

# **The Patent Regulation Board and the Trade Mark Regulation Board (The Intellectual Property Regulation Board) Business Plan for 2018**

## **Policy Focus and Objectives**

The regulatory objectives which underpin all IPReg's activities are:

- *protecting and promoting the public interest;*
- *supporting the constitutional principle of the rule of law;*
- *improving access to justice;*
- *protecting and promoting the interests of consumers;*
- *promoting competition in the provision of legal services;*
- *encouraging an independent, strong, diverse and effective legal profession;*
- *increasing public understanding of the citizen's legal rights and duties;*
- *promoting and maintaining adherence to the professional principles.*

## **A period of transition**

**The Board is undergoing a significant period of transition. It is being led by one of the lay Directors pending the appointment of a new Chair. A new Chief Executive started on 1 August 2017 and a new post (Head of Registration) will start in October. In March 2018, two professional members will retire on completion of their two three-year terms.**

**To ensure a smooth transition, the Board has disbanded its two committees and is meeting monthly to facilitate the sharing of corporate knowledge and resources.**

**The Board has made a strategic decision to limit new initiatives in 2018, enabling the new Chief Executive and Head of Registration, working with the Board, to inform the future strategic direction of IPReg.**

## Specific Work Programme for 2018

Below we set out specific new activities in our 2018 work programme and (to provide continuity) of the activities commenced in 2017 but which might be ongoing in 2018.

*Note: annual activities such as the appointment and appraisal of board members and formal admissions to and publication of the statutory registers are not shown although the plan does highlight areas where the annual activities are intended to be undertaken in a different way in 2018.*

Regulatory and Policy		
New Initiatives for 2018		
	Activity	Description
1	<b>Assurance Programme</b>	<p>Review and update the Assurance Policy to ensure that the risk analysis framework identifies those activities, individuals and/or businesses that are likely to pose the most risk to consumers. This will involve identifying relevant sources of data about the IP market (such as that held by the IPO, the Register and published reports); it will also identify gaps in our data and we will consider what additional data it would be proportionate to collect. Results of the review will be used to develop future thematic reviews.</p> <p>Review (and update as necessary) IPReg's internal policies and procedures to ensure consistency with best regulatory practice and support the Assurance Policy.</p>
2	<b>Operation and Maintenance of the Registers</b>	<p>Assess what work is needed to improve the effectiveness of the operation and maintenance of the Registers and implement changes (including consulting on Rule changes) as appropriate.<sup>1</sup></p> <p>Implement changes needed to ensure that the Registers are compliant with the General Data Protection Regulation and other statutory requirements.</p>
3	<b>Consumer Engagement</b>	<p>CMA Legal Services Market Study Report - Implement IPReg Action Plan through:</p> <ul style="list-style-type: none"> <li>• consultation on and implementation of any new guidance and (if necessary) rule changes;</li> <li>• providing IPReg's share of funding for and (through the various governance structures) take an active role in the development of the Legal Choices website and assessing the feasibility of a joint digital register;</li> <li>• continuing to ensure proportionate and risk-based revisions to regulation in the IP legal services sector;</li> </ul>

<sup>1</sup> We expect CIPA and CITMA to be actively involved in this work.

## Annex 3b

		<ul style="list-style-type: none"><li>• keeping up to date with other regulators' actions on the promotion of independent feedback platforms and making data available to comparison websites and other intermediaries as appropriate.</li></ul>
4	<b>Brexit</b>	Monitor potential implications of Brexit on the profession taking into account the work being done by CITMA and CIPA.

<b>Regulatory and Policy</b>		
<b>Ongoing Activities</b>		
	<b>Activity</b>	<b>Description</b>
<b>1</b>	<b>Diversity</b>	Promote the availability of IPReg funds to support initiatives being undertaken to encourage diversity in the intellectual property legal services profession, including liaison with IP Inclusive.
<b>2</b>	<b>IPReg Code</b>	Continue the agreed programme of workshops “Ethics and the Code of Conduct”. Conduct investigations into alleged breaches of IPReg’s Code, Rules and Regulations.

<b>Education Training and Qualification</b>		
<b>New Initiatives for 2018</b>		
	<b>Activity</b>	<b>Description</b>
<b>1</b>	<b>Continuing Professional Development</b>	Following completion of the benchmarking in 2017 of the IPReg CPD obligations against the CPD arrangements of other legal and non-legal providers, publish the results and consult on (as necessary) any proposed changes.
<b>2</b>	<b>Competency Training</b>	Following completion in 2017 of informal consultation on a draft template publish (as guidance) a Training Protocol for supervised training, aimed, in particular, at those new to a supervisory role and/or trainees in small firms.  Promote awareness of the Patent and Trade Mark Competency Checklists alongside the Training Protocol.

<b>Education, Training and Qualification</b>		
<b>Ongoing Activities</b>		
	<b>Activity</b>	<b>Description</b>
<b>1</b>	<b>Accreditations</b>	Continue the cycle of the accreditation of Examination Agencies: <ul style="list-style-type: none"> <li>• Nottingham Trent Law School 2018;</li> <li>• Bournemouth 2018.</li> </ul>

## Communications

### Initiatives for 2018

*The communications strategy (as outlined in the 2017 Business Plan) will be reviewed following the appointment of a new Chair. These activities are designed to promote awareness of the benefits of IPReg as an independent and specialist legal regulator.*

*The activities below are intended as interim measures.*

	Activity	Description
1	<b>Events (including Conferences)</b>	Presentations on: <ul style="list-style-type: none"> <li>the purpose of IPReg and the benefits of IPReg as an independent specialist legal regulator;</li> <li>the importance of IP protection to the UK and worldwide;</li> <li>the differences between regulated and unregulated markets.</li> </ul>
2	<b>Networking</b>	Continue to network by increasing links to individuals in other organisations involved in IP so that a wider audience understands IPReg's purpose and its value of as an independent specialist regulator.