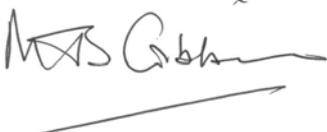


 Regulatory Policy Committee	OPINION	
Impact Assessment (IA)	Work Sharing with International Partners	
Lead Department/Agency	Department for Business, Innovation and Skills/Intellectual Property Office	
Stage	Final	
Origin	Domestic	
IA Number	BIS 0381	
Date submitted to RPC	19/03/2013	
RPC Opinion date and reference	09/04/2013	RPC12-BIS-1543(2)
One-in, Two-out (OITO) Assessment	GREEN	
<p>Overall comments on the robustness of the OITO assessment.</p> <p>The IA says that, as a result of the proposal, business will “..benefit indirectly through a range of increased business opportunities and the potential reduction in certain legal costs associated with patenting.” Given this, and that there are no direct costs to business from the proposal, the IA scores the measure as out scope of OITO. This is consistent with the Better Regulation Framework Manual (paragraph 2.9.8).</p>		
<p>Overall quality of the analysis and evidence presented in the IA</p> <p><i>Evidence and realisation of policy objective.</i> In our previous Opinion (17/10/2012) on the consultation stage IA, we questioned the extent to which the policy objective and estimated benefits would be achieved, given the relatively low level of take-up from business of the Intellectual Property Office’s (IPO’s) offer to applicants to give voluntarily their consent to the sharing of application information. We also questioned the extent to which the benefits of sharing information would be restricted by concerns from business over the extent to which patent information is shared. The IA fails to address either of these points and should provide a more detailed discussion on these issues in relation to its estimated benefits. The IA should also explain more clearly why the estimated benefits have risen following consultation.</p> <p><i>Options and global economy.</i> In our previous Opinion, we also asked the Department to explain the proposal in relation to action being taken at international level, given that the IA says, “in terms of the global economy, the London Economics study estimated that delays in processing patents cost £7.6 billion for every extra year patents are delayed in the US, Japan and Europe, of which £6 billion is through lost innovation” (page 7). The IA fails to do this, and this makes it all the more difficult to determine the extent to which the estimated benefits and costs are robust.</p>		
Signed 	Michael Gibbons, Chairman	