



EXCO MEETING, CAPE TOWN 13 & 18 APRIL 2015

COUNTRY REPORT	
TITLE:	Country report for United Kingdom
DRAWN UP BY:	Alan Senior (Delegate) , Robert Watson (President, Sub-delegate)
TABLED TO:	FICPI delegates
PURPOSE:	For information and consideration
SNIPPET:	News from and activities of the FICPI national group in United Kingdom since the Barcelona ExCo in November 2014.

SECTION A: ACTIVITIES OF FICPI ASSOCIATION/SECTION

The information supplied in Section A will remain confidential on FICPI's website after the ExCo (will require a password).

SECTION B: CHANGES IN LAW

Information supplied under Sections B and C will be published on FICPI's website after the ExCo and will be available to the public.

B1. LEGISLATION

- Please provide details of any changes to IP legislation (patent, trade mark, design and other) in your country implemented or due to be implemented since you reported last in October 2014.
[The repeal of Section 52 of the CDPA is to occur in 2020 – this will end the restriction on copyright term for certain artistic works when they have been industrially manufactured.](#)

B2. MAJOR CASES

- Please provide brief details of any new case law in the field of patents, trademarks, design or other IP of general interest.
[Nothing to report](#)

B3. OFFICIAL PRACTICE

- Please provide details of any changes in official patent and trade mark office practice which would be of general interest to other members.
[From April 2015, appeals from the Design Registry can be to the Appointed Person - this opens up a much cheaper route of appeal from decisions of the office than using the High Court.](#)

B4. PROPOSALS FOR CHANGES

- Please provide details of any proposed changes in IP laws or practice and indicate if your National Association/Section is involved in providing comments to such changes.
Would it be of assistance to have input from the CET on any proposed changes?



It is planned to align UK patent law with the UPC for consistency – the change will be laid before Parliament after the May 2015 General Election. The consultation period has finished.

SECTION C: OTHER INFORMATION

Please provide details of any other information pertaining to your country or region that would be of general interest to FICPI members and other IP practitioners browsing FICPI's website.

Nothing to report

C1. QUALIFICATION AND THE RIGHT TO REPRESENT CLIENTS BEFORE A COURT

- 1.1 Please describe the qualification process for becoming a patent attorney in your country/region.
By examination (two levels) and time spent working with qualified attorneys
- 1.2 Has the patent attorney qualification process changed in any way in the past 5 years? No
- 1.3 Does qualification as a patent attorney permit you any right of representation before any Court in your country?
No, but possible to gain a certificate (IP Litigation Certificate) to handle cases and appear in The Intellectual Property Enterprise Court (IPEC). Also possible to gain a certificate (Higher Courts Litigation Certificate) to handle cases in the High Court, as well as to gain a Higher Courts Advocacy certificate to appear in the High Court.
- 1.4 If so are there any special requirements or restrictions? Not once qualifications are obtained
- 1.5 Are qualified lawyers in your country permitted to work in the patent field without any further qualification? Yes
If so are there any restrictions on what they may do? No
If so, please describe those restrictions.
- 1.6 Please describe what privilege attaches to patent attorney communications including any restrictions.
Communications between and Chartered Patent Attorneys and European Patent Attorneys and their clients are privileged provided that, and insofar as, they concern patent, trade mark or design matters (section 280, CDPA 1988)
- 1.7 Please describe the qualification process for becoming a trade mark attorney in your country/region.
By examination (two levels, each following a specified University Course), as well as gaining a certain level of experience (see <http://www.itma.org.uk/careers/how>)
- 1.8 Has the trade mark attorney qualification process changed in any way in the past 5 years?
Yes – changed to solely University based courses in 2011
- 1.9 Does qualification as a trade mark attorney permit you any right of representation before any Court in your country?
Broadly similar to patent attorneys above, although IP Litigation Certificate is included in second University Course
If so are there any special requirements or restrictions?
No
- 1.10 Are qualified lawyers in your country permitted to work in the trade mark field without any further qualification? Yes
If so are there any restrictions on what they may do? No
If so, please describe those restrictions.



- 1.11 Please describe what privilege attaches to trade mark attorney client communications including any restrictions.

As described above

C.2 CET AND PEC SPEAKERS

- 2.1 Would your National Section/Association be interested in obtaining assistance from FICPI, through either the CET Work and Study Group or the Professional Excellence Commission (PEC), in providing speakers for seminars organized by your national group in your country?

Always glad to see them but no urgent need

- 2.2 If your group does, or in the future might, require such assistance, please identify topics that might be of interest to your members, with a view to raising FICPI's profile and providing added value from membership of FICPI in your country.

C.3 TOPICS OF INTEREST

- 3.1 Please list three IP topics that are of particular interest to you and/or your national section members.

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