

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 2006

President of the Institute 2006/2007

Mr. P.W. Harris

Vice-Presidents of the Institute 2006/2007

Mrs. G.M. Deas (*First Vice-President*)
Mrs. M.A. Ramage (*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. W.J.A. Beeston
Mug Cottage
Dicks Lane
Lathom, Ormskirk
Lancashire
L40 6JA

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

Mr. M.K. Padmore
144 Lordswood Road
Harbourne
Birmingham
B17 9BT

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. B.H. March
Wildbore & Gibbons
Wildbore House
361 Liverpool Road
London
N1 1NL

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

COUNCIL OF THE INSTITUTE 2006/2007

President

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

First Vice-President

Mrs. G.M. Deas
D. Young & Co.
120 Holborn
London
EC1N 2DY
Tel: 020 269 8577

Second Vice-President

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

Treasurer

Dr. C.A. Wolfe
Page White & Farrer
Bedford House
John Street
London
WC1N 2BF
Tel: 020 7831 7929

Past Presidents of the Institute

(who are ex-officio Members of Council)

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

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

Elected Members of Council

Ms. L.A.E. Bray
Wildbore & Gibbons
Wildbore House
361 Liverpool Road
London
N1 1NL
Tel: 020 7607 7312

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 (1.1.06 – 25.7.06)
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. R.N. Furneaux*
Rouse & Co. International
1st Floor, 228-240 Banbury Road
Oxford
OX2 2BY
Tel: 01865 318400

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

Mr. M.A. Lynd*
Marks & Clerk
90 Long Acre
London
WC2E 9RA
Tel: 020 7420 0000

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
1 Pemberton Row
London
EC4A 3BG
Tel: 020 3102 9000

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 (1.1.06 – 20.10.06)
Boult Wade Tennant
Verulam Gardens
London
WC1X 8BT
Tel: 020 7430 7500

Mr. D.A. Welch*
Joshi & Welch LLP
5th Floor
3 Bunhill Row
London
EC1Y 8TZ
Tel: 020 7847 4055

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

Mrs. A. Wong**
Carpmaels & Ransford
43 - 45 Bloomsbury Square
London
WC1A 2RA
Tel: 020 7242 8692

Mr. J.J. Wyness*
Baker & McKenzie LLP
100 New Bridge Street
London
EC4V 6JA
Tel: 020 7919 1903

* **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

2006

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 deaths of Mr. R. Grogan in January, Mr. J.A. Slater in September and Mr. K.V. Marshall in October.

3. Membership

In 2006 173 members were elected, comprising:

2 Honorary	31 Associates
38 Ordinary	17 Overseas
13 Affiliates	72 Students

As at 31st December 2006 the Institute's Membership list showed:

12 Honorary Members	257 Associate Members
51 Fellows	333 Overseas Members
493 Ordinary Members	354 Student Members
106 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 1,606.

5. Finance

The year saw a deficit in the Institute's financial reserves by £6,108.

6. Annual General Meeting

The 71st Annual General Meeting of the Institute was held on 22nd March, 2006 when the Statement of Accounts for 2005 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 2006/2008:-

Ms. L.A.E. Bray	Mr. G. Tarrant
Mr. K.R. Havelock	Mr. D.G. Turner
Mr. R.M. Hiddleston	Ms. I. O. Wiseman
Mr. G.R. McKinnon	Dr. C.A. Wolfe
Mr. C.J. McLeod	

A full list of Council for 2006/2007 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 28th March, 2006 the Council elected Mr. P.W. Harris as President, Mrs. G.M. Deas as First Vice-President, Mrs. M.A. Ramage as Second Vice-President and Dr. C.A. Wolfe as Treasurer.

8. Standing Committees

The Standing Committees of the Council were elected at the Council meeting held on 25th May, 2006. 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:-

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

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

Book Committee

Officers

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

Mr. J. Wyness

Ms. R. Bond) Student

Ms. C. Duly) Representatives

Mr. A. Wood)

Designs Committee

Officers

Mr. C.J. McLeod

Miss I.O. Wiseman

Formalities Committee

Officers

Mr. N.F. Preedy

Mrs. A. Wong

CPD Committee

Officers

Mr. D.C. Butler

Mr. D.G. Crawford

Mrs. A.M. Mastrovito

Mr. N.F. Preedy

Mr. G. Tarrant

General Purposes & Finance Committee

Officers

Mr. I.A. Buchan

Mr. K.R. Havelock

Mrs. A.M. Mastrovito

Mr. D.A. Welch

Mrs. A.N. Wong

Laws & practices Committee

Officers

Ms. L.A.E. Bray

Mr. A.V. Clarke

Mr. K.R. Havelock

Dr. S.R. James

Ms. I.O. Wiseman

Membership Committee

Officers

Mr. A.V. Clarke

Mr. J. Reddington

Mr. J.M. Wallace

Litigators Accreditation Board

Officers

Mr. M. Edenborough

Mr. S.K.M. Kinsey

Miss S.A. Lambeth

Ms. M. Macdonald

Mr. C. Ryan

Professional Guidance & Disciplinary Committee

Ms. L.A.E. Bray

Mr. D.G. Crawford

Mr. K.R. Havelock

Mr. G. Tarrant

*Mr. D.G. Turner***Programme Committee**

Officers

Ms. L.A.E. Bray

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

ITMA Review Committee

Officers

Mrs. A.M. Mastrovito

Mr. C.J. McLeod

Mr. N.F. Preedy

Mr. J. Reddington

Joint Examination Board

Mr. D.G. Crawford

Mr. J.A. Groom

Mr. B.A. Ramage

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) It was felt that there were insufficient matters to retain the Internet Committee and, therefore, agreed to disband this Committee for the time being and any minor matters that arose would be directed to the Laws & Practices Committee.
- (3) Members have been co-opted onto Committees and assisted as set out below and Council is very grateful for their assistance.

Education & Training Committee	Mr. James Setchell Mr. Iain Stewart
Designs	Mr. Peter Brownlow Mr. David Musker Mr. Tim Pendered Ms. Katie Cameron
Formalities Course Committee	Mr. Roy Scott Mr. Daniel Smart
Laws & Practice Committee	Mrs. Angela Fox Mr. Jonathan Thurgood Ms. Felicity Hide
ITMA Review Committee	Mr. Simon Burlinson Mr. Cerryg Jones Ms. Kate Swaine Ms. Kathrin Vowinckel
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.	CPD	Formalities	Disciplinary	Designs	Review
Ambrose Ms.R.E.(01.01.06-22.03.06)	1 (2)	0 (2)	2 (2)	-	-	-	-	-	-	-	-	-
Bray , Ms. L.A.E (wef 22.03.06)	5 (8)	-	-	7(7)	-	4(6)	-	-	-	2 (2)	-	-
Buchan I.A	4 (10)	8 (10)	0 (2)	0(4)	-	0(3)	0 (4)	0 (1)	-	-	0 (2)	-
Butler D.C.	4 (10)	-	5 (8)	-	-	0(4)	-	3 (4)	-	-	-	-
Clarke. A.V. (01.01.06 – 25.07.06)	0 (6)	-	-	0(6)	0(2)	-	-	-	-	-	-	-
Crawford D.G.	4 (10)	-	-	1(4)	-	-	-	4 (4)	-	2 (2)	-	-
Deas, Mrs. G.M.	8 (10)	9 (10)	0 (8)	0(11)	1(7)	5(11)	1 (9)	0 (4)	0 (3)	-	2 (3)	-
Furneaux, R.N. (wef 19.09.06)	2 (3)	-	-	-	-	-	-	-	-	-	-	-
Groom, J.A. (01.01.06 -22.03.06)	1 (2)	-	-	1(4)	-	-	-	-	-	-	-	-
Harris, P.W.	8 (10)	10 (10)	2 (8)	2(11)	0(7)	3(11)	1 (9)	1 (3)	0 (3)	-	-	-
Havelock, K.R.	9 (10)	7 (10)	-	11(11)	-	-	-	-	-	2 (2)	-	-
Hiddleston, R.M.	5 (10)	-	-	-	-	-	-	-	-	-	-	-
James, S.R.	7 (10)	3 (10)	0 (8)	8(11)	0(7)	0(11)	0 (9)	0 (4)	0 (3)	-	0 (5)	-
Lynd, M.A.(wef 24.10.06)	2 (2)	-	-	-	-	-	-	-	-	-	-	-
March, B.H. (01.01.06-22.03.06)	2 (2)	-	-	0(4)	-	-	-	-	-	-	-	-
Mastrovito, Mrs. A.M.	7 (10)	5 (6)	-	-	-	11(11)	-	3 (4)	-	-	-	7(11)
McKinnon, G.R.	3 (10)	-	-	-	-	-	5 (9)	1 (2)	-	-	-	-
McLeod, C.J.	9 (10)	-	-	-	-	-	8 (9)	-	-	-	2 (3)	11(11)
Moya, Ms. I.	1 (10)	-	4 (8)	-	-	-	-	-	-	-	0 (2)	-
Preedy, N.F.	3 (10)	-	-	-	-	-	-	1 (3)	3 (3)	-	-	4(11)
Ramage, Mrs. M.A.	10 (10)	10 (10)	0 (8)	0(11)	1(7)	10(11)	9 (9)	0 (4)	0 (3)	-	0 (5)	-
Reddington, J.	7 (10)	1 (3)	-	-	7(7)	-	-	-	-	-	-	11(11)
Tarrant, G.	3 (10)	-	8 (8)	-	-	-	-	0 (4)	-	1 (2)	-	-
Turner, D.G.	5 (10)	-	-	-	-	11(11)	-	-	-	2 (2)	-	-
Wallace, J.M.(01.01.06-20.10.06)	0 (8)	-	-	1(4)	3(5)	-	-	-	-	-	-	-
Welch, D.A.	6 (10)	6 (10)	-	-	-	7(11)	5 (9)	-	-	-	-	-
Wiseman, Miss I.O.	3 (10)	-	6 (8)	7(11)	-	-	-	-	-	-	3 (4)	-
Wolfe, C.A. Dr.	8 (10)	6 (7)	0 (8)	5(11)	-	0(8)	6 (9)	0 (2)	1 (3)	-	0 (3)	-
Wong, Mrs. A.	7 (10)	4 (6)	2 (3)	-	-	-	3 (4)	-	3 (3)	-	-	-
Wyness, J.J. (wef 24.10.06)	1 (2)	-	1 (1)	-	-	-	-	-	-	-	-	-

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 28th March, 2006 as Registrar for a further year, in accordance with The Register of Trade Mark Agents Rules 1990. The Register as at 31st December, 2005 was published and placed on sale in March, 2006 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 and Practice
Paper T4	-	Advanced Trade Mark Search
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, 2005:-

	Candidates	Passes
Paper T1	53	51
Paper T2	29	27
Paper T5	68	66
Paper T3	75	32
Paper T4	83	50
Paper T6	69	30
Law	46	30
D&C	57	48
Paper P1	25	21
Paper P5	30	26
Paper P2	231	118
Paper P3	141	73
Paper P4	149	75
Paper P6	241	107

The Examiners in respect of the 2005 Papers were as follows:

Mr. T. Albertini	Mr. M. Joshi
Mrs. J. Aliss	Mr. A. Leppard
Ms. R. Ambrose	Mrs. C. Lindley-Vass
Ms. S. Boxall	Mr. N. Manley
Mr. S. Chiappinelli	Ms. A. Marshall
Mrs. T. Clark	Dr. P. Martin
Ms. Christine Crago	Mr. J. Mears
Mr. R. Davis	Mr. T. Miller
Mr. P. Derry	Ms. I. Moya
Mr. H. Dunlop	Mr. F. Newbould
Mr. J. Fish	Mr. S.R. Nield
Ms. J. Freeman	Mr. D. O'Connell
Mr. C. Gibbs	Mr. N.J. Parnell
Mr. M. Hammler	Mrs. L. Prentice
Ms. L. Harris	Mr. S. Reese
Mr. D. Harrison	Mr. E. Round
Miss L.J. Harland	Mr. M. Shelley
Mr. M. Houghton	Ms. A. Thornton-Jackson
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 in respect of the examinations held in November 2005:

Payne/Bennett Memorial Award to Lisa King of Barker Brettell 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 at the same sitting).

John Parker Memorial Award to Louise Bennett of Linklaters for attaining the highest marks in the Basic United Kingdom Trade Mark paper.

Peter FitzGibbon Memorial Award to Aoife O'Neill of Tomkins & Co. for attaining the highest marks in the Basic Overseas Law & Practice paper.

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

Nick Wilson Memorial Award to Anne Marie Carr of Murgitroyd & Co. for attaining the highest marks in the United Kingdom Design & Copyright paper.

12. Review Committee

The committee met 11 times in 2006, surpassing 2005's total of 10 times and produced 11 editions of the ITMA Review.

The achievements of the year were overshadowed by the sad death of Ian Bagley, the long-time typesetter of the Review. However, we were pleased that ITMA was able to make a contribution to one of Ian's favourite charities in his memory.

2006 also saw the Review being radically redesigned from its previous format. We are now collaborating with a new typesetter and have introduced a colour cover and other design innovations. We appreciate member feedback and are pleased that this has generally been very positive. A special mention must go to editor Kelly Robson, particularly for liaising so seamlessly with the new typesetter and ensuring that each month's issue is of the highest quality. It could not be done without her.

Of course, as in previous years, the Review should be judged primarily on its content and it is on our still-growing band of contributors from the UK and overseas that we rely to fill the pages of the Review each month. All contributions are highly valued and equally gratefully received but we cannot mention all of our contributors by name. However, we look forward to more of the same in quality and volume in 2007. The Review committee members for 2006 were once again the backbone of the Review: John Reddington, Simon Burlinson, Kathrin Vowinckel, Cerryg Jones, Kate Swaine, Alice Mastrovito and Francis Preedy have all found the time despite busy schedules to contribute substantially to the continued progress of the Review and deserve to be mentioned by name for their efforts. Likewise, Gillian Rogers' unstinting efforts as Secretary to the committee are much appreciated.

For 2007, members can expect the Review to continue to develop. Trade mark of the month and GastroGnome are now regular features intended to balance the "serious stuff". As always, any input from members is greatly appreciated. So if you have a journalistic bent, want to see your name in print, have moved to a new firm or retired, or if you think that there is something which you could add to the Review, please get in touch.

13. Education & Training Committee

The Committee met 8 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 for each year. There were 7 students enrolled for the second year and a new first year course started with 17 students enrolled on the course.

The Residential Revision Course at Warwick University took place over two weekends in September and was attended by 123 students. The courses covered all trade mark foundation and advanced level examination papers and the majority of 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 examination papers in order to give guidance on examination technique. In total 9 one-to-one consultations were provided in 2006. Feedback on this format of tutoring continues to be extremely positive.

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 and attendees gave the course excellent feedback. This course will be repeated in 2007.

The Committee also ran half day courses on Designs and Drafting which were both fully attended. The Committee will repeat these courses in 2007.

14. Formalities Course Committee

The formalities course continues to be extremely popular with the number of those applying to attend the lectures still exceeding the number of places which can be offered.

The 2006 course was run in three locations, this time in London, Birmingham and Jersey, with the examination having taken place in London and Jersey on 9th June, 2006. Eighty-seven people sat the examination of whom sixty-three were successful. Whilst that is an average pass of 77% it is worth mentioning that the pass rate for those attending the lectures in Birmingham was 100%!

This year the course is to be run in two locations, namely London and York, with the examination to take place in London on 15th June, 2007.

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 number of members need to be reminded more than once before submitting their annual declarations. 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 2005. As a result, a small number of cases will be referred to the Professional Guidance and Disciplinary Committee for possible disciplinary action. One member resigned from the Institute due to CPD non-compliance.

The Committee continues to invite members who are unable to satisfy the CPD requirements in a particular year, and whose membership would therefore lapse, to stay in touch with the Institute by offering them an e-mail subscription to the ITMA Review at a reduced price. It is hoped that in this way more “lapsed” members might be encouraged to return to full membership in the future.

The Committee continues to receive and review requests for accreditation for ITMA CPD points.

David Butler took over from David Crawford as Chair of the Committee with effect from the October meeting. The Committee recorded its warm appreciation of Mr Crawford’s efforts as Chair of the Committee.

16. Laws & Practice Committee

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

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

On Trade Marks Registry Practice, the Committee has been closely involved in the UK Registry’s proposals to change the manner in which relative grounds for refusal (Section 5) are handled. Of the 5 options suggested by the Registry, the Committee favoured Option 5, but also proposed an Option 6 which was felt was a reasonable compromise between the present system and the Registry’s favoured Option 5. At the end of these consultations, the Registry produced a document setting out proposed legislative changes in this area. The major changes proposed are

- (i) the removal of the right of the Office to object to a UK trade mark application on relative grounds at the examination stage;
- (ii) the notification of the owners of all UK prior rights cited in the official search and maintained by the Office after argument/amendment, as well as some owners of CTM prior rights cited in the search and maintained, of the existence of the later UK trade mark application;
- (iii) any opposition brought against a UK trade mark application on relative grounds can only be brought by the owner of a prior right.

The Committee has filed observations accepting (i) and (ii), but seeking to broaden the list of potential opponents.

The Committee has also noted the proposal in the Gower Review that a fast track examination system should be introduced to the UK trade mark process. The Committee is not against this proposal, provided it does not affect the level of service offered to non-fast track applications.

The Committee also noted with approval the proposal, in the Gower Review, to rename the Patent Office as the Intellectual Property Office.

The UK Registry no longer requires a UK address for service for ex-parte proceedings, although such a local address is still required for inter-partes proceedings before the Registry.

The Committee is encouraging the Registry, and the UK Government, to lobby the EU Commission to ensure that the EU wide address for service rule (for ex-parte matters) is applied equally across the EU.

The Committee became very exercised about the Special Effects case and the prospect of estoppel. They believed that the need to introduce the equivalent of Section 72(5) of The Patents Act, which expressly allows an unsuccessful opponent to seek to invalidate a granted UK patent in Court proceedings, into UK trade mark law was evident. Even though the Court of Appeal has now overturned the original Special Effects decision and, with it, the spectre of estoppel, the Committee still intends to take up the Section 72(5) point.

Once again, members of the Committee were heavily involved in the British Day with OHIM in March 2007. Amongst the issues raised were the reliability of the Office's e-filing system and the Office's policy on proof of use, shape marks, claims to class headings, disclaimers and ADR/Mediation.

The Committee also drafted and filed comments on the CTM Office's draft guidelines on examination and opposition practice.

The major issue in the Madrid Protocol is the proposal to remove the requirement of a home registration. This proposal has apparently been put forward by Norway and is not universally welcomed. The Committee will be keeping a watching brief on this proposal.

Committee members continue to attend RPWG meetings on a quarterly basis. The importance of this body in the steady evolution of UK trade mark law and practice cannot be overemphasised.

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 continues to participate in the review of and preparation of formal responses to consultation documents issued by both the Community Designs Office and UK Designs Registry. This year, the Committee continued to work with the UK Registry in relation to the changes to the UK Design Registration system.

Members of the committee have also attended meetings of the UK Design Registry Practice Working Group, as well as the Community Design Office's British Day, at which a number of general issues concerning the registration of UK and Community designs are discussed, as well as the running of the respective offices.

The Committee continues to work to raise the profile of designs amongst ITMA's membership. The autumn conference included a session on designs and the November evening meeting was dedicated to the changes to the UK design registration system. Courses for students were also successful, with the one-day practical course for foundation students being run twice in the year. The Committee have also reviewed the Design & Copyright syllabus and provided comments on this in the Educational Summit held in October 2006.

The Committee contributes regularly to the Copyright and Design section in the Review and continue to work on a designs section of the ITMA website.

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 11 meetings during the year and organised the events mentioned below.

Evening Meetings

- 25 January - Mr. Etienne Sanz de Acedo, OHIM – OHIM's e-business initiative and update on current issues
- 14 February - Mr. Duncan Mee, Cerberus Investigators – “A Peek through the Gates of Hell (notes from an IP Investigator)”
- 28 March - Miss Christy Rogers, 7 New Square - High Court and Court of Appeal Decisions
- 25 April - Mr. Richard Eccles, Bird & Bird - Settlements
- 23 May - Mr. John Groom, Groom Wilkes & Wright LLP – OHIM Decisions on Absolute Grounds
- 27 June - Ms. Felicity Hide, Boulton Wade Tennant – Court of First Instance & European Courts of Justice Decisions
- 25 July - Mr. Eric Ramage, Alexander Ramage Associates – Internet Issues
- 19 September - Mr. Tim Bamford, Withers LLP – Copyright, Effect on Trade Marks & Designs
- 24 October - Mr. Andrew Norris, Hogarth Chambers – Estoppel and the Special Effects case
- 28 November - Ms Imogen Wiseman, fJCleveland & Co. – Designs – New Law

Out of Town Meetings

The following meetings were held:

Leeds

- 22 August Dr. Martin Tongbhoyai, Freischem in Cologne – Community Trade Mark Oppositions and Strategic Settlement Alternatives

Manchester

23 May	Ms. Christy Rogers, 7 New Square – High Court and Court of Appeal Decisions
12 July	Mr. Richard Eccles, Bird & Bird – Trade Mark Dispute Settlement Agreements and Competition Law
12 October	Ms. Felicity Hide, Boulton Wade Tennant – Recent ECJ/CFI Decisions
20 September	Mr. Nick Rudgard, Addleshaw Goddard – Design Protection – Its place In IP Portfolios

Seminars

OHIM/Registry Seminars were given by Mr. Mike Knight, Trade Marks Registry, Richard Thewlis, OHIM and practitioners as follows:-

23 January	London	Mr. Chris McLeod, Hammonds
24 January	Birmingham	Mr. Chris McLeod, Hammonds
25 January	Glasgow	Mr. Christian Finn, Murgitroyd & Co.
26 January	Leeds	Ms. Katy Cullen, Walker Morris

IP Bar Reception

The Reception was this year held at ICI's Manchester Square offices in London and around 40 members of the Bar were entertained by members of the Institute.

Quiz Night

This event moved in 2006 to Penderel's Oak, High Holborn where 18 teams pitted their wits against each other on 21st February and raised £1,082 for charity. The winning team were from R.G.C. Jenkins and their chosen charity was the "Multiple Sclerosis Society".

International Meeting

The International Meeting took place from 22nd – 24th March, 2006 at the Royal Garden Hotel, Kensington.

The speakers at the meeting were:

Ms. Anna Carboni	Mr. Simon Malynicz
Mr. Mark Hiddleston	Mr. Vincent O'Reilly
Mr. Allan James	Mr. Gary Tarrant
Mr. Mike Knight	Mr. Lawrence Weinstein
Mr. Peter Lawrence	Mr. Tony Willoughby
Ms. Lisa Lovell	

Dinner and Dance

The International Meeting was closed by the Annual Dinner and Dance on 24th March at the Royal Garden Hotel. The Institute was honoured by the presence of distinguished guests including:

Mr. Richard Arnold Q.C.
Mr. Keven Bader (DTI)
Mr. Michael Harrison (CIPA)

Mr. Mike Knight (TMR)
Mr. Hans Kunz-Hallstein (GRUR)
Mr. Robin Webb (TMR)

Those present were entertained by Mr. Cliff Kennedy, MacLachlan & Donaldson as the guest speaker, gambling tables and dancing to live music.

Summer Reception

This was held this year at Westminster Boating Base and attended by over 240 people.

Autumn Conference

This was held in Newcastle upon Tyne over 28th – 29th September and was attended by just over 100 delegates. The speakers were:-

Mr. Simon Bentley
Ms. Sarah Byrt
Ms. Catherine Clark
Ms. Francine Lyle
Mr. Roland Mallinson

Mr. Oliver Morris
Mr. Vincent O'Reilly
Mr. Eric Ramage
Mr. Mike Reynolds
Ms. Imogen Wiseman

Christmas Luncheons

The Institute's annual Christmas Luncheon was held on 12th December, again at the Royal Lancaster Hotel, where a record 806 sat down to the traditional Christmas meal.

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

19. Public Relations Committee

2006 was another busy year in Public Relations.

Last year, the PR Committee reviewed the way in which the committee approached PR issues and developed a strategic approach based on four key objectives. This year another objective (2 below) has been added to focus on design issues. The objectives are:

1. increasing awareness of the importance of trade marks and the expertise of members;
2. increasing awareness of the importance of designs and the expertise of members;
3. increasing awareness amongst new UK businesses of the importance of trade marks and the expertise of members;
4. promoting the expertise of members to IP professionals especially those outside Europe; and

5. 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 although for much of 2006 Maggie Ramage assumed the Chair during Mr McKinnon's secondment overseas.

OBJECTIVE 1 - increasing awareness of the importance of trade marks and the expertise of members;

In 2006 we continued our work with University Careers Services. We wrote to every university careers department enclosing copies of our careers leaflet and offered articles and attendance, where possible, at their careers events. Such was the response that the PR Committee, unable to meet all the demand, decided to forward details to local members inviting them to pursue if they wished.

The committee were, however, able to work with university careers departments in London and the South East. Speakers were provided for Bournemouth University, the College of Law Beyond the Bar event, the Inns of Court School of Law event and the Kings College Alternatives to Law seminar. We also attended the Kings College Law Fair.

2006 also saw us become a partner in the British Library's Business and IP Centre. We had several members at the official opening on 8 March at which we also had exhibition stands and leaflets galore.

We also established a working relationship with the Museum of Brands, Packaging and Advertising in Notting Hill. We have created a new coffee table leaflet with them specifically in mind. On one side are examples of trade marks and on the other eight "Golden Rules". In furtherance of our collaboration, one of our receptions at the International Meeting in March 2007 will be held at the Museum.

OBJECTIVE 2 – increasing awareness of the importance of designs and the expertise of members;

ITMA sponsored the Design Week Awards for the first time in 2006. WMH Design won the ITMA sponsored Own Brand Packaging category and were presented with their award by the then President, Stephen James, at a glittering, if noisy, awards ceremony at the Grosvenor House Hotel on 22 March. There was a "Book of the Night" in which ITMA featured and which was included as an insert to the following week's issue of Design Week.

Subsequently we have included a reference to our sponsorship on the front page of the ITMA website, linking to information about designs. The Designs Committee are now working on creating a distinct designs section within the website. We have negotiated extremely favourable advertising rates with Design Week as part of our on-going relationship with the publication and have agreed to sponsor the awards for another two years. In 2007 we shall be sponsoring the Identities Programme.

OBJECTIVE 3 - increasing awareness amongst new UK businesses of the importance of trade marks and the expertise of members;

We have continued our partnership with HM Revenue & Customs who organise Business Advice Open Days. In 2006 we attended 17 Open Days in Liverpool, Birmingham, Swansea, Belfast, Penrith, Aviemore, Esher, Cheltenham, Edinburgh, Bude, Redruth, the Eden Project, Newcastle, Peterborough, Norwich, Llangollen and Manchester. These Open Days provide new and small businesses with free advice and assistance. ITMA is one of ten partners who are supported by local organisations at the events.

ITMA took a stand at the Business Start-up Exhibition at the NEC in June and received between 500 and 600 enquiries on the stand during the two day event.

At the beginning of 2006 we continued working with the Patent Office and CIPA on the Government campaign – What is the Key? This campaign was evaluated and the conclusion drawn that the major benefit was through the programme of regional seminars. Instead of offering IP audits after the events, it has been decided to offer one-to-one consultations with trade mark and patent attorneys at the regional events under what is now generally known as IP Awareness Seminars. This programme commenced in Oxford in the autumn during which two further seminars have been held in Glasgow and London. It will continue throughout 2007.

Individual members continue to take part in local business exhibitions and the Institute was happy to lend stand materials and provide literature for an Eastbourne event in November.

Free trade mark advice clinics at Harmsworth House continued throughout 2006 and go on into 2007 on the first Thursday of alternate months where qualified members offer half hour clinics to members of the public.

Objective 4 - promoting the expertise of members to IP professionals especially those outside Europe;

In September 2005 the first ITMA delegation to the Far East was mounted. In January 2006 another delegation set out for the USA and held seminars in Washington, Chicago, New York, New Jersey, Stamford and Newhaven. The focus of the seminars was on the European Community Trade Mark and Community Design.

In October a further delegation went to Beijing, Osaka and Tokyo where they held 4 seminars and receptions for Chinese and Japanese IP practitioners to talk about trade mark law and practice in the European Union. The programme for the seminars comprised presentations on: shapes as trade marks; evidence of use both before and after registration; grounds and procedures in revocation and invalidation actions; enforcement of prior rights; and European cases on dilution.

In total, the delegation believes they spoke to over 300 people from China and Japan and are hopeful that their efforts have promoted the work of the Institute of Trade Mark Attorneys. At the end of the week they concluded that it may have been exhausting but the visit had been well worthwhile to cement relations between ITMA and sister Institutes in the Far East.

Objective 5 - ensuring that the voice of ITMA is heard and its aims are promoted through good communications.

We continue to issue press releases to trade, national and local media outlets, together with articles. As a direct result of PR activity in 2006 we secured interviews on Channel 4 News; Radio 5 Live; Radio Star, Cheltenham; Sun FM, Sunderland and have been quoted in The

Times, FT and Telegraph; Legal Week, The Lawyer, Law Gazette and IP World; regional newspapers including the Kent Messenger, Edinburgh Evening News and Edinburgh Herald and sundry other publications including Metro, the Church Times and Laundry & Dry Cleaning Today.

We issued 20 Press Releases and seven articles during 2006. Apart from 11 Press Releases concerning attendance at exhibitions these comprised:

ARTICLES AND PRESS RELEASES

Jan	Trade Mark and Patent Attorneys give cautious welcome to proposals on the future of legal services;
March	Trade Mark and Patent Attorneys support new British Library and Business and IP Centre; ITMA's new President aims to enhance the trade mark profession's responsiveness to consumers' needs;
April	ITMA suggests new "lite" trade mark registration;
May	Article: Trade marks – a key to business success;
June	FCUK trade mark not immoral – ITMA comments;
July	Trade Mark and Patent Attorneys welcome active role in judiciary Institutes welcome call for changes to Legal Services Bill;
Aug	Article: How small businesses can make their mark; Article: Protecting your rights overseas;
Oct	Article: Designs for Business Link London; Article: Trade marks for Business Link London; Article: The role of a trade mark attorney;
Nov	Article: Register trade marks and protect corporate identity;
Dec	New name for UK Patent Office welcomed by ITMA.

2007 – A LOOK AHEAD

The PR Committee will continue to work with the Patent Office on IP Awareness campaigns and with HM Revenue & Customs on the programme of Business Advice Open Days. Thanks are due to all the members around the country who have given their time and resources to supporting PR initiatives.

We hope to continue the excellent relationship with CIPA's PR team including their PR Manager, Ted Blake, and officers of CIPA.

We will continue to develop our relationship with the design community and seek to impress upon the design world that ITMA members can help them with their design protection.

We will maintain our partnership with the British Library.

We will continue to develop our international relationships. In particular we shall be working on hosting an event at the British Embassy in Berlin during INTA 2008.

2006 saw 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. Receptions were held in Leeds, Birmingham and Glasgow. These will continue in 2007 and start off with another reception in Bristol in February.

In general the PR Manager, supported by the PR Committee, will seek to 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 Committee continues. In relation to the Trade Mark Hand Book, work is progressing with the next release. Contributions are expected from the contributors by the end of January 2007.

We are also in the process of considering possible new contributors to assist with the publication, in particular for Chapters 103 and 108.

Progress in connection with the publication of the new tutorial work also continues. Manish Joshi is currently reviewing the prepared draft questions. A further batch of these was sent by Mark Hiddleston to Manish Joshi for his review at the beginning of December 2006.

21. Joint Council Meetings

The annual APRAM, BMM, ECTA, GRUR, ITMA, MARQUES meeting was hosted this year by ECTA and held on 3rd March in Girona, Spain. The Institute was represented by Dr. Stephen James, Mr. Philip Harris, Mrs. Gillian Deas and Mrs. Maggie Ramage.

22. Representation of the Institute

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

Inaugural Awards of Managing Intellectual Property	Mr. Philip Harris
Conference of the Institute of Patent and Trade Mark Attorneys of Australia	Dr. Stephen James
ECTA Conference in Warsaw	Mr. Philip Harris
TMPDF's lunch in July	Mr. Philip Harris
Judges' Mess Garden Party	Mr. Philip Harris Mr. Don Turner
Alliance against Counterfeiting Summer Reception	Dr. Stephen James

Throughout the year Ms Linda Bray, Mrs. Angela Fox, Dr. Stephen James and Miss Imogen Wiseman 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.

Mr. Philip Harris, Mrs. Gillian Deas and Mrs. Maggie Ramage attended a number of meetings with the DCA on the Legal Services Bill throughout the year.

23. General Purposes & Finance Committee

The General Purposes & Finance Committee met ten times during 2006.

The Committee continues to investigate the setting up of a benevolent fund which will offer financial assistance to members and their dependents when facing hardship. Lengthy negotiations to join the existing CIPA benevolent fund, which already covers those members of ITMA who are also members of CIPA, came to nothing because the trustees of the CIPA benevolent fund rejected the idea.

The Committee has continued to investigate the possibility of members of the Institute moving from the second to the first tier under the European Community directive on recognition of professional qualifications.

Working in conjunction with the Programme Committee, the General Purposes & Finance Committee, with considerable input from the Trade Mark Registry, in the shape of Mike Knight and Anne Corbett ran two sets of Moots, one in London and one in Leeds during the year. Members, including students, were given an opportunity of presenting or defending, before their fellow professionals, a trade mark opposition case which was then judged by one of the Hearing Officers. The cases all involved real cases on which a decision had not been taken. The Committee are grateful for the assistance of the Trade Mark Registry. It is intended to run further Moots during 2007.

During the year the joint ITMA and CIPA Business Practice Committee did not meet because of the heavy involvement of members in representing the Institute in relation to the Legal Services Bill. It had been hoped that the joint ITMA and Business Practice Committee would be able to endorse joint policies on issues such as money laundering. That has not proved possible and the General Purposes & Finance Committee have therefore adopted guidelines on money laundering which will be applicable to ITMA members.

During 2006 the certification trade mark application for Trade Mark Attorney, filed in the name of the Registrar of Trademarks, was accepted by the UK Trade Mark Registry for opposition purposes.

A second crash course was organised and ran during 2006. The crash course was run by the law school at Nottingham Trent University and is designed, for those who pass the course, to allow experienced practitioners to acquire trade mark litigator's rights.

The litigator's accreditation board (LAB) met a number of times during 2006. They met primarily to consider and validate candidates for the crash course.

During the year the Committee, primarily in the form of the President, the first Vice President and second Vice President were heavily involved in negotiations with the government and lobbying of the government in relation to the Legal Services Bill. This was in conjunction with CIPA and used the expertise and experience of the parliamentary lobbyists A.S. Biss & Co. The lobbying and discussion resulted in significant proposed amendments to the Legal Services Bill, amendments which will if incorporated into the Act, be of significant benefit to members of the Institute. Thanks are extended for the many hours that the First and Second Vice Presidents, the members of the Committee and the President in particular, have spent on this very important matter.

The Committee has been involved also in liaising with and advising the Institute's members in Scotland, via Chris Finn of Murgitroyd & Company, in relation to the issue of the possibility of members in Scotland being granted rights of audience.

On behalf of the Institute the Committee, thanks to all those who served during 2006 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 2006.

24. Professional Guidance & Disciplinary Committee

The Professional Guidance and Disciplinary Committee met on two occasions during the course of the year and considered a handful of complaints none of which proceeded to final consideration and most of which were settled mutually with the assistance of a member of the Committee.

The Committee was pleased to give advice and guidance to several members during the course of the year. Towards the end of the year it also reviewed a draft Code of Conduct in the light of Clementi.

25. Charitable Donations

During the year the Institute made donations for charitable purposes amounting to £2,083.

26. 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.

27. 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 13th February, 2007
and signed on its behalf by**

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