



Last Friday, for the first time this year, it was still light as I got off the train and walked to the station car park at the end of my day. The birds were singing and it wasn't raining: it felt like Spring was coming. The arrival of Spring is, of course, the moment when nature gets down to homemaking activity: the birds tidy and rebuild their nests, the moles go into overdrive wrecking the lawn and the squirrels begin a more active plunder of the bird feeder to lay in supplies. In some ways the IPO is no different. For us good housekeeping begins with good planning. We've spent recent weeks looking at how much we've achieved

in the last year before pinning down our corporate plan for 2015/16. We'll be launching it formally later this month and April's IP Connect will focus in on the things that will be keeping us busy for the rest of the year.

Meanwhile, this edition has a strong IP enforcement focus with news about 'OPSON IV' seizures, updates from PIPCU and a read out from meetings with the Indonesian IP office where the UK is doing much to help them build an effective enforcement regime. We also bring you up to speed with preparations for the birth of the Unified Patents Court which will become a key part of the dispute resolution and enforcement infrastructure of the future.

Those items sit at the heart of a pretty packed issue of IP Connect picking up news from across the IPO. If there are things you'd like us to pick up in future editions or feedback on what you see here, do get in touch [clicking here](#).

**Rosa Wilkinson, Director of Innovation and Strategic Communications**

## IP Minister launches IP training tool at Studentship IP Awards

On Thursday, 5th March, the UK's IP Minister set out her vision for UK IP education. Speaking at the IPO's "Students and IP – Creating an IP savvy workforce" event in Bristol, Baroness Neville-Rolfe called for IP to become an integrated part of learning from the earliest school years through to higher education. She underlined her belief that every child should leave school with a basic understanding of IP principles and a respect for others' IP and her desire that every graduate should know enough about IP to manage ideas effectively in their chosen field.

The Minister pointed to the work the IPO is already doing, from collaborations with Aardman Animations including the Cracking Ideas competition and a new initiative linked to their new Shaun in the City movie. She signalled how the IPO would be extending its work this the coming year by developing materials aimed at secondary school pupils and making sure that teachers could find their way more easily to materials that might help them develop engaging lesson plans. She also celebrated the launch of the 'IP Tutor', an online training tool designed to help university students develop a wider understanding of IP and foster their entrepreneurial capability.

## Contents

- Online IP tutor tool launched
- IPO backs diversity task force
- IPO attends International Women's leadership forum

### Copyright

- UK digital single market vision
- Section 52 transitional appeal provisions announced

### Enforcement

- UK number 1 for enforcement in GIPC rankings
- OPSON IV record results
- PIPCU update

### International

- Indonesian IP Office visits UK
- Making progress on patent harmonisation
- UK IPO visits Bangkok to talk IP

### Designs

- Appointed person consultation response
- ACID IP Insured launched

### Patents

- Patent application responses published

### Economic Research and Evidence

- The Patent guidebook
- Online piracy research published

### Staff moves

### UPC update

### IP Events Calendar

IP Tutor picks up on feedback from students that they wanted to know more about IP and offers tailored options to meet the needs of those following different disciplines – STEM; humanities; business and law; or creative arts. It challenges common misconceptions about IP and provides practical guidance on how to make the most of IP assets as part of the IPO's burgeoning range of educational resources. To take a look at IP Tutor, [click here](#).

## IPO backs CIPA diversity task force

Following a successful recent round table, held by CIPA, which brought together Government and the key players in the IP field to consider how best to improve the diversity of the sector, the Chartered Institute of Patent Attorneys (CIPA) has [launched a Diversity Task Force](#). Its aim will be to improve access to the intellectual property professions, regardless of disability, age, gender, sexual orientation or social, economic and cultural background.

The joint initiative, with the Institute of Trade Mark Attorneys (ITMA), the IP Federation and the UK Association of the International Federation of Intellectual Property Attorneys (FICPI-UK), has the support of Government.

Minister for Intellectual Property Baroness Neville-Rolfe said: "I was pleased to speak at the recent CIPA round table on diversity. Following this event, I am delighted to see a public commitment calling for IP professions to be more inclusive. We need greater understanding about how intellectual property can enrich the lives of others - this is one way to make sure it happens.

"BIS is responsible for several initiatives helping different groups of people at work, including flexible working, and supporting Lord Davies' drive to see more women to be appointed to company boards. Colleagues at the Intellectual Property Office are keen to work with CIPA and others to increase greater gender diversity in the profession."

In a joint statement, CIPA, ITMA, IP Federation and FICPI-UK committed to making the IP professions more inclusive.

"We will encourage the IP professionals within our organisations to adopt best practices for securing increased diversity and inclusion. We will collaborate to train and support IP professionals in such practices, and to raise awareness of relevant issues. We will take a firm stance against any form of unlawful, unfair or otherwise inappropriate discrimination, whether during recruitment to the IP professions or in the working environment," it said.

## IPO speaks at International Women's Leadership Forum



Our economist, Dr. Nicola Searle, spoke at London's first [International Women's IP Leadership Forum](#), hosted by Managing IP and sponsors on 24 February. The event brought together experts from around the world to discuss the latest developments in patents, copyright and trademarks. More than one hundred female and male professionals participated in the event.

The day consisted of a variety of panel discussions from lawyers, policy makers and businesses. Topics ranged from trademark protection of service station strip lighting to in-house IP training for researchers. Participants also learned about IP developments in Brazil. A key theme was business strategy and the use of IP.



Nicola and fellow panellists kicked off the event with a discussion on the Unified Patent Court and the Unitary Patent. She emphasised the important of the UP and UPC in creating a favourable environment for growth. As picked up by Twitter, Dr. Searle's contribution can be summed up by, "Goal = reduce barriers, creating economic growth, which makes me happy." The panel was unanimous in its support for the UP and UPC.

## Copyright

### BNR outlines UK vision for digital single market

On 25 February, the UK co-hosted a conference with the Danish Chamber of Commerce in Copenhagen on the digital economy. Minister for Intellectual Property, Baroness Neville-Rolfe, set out the UK's position for an ambitious digital single market, including modernising the European copyright framework.

The [Minister outlined the UK's commitment to targeted reform](#) to break down some of the current barriers to innovation and growth. With life increasingly lived online and in the digital medium, we need a digital single market that offers more legitimate content across borders on fair and reasonable terms. This should reduce incentives for copyright piracy and make sure that creators get the rewards they deserve. The Minister also emphasised our continuing commitment to a robust enforcement framework to rightly protect the increasingly complex world of intellectual property.

In sum, we want clearer rules across Europe, and targeted changes based on the best available evidence to ensure we have a copyright framework that supports economic growth, protects our creators, rewards creativity and responds to consumer needs.

You can watch the Minister discussing some of the key issues here: <https://www.youtube.com/watch?v=ZUFtHkgQ4fk>

## Government announces transitional provisions for the repeal of section

On 18 February the Government announced the transitional provisions for the repeal of section 52 of the Copyright, Designs and Patents Act 1988 following an extensive consultation process.

The Government has decided that the repeal will commence on 6 April 2020, and will make express provisions in the Commencement Order to make sure that items that are manufactured or imported before the end of the transitional period are not affected by the change in law. The Government also plans to publish non-statutory guidance on works of artistic craftsmanship so that businesses are able to plan for the change in law.

To see further information about the transitional provisions, see <https://www.gov.uk/government/consultations/transitional-provisions-for-the-repeal-of-section-52-of-the-cdpa>. This document also includes a summary of responses to the consultation on transitional provisions and the Government's response to the issues raised. The Government has made the Commencement Order to implement the transitional provisions, and this can be found at [www.legislation.gov.uk](http://www.legislation.gov.uk).

## Enforcement

### UK ranked number one in enforcement

The UK ranked number one in enforcement according to the U.S. Chamber of Commerce's Global Intellectual Property Center (GIPC) 3rd annual International IP Index. **"UP: Unlimited Potential"**, ranks 30 economies around the world, representing 80 percent of the world's gross domestic product (GDP). The index is based on 30 measurable criteria critical to innovation including, patent, copyright and trademark protections, enforcement, and engagement in international treaties, among others.

"Businesses understand the climate they need to be successful, and they understand that protecting IP rights and innovation is essential in deciding what technologies to advance and where to invest and create jobs," said Mark Elliot, executive vice president of GIPC. "The Index serves as a tool for governments around the world to hear directly from the business community about the conditions necessary for an innovative economy."

The Index ranks the economies in Argentina, Australia, Brazil, Canada, Chile, China, Colombia, France, Germany, India, Indonesia, Japan, Malaysia, Mexico, New Zealand, Nigeria, Peru, Russia, Singapore, South Africa, South Korea, Switzerland, Taiwan, Thailand, Turkey, Ukraine, United Arab Emirates (UAE), United Kingdom (UK), United States (U.S.), and Vietnam.

UK IP Minister Baroness Neville-Rolfe said: "A strong IP system is key to encouraging innovation and delivering continued economic growth. So I am tremendously pleased that this Global Index (GIPC) views the UK's IP enforcement regime as the best in the world. This is testimony to the joined up efforts of government agencies, law enforcement, industry and other local and UK and international partners in tackling IP crime.

"That the UK is also ranked at the top for Patents, trade marks, trade secrets and market access, membership of international treaties is further evidence of our world class IP regime."

Head of City of London Police's Economic Crime Directorate, Detective Chief Superintendent, Dave Clark said: "The City of London Police is extremely pleased to see that the UK's IP enforcement is ranked at number one in the world.

"Our specialist Police Intellectual Property Crime Unit (PIPCU) works closely with law enforcement nationally and internationally, to provide a world class service in tackling intellectual property crime.

"We are pleased that the UK has been recognised as a leader in this area thanks to the collaborative partnerships between private sector, government and law enforcement. With PIPCU's new extended funding from the Intellectual Property Office (IPO) the team is set to continue its fight against intellectual property (IP) crime and forge new relationships near and far to ensure it remains an integral part of the national response to a threat that is costing the UK more than a billion pounds a year."

## OPSON IV

### Nearly 2,500 litres of fake wine and spirits were seized as part of a pre-Christmas enforcement campaign

[New results announced](#) on 16 February revealed that nearly 2,500 litres of fake wine and spirits were seized as part of a pre-Christmas enforcement campaign. UK Trading Standards, working with international enforcement agencies, also closed down an illegal distillery that would have posed a real threat to public safety.

The crackdown on fake alcohol came as part of an international campaign, [Operation OPSON](#), involving more than 50 countries, organised by Interpol and Europol.

The results from UK enforcement activity include:

- seizure of more than 1800 litres of illegal wine
- seizure of more than 600 litres of spirits and 'unidentified' alcohol
- closure of illegal factory making 'vodka' from windscreen wash
- a significant increase in UK activity, from one seizure of spirits in 2013 to 12 seizures in 2014 to 2015

IP Minister Baroness Neville-Rolfe said: "The UK is committed to cracking down on crime that harms proper businesses and can pose a real threat to public safety. Even though we have one of the safest food industries in

the world, there are still criminals who want to profit at the expense and safety of others.”

“Fake and sub-standard food and drink pose a real threat to health and safety. People are at serious risk and in some cases dying because of the greed of criminals whose sole concern is to make money,” said Michael Ellis, head of INTERPOL’s Trafficking in Illicit Goods and Counterfeiting unit which coordinated activities between the world police body’s participating countries across the globe. “Through this operation, thousands of tonnes of potentially hazardous food and drink have been taken out of circulation.”

“This year again, the results from Opson clearly reflect the threat that food fraud represents, as it affects all types of products and all regions of the world. Cooperation at national and international level is indispensable to disrupt the criminal gangs involved in this business,” said Chris Vansteenkiste, head of Europol’s Focal Point Copy who coordinated the activities in Europe.

This year’s Operation OPSON results show the continued strength of the UK’s enforcement regime, led by Trading Standards and coordinated by the Intellectual Property Office, in protecting consumers and businesses.

Details of the wider OPSON activity against fake and illicit food around the world, and the organised crime networks behind this illegal trade are released today. A final report on OPSON IV will be prepared for circulation within the UK following a debrief session in April 2015.

## PIPCU Operational Activity

### Three arrested on suspicion of making six figure sum selling fake Justin Bieber and One Direction hoodies and t-shirts



The Police Intellectual Property Crime Unit (PIPCU), which is part of the City of London Police, has dismantled a suspected crime network believed to have been running a mini counterfeiting factory producing and selling clothing carrying the names and logos of famous musicians.

The early morning operation resulted in the arrest of a man and a woman at their east London home and a second man at the factory where the discovery of machinery, printing gear, ink and thousands of t-shirts was made.

The gang are believed to have made up to £100,000 in profit selling a range of clothing bearing artists name that include Nirvana, Obey, Superman, Motorhead and Justin Bieber, all of which are protected under trademark licenses.

Following a referral to PIPCU by Surelock (a global investigators and security consultants) in March 2014 detectives made a series of test purchases, linking a number eBay and PayPal accounts involved in the sale of counterfeit goods to the suspects.

The two men, aged 38 and 32, and the one woman, aged 22, were arrested on suspicion of conspiracy to defraud, money laundering, possession of articles to be used in fraud and offences under the trademark act.



Detective Sergeant Kevin Kirton, who led the investigation for PIPCU, said:

“This operation has shown once again that PIPCU will come down hard on anyone we suspect of being involved in the production and distribution of digital or hard counterfeit goods.

“It is vitally important for businesses that they can trade in the UK in a market place that is a fair and level playing field for all. Anyone who we believe is seeking to compromise this market place and make criminal capital out of other people’s hard work runs the risk of receiving an early morning visit from PIPCU.”

### PIPCU suspends more than 2,000 illegal websites since New Year

The Police Intellectual Property Crime Unit (PIPCU) has [suspended more than 2,000 websites](#) selling fake luxury goods since the New Year.

The sites disrupted by the City of London Police unit were selling well-known high end goods including fashion brands Burberry, Longchamp, Abercrombie and Oakley and jewellery designers Tiffany & Co and Thomas Sabo. However, the items being sold were far from the desired brands that were advertised and were in fact just cheap and inferior counterfeits. The websites sold a wide range of items from the luxury brands including clothes, handbags, sunglasses, shoes and jewellery.

The action taken by PIPCU was part of Operation Ashiko, an initiative in partnership with a number of brands, brand protection organisations and internet registries to disrupt websites selling counterfeit goods to unsuspecting customers.

PIPCU is warning consumers to be aware of the risks of buying fake goods online. Counterfeits are often bad quality and can be potentially dangerous. The websites themselves can also be unsafe; they more often than not contain harmful viruses and malware and your personal information is also at risk of being compromised.

Detective Chief Inspector and Head of PIPCU, Danny Medlycott said: "The general rule is if it looks too good to be true then it probably is; heavily discounted products are often a tell tale sign that something isn't right.

"When shopping online you need to be extremely vigilant that you are not misled into buying fakes. Many sites claim to be selling genuine items, but in fact they are just cheap imitations. In some cases, such as with electrical items, these products can be extremely dangerous as they aren't subjected to the vigorous safety checks that legit items are.

"The criminals behind these websites will often take advantage of your personal details, such as financial information and so people may find their card has been compromised and used for other fraudulent scams. The sites themselves can also be harmful, as they contain malware and viruses that can infect your computer."

Since the launch of Operation Ashiko in October 2013, close to 5,500 websites selling fake goods have been suspended by the unit and a number of brands have seen a significant decrease in the number of these sites in the UK.

Oliver Guimaraes, Managing Director of globaleyez, a brand protection company who supports Thomas Sabo in the infringing domains area, said "Since the start of Operation Ashiko we have seen a tremendous decrease in the number of websites selling fake Thomas Sabo products. This is excellent news for both the consumer and the brand and all down to the great work of PIPCU."

Click [here](#) for a list of forthcoming IP events which may be of interest to you or your clients/members.

## International

### Indonesian IP Office visits UK

During February, the IPO hosted an inward study visit from The Directorate General for Intellectual Property Rights (DGIPR) in Indonesia. This is part of a series of information exchanges between the UK and ASEAN member states as part of our engagement with the region to help develop IP regimes internationally.



Indonesia has acknowledged challenges with IP enforcement and is currently building the capability of their investigative resource, PPNS. In addition, they are currently reviewing copyright legislation; new copyright laws were passed in October 2014, and DGIPR is now focusing on developing licensing and collecting systems. As a result the

visit focused on IP Enforcement and Collecting Societies. The objective was to present the UK landscape in order to inform reform and changes taking place in Indonesia.



*UK Collective Management Organisations PPL, PRS and PLS with IND delegation.*

The delegation of 10 members was made up of DGIPR Senior Management including the Director of Promotion and Cooperation and Director of Investigations as well as some working level colleagues and members of the Anti-Counterfeiting Society and the new government Collective Management Organisation in Indonesia.

*Intelligence Gathering: Dave Lowe (IPO), Peter Hewson (Trading Standards) and Parlagutan Lubis (Director for Cooperation and Promotion, DGIPR)*



The delegation met with stakeholders from the IP Enforcement Policy teams, HMRC, NCA, Anti-Counterfeiting Group, Copyright Directorate and various licensee groups and collecting societies, including British Hospitality Association, PRS For Music, PLS and PPL.

Licensees: Muhamad Samsudin Dajat Hardjakusumah (New CMO Commissioner, and famous Indonesian Singer and song writer who has been making songs since the 1970s), Jim Cathcart (Beer and Pub Association), Martin Couchman (BHA) and Parlagutan Lubis (Director for Cooperation and Promotion, DGIPR)

The visit was extremely successful and much information was shared between all participants. As the first choice country to learn from, we have been able to help shape IP enforcement and collecting society legislation in Indonesia and have cemented a good relationship between IP offices. We will build on this through providing IP Enforcement training in Jakarta April and holding a second study visit on Trade Marks in March.

## Making progress on patent harmonisation



Photo: EPO

The IPO was invited to participate in the EPO Symposium on Harmonisation: Tegernsee and beyond in Munich on 12 February 2015. The event aimed to gather views from a broad spectrum of stakeholders from across the international patent community, including representatives from IP offices and user organisations. Representatives from the [Tegernsee Group](#) of offices presented the results of their fact-finding work, and there followed a discussion about the merits of harmonisation – both in general and in relation to each of the four topics covered by the Tegernsee process.

As part of the proceedings, John Alty provided an update on the work of the Group B+ Subgroup on Patent Harmonisation. He explained that, since the initial meeting of the Subgroup in November, members had been working together to develop common principles covering the four Tegernsee topics and prior art. The Subgroup would meet again in April to seek common view on solutions and take stock of any proposals from users.

## UK IPO visits Bangkok to talk IP

Earlier this year, IP attaché to SE Asia Christabel Koh and Link Officer Lizzie Dixon made an exploratory visit to Bangkok to kick off IP engagement and activity in Thailand. This has been identified as a key export market for British businesses and a market where we hope to provide real benefits for those businesses.

The programme included meetings with Embassy colleagues from the FCO Prosperity Team, UK Trade and Investment and National Crime Agency to discuss possible IP-related activities in the region and ways the Embassy could support the IPO. They also hosted an IPO Lunch and Learn highlighting the importance and relevance of IP, attended by the Ambassador, Mark Kent.

There was an opportunity to meet with other international IP attachés based in the region to understand their focus and programme of activities and hear their experiences of the region and Thailand in particular.

The IPO hosted a Business Breakfast Briefing with the British Chamber of Commerce in Thailand for UK businesses and IP professionals where they presented an

overview of the IPO, its international network and gave highlights of ongoing and planned work in the SE Asia region.

This was also an opportunity to hear from the businesses themselves and build an understanding of IP issues in Thailand.



Christabel and Lizzie also met with the Department for Intellectual Property (DIP) in Thailand to learn about their priorities and discuss areas for collaboration. It was clear that areas such as innovation and commercialisation of IP could be subjects where the two offices can work in conjunction for the benefit of business in Thailand and the UK.

The visit proved to be extremely informative and uncovered a strong level of willingness to engage from both colleagues and DIP.

While the business environment can sometimes prove challenging, business continues as usual with a market that is full of potential for UK businesses. The IPO will look to build activity in Thailand with business, IP professionals and DIP to help improve that business environment.

## Designs

### Consultation Response: Rules governing appeals to the Appointed Person against design decisions of the Intellectual Property Office

The IPO has [published a response](#) to the consultation on Rules governing appeals to the Appointed Person against design decisions.

The 'Appointed Person' (AP) is someone experienced in the subject of intellectual property law, and is specifically appointed after open competition by the Lord Chancellor. Appointees are usually barristers, but may be other IP specialists such as academics or other legal advisers. They are independent of the IPO.

The IPO makes decisions about the intellectual property rights of businesses, SMEs and private individuals. They should have the opportunity to appeal against a decision to an independent body, if they feel a decision is wrong.

Changes brought in by the IP Act 2014 amended primary legislation to change the route of appeal relating to design decisions made by the Intellectual Property Office (IPO). This includes applications for designs which have been refused by the IPO, and where someone disagrees with the IPO's decision to invalidate their design.

The Act introduced two alternatives for businesses to use to appeal: the High Court, for cases important enough to allow for further appeals, and the 'Appointed Person', for quicker, cheaper, final decisions. This government response sets out how appeals to the Appointed Person will be dealt with.

Although the IP Act sets out two possible routes of appeal, the way the High Court works is set out in the court's guidelines and rules which govern all court cases regardless of subject.

Commenting on the publication, IP Minister Baroness Neville Rolfe said:

"Designers and designs intensive SMEs, in particular, are likely to benefit from the quicker, cheaper final decision offered by the Appointed Person, whilst others may seek the greater flexibility offered by the High Court. Coming from a business background, I am aware how important it is to business to have options which are appropriate to their circumstances. I therefore welcome this further step in improving design law."

"I am very much aware of the importance of IP to business, especially in the highly valued design field. It is particularly pleasing to see the ongoing work in streamlining and modernising an area of the law which has sometimes been overshadowed, but which nevertheless provides important support to our creative sectors.

"This response to the recent consultation on one of the appeal routes for design decisions represents another step in introducing important changes to the law arising from the Intellectual Property Act 2014. It means that those availing themselves of design protection are able to make a choice about how they appeal against decisions, made by the Intellectual Property Office, about their designs."

The response follows the recent consultation which sought views on the processes governing appeals to the 'Appointed Person' from decisions of the Intellectual Property Office (IPO) relating to designs. It takes account of submissions made as part of the consultation process and where appropriate incorporates suggestions made

The new routes of appeal will come into force on 6 April 2015. This means that any decision made by the IPO, on or after this date, in respect of designs can be appealed to either the Appointed Person or High Court.

## ACID IP Insured launched



In today's climate of increasing design infringement what better protection to have in your IP Toolkit than intellectual property insurance, the ultimate deterrent to protect designs from theft? Exclusive to ACID members, the

[ACID IP Insured scheme](#) has a strong accompanying logo for insured parties to use to deter copying and provide real support, a must-have in any proactive IP strategy.

This unique ACID [tailor-made IP insurance solution](#) has been developed and negotiated with the [Sybaris Legal & IP](#) team (formerly COBRA Legal & IP) to provide up to £100,000 legal expenses cover to enforce registered, unregistered and copyright designs through the Intellectual Property Enterprise Court (IPEC) so long as the designs are held on the ACID Design Databank. For a standard annual premium of £899.00 plus insurance premium tax of 6%, the standard excess is only £1,000 and there is no co-insurance applicable.

Welcoming the scheme, ACID's CEO Dids Macdonald said, "Would-be infringers should be aware, this is a very 'easy to access' scheme enabling ACID members to take legal action quickly. So often micro and SME businesses have been thwarted by the big boys because they couldn't afford to pursue litigation. Now the tide is turning."

Rosa Wilkinson, Director of Innovation, IPO said: "The UK's IP enforcement environment is widely regarded as one of the best in the world, but we know that infringers can exploit rights holder fears of high legal costs. The ACID IP Insured offer – with its clear logo – sends a powerful message that the rights holder is not to be trifled with."

[The ACID Design Databank](#) offers access to a system where Members can lodge documents and images of their 2D or 3D designs, whether they are relying on unregistered design rights (UDR)/copyright or as an added safeguard for registered designs, underpinned by the strong ACID brand of deterrence.

## Patents

### Publication of Patent Applications: IPO response published

In late 2014, the IPO launched an informal discussion document about a potential new IPO service in publishing patent applications. The document looked at what applicants wanted from the patent system and proposed how the IPO might change its practice to offer publication of patent applications differently in the future.

The [response document provides a summary](#) of what respondents said about each of the ideas proposed in the discussion document and their other views concerning publication of patent applications.

In view of the positive response to the suggestion of having a more flexible process for publishing patent applications, the IPO intends to deliver this flexibility through existing streams of work in modernising our digital delivery of IP services and through our review of fees.

One of the main ideas proposed in the document was to offer publication of a patent application without requiring other patent processing. This would in appropriate cases save scarce patent examiner resource and still meet demand from some users, most notably lone inventors, for publishing a patent application without it proceeding

to grant. This publication could be used for defensive purposes to prevent others gaining patent protection for their ideas but would not provide the applicant with any monopoly rights. The time saved by patent examiners could then be deployed more effectively in processing patent applications intended to proceed to grant.

As a result of changes we have already implemented in the way we deal with patent applications from unrepresented applicants, our Private Applicant Unit (PAU) is now dealing with over 90% of patent applications from unrepresented applicants with very little input from specialist patent examiners.

This means that any gains in examiner time we originally anticipated through the introduction of a defensive publication would now be very small compared with likely development costs.

Given the strong demand for a more flexible service which would allow earlier publication where desired by the applicant, this aspect will be taken forward. We can deliver this through existing streams of work in modernising our digital delivery of IP services and through our review of fees.

## Economic Research and Evidence

### The Patent Guidebook

The IPO has [published a short guide](#) setting out what patent data can and cannot be used for.

This is partly for academic researchers and the media who approach us for data without a good understanding of what the patent system actually does, or the extent of international differences in the way it works. But it is also designed to help government analysts who may want to use patent data as a proxy for innovation, again without knowing how the system works, and who may provide unsound policy advice as a result.

This guide is written largely from an insider's point of view - by patent examiners and statisticians who work regularly with all stages of the process. It does not make any assumptions about what statistics might mean, but depends on knowledge of how the processes are applied.

It is intended as an objective guide to the limits of interpretation, and so challenges some assumptions in previous academic and policy analyses.

### New research covering online piracy around the world

The IPO has published new research: [International Comparison of Approaches to online Copyright Enforcement](#), that compares how different countries deal with online copyright piracy. Thanks to the internet, it is very easy for pirated music, films and software to cross borders. However, it is still national governments who are responsible for dealing with the problem, each in their own way.



Our [report](#) looks at countries with a range of economic, cultural and political influences. These include the USA, Canada, Italy, Spain, France, Netherlands, South Korea, Brazil, and the UK.

### How does the UK compare?

We take a middle ground approach to online piracy. We target both the websites providing pirated material and the users who download it. The UK relies

on a voluntary agreement between creative industries and ISPs. This is supported by the [Police Intellectual Property Crimes Unit \(PIPCU\)](#) which can investigate piracy. You can see how all the 9 countries compare by looking at figure 5 on page 19 of the [report](#).

### Staff Moves

Louise Smyth has been appointed as Chief Operating Officer with immediate effect.

Pippa Hall has been appointed as Chief Economist, replacing Tony Clayton, with effect from 1st April.



## UPC update

### Preparatory Committee

The Preparatory Committee met on Friday 27 February. The largest discussion was around the court fee structure and consultation and it is anticipated that this will be launched this Spring. There were further discussions on the practicalities of the provisional application proposal, indicative costs on Member State contributions and an update from the Budapest Training Centre on the first phase of judicial training.

The Rules for the Admin and Budget Committees were agreed subject to minor drafting amendments and the Chairman confirmed that the European Patent Litigators Certificate is now in need of finalising and that it should come for adoption at the next meeting of the Preparatory Committee, scheduled for 5 May 2015.

A short note summarising the meeting has been published and is available here :

<http://www.unified-patent-court.org/news/87-8th-meeting-of-the-preparatory-committee-27-february-2015>

There is also a reminder that the full recording of the oral hearing in November 2014 on the 17th draft of the Rules of Procedure is still available:

<http://www.unified-patent-court.org/2-uncategorised/88-auto-generate-from-title>

## Governance

The Project Board met on 25 February. The Board had a thorough review of the project strategic risks along with discussions on the plans for the Legal and IT workstreams.

The Finance, Legal and IT Sub-groups meet next week.

The UPC Taskforce met with the IP Judiciary and the Chancellor of the High Court on 2 March.

## IT

The Pre Qualification Questionnaire (PQQ) evaluation took place on 24 February where the technical team, along with observation from a German member of the IT Working Group, filtered through the 36 responses received.

Work on the three lots (hosting, Case Management System and website) for the Invitation to Tender (ITT) is almost complete and the process is almost ready to move from to PQQ stage to ITT stage.

## Facilities

We are continuing to explore and refine London property options for the UPC, as well as developing planning approaches.

The Working Group Coordinator called for Member States to update on their progress on local divisions and also mentioned the paper on security and public/media access to the court at the Preparatory Committee meeting.

Austria announced they will host a local division which will be located within their Patent Office in Vienna.

## Legal

We are making preparations to publish a Summary of Responses to the Technical Review and Call for Evidence which we hope to publish soon.

The English translations of the Advocate General Opinions on cases 146/13 and 147/13 have been published and can be viewed here:

Case no. C-146/13

<http://curia.europa.eu/juris/document/document>.

Case no. C-147/13

<http://curia.europa.eu/juris/document/document>.

Dr. Laura Starrs, our UPC Taskforce lead on the Legal Frameworks Working Group, was on the UPC panel at the IBC Legal Biotech & Pharmaceutical Patenting Conference in Munich on 25 February. The panel discussed a range of UPC related topics including opt-out, fees for a counterclaim for revocation, injunctions and the Bolar provision.

## Finance

With several Signatory States offering support for keeping to the timetable to launch the consultation on court fees in May this year, the Fees Consultation Sub-group is now working hard towards agreeing a redraft of the consultation

document and accompanying assumptions by mid-April. With discussions on a number of key policy points inconclusive we do not underestimate the task in hand but recognise the importance for stakeholders of this issue, and the need to seek views as soon as possible.

## HR & Training

Following discussions at the Project Board the team continue to investigate the judicial structure of the court and the impact of differing resource and appointment models. Work on developing proposals for judicial salary and terms and conditions continue.

The initial phase of training has been successfully concluded and detailed planning for the next stage is being considered

## Unitary Patent

There was a Select Committee workshop on the Unitary Patent distribution key on 19 February. The next full meeting of the Select Committee is 23 and 24 March. This will continue work on the level of renewal fees.

Details of the SC are available at <http://www.epo.org/about-us/organisation/select-committee.html>

Communiqués of the Select Committee meetings are available on the EPO website at:

<http://www.epo.org/about-us/organisation/communiques.html>

## Useful documents

A reminder that there is a helpful '[plain English](#)' [guide on the UPC](#) website for those that want to avoid the legal jargon:

## IP Events

Click [here](#) for a list of forthcoming IP events which may be of interest to you or your clients/members.

## Sign up to a free IP Health Check

The IP Health Check is one of our free '[IP for Business](#)' online support tools. It provides you with a tailored confidential report based on your answers to a series of simple questions. The report includes a list of action points to help you protect and exploit your IP rights, guidance on how to put these into practice and links to useful information, websites and other resources.

Follow us on [twitter](#).

