



Coming back to the office after time away doing what we love best can be difficult (sorry couldn't miss the opportunity for another pony picture).

Fortunately for me there's such a buzz of activity at the IPO at the moment, that my return to work has felt more like a change of stimulus than the end of excitements.

All around me people are fizzing with post holiday energy as they drive progress on some of our key projects. You'll find out about some of them in this month's IP Connect: We have published our research priorities for 2015/16, we have the secured location of the London branch of the Unified Patent Court and continue to work with international partners on IP enforcement.

A key focus for me will be finalising work on our second report on how the IPO is supporting UK innovation and growth. Our current plan is to publish the report later this month and IP Connect subscribers will find a hyperlink to the final report in next month's issue, so one to watch out for.

I'll also be keeping an eye on progress as we approach the launch of a new web portal which will give teachers better access to IP teaching resources. If we can grow a generation that understands and respects intellectual property, we'll have done something really worthwhile.

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

## Corporate News

### **IPO 2015/16 research priorities published: Evidence is important to building a balanced and sustainable economic growth**

The Intellectual Property Office (IPO) has [published its research priorities](#) for 2015/16. The research priorities provide the strong evidence base needed to support development of intellectual property (IP) policy, nationally and internationally.

This rolling programme of research looks to build on the existing evidence base and support future development of policy across all IP rights and the IPO's objective of creating a balanced IP framework.

The new research priorities will look to deliver projects around the three themes of enforcement and infringement; IP, innovation and growth; and the value of IP.

IP Minister Baroness Neville-Rolfe said: "Our understanding of the economic benefits of IP is growing year on year. The UK's future economic success lies in innovative businesses recognising and valuing their intangible assets."

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“The IPO’s work in delivering a robust IP system is integral to that success and is down to the sterling work of the IPO and its development of an IP system that supports business. These priorities help us understand how a well-functioning IP system can build business confidence to invest in innovative ideas to capture new markets, generate income and increase returns on their investments.”

Pippa Hall, Chief Economist, IPO said: “I am excited to announce the publication of the IPO’s new research priorities for 2015-2016. Our excellent Economics team commissions a wide range of IP-related research to build

the economic evidence base. This evidence is key to the Government’s policy discussions on IP and innovation at home and overseas.

The IPO are very fortunate to work with a variety of renowned and committed researchers, both UK and international academics and consultants. Additionally, our research is discussed and peer reviewed by our industry stakeholders, academics, colleagues at the IPO and other government departments.

Our IPO research is well respected by economists around the world and is often cited as world class.”



## UP and UPC update:

### The location of the London branch of the Unified Patent Court is secured

On 11 August, in a major step towards realising the Unified Patent Court (UPC), the IPO signed the lease for space in Aldgate Tower, securing premises for the London section of the Central Division and the UK Local Division of the UPC.

IP Minister, Baroness Neville-Rolfe said: “The signing of this lease represents a milestone in the UK’s preparations for the introduction of the Unified Patent Court. Aldgate Tower, with its superb central location, will provide an ideal home for a modern court to support the UK’s and Europe’s leading edge innovative companies. This will further strengthen UK’s legal and professional services sector, and reinforce London’s status as a world leading centre for dispute resolution.”

The Chartered Institute of Patent Attorneys welcomed the news and Andrea Brewster, President of CIPA said: “We are confident that the court will be a success and will help to

make the UK’s capital the centre for all patent-related legal activity in chemical and pharmaceutical innovation.

“The Government is working assiduously to bring the UPC into existence. The presence of part of the central division in London allows the UK to maintain its strong position as a centre of excellence for patent litigation.

“The UK can use the Court’s presence to build on London’s existing reputation and turn the capital into a global hub for intellectual property law.”

**Preparatory Committee:** The Preparatory Committee held its 11th meeting on Thursday 3 September. The Provisional Application Protocol was discussed and agreed and we expect to be in a position to sign this in October. There was a long discussion about the timetable and the outstanding milestones to be met ahead of the court coming into being. We expect a formal announcement on timing in October. The next Preparatory Committee meeting will be on 19 October and the Expert Panel will have their third meeting in Paris on the 18 September.

**Governance:** The Project Board’s next meeting is on Wednesday 30 September.

**IT:** The technical team have just returned from Net Service’s offices in Bologna following extensive planning and preparation of the case management system ahead of the first user workshops in London on 9 September. We will be going through step-by-step the alpha of the opt-out process during these workshops and are keen to engage with potential users of the system and receive feedback on how it works.

There will also be an opportunity soon to provide feedback online, similar to the prototype that ran last year. We will update you on this once it is ready.

If you would be interested in further information on the IT technical team’s progress, providing feedback online, future case management releases, including the user workshops, please sign up for the UPC e-filing/case management mailing list by following this link: <http://eepurl.com/4J609>

**Facilities:** As already mentioned, following the signing of the lease for the space in Aldgate Tower, design and build contractors have been appointed and a series of design

workshops have been held (and will continue throughout this month) looking at the design for the floor plan ensuring we are meeting regulatory requirements.

The European Patent Litigators Certificate (EPLC) was agreed at yesterday's Preparatory Committee meeting and is published on the UPC website: <http://www.unified-patent-court.org/news>

**HR & Judicial Training:** The team continue to negotiate on the judicial salary package with the Working Group and other member states; they are currently analysing methods of judicial part-time working to ensure that the UPC judicial cadre is appropriately remunerated and fully utilised.

The staff terms and conditions have been revised to reflect discussion at the last HR working group, member states including the UK have commented on this revised draft for discussion at the next HR working group, which is anticipated to take place at the end of September.

**Finance:** The team have been working through the Court Fees Consultation responses over the summer, following the consultation closing at the end of July.

This work feeds into the next meeting of the joint Fees Sub-group, held on 10 September in Stockholm, which agrees the summary to be provided to the Preparatory Committee in October. The Expert Panel will also discuss this at their meeting on 18 September.

**Unitary Patent:** The EPO Select Committee meets next on 13 and 14 October (<http://www.epo.org/about-us/organisation/calendar.html>) continuing discussions on the remaining details relating to the Unitary Patent.

An official Communiqué of the last Select Committee meeting is available on the EPO website at: <http://www.epo.org/about-us/organisation/communiques.html>

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## Copyright

### UK-China Copyright Week promotes IP protection across borders

Firms from the UK's world-leading creative industries sector recently travelled to China, with officials from the UK Intellectual Property Office, to strengthen relations with Chinese counterparts.

[UK-China Copyright week](#) took place from 31 August to 4 September 2015 and was the latest in a series of high level international events to promote and protect intellectual property across borders. The UK Intellectual Property Office coordinated a week long programme of events in conjunction with the National Copyright Administration of China (NCAC).

Headed by Dr Ros Lynch, the UK IPO's Director of Copyright and Enforcement, the delegation included representatives of the UK's world class creative industries who I participated in events in Beijing, Hangzhou and Shanghai.

They shared best practice on key areas of reform such as collective licensing, extended collective licensing, broadcasting & related rights, orphan works, copyright enforcement, enforcement of other IP rights and to engage with copyright creators and owners from both the UK and China.

Baroness Neville-Rolfe, UK Intellectual Property Minister, said: "Our world class film, music and games industries enjoy huge success in China. This week of activity will allow UK business to meet Chinese officials, to advance reform and renew the momentum for the strengthening of Chinese copyright law."

Richard Mollet, Chief Executive of The Publishers Association said: "UK-China Copyright week is an excellent opportunity to reinforce our mutual understanding of the importance of intellectual property while also strengthening economic and cultural relations between the UK and China. Copyright underpins success in publishing and all

other creative industries. UK physical book export sales to mainland China increased 6% to £57m in 2014 and it is vital that we create an environment to protect this market and foster future growth."

China is a key trading partner for the UK and a market of enormous potential for the creative industries. China's copyright law is currently being revised across a range of areas including: digital environment & internet service providers; sound recordings & public performance rights; works of applied art ownership provisions for films; limitations & exceptions (in particular regarding software); orphan works; compulsory licences & collective management; exercise of rights; droit-de-suite/artist resale right; technological protection measures; and civil infringement and administrative enforcement.

Copyright Week provided a unique opportunity for businesses and policymakers from both countries to engage directly with government officials and discuss these revisions in depth. Discussions looked to maximise the benefits of an effective copyright regime.



## EU Copyright Consultation: satellite broadcasting and cable retransmission

On 24 August the European Commission [launched a public consultation](#) on the review of the EU Satellite and Cable Directive (93/83/EEC).

According to the Commission [website](#), "The Commission is consulting on Directive 93/83/EEC of 27 September 1993 on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission, first to gather input for the evaluation process in order to assess the current rules, and, second, to seek views on a possible extension

of the Directive in light of market and technological developments, with the objective of contributing to the Digital Single Market Strategy."

The deadline for responses is the **16 November 2015**. The consultation is likely to be of interest to broadcasters and online service providers, audiovisual copyright owners and creators, and viewers of audiovisual media.

If the issues raised by this consultation are relevant to you or your organisation we would encourage you to respond. You should send your response directly to the Commission but if you have any views you would like to share with the IPO, including your completed response, please contact [copyright.policy@ipo.gov.uk](mailto:copyright.policy@ipo.gov.uk).

## Enforcement

### Operation Creative see 73% drop in top UK ads on illegal sites

A ground-breaking police operation that disrupts illegal websites providing access to films, TV, books, music and games has seen major success.

Since the Police Intellectual Property Crime Unit (PIPCU) launched Operation Creative and the Infringing Website List (IWL) in 2013, there has been a 73% decrease in advertising from the UK's top ad spending companies on copyright infringing websites.

Highlights include the automotive, food and drink and real estate sectors, whose advertising has almost entirely stopped appearing on pirate sites.

Reducing advertising on illegal sites is one of the key aims of Operation Creative as it is one of the main generators of criminal profits. A report by the Digital Citizens Alliance estimated that in 2013 piracy websites generated \$227million from advertising.

The appearance of adverts from established brands on illegal websites lends sites a look of legitimacy. Therefore a decrease in advertising from reputable brands will help consumers realise these sites are neither official nor legal.

Our pilot study in 2013 also showed that almost half (46%) of total ads served to copyright infringing websites often clicked through to websites containing malware and viruses or even fraudulent scams.

PIPCU is a specialist national police unit dedicated to protecting UK industries that produce legitimate, high quality, physical goods and online digital content from intellectual property crime, based within the Economic Crime Directorate of the City of London Police, the National Policing Lead for Fraud. The operationally independent unit launched in September 2013 and is funded by the Intellectual Property Office (IPO) until 2017.

Through the introduction of the IWL, the City of London Police unit has been able to disrupt advertising revenues on illegal websites across the globe with the co-operation of the advertising industry including brands and organisations involved in the sale and trading of digital advertising.

The IWL is an online portal providing the digital advertising sector with an up-to-date list of copyright infringing sites, identified by the creative industries, evidenced and verified by PIPCU, so that advertisers, agencies and other intermediaries can cease advert placement on these illegal websites.

Earlier this year the Gambling Commission, the regulatory body for commercial gambling in Great Britain, joined Operation Creative. Since then the Commission has been championing the work of Creative and the essential use of the IWL to brands



within the gambling industry. This new partnership has had great results with PIPCU seeing a 36% decrease in gambling ads on copyright infringing websites from March to June 2015.

Baroness Neville-Rolfe, Minister for Intellectual Property said: "The Government takes copyright infringement extremely seriously - it hurts businesses, consumers and the wider economy. The results of Operation Creative show what can be achieved when enforcement agencies, industry and government work together. I am delighted PIPCU are clamping down on advertising of things like pop music and gambling on copyright infringing sites - protecting our industries and consumers from online crime."

Head of the Police Intellectual Property Crime Unit (PIPCU) Detective Chief Inspector Peter Ratcliffe said: "Working closely with rights holders and the advertising industry, PIPCU has been able to lead the way with tackling copyright infringing sites by successfully disrupting advertising revenue."

“Operation Creative and our Infringing Website List (IWL) is just one of the many ways we are working together with the private sector to safeguard the public, protect the creative industries and ensure the reputation of advertisers and brands are not discredited through association with illegal websites.

“Not only do the public need to be aware that these websites are not safe places to visit as they often contain malware and viruses, but the criminals behind these sites are making substantial sums of money from advertising and inadvertently brand and advertisers are funding this online crime.”

Operation Creative is a PIPCU led initiative designed to disrupt and prevent websites from providing unauthorised access to copyrighted content, in partnership with the creative and advertising industries.

The operation consists of several tactical options including; engagement with the site owner to legitimise their site, contacting the domain registrar to seek suspension of the site and disrupting advertising revenue through the use of the IWL.

### Maharashtra Police visit the UK

In August, the IPO welcomed two senior police officials from Maharashtra to London for a 3-day programme on exchanging best practices in IP enforcement between the UK and India.

Mr. Sanjay Kumar IPS, Additional Director General of Police – Criminal Investigation Department (Pune), and Mr. Dhananjay Kamalakar IPS, Joint Commissioner of Police – Economic Offences Wing (Mumbai) met colleagues from the IPO, Trading Standards (TS), and PIPCU to

discuss the civil and criminal remedies available for IP infringement in the UK.

The also met Giles York, Chief Constable of Sussex Police, the national police lead for the High Potential Development Scheme, Intellectual Property Crime and National Analysts. The discussions focussed on the common challenges faced by law enforcement officials in both countries as well as initiatives to tackle modern-day IP crimes, both online and on ground.



## Trade Marks and Design

### Webmarking for designs- government response published

The [response document](#) provides a summary of what respondents said about the proposal to introduce the option to provide public notice of registered design rights by marking relevant products with a website address. This document provides a summary of the key points raised by respondents and the government’s commentary on these issues.

In view of the positive response to the proposal presented, the response document indicates the government’s intention to bring forward changes to the relevant UK design legislation to allow webmarking for registered designs.

Baroness Neville-Rolfe, Minister for Intellectual Property said: “Having considered carefully the views of those who responded to the call for evidence, I am pleased to announce that the measure has received wide support and we will be looking for a way to take this proposal forward.

“This measure should allow businesses greater choice and flexibly and have a quickly realisable tangible benefit. I am pleased to note that the views of the respondents are clear: businesses choosing to avail themselves of the new option to provide notice of registered design rights by webmarking will be able to realise benefits in terms of time and cost savings.

“Third parties should also benefit from increased transparency and ease of access to the most up to date information. This measure also brings registered design rights in line with patents, and allows a similar approach

to that successfully taken in the USA. I therefore believe that this is a good outcome, supporting UK enterprise in whatever markets they operate.”

### New Appointed Persons for designs and trade marks

Appointed Persons can now hear appeals in disputes over designs as well as trade marks. Last month, the Lord Chancellor confirmed the appointment of six new “Appointed Persons” for designs and trade marks.

**What’s an Appointed Person?** The Appointed Person is a senior lawyer who is an expert in IP law. Where someone wishes to appeal against a decision of the Intellectual Property Office (IPO) in relation to their trade mark or design, they have the option to appeal to the Appointed Person.

This is cheaper and quicker than going through the courts. Appeals may relate, for example, to a refusal by IPO to register a mark or design, or the outcome of a first-tier tribunal hearing a dispute between two parties.

The Appointed Person appeal route has long existed for trade marks, but following the Intellectual Property Act 2014 a similar post has been created to cover designs.

This is good news for designers. Four individuals have been appointed, two of whom will cover both trade marks and designs. These appointments supplement the existing Appointed Persons for trade marks.

Appointed Person: designs

- Martin Russell Thomson Howe QC
- Philip Michael Johnson
- Edward James Wilson Mellor QC

Appointed Person: trade marks

- Philip Michael Johnson
- Edward James Wilson Mellor QC
- Thomas George Moseley Mitcheson QC

## UK designs data now on DesignView

As of 10th August 2015, the UK IPO has made their design data available to the DesignView search tool managed by OHIM. This centralised access point provides information on over 4 million designs from 32 participating offices, the WIPO and OHIM and the IPO will now add a further 163,000 images.

## IPO Blog

### Love IP? Get our blogs direct to your inbox.

The Intellectual Property Office (IPO) blog officially launched in September 2014 with a British Bake Off themed post.

Almost a year on and the Bake-Off is now back on our screens; we reflect on some of our past blogs and hope there are no soggy bottoms in sight!

From Bubble Wrap to Cromer crabs, from Minions to soil, (yes you heard it right, soil!) it's fair to say we've seen some weird and wonderful blogs this past year. However, there's



one thing that ties them all together...IP.

If you are passionate about IP or simply looking for something interesting and fun to read, we're sure you'll enjoy our weekly blogs. Our talented authors include IPO staff, external writers and industry experts.

Did you know, you can [register to receive updates](#) direct to your inbox, so there's no need to keep checking for new blogs?

[Visit our blog.](#)

Since the introduction of DesignView on 19 November 2012, the tool has served over 900,000 searches from 139 different countries, with users from the UK among the most frequent visitors.

You can find out more at <https://www.tmdn.org/tmdsview-web/welcome>

## What is the IP Health Check?



✓19000 HEALTH CHECKS ALREADY TAKEN

The IP Health Check is one of our free 'IP for Business' online support tools. It consists of 9 individual modules on different areas of IP: Copyright, Trade marks, Designs, Patents, Confidential information,

Licensing your IP, Trade marks overseas, Franchising, Enforcement.

The IP Health Check 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.

## IP Events

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

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