. While we won't always get what we want and there will be setbacks, I am determined to work towards this, as it will not only benefit us, the attorney profession, but it will also have flow-on benefits to our clients and to IP Australia.

I will lead us in providing strategic advocacy aimed at enhancing both the attorney profession and its crucial interactions with IP Australia. FICPI Australia has a long-standing commitment to serving its members' interests by sharing information and providing expert commentary to government bodies, including IP Australia. This engagement should not be merely reactive; it needs to be a proactive and continuous effort to shape the IP system for the benefit of all stakeholders.

Our approach to advocacy will be *characterised by its substance not its form*. Sorry, I mean, our advocacy will be characterised by being "sensible, logical, and well-considered". Unlike *Examination Reports*, this entails presenting arguments that are well-researched and evidence-based, drawing upon the *common general knowledge* of collective expertise and practical experiences of members who represent a diverse range of clients. This *manner of manufacture* is intended to align with the Australian Government's renewed commitment to *novel and inventive* evidence-based policy development and decision-making processes, which emphasise *useful* robust analysis, data, and accurate overviews of proposed policies' effects. By leveraging our *honest concurrent use*(ful) professional knowledge and practice based *distinctive* positions, FICPI can provide strong arguments positioning ourselves *for acceptance* as a leading source of input into IP reform.

Seriously though, targeted engagement with IP Australia and the Trans-Tasman IP Attorneys Board (TTIPAB) is a cornerstone of this strategy. IP Australia's vision to create a "world-leading IP system building prosperity for Australia" through continuous improvement, adaptation, and innovation provides a fertile ground for advocacy and can be leverages to show them the way to world-leading status. Active engagement with TTIPAB, will ensure that regulatory reforms are efficient and responsive to the profession's needs. IP Australia states it is committed to reducing regulatory burden, which presents an opening strategic advocacy.

A key area for advocacy will no doubt be the evolving landscape surrounding Artificial Intelligence. The Australian IP Report 2025 highlights the challenges AI-created works pose and IP Australia's AI provocations present some interesting, and also scary possibilities. TM Checker and IP First Response are, I think, just the beginning. FICPI Australia can provide critical input to ensure that legislative or policy changes in this area support innovation while providing clarity and robust protection for creators and users of the IP System and to enable us as IP advisors to best meet the needs of our clients in a rapidly changing environment brought about by AI.

The nature of this dialogue should be through reasoned arguments, backed by evidence, including the practical insights and experiences of FICPI members. Effective advocacy is a persistent, long-term endeavour. We want streamlined processes, clarity in current legislative ambiguities, a fair approach in examination of applications and to ensure that the IP system serves the needs of our clients.

We also do this work in an international context with FICPI's various committees. And I encourage involvement in the committee process. Talk to me after if you want to get involved.

I hope this strategic focus on enhancing professional excellence, deepening community bonds, and driving effective advocacy will ensure FICPI Australia increases its relevance in the intellectual property attorney profession and this attracts more members that want to participate in these efforts.

So again, FICPI Australia will assist in providing improvement, fellowship and friendship, creating opportunity and making strategic advocacy.

FICPI Australia
President
Rohan Wallace