

**The Patent Regulation Board and the Trade Mark Regulation Board
(The Intellectual Property Regulation Board)
Business Plan for 2011**

1 Policy Focus and Objectives for 2011

Our Work Programme beginning in 2011 will focus on achieving the following core objectives;

- a) **Regulatory Compliance** - Acquisition of sufficient extra resources, including an additional lay member, to fulfil our obligations as the independent regulator of registered patent and trade mark attorneys in the UK;
- b) **Communication** - Provision of expanded public communication and professional registration services through our website;
- c) **Education** – Scoping for implementation in 2012 an independent review of the process for qualification and examination of registrants; and
- d) **Consumer Protection** - Appointment and training of a Disciplinary Board to undertake hearings as required.

In addition, since Alternative Business Structures (ABSs) are given increasing prominence in regulatory terms, we will study (together with our ARs, CIPA and ITMA) the feasibility of IPREG regulating ABSs.

This work programme has been constructed as a proportionate and cost-effective response to meet the anticipated challenges to be faced by the Board during 2011. It builds upon the lessons we have learned during our first year of operation when there were no established operational precedents. The challenges stem from the increasing requirements imposed on the Patent Regulation Board (PRB) and Trade Mark Regulation Board (TRB), which operate together as IPREG under the supervision of the Legal Services Board (LSB), to apply the Legal Services Act 2007 to registered patent and trade mark attorneys in the UK.

2 Specific Work Programme for 2011

Details of the specific activities in our 2011 work programme are shown below together with their projected completion dates:

[Note: regular maintenance activities such as formal admissions to the registers, consideration of CPD returns etc. are not shown.]

	Activity	Description	Completion
1	Regulatory Compliance: Secure additional manpower resources	Select and appoint extra staff to handle increased workload set out below	1 st Q, 2011

	Activity	Description	Completion
2	Communication: Establish entity Registers in house	Create appropriate databases to allow us to run and host the entity registers and make them available to the public	1 st Q, 2011
3	Communication: Website expansion – phase 1: feasibility and design	Appoint consultants to study the feasibility of expanding the IPREG website to include: (1) improved, wider public access to e.g. complaints handling, information on regulation, attorney registration data etc.; (2) facility for attorneys to register, complete CPD returns and make fee payments on-line; (3) capacity for IPREG to manage the various Registers in house; and (4) provision of an agreed system specification and plan for delivering the necessary functionality cost-effectively in stages	1 st Q, 2011
4	Communication: Provide email capability for direct communication with all registrants	Create a comprehensive database of email addresses of individual and entity registrants to allow us to disseminate information, communicate changes in regulations etc. direct to them	1 st Q, 2011
5	Regulatory Compliance: Additional lay member appointment	Advertise for and appoint, under Nolan principles, an additional lay member to serve on each of the PRB and TRB.	1 st Q, 2011
6	Education: Review IP education and training	Scope for commissioning in 2012 an independent review of education, training and qualification requirements for registered patent and trade mark attorneys to assess fitness for purpose against current best practice in legal education and training, building on previous expert reviews (e.g. Sherr, PARN, etc)	1 st Q, 2011 onwards
7	Regulatory Compliance: Provide for professional board member succession	Advertise for, and appoint, under Nolan principles, four professional Board members, (2 each for the PRB and TRB) to succeed those due to stand down in 2011 and 2012	1 st and 4 th Q, 2011
9	Regulatory Compliance: Consumer Protection: Study ABS regulation option	In cooperation with CIPA and ITMA, conduct a feasibility study into the desirability and practicability of the PRB and TRB applying to regulate ABSs	2 nd Q, 2011
10	Communication: Website expansion – phase 2: rebuild and implementation	Implement findings of feasibility study in item 2 above by rebuilding existing website and databases plus staged delivery of the new access capabilities according to the agreed plan	4 th Q, 2011 onwards

	Activity	Description	Completion
11	Regulatory Compliance: Budget	Prepare, consult on and submit the budget and proposed practice fees for 2012	3 rd Q, 2011
12	Regulatory Compliance: Certification	Prepare, consult on and submit the Regulatory Certificate to the LSB	3 rd Q, 2011
13	Regulatory Compliance: Board meetings	Arrange Board meetings as necessary and at least once every two months, and arrange meetings of PRB and TRB sub-committees, at least once a month	1 st Q, 2011 onwards
14	Consumer Protection: MOU with OLC	Develop an MOU with the OLC and Legal Ombudsman to cover best practice including information-sharing, hybrid complaints, etc.	1 st Q, 2011 onwards
15	Consumer Protection: Training	Facilitate training by CIPA and ITMA, with the assistance of the LSB, on topics such as first-tier complaint handling and monitoring complaint handling	1 st Q, 2011 onwards
16	Regulatory Compliance: Consumer Protection: Review of risks	Work with the LSB to review and analyse the risks that can be faced by registrants in a regulated environment	1 st Q, 2011 onwards
17	Communication: Regulatory Compliance: Consumer Protection: Liaison meetings	Arrange regular liaison meetings with main stakeholders including LSB, CIPA, ITMA, OLC, PAMIA and other ARs as necessary	1 st Q, 2011 onwards
18	Communication: Meetings with registrants	Continue the programme of presentations at regular open meetings with registrants to maintain their awareness of the regulatory regime, update them on developments and to receive their feedback.	1 st Q, 2011 onwards

Necessarily, in 2010 we could only work against an indicative budget. However, for 2011 our accompanying budget proposal reflects our experience of 12 months operation as the independent regulatory arm of CIPA and ITMA and our assessment of the financial requirements to deliver this business plan.

20th September 2010