

THE INSTITUTE OF TRADE MARK ATTORNEYS

REPORT OF THE COUNCIL AND DIRECTORS' REPORT

The Council presents the Annual Report and the financial
Statements for the calendar year 2005

President of the Institute 2005/2006

Dr. S.R. James

Vice-Presidents of the Institute 2005/2006

Mr. P.W. Harris (*First Vice-President*)

Mrs. G.M. Deas (*Second Vice-President*)

Honorary Members

(*who are past Presidents of the Institute, retired from Council*)

Mr. E.R. Wenman
White Lodge
43, Littlestairs Road
Shanklin
Isle of Wight
PO37 6HS

Miss S.F. Lesley, OBE
Forrester Ketley & Co
Forrester House
52, Bounds Green Road
London
N11 2EY

Mr. G.A.A. Ball
114, Charterhouse Road
Orpington
Kent
BR6 9ER

Mr. M.K. Padmore
11 Woodbourne Road
Edgbaston
Birmingham
B15 3QJ

Mr. D.C. Evans
More Place
Betchworth
Surrey
RH3 7AD

Past Presidents of the Institute

(*Retired from Council*)

Mr. D.B. Lutkin
David Lutkin Associates
Four Fairfax Avenue
St. Leonard's
East Sussex
TN37 7TD

Mr. W.J.A. Beeston
W.P. Thompson & Co
Coopers Building
Church Street
Liverpool
L1 3AB

COUNCIL OF THE INSTITUTE 2005/2006

President

Dr. S.R. James
R.G.C. Jenkins & Co
26, Caxton Street
London
SW1H 0RJ
Tel: 020 7931 7141

Second Vice-President

Mrs. G.M. Deas
D. Young & Co
Briton House
Briton Street
Southampton
SO13 3EB
Tel: 0238 071 9500

First Vice-President

Mr. P.W. Harris
Gill, Jennings & Every
Broadgate House
7, Eldon Street
London
EC2M 7LH
Tel: 020 7377 1377

Treasurer

Mrs. M.A. Ramage
Alexander Ramage Associates
20, High Street
Woking
Surrey
GU21 1BW
Tel: 01483 750701

Past Presidents of the Institute

(who are ex-officio Members of Council)

Mr. I.A. Buchan
Eric Potter Clarkson
Park View House
58, The Ropewalk
Nottingham
NG1 5DD
Tel: 0115 955 2211

Mr. B.H. March
Wildbore & Gibbons
Wildbore House
361, Liverpool Road
London
N1 1NL
Tel: 020 7607 7312

Mr. J.A. Slater
Marks & Clerk
90, Long Acre
London
WC2A 9RA
Tel: 020 7420 0000

Mr. J.A. Groom
Groom Wilkes & Wright LLP
The "Haybarn"
Upton End Farm Business Park
Meppershall Road, Shillington
Hitchin, Herts, SG5 3PF
Tel: 01462 714300

Elected Members of Council

Ms. R. Ambrose**
Brookes Batchellor
102-108, Clerkenwell Road
London
EC1M 5SA
Tel: 020 7253 1563

Ms. C. Ayers
Grant Spencer Caisley & Porteous LLP
16, High Holborn
London
WC1V 6BY
Tel: 020 7216 5888
From 1.01.05 – 18.11.05

Mr. D.C. Butler
GlaxoSmithKline
GSK House CN9 25.2
980, Great West Road
Brentford
Middlesex
TW8 9GS
Tel: 020 8047 4389

Mr. A.V. Clarke
Marks & Clerk
90, Long Acre
London
WC2E 9RA
Tel: 020 7420 0000

Mr. D.G. Crawford
Shell International Ltd
IPL/3 Intellectual Property Service
Shell Centre, P.O. Box 662
London
SE1 7NA
Tel: 020 7934 5910

Mr. K.R. Havelock*
25, Beaconsfield Road
Claygate
Surrey
KT10 0PN
Tel: 01372 464716

Mr. R.M. Hiddleston*
Elkington & Fife
Prospect House
8, Pembroke Street
Sevenoaks
TN13 1XR
Tel: 01732 458881

Mrs. A.M. Mastrovito
Mastrovito & Associates
Rapier House
40-46 Lamb's Conduit Street
London
WC1N 3NW
Tel: 020 7025 2375

Mr. G.R. McKinnon*
BATMark Limited
Globe House
4 Temple Place
London
WC2R 2PG
Tel: 020 7845 1528

Mr. C.J. McLeod*
Hammonds
7, Devonshire Square
Cutlers Gardens
London, EC2M 4YH
Tel: 0870 839 0000

Ms. I. Moya
Diageo
3rd Floor, 8, Henrietta Place
London
W1G 0NB
Tel: 020 7927 4298

Mr. N.F. Preedy
HallMark IP Limited
11th Floor Sea Containers House
20, Upper Ground
London
SE1 9BS
Tel: 020 7902 7100

Mr. J. Reddington
Jones Day
21, Tudor Street
London
EC4 0DJ
Tel: 020 7039 5959

Mr. G. Tarrant*
BATMark
Globe House
4, Temple Place
London
WC2R 2PG
Tel: 020 7845 1934

Mr. D.G. Turner*
240 Caledonian Road
London
N1 0NG
Tel: 020 7278 2724

Mr. J.M. Wallace
Boult Wade Tennant
Verulam Gardens
70 Grays Inn Road
London
WC1X 8BT
Tel: 020 7430 7500

Mr. D.A. Welch
J.E. Evans-Jackson & Co. Ltd
Parchment House
13 Northburgh Street
London
EC1V 0AH
Tel: 020 7608 3098

Miss I.O. Wiseman*
fJCleveland & Co
40-43 Chancery Lane
London
WC2A 1JQ
Tel: 020 7405 5875

Dr. C.A. Wolfe*
Page White & Farrer
54, Doughty Street
London
WC1N 2LS
Tel: 020 7831 7929

Mrs. A. Wong
Carpmaels & Ransford
43 Bloomsbury Square
London
WC1A 2RA
Tel: 020 7242 8692

* **Retiring from Council and available for re-election under Article 52(iii)**

** **Retiring from Council but not available for re-election**

The Members of the Council are also Directors of the Institute for the purposes of the Companies Act.

The Institute is a Company Limited by guarantee with no share capital: the Directors therefore have no beneficial interest in the company, which under its Memorandum is forbidden from distributing any surplus to its members

Secretary

Mrs. M.J. Tyler, MBE

Auditors

Sawin & Edwards
15, Southampton Place
London
WC1A 2AJ

Bankers

Lloyds TSB Bank Plc
95, George Street
Croydon
Surrey
CR9 2NS

Royal Bank of Scotland
38, Park Street
Croydon
Surrey
CR9 1YS

Registered & Administrative Office

Canterbury House
2-6, Sydenham Road
Croydon
Surrey
CR0 9XE

THE INSTITUTE OF TRADE MARK ATTORNEYS

2005

1. Principal Activity

The principal activity of the company is to protect the interests of all persons engaged in the profession of Trade Mark Attorneys and generally promote and maintain the standards of the profession.

2. Obituaries

Council was sorry to learn of the death of Mr. Victor Nichols on 16th March 2005.

3. Membership

In 2005 124 members were elected, comprising:

1 Honorary	
8 Fellows	21 Associates
30 Ordinary	4 Overseas
24 Affiliates	36 Students

As at 31st December 2005 the Institute's Membership list showed:

10 Honorary Members	246 Associate Members
57 Fellows	350 Overseas Members
471 Ordinary Members	341 Student Members
103 Affiliate Members	

After taking into account restorations to the roll, deaths, resignations and changes of membership status during the year the total number of members is 1,578.

5. Finance

The year saw an improvement in the Institute's financial reserves by £26,849 to £1,021,216

6. Annual General Meeting

The 70th Annual General Meeting of the Institute was held on 7th April, 2005 when the Statement of Accounts for 2004 and the Report of the Council for the year were adopted. The number of nominations for Council matched the vacancies on Council and, therefore, the following were declared elected for 2005/2007:-

Ms. R.E. Ambrose
Mr. A.V. Clarke
Mrs. A.M. Mastrovito
Mr. N.F. Preedy
Mr. J.M. Wallace
Mrs. A. Wong

Mr. D.C. Butler
Mr. D.G. Crawford
Ms. I. Moya
Mr. J. Reddington
Mr. D.A. Welch

A full list of Council for 2005/2006 and the names of the Officers elected by the Council are given at the beginning of this Report. The members of Council throughout the year are given in the table in section 7 below.

7. Election of President and Vice-President

At its meeting on 26th April, 2005 the Council elected Dr. S.R. James as President, Mr. P.W. Harris as Senior Vice-President, Mrs. G.M. Deas as Junior Vice-President and Mrs. M.A. Ramage as Treasurer. Subsequently the titles of the Vice Presidents were changed to First and Second Vice-President respectively.

8. Standing Committees

The Standing Committees of the Council were elected at the Council meeting held on 24th May, 2005. The President, the two Vice-Presidents, the Immediate Past President and the Treasurer of the Institute are ex officio Members of each Committee (except the ITMA Review and Professional Guidance & Disciplinary Committees) and are as follows:-

Dr. S.R. James	President
Mr. P.W. Harris	First Vice-President
Mrs. G.M. Deas	Second Vice-President
Mrs. M.A. Ramage	Treasurer
Mr. I.A. Buchan	Immediate Past President

Their names should be added to each Committee given below where indicated; unless included as Chairman, only the elected and co-opted Members who attended meetings are individually named. The name of the Chairman of each Committee is in italics.

Book Committee

Officers

Ms. R. Ambrose
Mr. R.M. Hiddleston

Education & Training Committee

Officers

Mr. D.C. Butler
Ms. I. Moya
Mr. G. Tarrant
Miss I.O. Wiseman
Mrs. A. Wong
Ms. R. Bond) Student
Ms. C. Duly) Representatives
Mr. A. Wood)

Designs Committee

Officers

Ms. C. Ayers (26.5.05 – 18.11.05)
Ms. I. Moya
Miss I.O. Wiseman

Formalities Committee

Officers

Mr. N.F. Preedy
Dr. C.A. Wolfe
Mrs. A. Wong

CPD Committee

Officers

Mr. D.C. Butler

Mr. D.G. Crawford

Mrs. A.M. Mastrovito

Mr. G.R. McKinnon

Mr. N.F. Preedy

Mr. G. Tarrant

General Purposes & Finance Committee

Officers

Ms. R. Ambrose

Mr. I.A. Buchan

Mr. K.R. Havelock

Mr. J. Reddington

Mr. J.A. Slater

Mr. D.A. Welch

Internet Committee

Officers

Mr. I.A. Buchan

Mrs. A.M. Mastrovito

Laws & Practices Committee

Officers

Ms. C. Ayers (12.7.05 – 19.11.05)

Mr. A.V. Clarke

Mr. D.G. Crawford

Mr. J.A. Groom

Mr. K.R. Havelock (19.11.05 -)

Mr. B.H. March

Mr. J.A. Slater (01.01.05 – 12.7.05)

Mr. J.M. Wallace

Ms. I.O. Wiseman

Dr. C.A. Wolfe

Membership Committee

Officers

Mr. A.V. Clarke

Mr. J. Reddington

Mr. J.M. Wallace

Litigators Accreditation Board

Officers

Mr. M. Edenborough

Miss S.A. Lambeth

Ms. M. Macdonald

Mr. C. Ryan

Mr. J.A. Slater

Professional Guidance & Disciplinary Committee

Mr. D.G. Crawford

Mr. K.R. Havelock

Mr. B.H. March

Mr. G. Tarrant

Mr. D.G. Turner

Programme Committee

Officers

Mr. D.C. Butler

Mrs. A.M. Mastrovito

Mr. D.G. Turner

Mr. D.A. Welch

Public Relations Committee

Officers

Mr. G.R. McKinnon

Mr. C.J. McLeod

Mr. D.A. Welch

Dr. C.A. Wolfe

Mrs. A. Wong

ITMA Review Committee

Officers

Ms. C. Ayers (from 26.4.05 – 19.11.05)

Mrs. A.M. Mastrovito

Mr. C.J. McLeod

Mr. N.F. Preedy

Mr. J. Reddington

Joint Examination Board

Mr. D.G. Crawford

Mrs. G.M. Deas

Mr. J.A. Groom

Ms. N. Ramage

Ms. H. Whelbourn

Mrs. A. Wong

Council & Committee Meetings

Notes:

- (1) By tradition, the Officers divide responsibility for attending the various Standing Committees so that at least one Officer attends the majority of designated Committees.
- (2) The Internet Committee holds most of its meetings over the Internet and, therefore attendance is not recorded and not included in the following table.
- (3) Members have been co-opted onto Committees and assisted as set out below and Council is very grateful for this assistance.

Continuing Professional Development Committee	Mr. Bruce Marsh
Education & Training Committee	Ms. Sofia Arenal
Designs	Mr. Peter Brownlow Mr. Tim Pendered Ms. Katie Cameron
Formalities Course Committee	Mr. Roy Scott Mr. Daniel Smart Mr. Patrick Tucker
Internet Committee	Mr. Eric Ramage Mr. Nick Wood
Laws & Practice Committee	Mrs. Angela Fox
Newsletter & Information Committee	Mr. James Setchell Ms. Kate Swaine Mr. Aaron Wood
Programme Committee	Ms. Mary Bagnall Ms. Katie Cameron Ms. Morag Macdonald Mr. Philip Redman Mr. Adam Wilder
Public Relations Committee	Mr. Nick Wood

Much of the work of the Council is undertaken outside the formal meetings and, as usual, the Institute is indebted to those Council members who have given so freely of their time and to the Partners and employers who have supported those Council members in their endeavours.

The following table shows the members of Council during the year and the number of times Council and the Standing Committees met during the year, together with details of attendance. As Council and Committee composition changed during the year, the figure in parentheses against each attendance figure is the maximum number of meetings which each person was entitled to attend.

	Council	GP & F	E&T	L&P	Membership	Programme	P.R.	Book	CPD	Formalities	Disciplinary	Designs	Review
Ambrose Ms. R.E.	8 (10)	3 (3)	7 (10)					4 (4)	3 (3)				
Ayers Ms.C. (01.01.05 – 18.11.05)	8 (9)			8 (9)					2 (5)			4 (5)	1 (4)
Buchan I.A.	7 (10)	9 (10)		0 (10)	0 (6)	0 (9)	0(10)	0 (4)	0 (6)	0 (3)		0 (5)	
Butler D.C. (w.e.f. 06.04.05)	6 (7)		3 (6)			4 (5)			1 (3)				
Clarke. A.V.	3 (10)			7 (10)	6 (6)								
Crawford D.G.	9 (10)			7 (10)					5 (6)		1 (1)		
Deas, Mrs. G.M.	6 (10)	8 (10)	0 (10)	0 (10)	0 (6)	0 (9)	0 (10)	0 (4)	2 (6)	3 (3)		1 (5)	
Evans, D.C. (01.01.05 – 06.04.05)	3 (3)												
Groom, J.A.	2 (10)			2 (10)	0 (2)	0 (4)							
Harris, P.W.	4 (10)	9 (10)	2 (10)	0 (10)	2 (6)	2 (9)	0 (10)	0 (4)	0 (6)	0 (3)		0 (5)	
Havelock, K.R.	9 (10)	8 (10)		8 (10)							3 (4)		
Hiddleston, R.M.	7 (10)		5 (10)					4 (4)					
James, S.R.	10(10)	10(10)	5 (10)	4 (10)	0 (6)	4 (9)	4 (10)	2 (4)	1 (6)	0 (3)		0 (5)	
Kay, Ms.J. (01.01.05 – 06.04.05)	0 (3)						0 (2)						
March, B.H.	7 (10)	3 (4)		4 (10)							4 (4)		
Mastrovito, Mrs. A.M.	6 (10)					9 (9)			5 (6)		0 (1)		3 (9)
McKinnon, G.R.	7 (10)						9 (10)		4 (6)				
McLeod, C.J.	8 (10)						7 (10)						9 (9)
Moya, Ms. I.	5 (7)		6 (10)									0 (3)	
Preedy, N.F.	6 (10)								2 (6)	3 (3)			3 (9)
Ramage, Mrs. M.A.	10 (10)	10(10)	0 (10)	0 (10)	0 (6)	8 (9)	10(10)	0 (4)		0 (3)		0 (5)	
Reddington, J.	7 (10)	3 (3)	1 (1)		3 (4)							1 (2)	7 (9)
Slater, J.A.	5 (10)	3 (10)		7 (10)									
Stirling,C.S.(01.01.05 – 06.04.05)	0 (3)		0 (3)		0 (2)								
Tarrant, G.	3 (10)		10(10)						2 (6)		1 (3)		
Turner, D.G.	8 (10)					9 (9)					4 (4)		
Wallace, J.M.	3 (10)			4 (10)	4 (6)								
Welch, D.A.	7 (10)	6 (10)				5 (9)	6 (10)						
Wiseman, Miss I.O.	5 (10)		8 (10)	4 (6)				1 (4)				5 (5)	
Wolfe, C.A. Dr.	7 (10)			7 (10)			5 (10)			3 (3)			
Wong, Mrs. A.	2 (10)	7 (10)					7 (10)			3 (3)			

9. Register of Trade Mark Agents

The Institute continued to keep the Register of Trade Mark Agents established under Section 282 of the Copyright, Designs and Patents Act 1988. The Secretary, Mrs. M.J. Tyler, was re-appointed by Council at its meeting on 26th April, 2005 as Registrar for a further year, in accordance with The Register of Trade Mark Agents Rules 1990. The Register as at 31st December, 2004 was published and placed on sale in March, 2005 and contained the names of 896 persons.

10. Joint Examination Board

The Joint Examination Board is a joint committee with CIPA and conducts its business in accordance with its constitution which has been approved by the Comptroller.

The Joint Examination Board held examinations in November, 2005 as follows:-

Paper T1	-	Basic United Kingdom Trade Mark Law
Paper T2	-	Basic United Kingdom Trade Mark Practice
Paper T5	-	Basic Overseas Trade Mark Law and Practice
Paper T3	-	Advanced United Kingdom Trade Mark Law
Paper T4	-	Advanced United Kingdom Trade Mark Practice
Paper T6		Advanced Community Trade Mark and International Trade Mark Law and Practice
		Basic English Law
		United Kingdom Designs and Copyright Law
Paper P1	-	Basic United Kingdom Patent Law and Procedure
Paper P5	-	Basic Overseas Patent Law and Procedure
Paper P2	-	Patent Agents' Practice
Paper P3		Preparation of specifications for United Kingdom and Overseas Patents
Paper P4	-	Amendment of specifications for United Kingdom Patents/ Applications in Prosecution, Revocation Proceedings or otherwise.
Paper P6	-	Infringement and validity of United Kingdom Patents.

The following are the numbers who sat the examinations and the numbers of successful candidates in respect of the examinations held in November, 2004:-

	Candidates	Passes
Paper T1	71	52
Paper T2	43	38
Paper T5	84	61
Paper T3	72	26
Paper T4	105	51
Paper T6	84	28
Law	74	49
D&C	63	47
Paper P1	48	44
Paper P5	49	41
Paper P2	223	97
Paper P3	148	64
Paper P4	153	57
Paper P6	276	127

The Examiners in respect of the 2004 Papers were as follows:

Mrs. J. Aliss	Mr. M. Joshi
Ms. R.E. Ambrose	Mrs. C. Lindley-Vass
Ms. S. Boxall	Mr. N. Manley
Mr. D. Chandler	Dr. P. Martin
Ms. S. Chiappinelli	Mr. J. Mears
Mrs. T. Clark	Mr. T. Miller
Ms. A. Cole	Ms. I. Moya
Ms. Christine Crago	Ms. P.A. Nicholls
Mr. R. Davis	Mr. S.R. Nield
Mr. P. Derry	Mr. D. O'Connell
Mrs. A.M.S. Fox	Mr. P. Oliver
Ms. J. Freeman	Mr. N.J. Parnell
Mr. C. Gibbs	Mrs. L. Prentice
Mr. R. Grimshaw	Ms. N. Ramage
Mr. M. Hammler	Mr. S. Reese
Ms. L. Harris	Mr. E. Round
Mr. D. Harrison	Mr. M. Shelley
Mr. D. Jackson	Mr. I. Wilkes
Mr. S. Jennings	Ms. I.O. Wiseman
Ms. H. Jones	

11. Examination Awards

Council was pleased to make the following awards to successful students during the year.

Payne/Bennett Memorial Award to Ian Tollett of Williams Powell for outstanding achievement in the Advanced level U.K. Trade Mark Practice paper (who also sat and passed the Advanced U.K. Trade Mark Law Paper) held in November 2004.

John Parker Memorial Award to Matthew Rose of Serjeants and Edward Rolfe of Urquhart-Dykes & Lord LLP in Leeds for attaining the highest marks in the Basic United Kingdom Trade Mark Paper held in November, 2004.

Peter FitzGibbon Memorial Award to Anne Marie Carr of Murgitroyds for attaining the highest marks in the Basic Overseas Law & Practice Paper held in November, 2004.

Adrian Spencer Memorial Award to Steven Lane of Gill, Jennings & Every for attaining the highest marks in the Advanced Trade Mark Law Paper held in November, 2004.

Nick Wilson Memorial Award to Steven Lane of Gill, Jennings & Every for attaining the highest marks in the United Kingdom Design & Copyright paper held in November, 2004.

12. Review Committee

The committee met 10 times in 2005 and produced 11 editions of the ITMA Review, completing 2 years under its current title.

As before, the Review would be nowhere near its current position without editor Kelly Robson. Pulling everything together for each issue is a major task which should not be underestimated. Fortunately, the results continue to be greatly appreciated by UK and overseas members and the mixture of informative and, we hope, entertaining content is now very well established.

On the subject of content, it goes without saying that there would be none without the increasing number of contributors. From Ken Storey' s informative PR column through to case reports from the UK and an increasing number of overseas contributors, the Review is a very well respected flagship for ITMA. The large number of volunteers means that it is not possible to name them all, although we are very grateful for each and every contribution. Also central to the continuing success of the Review are the committee members for 2005: Cerryg Jones, Alice Mastrovito, Francis Preedy, John Reddington, Kate Swaine, Aaron Wood and Cathy Ayers. All have worked extremely hard in 2005 and deserve particular thanks for continuing to develop the Review.

In 2006, members can expect further evolution in the Review. Council has allocated money to the committee to look into the use of colour generally and colour photographs. New features are also being actively considered.

Finally, we wish to advise all members that any contribution they might wish to make to the Review will be very welcome. It is your Review so please help to shape its future.

13. Education & Training Committee

The Committee met 10 times during the year.

Between January and October the two-year Advanced Trade Mark course took place in conjunction with Queen Mary College with 10 one day sessions. There were 13 students enrolled for the second year and a new first year of the course started with 19 students enrolled for the course.

The extended tutorial programme provided six tutorials (two for each Advanced Level examination paper) for each student who applied. The total number of students participating in the tutorial programme was 23. The tutorial pack was updated with up-to-date examination material.

The Residential Revision Course at Warwick University took place over two weekends in August and September and was attended by 125 students. The courses covered all trade mark and patent foundation and advanced level examination papers.

Members of the Committee took part in one-to-one tutorials with students who had narrowly failed one of the Advanced Level papers in order to give guidance on exam technique. The number of students taking up this service has steadily increased since it was started two years ago. In total 12 one-to-one consultations were provided in 2005.

The Committee gave an evening presentation on examination technique to tutors and examiners.

The Committee ran a three day course on Advocacy and Evidence for Members of the Institute in conjunction with the Inns of Court School of Law which was fully attended. This course will be repeated in 2006.

The Committee also ran a half day course on Designs which was attended by 40 students. This course will be repeated again in 2006.

14. Formalities Course Committee

The Formalities Course was run during 2005 for 84 candidates of whom 72 passed the examination, maintaining a high pass rate.

In 2005 the course was run in three locations – London, Leeds and Jersey. In 2006 the northern course is being held in Birmingham. There continues to be a waiting list for the course.

The examination will take place on 9th June 2006 and it will be held simultaneously in both London and Jersey.

15. Continuing Professional Development Committee

The CPD Committee continues to advise members on the availability of CPD points for activities which do not fall clearly within the guidelines, and to follow up those cases in which members have failed to provide evidence of compliance. A disappointing number of members need to be reminded more than once before submitting their annual declarations, and those who still fail to make their declarations are followed up by personal contact from members of the Committee. Once again, due to the excellent management of this procedure by Gillian Rogers only a very small number ultimately failed to submit a satisfactory declaration for 2004. These cases would ordinarily give rise to referral to the Professional Guidance and Disciplinary Committee, but for the one or two who had defaulted for 2004 the Committee were advised this sanction was unavailable due to a technical deficiency in the Rules. This problem has been cured and members who default for 2005 will face possible disciplinary action.

In view of one or two cases of confusion having arisen between Law Society accreditation and ITMA accreditation, a decision was taken that where events were promoted as qualifying for ITMA CPD points, the organisers would be encouraged to specify “ITMA CPD” in their advertising, and also, if they wished, to use a copy of the ITMA logo that could be downloaded from the ITMA website with appropriate instructions for use.

The Committee felt that certain members who were unable to satisfy the CPD requirements in a particular year or to be given a waiver, and whose membership would therefore lapse, might be encouraged to stay in touch with the Institute if there were a cheaper way of doing so. The current cost of the ITMA Review for non-members is £150, and it was agreed that they should be offered an e-mail subscription at a reduced price. It was hoped that in this way more “lapsed” members might be encouraged to return to full membership in the future.

A slight problem was identified in relation to newly-elected Ordinary Members, in that the requirements for CPD compliance were not emphasised to them at an early stage, and this sometimes led to inadvertent failure to comply. The Committee therefore agreed a standard format letter giving outline guidance on CPD, which would form part of the “welcome pack” for new members in future.

A small number of cases have arisen in which third parties whose events have been accredited for ITMA CPD have then described their events as being “supported by” ITMA, or similar wording. It was agreed that this was inappropriate and could even be damaging to ITMA’s reputation, and corrective action has been taken. Clear instructions are now issued with each new CPD ruling to ensure that the ITMA connection is correctly reflected.

David Crawford took over from Alice Mastrovito as Chair of the Committee with effect from the September meeting. The Committee recorded its warm appreciation of Mrs Mastrovito’s tireless efforts as Chair of the Committee since the inception of the CPD scheme.

16. Laws & Practice Committee

The Committee met ten times during the year. The major issues addressed were:

- Trade Mark Registry practice
- OHIM practice
- Madrid Protocol
- RPWG (Registration Practice Working Group)

On Trade Mark Registry practice the committee has reviewed and submitted comments to the Trade Marks Registry on a range of Practice Amendment Notices and Tribunal Practice Notices relating to, inter alia, slogan practice, retail services, classification issues, graphic representations, letters/numerals, Section 5 and revised cross-search list, Section 3 offensive marks, wide specifications and Revocation (non-use) practice.

Consultation with the Patent Office on the desirability of retaining a UK address for service has continued throughout the year. The topic has been raised at the RPWG meeting.

The committee submitted comments on proposals by the Trade Marks Registry to revise various chapters of the work manual. The committee also submitted comments and views on the proposals by the Registry and the OHIM to revise their fee structure.

The committee has begun to consider and consult with members on the desirability of the Trade Marks Registry retaining examination on relative grounds. This consultation with the Registry is on-going. The consultation process is expected to continue until August 2006.

Mr. Joao Mirana de Sousa, Director of OHIM proposed a meeting between OHIM and ITMA in order to define new channels of communication between the two organisations. The committee regards this as a positive development and is working towards developing a good working relationship with OHIM.

In the course of the year the committee has established a relationship with The Alliance against IP Theft and Marjon Esfandiary attended several committee meetings towards the end of the year. The Alliance has some high profile members and it is felt that the connection will assist ITMA in getting its views on trade mark issues across to Government.

17. Designs Committee

The Committee meets every two months and is heavily dependent on contributions from co-opted members as well as council members. We would therefore like to take this opportunity to thank all those, including ITMA staff, who contribute to the smooth running of this Committee.

The Committee dedicates an increasing amount of its time to reviewing consultation documents issued by both the Community Designs Office and UK Designs Registry and to preparing and submitting formal responses. This year, responses have been submitted in relation to proposed changes to the UK Design Registration system, as well as proposals to amend the route of appeal from UK Registry decisions. Members of the committee also attend and report on the UK Design Registry Practice Working Group and the Community Design Office's British Day.

The Committee continues to work to raise the profile of designs amongst ITMA's membership. The November evening meeting was dedicated to the subject of Community Design Invalidity Proceedings and joint ITAM-CIPA seminars were run in London and Cambridge with speakers from ITMA, CIPA and the Community Designs Office. Courses for students, including the one-day practical course for foundation students in January, also proved successful – so much so that a second session of the practice day was run in September. The addition of a Copyright and Design section in the Review and continued work on a designs section of the ITMA website have also taken some of the Committee's time this year.

The Committee continues to investigate ways of increasing the general public's awareness of design protection and the role that ITMA members can play in the acquisition and enforcement of these rights, having completed articles for publication in trade journals and having contributed to the IP clinics where design-related advice has been given.

18. Programme Committee

The Committee held 9 meetings during the year and organised the events mentioned below.

Evening Meetings

25 January - Sir Robin Jacob on Where are we now? – Where are we going?

- 22 February - Mr. Allan James, Trade Marks Registry on Do's and Don'ts in Inter Partes Proceedings
- 22 March - Mr. Simon Malynicz, Hogarth Chambers on High Court and Court of Appeal Decisions
- 26 April - His Honour Judge Michael Fysh, Mr. Roger Wyand, Q.C., Hogarth Chambers, Ms. Cathy Ayers, Grant Spencer Caisley & Porteous and Mr. Philip Harris First Vice-President on The Introduction of Trade Mark and Design Litigators' Rights
- 24 May - Ms. Kate Szell, Lloyd Wise on Preparation of Evidence – How to prepare what the Registry want
- 28 June - Mr. Mark Hiddleston, Elkington and Fife LLP on Recent Decisions of the Court of First Instance and the European Court of Justice
- 26 July - Mr. Max Stacey, Baron & Warren on Perils & Pitfalls of Practice at WIPO and Using the Madrid System
- 20 September - Mr. Simon Bentley, Abel & Imray on OHIM Update – Relative Grounds
- 25 October - Mr. Tibor Gold, Kilburn & Strode on OHIM – Absolute Grounds
- 29 November - Mr. Robin Bartle, W.P. Thompson & Co on Invalidating Community Registered Designs

Out of Town Meetings

The following meeting was held:

Glasgow

- 21 April - Ms. Anna Dufus of Bird & Bird on Current IP Issues

Breakfast Meeting

- 22 November - .eu briefing in London by Mr. Neville Cordell and Mr. Richard Penfold of DLA Piper and Mr. Nick Wood of Com Laude.

Seminars

- 15 February - CTM Opposition/Revocation Formalities in London with Mr. Ian Buchan of Eric Potter Clarkson, Ms. Madeleine Heal of Stone Chambers and Mr. Jonathan Clegg of fJ Cleveland & Co.

Joint ITMA/CIPA Seminars

- 12 July - The Community Design with Ms. June Davies of OHIM, Mr. David Musker of R.G.C. Jenkins and Mr. Nick Cunningham of Wragge & Co

15 September - Designs Practice Day with Mr. Simon Malynicz of Hogarth Chambers Mr. Jan Vleck of Reddie & Grose, Ms. Imogen Wiseman of fJ Cleveland and Mr. Gavin Llewelyn of Berwin Leighton Paisner.

14 December - Money Laundering with Gerallt Owen and Vicki Salmon of Eversheds LLP

IP Bar Reception

This event was held for the second time, this time, by courtesy of Shell International in one of their rooms overlooking the London Eye. Some 35/40 members of the Bar were entertained by members of the Institute who had volunteered for the evening.

Quiz Night

This event was again held in Corts Wine Bar in Chancery Lane on 8th February where 21 teams pitted their wits against each other and raised £1425.00 for charity. The winning team were from Frank B. Dehn and their chosen charity was the ‘Cystic Fibrosis Trust’.

International Meeting

The International Meeting took place from 6th – 8th April, 2005 at the Royal Garden Hotel, Kensington.

The speakers at the meeting were:

The Hon. Mr. Justice Nial Fennelly	Ms. Carrollanne Lindley
Mr. Roger Wyand, Q.C.	Ms. Elaine Rowley
Mr. Stephen Kinsey	Mr. Phillip Harris
Mr. Eric Ramage	Mr. Detlef Schennen
Mr. Etienne Sanz de Acedo	Mr. Allan James
Mr. Mike Knight	Mr. David Stone

Dinner and Dance

The International Meeting was closed by the Annual Dinner and Dance on 8th April, 2005 at the Royal Garden Hotel. The Institute was honoured by the presence of distinguished guests including:

Mr. Bruce Alexander (CIPA)	Mr. Robin Webb, The Patent Office
Mr. Mike Knight, The Patent Office	Mr. Lindsay J. Casey, Association of Patent & Trade Mark Agents (Ireland)
Mr. W. de Boer (OHIM)	

Those present were entertained by Mr. Barry Cryer as the guest speaker, gambling tables and dancing to live music.

Summer Reception

This took place inside Haberdashers Hall on a slightly damp evening and was attended by around 250 people.

Autumn Conference

This was in Barcelona from 29th-30th September 2005. Those speaking were:

Mr. Allan James
Mr. Jonathan Clegg
Mr. Jeremy Pennant
Mr. Gordon Wright
Mr. David Wilson

Mr. Wouter Verburg
Mr. John Hackett
Mr. Tim Ludbrook
Ms. Fiona Clark

Christmas Luncheons

The Institute's annual Christmas Luncheon was held on 13th December, again at the Royal Lancaster Hotel, where a record 751 sat down to the traditional Christmas meal.

As in previous years the members in the North of the country held a Christmas lunch but this year at the Midland Hotel, Manchester, on 6th December. Over 50 attendees, including the President who represented the Council, enjoyed the festive occasion.

19. Public Relations Committee

2005 was again a busy year in Public Relations.

Early in the year, the PR Committee reviewed the way in which the committee approached PR issues. In particular they developed a strategic approach based on four key objectives:

1. increasing awareness of the importance of trade marks and the expertise of members;
2. increasing awareness amongst new UK businesses of the importance of trade marks and the expertise of members;
3. promoting the expertise of members to IP professionals especially those outside Europe; and
4. ensuring that the voice of ITMA is heard and its aims are promoted through good communications.

Meeting these objectives is the responsibility of the PR Manager Ken Storey with the guidance of the PR Committee under the Chairmanship of Graeme McKinnon.

Objective 1 - increasing awareness of the importance of trade marks and the expertise of members.

Under this heading mention should be made of three important initiatives. One was a new venture for the Institute involving ITMA sponsoring the Design Week Awards. This is the largest awards ceremony of its kind and the awards go to the best of UK design in 20 categories. We have agreed to sponsor the category "Own brand packaging". The second initiative of note under Objective 1 concerns our work with University Careers Services. We have extended our work in this field by targeting all university careers offices with our careers leaflets as well as attending more careers fairs. Finally, in this section is the continuing struggle

to get Companies House to include sound trade mark advice on their website and in their literature. We are working with the Patent Office on this.

Objective 2 - increasing awareness amongst new UK businesses of the importance of trade marks and the expertise of members;

Again, three major initiatives feature under this heading. First, is our continuing partnership with HM Revenue & Customs who organise Business Advice Open Days. In 2005 we attended Open Days in Belfast, Llandudno, Blackpool, Bournemouth, St Mellion Cornwall, Torquay, Lowestoft, Stirling, Glasgow, Newark, London Docklands, Ashford and Leeds. These Open Days are intended to provide new businesses with free advice on the full range of largely government help and assistance to small firms. As one of a handful of private sector organisations involved with this initiative we supplement the advice offered by the Patent Office who are also partners in the scheme.

In a similar vein we have continued working with the Patent Office and CIPA on the Government campaign – What is the Key? This campaign has now concluded but it is hoped that the joint approach will continue in some form in the future. The basic strategy of this campaign was to offer small businesses the opportunity to attend regional seminars from the three partners and any local organisations involved on the day. Those who registered with the campaign team were then offered the opportunity of having free IP audits by either an ITMA or CIPA member.

Finally, under Objective 2, was the revival of free trade mark advice clinics at Harmsworth House on the first Thursday of each month where Council members offer half hour clinics to members of the public.

Objective 3 - promoting the expertise of members to IP professionals especially those outside Europe.

In previous years the Institute had attended INTA's annual meeting in an attempt to increase awareness of ITMA amongst professionals overseas. In 2005 another approach was adopted. Specific markets were identified; namely Japan and China and the USA. In September the first ITMA delegation to the Far East was mounted with a team of six making presentations in to local trade mark attorneys Tokyo and Beijing through their respective professional organisations and, in the case of China, with the assistance of the British Embassy. The presentations covered the European Community Trade Mark and Community Designs and all places were taken ensuring a successful venture. A similar exercise is planned for January 2006 to Washington, Chicago and New York.

A new leaflet was prepared in support of these visits: UK Trade Mark Professionals providing a Gateway to Europe. The other new leaflet prepared this year was ITMA Welcomes You – a short leaflet explaining the work of ITMA and how affiliate membership can help business. This helps to support initiatives from the Membership Committee to attract new members in all categories.

Objective 4 - ensuring that the voice of ITMA is heard and its aims are promoted through good communications.

ITMA's window on the world is through the website www.itma.org.uk. Whilst the current website continues to attract upwards of 400,000 hits a month, websites have developed at enormous pace in the last few years and complacency is not an option. The PR Committee

decided that a major overhaul was needed to help simplify navigation through the site; to make it more user-friendly to the general public hoping to find advice on trade marks and access to professional assistance whilst at the same time improving the website as a tool for members. The new site will evolve during 2006.

As ever, we continue to issue press releases to trade, national and local media outlets, together with articles. Following one Press Release we set up a live interview on BBC Radio Leeds' Breakfast show to trail our attendance at a Leeds event. Not all Press Releases triggered broadcast interviews but most were used. These are listed below:

ARTICLES AND PRESS RELEASES

Jan	Trade Mark and Patent Attorneys call for active role in Judiciary Free advice clinics on trade marks Article: A career in trade marks
Feb	What's in a name? Find out in Llandudno
March	Dream Dazzlers in a world of their own Lord Falconer suggest wider role for Trade Mark Attorneys in the Judiciary Trade mark clinics prove a hit
April	What's in a name? Find out in Bournemouth What's in a name? Find out in Blackpool Trade Mark Attorneys finally get litigators' rights What's in a name? Find out in Cornwall and Torquay
May	What's in a name? Find out in Lowestoft
June	What's in a name? Find out in Stirling What's in a name? Find out in Glasgow
July	Trade Mark and Patent Attorneys welcome Government's decision to increase diversity in the Judiciary Article: Protecting trade marks in the domain name system Article: Protecting your rights – strategic advice
August	Article: How small businesses can make their mark
Sept	Japanese urged to use UK as a Gateway to Europe Beijing 2008 offers trade mark Gateway to Europe More free advice clinics on trade marks Article: New legislation makes design protection easier Article: Trade Marks - a key to business success
Oct	What's in a name? Find out in London What's in a name? Find out in Leeds
Dec	Trade mark and patent attorneys give cautious welcome to Government proposals on the future of legal services.

OTHER ACTIVITIES

In 2005 we made our first application to take part in University Challenge – The Professionals. Sadly that was to no avail but, undeterred, a further application has been made to appear in the 2006 series.

The PR Manager is also involved with more internal PR and is always available to answer committees' and members' questions on marketing and strategical PR.

2006 – A LOOK AHEAD

The PR Committee will be in discussions with the Patent Office about the follow up to the government campaign “What is the Key?”. At this point gratitude has to be expressed to all the members around the country who have given their time and resources to supporting PR initiatives in the regions by attending Business Advice Open Days and “Key” events.

2006 will see the first round of regional visits by officers and ITMA head office staff to discuss members’ interests and how the Institute can work effectively with members around the UK.

The committee and the PR Manager will continue to increase awareness of trade marks within the UK and to promote the Institute and the expertise of its members both within and outside the EU.

20. Book Committee

The work of the Book Committee in 2005 has been in two main areas:

Firstly the Committee has been involved in the preparation, in conjunction with the joint editors of CIPA and ITMA, of the two half-yearly updates for the United Kingdom Trade Mark Handbook and the Community Trade Mark Handbook.

In relation to the Community Trade Mark Handbook particular thanks again go to Richard Abnett of Reddie & Grose and Jonathan Clegg and Imogen Wiseman of fj Cleveland & Co for their continuing and sterling efforts for this publication.

Work continues in connection with the proposed new edition of the United Kingdom Trade Mark Handbook, which is being progressed by the co-editors, Mark Hiddleston of Elkington and Fife LLP on behalf of ITMA and Tibor Gold of Kilburn & Strode on behalf of CIPA.

Although the Committee has not been directly involved in the preparation of this publication, one significant contribution to the range of works produced jointly by ITMA and CIPA was the publication at the end of 2005 of the new Community Designs Handbook. Grateful thanks must be given to the joint editors, Imogen Wiseman on behalf of ITMA and David Musker of RGC Jenkins & Co. on behalf of CIPA for their hard work in the preparation of this publication.

There are many individual authors who have contributed to particular chapters of the three handbooks. Their names are acknowledged in the various works. Without them the handbooks could not be produced. The CIPA representative editors, Tibor Gold, Keith Farwell and David Musker have each made an enormous contribution to the scholarship of these works.

In addition to the above, the Committee has become involved in the recruitment of contributors for a new proposed publication which will consist of tutorial-style questions for each of the advanced level trade mark examinations. A number of draft questions have been produced and are under review by the Committee for inclusion within the work. The Committee is actively trying to recruit additional contributors to assist. It is hoped that, if enough tutorial material is produced, publication will take place during the course of 2006.

21. Internet Committee

The Internet Committee did not meet during the year 2005/2006.

22. Joint Council Meetings

The Institute hosted the annual APRAM, BMM, ECTA, GRUR, ITMA, MARQUES meeting in Cambridge in February and was represented by Dr. Stephen James, Mr. Philip Harris, Mrs. Gillian Deas, Mr. Ian Buchan and Mr. Keith Havelock.

23. Representation of the Institute

The Institute was represented at the following during the year:-

CIPA's Northern Dinner in January – Dr. Stephen James.

The Irish Association's Annual Dinner in March – Mrs. M.A. Ramage

British Day in Alicante in March - Mr. Ian Buchan, Dr. Stephen James, Mr. Aidan Clarke and Mrs. Angela Fox

IPTA Conference in Brisbane in April – Dr. Stephen James

CIPA's Annual President's Dinner in May – Dr. Stephen James

ECTA's Annual Conference in London in June – Dr. Stephen James

TMPDF's lunch in July – Dr. Stephen James

International Symposium Commemorative of Establishment of IP High Court of Japan in July - Mr. Gary Tarrant.

ITMA Visit to Alicante in September - Dr. Stephen James

IPIC meeting in Banff in October – Dr. Stephen James

Irish Association's 75th Anniversary Dinner & Dance in October – Dr. Stephen James

Worldleaders IP Awards Dinner in November – Dr. Stephen James

Throughout the year Mrs. C. Ayers, Mrs. Angela Fox, Dr. Stephen James and Mr. Brian March represented the Institute at the Registration Practice Working Group.

The Institute was also represented by Miss Imogen Wiseman at various Designs Registry Working Group meetings with the Patent Office.

24. General Purposes & Finance Committee

The General Purposes & Finance Committee met ten times during 2005. Amongst the items dealt with were the Institute was granted the right to award trade mark and design litigator's certificates as of 1 April 2005. As a result a number of successful candidates were awarded these certificates. These included members who completed the crash course in Nottingham or who were eligible for the grant of a trade mark and design litigator's certificate as a result of other qualifications. The Institute now has 21 members who are qualified as trade mark and design litigators.

A second crash course was organised for 2005 but unfortunately had to be cancelled due to lack of numbers. It is hoped that the second crash course will be run during 2006.

A version of the existing LLM in Intellectual Property litigation at Nottingham Trent University law school, which is suitable for trade mark candidates commenced in 2005 and ... ITMA members are attending it.

The litigator's accreditation board (LAB) have met a number of times during 2005. The LAB have validated the LLM in Intellectual Property litigation at Nottingham Trent University law school and have reviewed applications for participation of members on the second crash course.

The joint ITMA and CIPA Business Practice Committee met a number of times during 2005 with Mr Buchan and Mr Harris being the ITMA representatives and Mr Buchan chairing the joint Business Practice Committee. The joint committee will look at matters of common interest to both Institutes.

In addition there is a joint ITMA and CIPA Regulatory Committee which was established in 2005 with a view to determining whether or not to meet the possible requirements of the Clementi report and resultant White Paper, the two Institutes should create a joint regulatory body which would look after, for example, the regulation and conduct of their members and the education and training of members of both Institutes.

During 2005 a number of free trade mark clinics, with the assistance of the UK Trade Mark Registry to whom we are grateful, were offered in London on a monthly basis to members of the public. Whilst the initial interest in these clinics was encouraging the numbers of members of the public wishing to attend declined during 2005 so some of the clinics were cancelled. The Committee intends to continue these clinics in 2006.

During the year the Committee published information to members about ADR and has established and is publishing a list of members who would be interested in providing ADR services.

During the year the Committee, principally through the President and Mr Harris, had a number of meetings with personnel from the Regulatory Review Body set up by the Government. ITMA, in conjunction with CIPA, prepared and submitted a joint response to the draft White Paper issued by the Government as a result of the initial proposals from Sir David Clementi.

The Committee was instrumental in setting up a joint ITMA/CIPA seminar on money laundering held in London towards the end of 2005. The intention is to publish a paper based

on this seminar. The paper should contain guidance for members with regard to money laundering.

The Committee discussed during 2005 the possibility of the President and members of the secretariat visiting members around the country. It is hoped that the first of these meetings will be held in March 2006 in Leeds.

During 2005 a sub group of the Committee, ably and vigorously chaired by Gillian Deas, organised the first ITMA trip to China and Japan. A total of six attorneys, Gillian Deas, Philip Harris, Stephen James, John Peacock, Catherine Wolfe and Mark Foreman spent a week in China and Japan giving presentations on the Community Trade Mark system to invited audiences of attorneys. These presentations were followed by receptions.

The presentations were very well received by the attendees. The same sub Committee has planned a similar visit to Washington, Chicago and New York in January 2006 where similar presentations will be given to five groups of invited US attorneys. The speakers in January will be Philip Harris, Stephen James, Gillian Deas, Maggie Ramage, Mark Foreman and Ian Buchan.

The Committee intend to repeat the trip to China and Japan in the autumn of 2006 and depending of the success of the US trip, that too will be repeated, probably in 2007.

The purpose of these trips is to raise the awareness in Japan and the US of the importance of using British attorneys for work in Europe. The Committee would like to extend sincere thanks to the excellent work of Gillian Deas and her sub Committee and to all the speakers and to the ITMA staff who contributed enormously to these visits.

The UK Trade Mark Registry have raised again proposals to abolish the requirement for a UK address for service in ex parte proceedings before the UK Trade Mark Registry. The Committee are investigating ways of responding to these proposals.

On behalf of the Institute, the Committee thanks all those who served during 2005 for all their help. Thanks are also extended to the staff of the Institute Office, and to Margaret Tyler in particular, for their unstinting support and commitment during 2005.

25. Professional Guidance & Disciplinary Committee

The Professional Guidance & Disciplinary Committee met on four occasions during the course of the year and considered two substantive complaints, neither of which proceeded to final consideration. One was not proceeded with, due to administrative reasons and the other was withdrawn by the complainant following a settlement.

The Committee was pleased to give advice and guidance to several members during the course of the year, primarily on interpretation of ITMA's rules and regulations relating to code of conduct and the like. As a result of some of this deliberation it has become apparent to the Committee that ITMA members could benefit from publication of much more guidance particularly in relation to the subject of conflict of interest. The Committee hopes to raise this as a topic for general discussion and debate within ITMA early in the year 2006.

26. Charitable Donations

The Institute made charitable donations amounting to £5,440 during the year.

27. Auditors

The Auditors, Messrs. Sawin & Edwards, have indicated their willingness to continue in office and a resolution will be proposed for their reappointment at the forthcoming Annual General Meeting.

28. Small Company Provisions

This report has been prepared in accordance with the special provisions for small companies under Part VII of the Companies Act 1985

**Approved by the Council on 14th February, 2006
and signed on its behalf by**

**Mrs. Margaret J. Tyler, MBE
Secretary**