

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 2002

President of the Institute 2002/2003

Mr. I.A. Buchan

Vice-Presidents of the Institute 2002/2003

Mr. N.M. Wilson (*Senior Vice-President*)

Dr. S.R. James (*Junior 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

Past Presidents of the Institute

(Retired from Council)

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

Mr. M.K. Padmore
Marks & Clerk
Alpha Tower
Suffolk Street Queensway
Birmingham
N1 1TT

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

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

COUNCIL OF THE INSTITUTE 2002/2003

President

Mr. I.A. Buchan
Eric Potter Clarkson
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Tel: 0115 955 2211

Senior Vice-President

Mr. N.M. Wilson
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Junior Vice-President

Dr. S.R. James
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26, Caxton Street
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SW1H 0RJ
Tel: 020 7931 7141

Treasurer

Ms. C.T. Bonella
Laughton Ltd
2nd Floor, Rapier House
40-46, Lamb's Conduit Street
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WC1N 3NW
Tel: 020 7025 2390

Past Presidents of the Institute

(who are ex-officio Members of Council)

Mr. D.C. Evans
fJ Cleveland & Company
40-43, Chancery Lane
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WC2A 1JQ
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Mr. B.H. March
Wildbore & Gibbons
Wildbore House
361, Liverpool Road
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N1 1NL
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Mr. J.A. Groom
Trade Mark Owners Association
11th Floor, Sea Containers House
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SE1 9PD
Tel: 020 7902 7100

Mr. J.A. Slater
Marks & Clerk
57-60, Lincoln's Inn Fields
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WC2A 3LS
Tel: 020 7400 3000

Mr. R.C. Abnett
Reddie & Grose
16, Theobalds Road
London
WC1X 8PL
Tel: 020 7242 0901

Elected Members of Council

Mrs. K.L. Burchell*
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Unilever House
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Mrs. G.M. Deas*
D. Young & Co
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Briton Street
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Mr. K.R. Havelock
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21, New Fetter Lane
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Ms. J. Kay*
Marks & Clerk
Alpha Tower
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Mr. D.G. Lyons
Berwin Leighton Paisner
Adelaide House
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Tel: 020 7760 1000

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

Mr. A.V. Clarke*
Marks & Clerk
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London
WC2A 3LS
Tel: 020 7400 3000

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

Mr. R.M. Hiddleston
Clifford Chance
200, Aldersgate Street
London
EC1A 4JJ
Tel: 020 7600 1000

Ms. J.C. Lazenby*
28, Mornington Terrace
Camden Town
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Tel: 020 7388 8506

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

Mr. N.J. Parnell*
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114-118 Southampton Row
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WC1B 5AA
Tel: 020 7400 6260

Mrs. M.A. Ramage*
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20, High Street
Woking
GU21 1BW
Tel: 01483 750501

Mr. G. Tarrant
D.J. Freeman
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London
EC4A 1NA
Tel: 020 7583 4055

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

Miss E.D.M. Rowley**
Marks & Clerk
57-60, Lincoln's Inn Fields
London
WC2A 3LS
Tel: 020 7400 3000

Mr. D.G. Turner
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London
N1 0NG
Tel: 020 7278 2724

Mr. J.M. Wallace*
Boult Wade Tennant
Verulam Gardens
70, Gray's Inn Road
London
WC1X 8BT
Tel: 020 7430 7500

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

Auditors

Sawin & Edwards
15, Southampton Place
London
WC1A 2AJ

Bankers

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

2002

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. Membership

In 2002 172 members were elected, comprising:

2 Honorary	34 Associates
6 Fellows	14 Overseas
17 Ordinary	79 Students
20 Affiliates	

As at 31st December 2002 the Institute's Membership list showed:

9 Honorary Members	213 Associate Members
53 Fellows	383 Overseas Members
476 Ordinary Members	418 Student Members
102 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 1,653.

3. Finance

The year saw a virtual break even in the Institute's income and expenditure with a small loss of £1,538 after taxation.

4. Annual General Meeting

The 67th Annual General Meeting of the Institute was held on 20th March, 2002 when the Statement of Accounts for 2001 and the Report of the Council for the year were adopted. The number of nominations for Council Members was less than the vacancies and the following were declared elected for 2002/2003.

Ms. C.T. Bonella
Mr. K.R. Havelock
Mr. D.G. Lyons
Mr. G. Tarrant
Miss I.O. Wiseman

Mr. P.W. Harris
Mr. R.M. Hiddleston
Mr. G.R. McKinnon
Mr. D.G. Turner

A full list of Council for 2002/2003 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.

5. Election of President and Vice-President

At its meeting on 26th March, 2002 the Council elected Mr. I.A. Buchan as President, Mr. N.M. Wilson as Senior Vice-President, Dr. S.R. James as Junior Vice-President and Ms. C.T. Bonella as Treasurer.

6. Standing Committees

The Standing Committees of the Council were elected at the Council meeting held on 23rd April, 2002. 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 Newsletter & Information and Professional Guidance & Disciplinary Committees) and are as follows:-

Mr. I.A. Buchan	President
Mr. N.M. Wilson	Senior Vice-President
Dr. S.R. James	Junior Vice-President
Ms. C.T. Bonella	Treasurer
Mr. D.C. Evans	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

Mr. R.C. Abnett
Miss I.O. Wiseman

CPD Committee

Officers

Mrs. A.M. Mastrovito
Mr. N.J. Parnell
Mr. G. Tarrant
Mr. G.R. McKinnon

Designs Committee

Officers

Mr. J.A. Groom
Mr. D.G. Lyons
Mr. N.M. Wilson
Miss I.O. Wiseman
Mr. P. Brownlow (Co-Opted)
Mr. T. Pendered (Co-Opted)

Education & Training Committee

Officers

Mr. R.M. Hiddleston
Mr. N.J. Parnell
Miss E.D.M. Rowley
Mr. G. Tarrant
Mr. J.M. Wallace
Miss I.O. Wiseman
Mrs. A. Wong
Ms. H. Bennett (Student)
Ms. F. Cameron (Reps.)
Mrs. E. Hewson (during the
Ms. E. Nicholas (year)

Formalities Course Committee

Officers

Mrs. G.M. Deas
Mrs. A. Wong
Ms. N. Hope (Co-Opted)
Ms. S. Kotecha (Co-Opted)
Mr. R.E. Scott (Co-Opted)
Mr. D. Smart (Co-Opted)

General Purposes & Finance Committee

Officers

Mrs. K.L. Burchell
Mr. P.W. Harris
 Mr. K.R. Havelock
 Mr. B.H. March
 Mr. J.A. Slater

Internet Committee

Officers

Mr. D.G. Lyons
 Mrs. A.M. Mastrovito
 Mr. B.A. Ramage (Co-Opted)
 Mr. N. Wood (Co-Opted)

Laws & Practice Committee

Officers

Mr. A.V. Clarke
 Mrs. G.M. Deas
 Mr. P.W. Harris
 Mr. K.R. Havelock
 Mr. D.G. Lyons
 Mr. B.H. March
Mr. J.A. Slater

Membership Committee

Officers

Mr. A.V. Clarke
 Mr. J.A. Groom
 Mr. P.W. Harris

Newsletter & Information Committee

Officers

Ms. A. Brodie (Co-Opted)
 Ms. S. Dickens (Co-Opted)
 Mrs. A.M.S. Fox (Co-Opted)
 Mr. R.M. Hiddleston
Miss J.C. Lazenby
 Mr. C. McLeod (Co-Opted)
 Mr. J. Setchell (Co-Opted)
 Mr. R. Wilding (Co-Opted)

Council & Committee Meetings

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. As empowered under Article 52(ix) Council appointed Mr. A.V. Clarke and Mrs. M.A. Ramage to fill 2 of the vacancies on Council.

Professional Guidance & Disciplinary Committee

Mr. R.C. Abnett
 Mrs. K.L. Burchell
Mr. P.W. Harris
 Mrs. A.M. Mastrovito
 Mr. D.G. Turner

Programme Committee

Officers

Ms. M. Bagnall (Co-Opted)
 Mrs. K.L. Burchell
 Ms. K. Johnson (Co-Opted)
 Ms. M. Macdonald (Co-Opted)
 Mrs. A.M. Mastrovito
 Mrs. M.A. Ramage
 Mr. P.A. Redman (Co-Opted)
 Miss E.D.M. Rowley
Mr. D.G. Turner

Public Relations Committee

Officers

Ms. J. Kay
 Mr. G.R. McKinnon
 Mr. C. McLeod (Co-Opted)
 Mrs. M.A. Ramage
 Mr. J.A. Slater
 Mr. N. Wood (Co-Opted)

	Council	G P & F	E & T	L & P	Member-Ship	Prog-ramme	Designs	P. R.	CPD	Formal-Ities	Disci-plinary
Abnett R.C.	7(10)	-	-	-	-	-	-	-	-	-	7(7)
Bonella, Miss C.T.	8(10)	5(6)	1(9)	0(5)	-	6(9)	0(1)	2(6)	4(6)	0(7)	1(2)
Buchan I.A.	10(10)	7(10)	7(12)	3(7)	0(6)	8(9)	0(1)	4(8)	0(6)	0(7)	-
Burchell, Mrs. K.L.	7(10)	6(10)	-	-	-	8(9)	-	-	-	-	6(7)
Clarke. A.V. (wef, 23.04.02)	4(7)	-	-	3(3)	4(4)	-	-	-	-	-	-
Crowe, Ms. C.J. (01.01.02 – 20.03.02)	0(2)	-	-	-	-	-	-	0(2)	1(3)	-	-
Deas, Mrs. G.M.	7(10)	-	-	3(7)	2(2)	-	-	-	-	7(7)	-
Evans, D.C.	6(10)	4(10)	7(12)	0(7)	0(6)	2(9)	0(1)	0(8)	0(6)	0(7)	-
Evans, Mrs. G. (01.01.02 – 20.03.02)	0(2)	-	1(3)	0(2)	-	-	-	-	3(3)	-	-
Groom, J.A.	2(10)	2(4)	-	-	4(4)	-	1(1)	0(2)	-	-	-
Harris, P.W.	7(10)	7(10)	-	6(7)	5(6)	-	-	-	-	0(2)	7(7)
Havelock, K.R.	7(10)	10(10)	-	6(7)	-	-	-	-	-	-	-
Hiddleston, R.M.	6(10)	-	8(12)	-	-	-	-	-	-	-	-
James, S.R.	8(10)	9(10)	0(12)	4(7)	0(6)	0(9)	0(1)	0(8)	0(6)	0(7)	-
Kay, Ms.J.	5(10)	-	-	-	-	-	-	6(8)	-	-	-
Lazenby, Miss J.C.	5(10)	-	-	-	-	-	-	-	-	-	-
Lyons, D.G.	6(10)	-	-	6(7)	-	-	1(1)	-	-	-	-
March, B.H.	9(10)	5(10)	0(3)	2(7)	-	0(2)	-	0(2)	0(3)	0(1)	-
Mastrovito, Mrs. A.M.	6(10)	-	-	-	-	7(9)	-	-	3(6)	-	6(7)
McKinnon, G.R.	2(10)	-	-	-	-	-	-	7(8)	3(3)	-	-
Parnell, N.J.	9(10)	-	8(12)	-	-	-	-	-	3(3)	-	-
Ramage, B.A. (01.01.02 – 20.03.02)	1(2)	0(4)	-	0(2)	-	-	-	-	-	-	-
Ramage, Mrs. M.A. (wef 23.04.02)	6(7)	-	-	-	-	2(6)	-	4(5)	-	-	-
Rowley, Miss E.D.M.	6(10)	-	8(8)	-	-	7(9)	-	-	-	-	-
Slater, J.A.	5(10)	1(6)	-	7(7)	-	-	-	2(6)	-	-	-
Tarrant, G.	6(10)	-	6(12)	-	-	-	-	-	3(6)	-	-
Turner, D.G.	10(10)	-	-	-	-	8(9)	-	-	-	-	6(7)
Wallace, J.M.	5(10)	-	6(12)	-	-	-	-	0(2)	-	-	-
Wilson, N.M.	9(10)	10(10)	-	0(7)	0(6)	0(9)	1(1)	5(8)	0(6)	0(7)	-
Wiseman, Miss I.O.	9(10)	-	9(12)	-	-	-	1(1)	-	-	-	-
Wong, Mrs. A.	8(10)	-	12(12)	-	2(2)	-	-	-	-	4(4)	-

- 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 Newsletter & Information Committee holds informal meetings in respect of the publication of most Newsletters, attendance is not recorded and, therefore, not included in the above table.
- (3) Meetings of the Book Committee are concerned with editing the Institute publications. Most of the work is however undertaken outside the meetings and attendance at meetings is also not formally recorded.
- (4) The Internet Committee held most of its meetings over the Internet and, therefore attendance was not recorded and is not included in the above table.
- (5) Members have been co-opted onto Committees and assisted as set out below and Council is very grateful for this assistance.

Designs	Mr. Peter Brownlow Mr. Tim Pendered
Formalities Course Committee	Mrs. Nicola Hope Ms. Sunita Kotecha Mr. Roy Scott Mr. Daniel Smart
Internet Committee	Mr. Eric Ramage Mr. Nick Wood Ms. Jenny Settergren
Newsletter & Information Committee	Ms. Alex Brodie Ms. Sarah Dickens Mrs. Angela Fox Mr. Chris McLeod Mr. James Setchell Mr. Roland Wilding
Programme Committee	Ms. Mary Bagnall Miss Kate Johnson Ms. Morag Macdonald Mr. Philip Redman
Public Relations Committee	Mr. Nick Wood Mr. Chris McLeod

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.

7. 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 March, 2002 as Registrar for a further year, in accordance with The Register of Trade Mark Agents Rules 1990. The Register as at 31st December, 2001 was published and placed on sale in March, 2002 and contained the names of 922 persons.

8. 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, 2002 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, 2001:-

	Candidates	Passes
Paper T1	89	76
Paper T2	80	75
Paper T5	113	91
Paper T3	56	22
Paper T4	128	46
Paper T6	116	43
Law	79	53
D&C	91	57
Paper P1	40	29
Paper P5	42	26
Paper P2	187	87
Paper P3	134	51
Paper P4	86	36
Paper P6	239	93

The Examiners in respect of the 2001 Papers were as follows:

Mr. Mike Abrams	Ms. Alison Cole
Mr. Derek Chandler	Mr. David Crawford
Dr. Rachel Christophers	Mr. Michael Edenborough
Mr. Nigel Frankland	Mrs. Angela Fox
Mr. Roger Grimshaw	Ms. Jacqui Freeman
Mr. Martin Hammler	Mr. Philip Harris
Mr. Steven Jennings	Mr. Mark Hiddleston
Mr. Frank Leng	Mr. Stephen Jones
Ms. Carrollanne Lindley-Vass	Mr. Anthony Luckhurst
Mr. Nick Manley	Mr. Andrew Lyons
Mr. Tony Miller	Mr. Jon Mears
Mr. Peter Oliver	Mr. David O'Connell
Dr. Jacqueline Perkins	Mr. Nigel Parnell
Ms. Lucy Samuels	Ms. Linda Prentice
Ms. Helene Whelbourn	Ms. Stephen Rees
Mr. Ian Wilkes	Ms. Rebecca Tew
Ms. Jandan Aliss	Mrs. Janice Trebble
Mr. Jonathan Clegg	Ms. Imogen Wiseman

9. Examination Awards

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

Payne/Bennett Memorial Award to Angela Thornton-Jackson of D. Young & Co 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 2001.

John Parker Memorial Award to Robert Fender of Urquhart-Dykes & Lord for attaining the highest marks in the Basic United Kingdom Trade Mark Paper held in November, 2001.

Peter FitzGibbon Memorial Award to Gareth Price of Carin Burchell Trade Mark Services for attaining the highest marks in the Basic Overseas Law & Practice Paper held in November, 2001.

Adrian Spencer Memorial Award to James Denness of Abel & Imray for attaining the highest marks in the Advanced Trade Mark Law Paper held in November, 2001.

10. Newsletter & Information Committee

The Committee met 11 times, and produced 11 editions of the News and Information. In addition, there were 2 special supplements, one in May on OHIM decisions and the other in December to catalogue into an index organized by subject matter all reviews of the decisions we have published, together with articles and commentaries on them.

The principal aims throughout the year were to provide members with 1) as comprehensive service as is possible of all recent decisions on UK and European Community law and changes in Registry and OHIM practice 2) coverage of key changes in law in those countries which are of commercial importance for trade with the UK, as well as those which are emerging markets such as South Africa and Russia 3) coverage of the Institute's own activities and successes.

With the seemingly ever increasing number of decisions from the ECJ, 1) remains a challenge and Wragge & Co remain ever reliable in alerting us to them. Thanks to Chris McLeod and Aaron Wood, who are both fluent French speakers (Chris also speaks German), members have the benefit of reviews of decisions handed down in these languages without the long wait of sometimes years before they are officially translated into English. Tom Carl also deserves special mention, for continuing to produce such excellently written and well researched reviews of ICANN and Nominet decisions. Steve Rowan's "A week in the life of a UK Hearing Officer" was one of our more popular contributions for 2002, and out of it grew the idea for a similar piece from Wouter Verbourg on a week in the life of an OHIM opposition examiner. We remain grateful for the information and assistance we receive from all the Registry and OHIM staff. Cara Baldwin and Elena Nicholas, Student Representatives to the E&T Committee, were two of our most consistent contributors, as was Angela Fox, who provides all the reports of Laws & Practice Committee Meetings. James Setchell deserves praise for his work in compiling the Index by subject matter.

With the trade mark and domain name decision service now well established, we have been able to expand our list of subjects and contributors. Mayer Brown Rowe & Maw now provide a watching brief on competition law affecting trade marks, and Bristows contribute reviews and commentaries on copyright, including a very comprehensive review of the effects on UK law of the Copyright Directive. Jane Mutimear, President of the IP constituency of ICANN, also provides very valuable insight on domain name issues.

As for 2) the number of overseas practitioners who wish to contribute to our Letter from.... series continues to grow, so much so that, if we did not restrict the number of countries we cover, our reporting of overseas law would soon swamp our coverage of the Institute's events!

Which leads to 3). It has been suggested that each of the Institute's sub committees which report to Council nominate one person who will be responsible for providing information on that committee's activities to the Newsletter committee. It is hoped that this will facilitate members being more aware of the activities undertaken by the Institute on their behalf.

Plans to engage the services of a designer to better produce the layout of the News and Information each month have had to be shelved, pending approval of the additional costs involved. Meantime, for reasons of cost and expediency, there was a test in the August edition combining the two sections into one, and we have continued to combine them ever since. House Style guidelines have also been produced, one of the key advantages of which will be to facilitate the preparation of Indexes in future years.

A full list of all our contributors is at the foot of the 2002 Index. We are grateful to you all.

11. Education & Training Committee

The Committee met 12 times during the year.

Between July-November the first year of a two-year Advanced Trade Mark course took place in conjunction with Queen Mary College with 8 one-day sessions. 22 students enrolled for the course.

The extended tutorial programme provided six tutorials (two for each Advanced examination paper) for each student who applied. The tutorial pack was updated with up-to-date examination material.

The Residential Revision Course at Warwick University took place over two weekends in September.

The Committee gave two evening presentations on examination technique to tutors and examiners, and produced a written document on examination technique.

The Committee has been charged with setting up a course on Advocacy and Evidence for Members of the Institute.

The Sherr Report on the Educational Review was issued just before the end of the year. A sub-Committee was set up to review its proposals.

12. Formalities Course Committee

The Formalities Course was run, once more, during the year 2002. 34 students attended the course and the examination was passed by 28 candidates giving a pass rate of 82%.

The London based Formalities Course for 2003 will commence on 8 January, 2003 finishing on 30 April. On 14 May, 2003 there will be a trip arranged to the Patent Office at Newport for those students interested in visiting the Trade Marks Registry. The examination is scheduled for 6 June, 2003 and the cost for this course, which includes the examination fee, has remained at £250.

During the course of 2002, the Committee was approached by a representative from the north of England who enquired as to the feasibility of setting up a concurrent course in the north for those students who find it difficult to travel to London. Following approval from Council, a course for the year 2003 has been set up and will commence on 15 January 2003 finishing on 6 May. The course will be based in Leeds, Yorkshire. The sessions in the north of England will be held one week after each session held in London to enable the Committee to furnish the Committee member in the north with copies of the London hand-out prior to the northern session. This is particularly important as the exam will be based purely on the course hand-outs so that it is essential that all candidates from both the north or from the south will be receiving exactly the same information. The examination will be held for both the northern based course and the London based course in London.

Once more, the course has proved to be extremely popular and, as in previous years, was oversubscribed for the year 2003.

13. Continuing Professional Development Committee

Compliance was high for the year ending 2001. Most members managed to achieve the required points without difficulty. The Committee continues to take a lenient view of non-compliance where members sufficiently explain their circumstances.

To assist members in small companies and practices who cannot afford to attend private conferences to earn points, the number of free London Evening Meetings which each attract two CPD points was increased to ten per year in 2001. That programme continued in 2002.

Members in Birmingham, Bristol, Glasgow, Leeds and Manchester are also encouraged to hold their own meetings. Some speakers repeat their London talk and others are chosen locally. Members in Leeds run the most successful group and hold at least five meetings a year. The other regions also hold meetings and the Committee continues to encourage them to match the Leeds group's achievements.

Despite the greatly increased numbers of free talks, some members still have difficulty in achieving the necessary CPD points, particularly if they are based outside the above regional centres or have commitments which make evening attendance difficult. Following a survey of members and discussion at the Open Meeting a two year experiment of filming the London Evening Meetings was introduced in June 2002. Members can access the soundtrack from the ITMA web site or buy videos of the talks at cost from the Secretary. They earn 2 CPD points by listening/watching with at least one other member and then discussing the talk.

Of the 11 members originally referred for non-compliance in 2000, only 4 became the subject of formal complaints. Slightly fewer will be referred for non-compliance in 2001.

14. Laws & Practice Committee

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

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

On Trade Marks Registry practice the committee has reviewed a range of practice amendment notices and submitted views to the Registry. The future of official examination on relative grounds has remained under review but there have been no further developments in the course of this year.

In March, David Evans (President), Ian Buchan (Senior Vice-President), Steve James (Treasurer), Phil Harris and John Slater represented the Institute as part of a British group which met with the OHIM in Alicante to discuss OHIM. The Trade Marks Registry was represented by Peter Lawrence (Assistant Registrar), Phil Lewis, Richard Dickinson and Lynda Adams. The OHIM was represented by Wubbo De Boer (President), Alexander von Muhlendahl (Vice President for legal Affairs) and Alberto Casado (Vice President for technical and administrative affairs) and some 15 other OHIM officials. The meeting began with an update from the Office and a review of practice and procedures, classification, opposition and Boards of Appeal issues. There was also a presentation from Paul Maier (Head of Designs Division) on the forthcoming CTM Designs Regulation.

Members of the committee have represented the Institute at the Registration Practice Working Group meeting which operates as a quarterly forum for discussing issues affecting any aspect of policy or practice of the Trade Marks Directive. The following are some of the more important topics which have been discussed:

Electronic filing
Electronic journal
New oppositions procedures
Costs in Trade Mark Registry proceedings
Address for service
Extension of time requests
Possible revision of periods of time for reply to official objections
Series marks

The committee also made submissions to the Council on Tribunals on a draft framework of standards for tribunals and received a letter from the Council thanking it for its helpful contributions.

The committee is also working with the Trade Marks Registry to set up another British day in Alicante for March 2003.

15. Designs Committee

The Designs Committee met twice during the year. The emphasis of the Committee during the year has been on the introduction of the Community Design system and the first meeting of the year was a joint meeting with the CIPA committee. The joint meeting was to finalise a joint submission on the draft registered Community Design implementing regulations for the system which is now in place and the first applications for registration will be dated 1st. April, 2003.

The Committee has also been concerned with assisting the PR Committee in the preparation of guidance leaflets on both UK and Community Designs and those leaflets are now available from the Institute office and are on the web site.

Finally, members of the Committee have represented ITMA at the quarterly Registry Working Group Meeting on Designs, where the Registry consults on various ongoing Designs matters.

16. Programme Committee

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

Evening Meetings

- 15 January - The Honourable Sir Hugh Laddie spoke to members at a Dinner Meeting at the Renaissance London Chancery Court Hotel.
- 12 February - Mr. Gavin Hyde-Blake of Carratu International spoke on Professional IP Investigations in the 21st Century.
- 26 March - Mr. George Matveyev from Russia spoke on Trade Marks in Russia - The Post Soviet Saga.
- 23 April - Ms. Clare Algar of Collyer Bristow, Mr. Tim Ludbrook, Barrister and Mrs. Alice Mastrovito of Mastrovito & Associates discussed Daimler Chrysler v. Alavi.
- 28 May - Ms. Vanessa Marsland of Clifford Chance gave a review of the provisions of the Information Society Directive and recent decisions in Europe and the US on whether use of a trade mark and foreign website constitutes infringing.
- 25 June - Talk on Recent Registry and High Court Decisions by Ms. Carrollanne Lindley-Vass of Kilburn & Strode and Mr. Tim Ludbrook, Barrister.
- 23 July - Mr. Gary Tarrant of D.J. Freeman spoke on Bad Faith and Dishonesty.
- 7 September - Mr. Simon Thorley Q.C. Appointed Person on Some Recent Decisions.
- 29 October - Mr. Jeremy Pennant of D. Young & Co spoke on OHIM Decisions

26 November - Mr. Cerryg Jones of Wragge & Co spoke on Nominet Dispute Resolution Service.

Evening Meetings commencing June 2002 have been filmed – see CPD Committee Report earlier.

Out of Town Meetings

The following meetings were held:

Leeds

12 November - Presentation by the Trade Marks Registry on Electronic Filing.

Members in alternative venues also arranged local meetings of their own.

The Committee acknowledges and welcomes the Registry's Seminars, talks, etc. and their co-operation in arranging dates in London and around the country.

Seminars

14 October - Seminars on Community Registered Designs with Mr. Paul Maier and Ms. June Davies of OHIM and Mr. Keith Hallinan of Unilever Research were held in both Birmingham and London on consecutive days. These seminars attracted just about 200 attendees.

15 October -
5 November - A joint ITMA/INTA Round Table Meeting was held in London. Mr. Jeremy Pennant of D. Young & Co, Mr. Alan James of the Trade Marks Registry, Ms. Claire Wilson of Wilson & Berthelot, Paris and Mr. Roland Mallinson of Linklaters spoke on "Geographical Indications".

28 November - A meeting on "Registration – a devalued currency" was attended by approximately 100 people. Speakers were Ms. Margaret Lewis of Stephenson Harwood, Ms. Cecille Guillemard of Procter & Gamble, Paris, Mr. James Frost of Unilever and Ms. Lindsay Lane, Barrister of The Chambers of Mr. Mark Platts-Mills Q.C.

Quiz Night

This event was again held in Corts Wine Bar in Chancery Lane on 19th February where a further 24 teams pitted their wits against each other and raised just over £1,500 for charity. The winning team came from Taylor Joynson Garrett and their chosen charity was Cancer Research U.K.

International Meeting

The International Meeting took place from 20th – 22nd March, 2002 at the Royal Lancaster Hotel. The meeting was immediately preceded by the Institute's Annual General Meeting and open meeting.

The speakers at the meeting were:

Dr. Alex von Muhlendahl, OHIM
Mr. Tim Gadsby Peet (UK)
Mr. Debrett Lyons (UK)
Mr. Aidan Clarke (Alicante)
Mr. David Minto (UK)

Mr. Mike Knight (UK)
Ms. Deborah Brincat (France)
Mr. Todd Bontemps (USA)
Dr. Martin Viefhues (Germany)
Mr. Daniel Alexander (UK)

Dinner and Dance

The International Meeting was closed by the Annual Dinner and Dance on 22nd March, 2001 at the Royal Lancaster Hotel at which the chief guest was Ms. Linda Smith. The Institute was honoured by the presence of other distinguished guests including:

Judge Michael Fysh, Q.C.
Mr. Cliff Kennedy, President, Association of Patent and Trade Mark Agents Ireland
Mr. Alan Cox, Chairman PTMG
Mr. Gerard van Hulst, President BMM
Mr. Peter Lawrence, Director Trade Marks & Designs
Mr. Mike Knight, Trade Marks Registry

Summer Reception

Around 280 people attended this event held on HMS Belfast on the Thames.

Autumn Conference

This was held this year in Amsterdam over the 26th/27th September, 2002. Those speaking were:

Ms. Sarah Dickens (UK)
Dr. Stephen James (UK)
Ms. Cathy Connolly (UK)
Ms. Sarah Byrt (UK)
Mrs. Katrina Burchell (UK)
Ms. Morag Macdonald (UK)

Ms. Grace Smith (Ireland)
Mr. Joris Van Manen (Netherlands)
Ms. Susanne Karow (Germany)
Ms. Astrid Johnsson (Sweden)
Ms. Julia Holden (Italy)

Christmas Luncheons

The Institute's annual Christmas Luncheon was again held at the Royal Lancaster Hotel on 10th December where 717 sat down to the traditional Christmas meal.

As in previous years the members in the North of the country held a Christmas lunch at the Palace Hotel, Manchester on 12th December which had 70 attendees, including the President who represented the Council.

17. Public Relations Committee

Julie Kay has chaired the PR Committee throughout 2002. Thanks to her efforts, and the support of the entire committee and the PR Manager, Ken Storey, awareness of trade marks and the promotion of the profession has continued unabated. There has also been a major push on improving communication with the membership through the Institute's website – www.itma.org.uk - and also by improving the publicity materials available to members.

Articles and Press Releases

The Institute was commissioned to write articles for the Yorkshire Post and the Western Mail, the International Chamber of Commerce Handbook and the Manchester, Birmingham and Nottinghamshire Chambers of Commerce. PR Committee members have also been looking at specialist trade magazines including The Grocer, Drapers Record and Design Week with a view to writing articles slanted towards their readers' interests.

Press releases issued in 2002 consisted of:

- Feb: ITMA calls for fully searchable Whois database
- Mar: Press invitation to International Meeting
- Mar: New President sets out aims for Presidency
- Apr: ITMA welcomes budget proposals to give tax relief on IP
- May: Invitation to visit exhibition stand at Business Wales
- Jun: ITMA calls for ICANN to produce model registration systems
- Oct: Invitation to visit exhibition stand at Business Start-up exhibition
- Nov: Shortlist for project to increase awareness of trade marks

Media Interest from PR Initiatives

As well as the articles mentioned above, the Institute's press releases attracted attention from local media throughout the UK; particularly in those areas of direct relevance - notably exhibition locations and the President's local media. In addition the Institute's press releases, or spokespeople, were quoted directly in the Financial Times, the Times, Telegraph and Daily Express; often several times.

The President gave an interview to a tape-recorded business magazine - Red Tape - designed for business people on the move and, in his absence, the Senior Vice President, Nick Wilson, was interviewed live on BBC News 24 concerning the ECJ Arsenal ruling. The President also briefed the Press Association and the BBC on the Remington decision.

In order to ensure the Institute's messages are conveyed effectively to the broadcast media (TV and Radio) the Institute's officers have received media training.

Several stories attracted significant media attention. In addition to those already referred to, the Tesco – Levi case continued to receive a lot of coverage but perhaps the most news surrounded the case of Posh Spice and Peterborough United FC concerning the word 'POSH'. This all helps to push trade marks into the public consciousness.

Institute Literature

The PR Committee produced the following new Institute Leaflets in 2002:

UK Designs
Community designs
Domain Names
PLUS

Briefing Paper - The Madrid Protocol:
Briefing Paper - The Community Trade Mark:

and two Fact Sheets;
UK Trade Marks; and
Domain Names - Fact Sheet

These join the leaflets on

Trade Marks – An Introduction;
Best Practice on Trade Mark Use and;
A Career in Trade Marks;
plus two other Fact Sheets on:

Trade Marks and Trade Mark Attorneys; and
Trade Mark Protection: Points to Remember which were sent out at the end of 2002.
This completes the first stage of a new “family” of ITMA literature which can be used for publicity purposes by the Institute and the membership

The Institute’s Website – www.itma.org.uk

The site continues to grow and regularly receives over 300,000 hits a month from 9,000 different users. This is good news for advertisers who fall into three categories; job advertisers; trade mark attorney firms included in the public area; and allied services whose advertisements appear in the members only area. These provide a small income but basically run on a not-for-profit basis.

In order to ensure the website meets visitor needs an on-line survey was mounted in November but drew only a handful of responses. It would be nice to assume this meant all visitors were happy but the return was probably too small to draw such a definitive conclusion.

Every effort is made to ensure the information is current and major court decisions are put on as soon as possible with links from the front page scrolling bar direct to the ruling. Individual committees have also taken responsibility for updating their own sections and this is particularly evident with CPD who have made recordings of evening meetings available through the website and E&T who put up information for students on a regular basis.

Careers Fairs and Exhibitions

The Institute again attended a careers fair at Kings College, London and the Law Fair at QMW; both of which were well attended.

The Institute's exhibition stand was taken to the Business Wales Exhibition in Cardiff and to the Business Start-up Exhibition in London's Docklands.

Much planning has already gone in to the Institute's exhibition stand at INTA 2003 in Amsterdam in May 2003 and further exhibitions and careers events are already scheduled. A new programme has been introduced with the assistance of the Trade Marks Registry who have encouraged ITMA to join with them in attending a series of one day business advice days, run by Customs and Excise. This begins early in 2003.

New Project: Trade Mark or Trade Loss

During 2002 a drop in the number of trade mark filings was identified and a working party set up to consider the Institute's response. As for the PR Committee, they recommended a specific project be set up to inject a new energy into the programme of increasing awareness of trade marks and the importance of using a registered trade mark attorney.

After a competitive tender process, the Communications Consultancy firm of Luther Pendragon were appointed, with the ITMA Council's approval, and will mount a project running from February to June 2003.

External Relations

The PR Committee recommended that the Institute become a member of the Alliance Against Counterfeiting and Piracy who were instrumental in securing the successful passage of a Private Members Bill in 2002. This is an influential lobbying organisation who, it is hoped, can help the Institute develop its external relations and influence Government policy. Council agreed and ITMA's formal membership commences on 1 January 2003 although a representative has attended meetings in 2002 as an observer.

18. Book Committee

The main work of the Book Committee in 2002 has been the preparation, in conjunction with the joint editors CIPA, of the two half-yearly updates to the Community Trade Marks Handbook. As decisions continue to emanate from OHIM in great numbers, the monitoring of these as well as decisions of the CFI and ECJ has become a major task. The updates this year included complete reissuing of several major chapters, including those on absolute grounds of objection and the three chapters on oppositions. In respect of the latter, particular thanks are due to Jonathan Clegg and Imogen Wiseman of fj Cleveland & Co. who have put in an enormous amount of work. Sales of the Handbook have exceeded expectations, and demand for the work remains high. Several favourable reviews have been published including one from the International Trademark Association, INTA.

The Institute has continued to edit, also in conjunction with CIPA, the UK Trade Marks Handbook. The Committee has in the past had to concern itself very little with this publication, because Penny Nicholls, as joint general editor has done such an excellent job that no further review has been necessary. At the end of the year she decided that the time had come to retire from this position. The Institute is very grateful indeed for the nearly 10 years that she has been general editor and has put so much into the book, which is now established as

the only effective practitioner's handbook on UK Trade Mark Law and Practice. In December Penny was given a presentation at the Christmas lunch in recognition of her work.

At the end of the year the Committee, together with the Designs Committee, has turned itself towards the publication, again in conjunction with CIPA, to a similar practitioner's handbook on the new Community Design. This will draw to a considerable extent on the CTM Handbook. The Committee has also been reviewing the various manuals published by CIPA with a view to these becoming a joint publication; this involving some repositioning of the publications in the market place so that they are of real assistance to students of this Institute.

19. Internet Committee

Over the past twelve months, the Committee has kept abreast of, and made its contribution to, a number of national and international initiatives. At a domestic level, it continues in a close working relationship with Nominet, the body which regulates the .uk name space. Meetings with ITMA took place to discuss, amongst other matters, proposed changes to Nominet's WHOIS information and balance the interests of those with privacy concerns with the rights of brand owners. In collaboration with the Programme Committee, an evening lecture was given on cases decided under Nominet's Dispute Resolution Service. At the international level, the Committee has tracked the developments of .eu and .pro, keeping the membership informed as necessary through the medium of the monthly Newsletter. The Committee made representations in relation to the IP protective measures which should be incorporated into the .eu framework. Finally, lectures are planned for April 2003, covering the day to day business of registering, transferring and renewing domain names, together with a second lecture on the construction and mechanics of claims of abusive registration under both Nominet's DRS and ICANN's UDRP.

20. Joint Council Meetings

This annual meeting between APRAM, BMM, ECTA, GRUR and ITMA, was held in Amsterdam over the period 20th/21st October, 2002. This year it was hosted by APRAM and Mr. Ian Buchan, President represented the Institute.

21. Representation of the Institute

Mr. Ian Buchan, Dr. Stephen James, Mr. David Evans, Mr. Philip Harris and Mr. John Slater represented the Institute at the British Day at OHIM in Alicante in March.

Throughout the year the Institute was represented at the Registration Practice Working Group by Mr. Ian Buchan, Mr. Brian March, Mr. John Slater, Mr. Debrett Lyons and Dr. Stephen James.

The Institute was also represented at various Designs Registry Working Group Meetings with the Patent Office by Mr. Nicholas Wilson, Mr. Debrett Lyons and Miss Imogen Wiseman.

The President, Mr. Ian Buchan represented the Institute at the Irish annual Dinner in Dublin in April.

Mr. Richard Abnett represented the Institute at CIPA's President's Dinner in London in May.

Dr. Stephen James represented the Institute at the Launch of the Innovation Logbook by Lord Sainsbury in June.

Mr. Buchan represented the Institute at ECTA's 21st Annual Conference in Finland in June.

Again, in June Mr. Buchan attended The Trade Marks Patents and Designs Federations Annual Lunch in London.

Mr. Buchan was also invited to, and attended, the Institute of Company Accountants Founders' Lecture also in June.

Mrs. Anne Wong, Council Member represented the Institute at the Official Launch of IP Wales in July.

In October, Mr. Buchan represented the Institute at the Intellectual Property Institute of Canada's Annual Meeting in Ontario.

22. General Purposes & Finance Committee

The General Purposes & Finance Committee met ten times during 2002. Among the items dealt with were:

-the Institute's Application for Authorised Body Status under The Courts and Legal Services Act, 1990. Progress continues, albeit at a slower pace than we would like, but it is hoped that the final hurdles will shortly be overcome. The Legal Services Consultative Panel concluded its review and this was broadly favourable but highlighted a number of specific areas of concern, such as accounts procedures, conflict rules and the scope of the right to be granted as regards non-trade mark matters. The Office of Fair Trading report was in favour. Discussions continue with the Lord Chancellor's Department with a view to finalizing the application for approval before the Summer.

-at the same time, the possibility of extending the jurisdiction of the Patent County Court to include trade marks is under active consideration within Intellectual Property Policy Directorate and the Lord Chancellor's Department; we are working with these organisations to determine how this can best be achieved having regard to the need for universal rights of audience for ITMA Members.

- the Institute office. The lease on the Institute office was duly renewed. Computer/ email systems are being upgraded, and a colour printer has been acquired. Providing support to the JEB continues to be a serious drain on resources and this is being examined further. There have been some recruitment difficulties but these are being addressed. Work is also underway to improve the database on the Website.
- An application has been filed to protect ITMA – PROFESSIONALS PROTECTING BRANDS in the UK.
- the Intellectual Property Advisory Committee; the Committee was addressed by two members of IPAC as to the role of that body and we shall continue to ensure that the

Institute's views are put forward. It is hoped to secure the appointment of a representative when the first vacancies arise in 2004.

- Joint CIPA/ITMA Disciplinary Review Committee; this Committee prepared a draft set of procedures which have been remitted to both Institutes for consideration and to the Legal Services Ombudsman for her comments. It is expected that further work shall be needed ;
- CP07/02 – In the Public Interest? The committee submitted a detailed response to the Lord Chancellor's consultation paper on multi-disciplinary practices and privilege.
- Alliance Against Counterfeiting & Piracy; The Committee approved membership of this body;
- Future of the Profession/drop in trade mark filings; the Committee continues to liaise with the Working Party on this important issue.

The General Purposes & Finance Committee has again had a busy year and this looks set to continue. On behalf of the Institute, the Committee thanked those members of Council who have served on General Purposes & Finance Committee during 2002 and for all their help.

23. Professional Guidance & Disciplinary Committee

This Committee has taken a number of important steps, to improve complaints handling and reporting to Council. First, it now provides a regular report to Council on its activities. Secondly, it has put in place a comprehensive complaints procedure.

A review of the Code of Practice is now under way. It is also expected that changes to the Disciplinary Articles shall be put forward in February 2003 to allow for more effective and wide-ranging disciplinary sanctions. In addition, the Committee changed its title so as to reflect its general role in giving advice as to conduct and, has published Articles in the Newsletter regarding topical or important conduct issues.

The number of complaints has been growing steadily but much of this can be accounted for by CPD referrals. Most cases have been successfully dealt with under the new case management system and no cases have yet been referred to Council.

The Committee has had a very busy year and the Chairman would like to express his thanks to all those concerned.

24. 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.

25. 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.

26. Charitable Donations

During the year the Institute donated £20,000 to the Intellectual Property Education Trust, a U.K. registered charity.

**Approved by the Council on 18th February, 2003
and signed on its behalf by**

**Mrs. Margaret J. Tyler
Secretary**