

# **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 2004

### **President of the Institute 2004/2005**

Dr. S.R. James

### **Vice-Presidents of the Institute 2004/2005**

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

Mrs. G.M. Deas (*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

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

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

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

## COUNCIL OF THE INSTITUTE 2004/2005

### President

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

### Junior Vice-President

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

### Senior Vice-President

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

### Treasurer

Mrs. G.M. Deas  
**from 01.01.04 – 24.03.04**

Mrs. M.A. Ramage  
Alexander Ramage Associates  
20, High Street  
Woking  
GU21 1BW  
**Tel:** 01483 750701  
**w.e.f. 27.04.04**

### Past Presidents of the Institute

*(who are ex-officio Members of Council)*

Mr. I.A. Buchan  
Eric Potter Clarkson  
Park View House  
58, The Ropewalk  
Nottingham  
NG1 5DD

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

Mr. D.C. Evans  
More Place  
Betchworth  
Surrey  
RH3 7AD  
**Tel:** 01737 843794

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

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

## Elected Members of Council

Ms. R. Ambrose\*  
Clifford Chance  
10, Upper Bank Road  
London  
E14 5JJ  
**Tel:** 020 7006 1000

Ms. C. Ayers  
Williams Powell & Associates  
Morley House  
26-30, Holborn Viaduct  
London  
EC1A 2BP  
**Tel:** 020 7936 3300

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

Mr. D.G. Crawford\*  
Shell International Ltd  
IPL/3 Intellectual Property Service  
Shell Centre, P.O. Box 662  
London  
SE1 7NA  
**Tel:** 020 7934 5910  
**w.e.f. 29.06.04**

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

Ms. J. Kay\*\*  
Marks & Clerk  
Alpha Tower  
Suffolk Street Queensway  
Birmingham  
B1 1TT  
**Tel:** 0121 643 5881

Mr. D.G. Lyons  
P.O. Box 663  
Forestville  
NSW 2087  
Australia  
**From 01.01.04 to 31.03.04**

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

Mr. N.J. Parnell  
Barlin Associates  
Barlin House  
Throwley Way  
Sutton, SM1 4BF  
**Tel:** 020 8770 1901  
**From 01.01.04 – 25.05.04**

Mr. N.F. Preedy\*  
HallMark IP Limited  
11<sup>th</sup> Floor Sea Containers House  
20, Upper Ground  
London  
SE1 9BS  
**Tel:** 020 7902 7100  
**w.e.f. 29.06.04**

Mr. J. Reddington\*  
Jones Day  
21, Tudor Street  
London  
EC4 0DJ  
**Tel:** 020 7039 5959  
**w.e.f. 07.04.04**

Ms. C.H. Stirling\*\*  
Frank B Dehn & Co  
179 Queen Victoria Street  
London  
EC4V 4EL  
**Tel:** 020 7206 0600

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

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

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

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

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

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

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

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

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

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

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

## **Secretary**

Mrs. M.J. Tyler, MBE

## **Auditors**

Sawin & Edwards  
15, Southampton Place  
London  
WC1A 2AJ

## **Bankers**

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

Lloyds TSB Bank plc  
95, George Street  
Croydon  
Surrey  
CR9 2NS  
**w.e.f. April 2004**

## **Registered & Administrative Office**

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

# THE INSTITUTE OF TRADE MARK ATTORNEYS

2004

## 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 Nicholas Wilson, Alan Cox and Laurence Shaw during the year.

## 3. Awards

The Secretary, Margaret Tyler, was honoured with the award of the MBE in the Queen's Birthday Honours for her long and tireless service to Trade Marks. Margaret was subsequently presented with the award at Buckingham Palace in October.

## 4. Membership

In 2004 192 members were elected, comprising:

3 Fellows	32 Associates
22 Ordinary	34 Overseas
9 Affiliates	53 Students

As at 31<sup>st</sup> December 2004 the Institute's Membership list showed:

9 Honorary Members	242 Associate Members
52 Fellows	374 Overseas Members
463 Ordinary Members	385 Student Members
93 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 1,609.

## 5. Finance

The year saw an improvement in the Institute's financial reserves by £63,212 to £994,367.

## 6. Annual General Meeting

The 69<sup>th</sup> Annual General Meeting of the Institute was held on 24<sup>th</sup> March, 2004 when the Statement of Accounts for 2003 and the Report of the Council for the year were adopted. In the ballot for the election of Council Members the following were declared elected for 2004/2006:

Ms. C. Ayers	Mr. C.J. McLeod
Mr. K.R. Havelock	Mr. G. Tarrant
Mr. P.W. Harris	Mr. D.G. Turner
Mr. R.M. Hiddleston	Ms. I.O. Wiseman
Mr. D.G. Lyons	Ms. C.A. Wolfe
Mr. G.R. McKinnon	

A full list of Council for 2004/2005 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 30<sup>th</sup> March, 2004 the Council elected Dr. S.R. James as President, Mr. P.W. Harris as Senior Vice-President, Mrs. G.M. Deas as Junior Vice-President and Mrs. M.A. Ramage was elected Treasurer at Council's meeting on 27<sup>th</sup> April, 2004.

## 8. Standing Committees

The Standing Committees of the Council were elected at the Council meeting held on 27<sup>th</sup> April, 2004. The President, the two Vice-Presidents, the Immediate Past President and the Treasurer of the Institute are ex officio Members of each Committee (except the ITMA Review and Professional Guidance & Disciplinary Committees) and are as follows:-

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

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

### **Book Committee**

Officers

Ms. R. Ambrose

*Mr. R.M. Hiddleston*

Mr. J. Reddington

Miss I.O. Wiseman

### **Designs Committee**

Officers

Ms. C. Ayers

Mr. J. Reddington

*Miss I.O. Wiseman*

**Education & Training Committee**

Officers  
Ms. R. Ambrose  
Mr. R.M. Hiddleston  
Ms. C.H. Stirling  
*Mr. G. Tarrant*  
Miss I.O. Wiseman  
Mrs. A. Wong  
Ms. H. Bennett ) Student  
Ms. F. Cameron ) Representatives  
Ms. M. Moloney )  
Ms. E. Nicholas )

**General Purposes & Finance Committee**

Officers  
*Mr. I.A. Buchan*  
Mr. K.R. Havelock  
Mr. B.H. March  
Mr. J.A. Slater  
Mr. D.A. Welch

**Internet Committee**

Officers  
*Mr. I.A. Buchan*  
Mrs. A.M. Mastrovito

**Laws & Practice Committee**

Officers  
Ms. C. Ayers  
Mr. A.V. Clarke  
Mr. D.G. Crawford  
Mr. J.A. Groom  
Mr. K.R. Havelock  
Mr. B.H. March  
*Mr. J.A. Slater*  
Mr. J.M. Wallace  
Dr. C.A. Wolfe

**Membership Committee**

Officers  
*Mr. A.V. Clarke*  
Ms. C.H. Stirling  
Mr. J.M. Wallace

**Litigators Accreditation Board**

Officers  
Mr. M. Edenborough  
Miss S.A. Lambeth  
*Ms. M. Macdonald*  
Mr. C. Ryan  
Mr. J.A. Slater

**Formalities Committee**

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

**CPD Committee**

Officers  
Ms. R. Ambrose  
Ms. C. Ayers  
Mr. D.G. Crawford  
*Mrs. A.M. Mastrovito*  
Mr. G.R. McKinnon  
Mr. N.F. Preedy  
Mr. G. Tarrant

**Professional Guidance & Disciplinary Committee**

Mr. K.R. Havelock  
*Mr. B.H. March*  
Mrs. A.M. Mastrovito  
Mr. D.G. Turner

**Programme Committee**

Officers  
Mr. J.A. Groom  
Mrs. A.M. Mastrovito  
*Mr. D.G. Turner*  
Mr. D.A. Welch

**Public Relations Committee**

Officers  
*Ms. J. Kay* until 22.10.04  
*Mr. G.R. McKinnon* w.e.f. 22.10.04  
Mr. C.J. McLeod  
Mr. D.A. Welch  
Dr. C.A. Wolfe  
Mrs. A. Wong

**ITMA Review Committee**

Officers  
Mrs. A.M. Mastrovito  
*Mr. C.J. McLeod*  
Mr. N.F. Preedy  
Mr. J. Reddington

## 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) 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 not formally recorded
  - (3) The Internet Committee holds most of its meetings over the Internet and, therefore attendance is not recorded and not included in the following table.
  - (4) Members have been co-opted onto Committees and assisted as set out below and Council is very grateful for this assistance.

Continuing Professional Development Committee	Mr. Bruce Marsh Mr. David Potter
Education & Training Committee	Sofia Arenal Ms. Isabel Moya-Ballester
Designs	Mr. Peter Brownlow Mr. Tim Pendered Ms. Katie Cameron
Formalities Course Committee	Mr. David Potter Mr. Roy Scott Mr. Daniel Smart Mr. Patrick Tucker
Internet Committee	Mr. Eric Ramage Mr. Nick Wood
Newsletter & Information Committee	Mr. James Setchell Mr. Aaron Wood
Programme Committee	Ms. Mary Bagnall Ms. Katie Cameron Miss Kate Johnson Ms. Morag Macdonald Mr. Philip Redman
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. As a result of under nominations and election of Officers there were 4 vacancies during the year and Mr. J. Reddington was co-opted in April, Mr. N.F. Preedy and Mr. D.G. Crawford in June and Ms. R. Ambrose in July, 2004.

	Council	G P & F	E & T	L & P	Member- Ship	Prog- ramme	P. R.	CPD	Formal- ities	Disci- plinary	Designs	Review
Abnett R.C. (01.01.04 – 24.03.04)	1( 2)											3( 3)
Ambrose Ms. R.E. (w.e.f. 24.03.04)	4( 4)		3( 4)									
Ayers Ms. C. (w.e.f. 24.03.04)	8( 8)			5( 6)				4( 4)			3( 4)	
Buchan I.A.	7(10)	9(10)	1(10)	0(10)	0( 8)	1( 9)	1( 8)	0( 6)	0( 4)		0( 3)	
Burchell, Mrs. K.L.(01.01.04 – 24.03.04)	1( 2)	0( 3)				1( 3)						
Clarke. A.V.	6(10)			6(10)	8( 8)							
Crawford D.G. (w.e.f. 29.06.04)	2( 5)			3( 4)				1( 2)				
Deas, Mrs. G.M.	8(10)	7(10)	0(10)	0(10)	0( 8)	0( 9)	0( 8)	3( 6)	4( 4)		4( 4)	
Evans, D.C.	7(10)		0( 3)	0( 3)	0( 2)	0( 3)	0( 2)	0( 2)				
Groom, J.A.	1(10)			2( 6)	2( 3)							
Harris, P.W.	10(10)	9(10)	5( 7)	2( 6)	2( 5)	0( 6)	1( 6)	0( 4)	0( 4)		0( 4)	
Havelock, K.R.	10(10)	8(10)		7(10)						2( 2)		
Hiddleston, R.M.	4(10)		2(10)									
James, S.R.	8(10)	9(10)	4(10)	9(10)	1( 8)	8( 9)	7( 8)	2( 6)	0( 4)		1( 4)	
Kay, Ms.J.	5(10)						6( 8)					
Lyons, D.G. (01.01.04 – 31.03.04)	0( 3)			1( 3)								
March, B.H.	8(10)	5(10)		6(10)						2( 2)		
Mastrovito, Mrs. A.M.	6(10)					8( 9)		6( 6)		2( 2)		6( 7)
McLeod, C.J. (w.e.f. 24.03.04)	5( 8)						5( 8)					8( 9)
McKinnon, G.R.	4( 10)						6( 8)	5( 6)				
Murch, A.M. (01.01.04 – 24.03.04)	0( 2)											
Parnell, N.J. (01.01.04 – 25.04.04)	1( 3)		1( 3)									
Preedy, N.F. (w.e.f. 29.06.04)	2( 5)							1( 2)	2( 3)			2( 4)
Ramage, Mrs. M.A.	10(10)	9(10)	0( 6)		0( 5)	9( 9)	6( 8)		0( 4)		0( 4)	
Reddington, J. (w.e.f. 07.04.04)	6( 7)										2( 4)	3( 4)
Slater, J.A.	7(10)	2( 6)		10(10)			0( 2)					
Stirling, C.S.	5(10)		5(10)		3( 8)							
Tarrant, G.	6(10)		9(10)					3( 6)				
Turner, D.G.	10(10)					9( 9)				2( 2)		
Wallace, J.M.	3(10)			9(10)	3( 5)							
Welch, D.A.	5(10)	8(10)				3( 9)	4( 6)					
Wiseman, Miss I.O.	8(10)		9(10)								4( 4)	
Wolfe, C.A. Dr. (w.e.f. 24.03.04)	7( 8)			5( 6)			5( 6)		4( 4)			
Wong, Mrs. A.	7(10)		8(10)				6( 8)		4( 4)			

## 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 30<sup>th</sup> March, 2004 as Registrar for a further year, in accordance with The Register of Trade Mark Agents Rules 1990. The Register as at 31<sup>st</sup> December, 2003 was published and placed on sale in March, 2004 and contained the names of 894 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, 2004 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, 2003:-

	<b>Candidates</b>	<b>Passes</b>
Paper T1	80	66
Paper T2	41	37
Paper T5	91	71
Paper T3	84	28
Paper T4	110	24
Paper T6	94	35
Law	74	52
D&C	97	76
Paper P1	46	38
Paper P5	52	44
Paper P2	210	98
Paper P3	127	54
Paper P4	134	49
Paper P6	272	105

The Examiners in respect of the 2003 Papers were as follows:

Mr. M. Abrams	Mr. M. Joshi
Mrs. J. Aliss	Miss C. Lindley
Mr. D. Chandler	Mr. N. Manley
Ms. S. Chiappinelli	Mr. P. Martin
Ms. T. Clark	Mrs. A.M. Mastrovito
Ms. A. Cole	Mr. J. Mears
Ms. C. Crago	Mr. A. Miller
Mr. D.G. Crawford	Ms. I. Moya
Mr. R. Davis	Mr. S.R. Nield
Mr. P. Derry	Mr. D. O'Connell
Mrs. A.M.S. Fox	Mr. P. Oliver
Ms. R. Free	Mr. N.J. Parnell
Ms. J. Freeman	Ms. L. Prentice
Mr. C. Gibbs	Ms. N. Ramage
Mr. R. Grimshaw	Mr. S. Reese
Mr. M. Hammler	Ms. H. Whelbourn
Mr. D. Harrison	Mr. I. Wilkes
Mr. D. Jackson	Ms. I.O. Wiseman
Ms. H. Jones	

## 11. Examination Awards

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

**Payne/Bennett Memorial Award** to Felicity Hide of Boulton Wade Tennant 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 2003.

**John Parker Memorial Award** to Janice Morrison of Fitzpatrick's and Mark Snowball of Reddie & Grose for attaining the highest marks in the Basic United Kingdom Trade Mark Paper held in November, 2003.

**Peter FitzGibbon Memorial Award** to Janice Morrison of Fitzpatrick's for attaining the highest marks in the Basic Overseas Law & Practice Paper held in November, 2003.

**Adrian Spencer Memorial Award** to Tamsin Saxton of A.A. Thornton for attaining the highest marks in the Advanced Trade Mark Law Paper held in November, 2003.

**Nick Wilson Memorial Award** to Alan Bates of Reddie & Grose for attaining the highest marks in the United Kingdom Design & Copyright paper held in November, 2003.

## 12. Review Committee

The committee met 9 times in 2004 and produced 11 editions of the ITMA Review, having changed the publication's name from ITMA News & Information with effect from the January 2004 edition.

Under the expert hand of editor Kelly Robson, the Review has continued to flourish and maintain its high standard. In the supplement published by Trademark World to celebrate ITMA's 70 years, George Moore's article was extremely complimentary: "its newsletter is top flight, perhaps the best in the world, every issue full of interesting articles and cases, including overseas coverage". Similar levels of praise have been forthcoming from elsewhere.

As always, the Review would not be able to progress without the assistance and support of its contributors. 2004 saw a regular response to requests in the Review for contributors and there is now a large pool of volunteers from whom case reports and other contributions are received with great gratitude each month. There are too many to mention individually, but committee members for 2004 Cerryg Jones, Alice Mastrovito, Francis Preedy, John Reddington, James Setchell, Kate Swaine and Aaron Wood deserve particular thanks for their hard work during the year.

Members can look forward in 2005 to seeing further innovations both in the design of the Review and in its content.

## 13. Education & Training Committee

The Committee met 10 times during the year.

Between January and October the two-year Advanced Trade Mark course took place in conjunction with Queen Mary College with 10 one day sessions. There were 30 students enrolled for the second year and a new first year of the course started with 14 students enrolled for the course.

The extended tutorial programme provided six tutorials (two for each Advanced examination paper) for each student who applied. The total number of students participating in the tutorial programme was 40. 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 and October and was attended by 125 students.

Members of the Committee took part in one-to-one tutorials with students who had narrowly failed one of the Advanced Level Paper in order to give guidance on exam technique.

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

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

## **14. Formalities Course Committee**

The Formalities Course was run during 2004 for 41 candidates of whom 36 passed the examination, maintaining a high pass rate.

In 2004 the course was run in two locations, London and Leeds, and in 2005 a third location has been added – Jersey. The course remains popular, there being waiting lists for the courses in London and Jersey.

The examination will take place on 10th June 2005 and it will be held simultaneously in both London and Jersey.

From 2004, the Committee has introduced the option for candidates to obtain a copy of their unmarked script at a cost of £25 per script.

## **15. Continuing Professional Development Committee**

The ITMA Office deals with CPD declarations for all Fellows and Ordinary members who are compliant with the ITMA CPD scheme. Members declare that they are compliant without submitting evidence of their CPD activity but the Office requests evidence of compliance from a random selection of 5% of the membership each year.

The CPD Committee considers cases where members need a ruling on compliance. For example, the Committee is often able to confirm compliance where a member is engaged on a course of study when details of the programme are submitted. The Committee also considers applications for waiver e.g. when members have been absent from work for part or all of a year by reason of maternity, a sabbatical break or illness.

Throughout the year the Office and the Committee chase up the (relatively few) members who are slow in filing their compliance forms or reasons for non-compliance although most members are now well accustomed to the routine of compliance. The work of the Committee was much reduced in 2004 thanks to the work of Gillian Rogers in the ITMA Office who runs the CPD system. The ITMA Office database has been upgraded to keep a record of members' CPD compliance and this has also helped the efficient running of the system.

A few members continue to report that they have difficulty with CPD compliance, usually because they are in small practices located away from major cities. To assist these members, ITMA has renewed the contract to record all ten of the London Evening Meetings each year and makes the recordings available through the ITMA web site or on video.

The Committee now obtains CPD accreditation from The Law Society and The Bar Council for all ITMA events so that members who are solicitors and barristers can meet part of their own CPD requirements when attending ITMA events.

## **16. Laws & Practice Committee**

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

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

On Trade Mark Registry practice the Committee has reviewed and submitted comments to the Trade Marks Registry on a range of Practice Amendment Notices and Tribunal Practice Notices relating to, inter alia, famous names, provision of skeleton arguments in trade mark proceedings, classification issues, Section 3 practice, and registrability of geographical indications.

Representations were made to the Patent Office on the desirability of retaining a UK address for service. The Committee continued to monitor the proposed changes to the trade mark rules and trade mark forms and, in this connection, provided comments of the Trade Marks Registry's proposals for a new fee structure. Submissions were also made in response to the Registry's Consultation paper on "Statutory Appeal and Review".

The Committee submitted comments on the new Chapter 5 (Classification of the Trade Marks) Work Manual and made extensive representations to the Trade Marks Registry on the Amendment to Chapter 6, which resulted in the retention of the Addendum to this chapter on the Trade Marks Registry's website.

The Committee met with Ms Tanya Papchuck of the Patent Office, who is conducting a review of customer usage of the Patent Office's London Office, and explained to her the profession's strong need for a Patent Office presence in London.

On OHIM issues the Committee devoted considerable time reviewing the OHIM opposition guidelines.

On 5<sup>th</sup> March 2004 Messrs Ian Buchan (President), Stephen James (Senior Vice President), Aidan Clarke and Mrs. Angela Fox represented the Institute as part of a British Group which met with the OHIM in Alicante to discuss OHIM issues. The topics discussed included OHIM decisions, opposition guidelines, official search costs, communication with OHIM and community design issues.

## **17. Designs Committee**

The committee has focused its attentions on three main areas in the last year.

In the first place, the committee has prepared and submitted formal responses on a number of consultation documents. These include OHIM's draft invalidity guidelines, a paper released by

the European Commission in relation to the accession of the Community to the Hague Agreement, the consultation relating to amendments to UK legislation relating to Community Designs and the proposal to amend Directive 98/71/EC (relating to spare parts protection).

The committee has also tried to increase the profile of designs amongst the members. The November evening meeting was dedicated to the recent Mattel case and the Review has recently introduced a section dedicated to the area of copyright and designs. We are indebted to Bird and Bird for both of these. We hope the new addition to the Review will soon be followed by a section of the web-site similarly dedicated to this subject. Following an initiative from the committee, the Education and Training committee in conjunction with CIPA has recently introduced a day practice course for foundation level students on designs and copyright. In the future, the awaited publication of the Community Designs Handbook will we hope also increase the general level of awareness of designs amongst members.

Lastly, the committee is also helping members promote designs amongst their client base. Specifically, work is almost now complete on a standard presentation on designs, which it is hoped members will be able to download from the web-site and use where necessary. The committee will also be working in conjunction with PR to produce an article for publication in design related magazines emphasising the importance of registered designs and having a trade mark attorney advising in this area.

## **18. Programme Committee**

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

### **Evening Meetings**

- 20 January - Messrs. Mike Knight, Trade Mark Registry, Graeme McKinnon, BATMark Limited and John Slater, Marks & Clerk on Address for Service - The Main Debate
- 27 January - Dinner meeting with Mr. Paul Duxbury, Marketing Consultant of Chelwood Consulting on Marketing Strategies for Trade Mark Attorneys
- 17 February - Mr. Michael Leathes, Head of IP at British American Tobacco on Mediating Trademark Disputes Win-Win-Win (win for A, win for B and win for the profession)
- 30 March - Mr. Jeremy Reed, Barrister of 19, Old Buildings on Recent UK Higher Court Decisions (High Court, Court of Appeal and House of Lords)
- 20 April - ITMA Road Show with Dr. Stephen James, President and Mr. Phillip Harris, Senior Vice-President on Review of the Regulatory Framework for Legal Services (Clementi Review)
- 27 April - Trade Mark Registry on Updates on Trade Mark Practice.
- 25 May - Ms. Emily Taylor of Nominet UK on News from Nominet
- 29 June - Ms. Carrollanne Lindley of Kilburn & Strode on Recent Decisions of the UK Appointed Persons and Trade Marks Registry

- 27 July - Mr. Geoffrey Hobbs, Q.C.
- 21 September - Mr. Jeremy Pennant of D. Young & Co on Recent Decisions of the Court of First Instance and the European Court of Justice
- 26 October - Mr. G.E. Smith of Harrison Goddard Foote on OHIM Recent Decisions on Relative Grounds
- 30 November - Ms. Morag Macdonald of Bird & Bird on Mattel v. Simba – Community Design Infringement Everything you ever wanted to know about fashion dolls (illustrated)

### **Out of Town Meetings**

The following meetings were held:

#### **Birmingham**

- 8 March - Trade Marks Registry on Updates of Trade Mark Practice

#### **Bristol**

- 5 April - Trade Marks Registry on Updates of Trade Mark Practice

#### **Glasgow**

- 19 April - Trade Marks Registry on Updates of Trade Mark Practice
- 14 July - Mr. Edward Phillips on News from Nominet

#### **Leeds**

- 9 March - Trade Mark Registry on Updates of Trade Mark Practice
- 15 July - Ms. Emily Taylor, Nominet UK on News from Nominet

#### **Manchester**

- 9 March - Trade Mark Registry on Updates of Trade Mark Practices
- 1 July - Mr. Edward Phillips on News from Nonimet

#### **Seminars**

- 11 February - A seminar on Pleadings in Trade Mark Registry Proceedings with Dr. Stephen James, Junior Vice-President, Mr. Bill Trott of UK Trade Marks Registry and Mr. Michael Edenborough of Hogarth Chambers was held in London and repeated in Manchester on 26<sup>th</sup> February
- 19 October - A seminar on CTM Opposition/Revocation Formalities with Mr. Jonathan Clegg of fJ Cleveland, Ms. Madeleine Hall of Stone

Chambers and Mr. Ian Buchan of Eric Potter Clarkson was held in Leeds and repeated in London on 2<sup>nd</sup> November

29 November - A Joint seminar with CIPA on Alternative Dispute Resolution at which the speakers were Mr. Michael Leathes of BATMark, Mr. Chris Ryan of Norton Rose, Mr. Quentin Tannock of the Chartered Institute of Arbitrators, Mr. Jim Percival of British Nuclear Fuels and Judge Michael Fysh was held in London

### **Quiz Night**

This event was again held in Corts Wine Bar in Chancery Lane on 3<sup>rd</sup> February where 20 teams pitted their wits against each other and raised £1194.50 for charity. The winning team came from Taylor Wessing and their chosen charity was 'SANDS' (Still Birth and Neonatal Death Society).

### **International Meeting**

The International Meeting took place from 24<sup>th</sup> – 26<sup>th</sup> March, 2004 at the Royal Garden Hotel, Kensington.

The speakers at the meeting were:

Mr. Cerryg Jones (UK)	Mr. Bruno Machado (OHIM)
Mr. Declan Cushley (UK)	Dr. Alex von Muhlendahl
Mr. Maximiliane Stockel (Germany)	Mr. Jose Peris (OHIM)
Mr. Bob Boad (UK)	Ms. Donna Mitchell (UK)
Mr. Donald Knapp (USA)	Mr. Mike Knight (UK)
Mr. David Musker (UK)	Mr. Keven Bader (UK)
Ms. Denise McFarland (UK)	Mr. Steve Stern (Australia)
Dr. Stephen James (UK)	

### **Dinner and Dance**

The International Meeting was closed by the Annual Dinner and Dance on 26<sup>th</sup> March, 2004 at the Royal Garden Hotel. The Institute was honoured by the presence of distinguished guests including:

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

### **Summer Reception**

This took place on HMS Belfast on the Thames and was attended by around 273 people.

## **Autumn Conference**

The event was held this year in Birmingham over the 30<sup>th</sup> September/1<sup>st</sup> October, 2004. Those speaking were:

Mr. Robin Webb (UK)  
Mr. Huib Berendschot (NL)  
Mr. Neil Jenkins (UK)  
Mr. Jonathan Nugent (UK)  
Mr. Keven Bader (UK)

Mr. Julius Stobbs (UK)  
Mr. Gordon Wright (UK)  
Mr. John Slater (UK)  
Mr. Charters MacDonald-Brown (UK)

## **Christmas Luncheons**

The Institute's annual Christmas Luncheon was held on 14<sup>th</sup> December, again at the Royal Lancaster Hotel, where 738 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, this year on 11<sup>th</sup> December which had nearly 60 attendees, including the President who represented the Council.

## **19. Public Relations Committee**

2004 proved to be another busy year for Public Relations.

There were three particularly important initiatives involved in raising the profile of trade marks and of the profession. In no particular order these were: our attendance at INTA in Atlanta in May; our continued involvement in the programme of regional Business Advice Open Days; and our participation in the Government campaign – “What is the Key?”

These initiatives supplemented the ongoing public relations work directed by the PR Manager Ken Storey with the guidance of the PR Committee which was chaired by Julie Kay until October and which is now under the Chairmanship of Graeme McKinnon.

### **INTA 2004 – ATLANTA**

Building on the undoubted success of our attendance at INTA 2003 in Amsterdam, we again took a stand at the exhibition with the aims of encouraging more US trade mark attorneys to use the UK as a “Gateway to Europe”, raising the profile of ITMA to an overseas audience and promoting overseas membership.

Our promotional “giveaway” of a black London Taxi bearing the ITMA logo and website address again proved to be the hit of the exhibition and attracted over 2,000 visitors to the stand. ITMA members supported the Institute team in manning the stand.

The Institute aims to continue to promote the value of ITMA and of using UK members of ITMA by overseas agents and companies. With this in mind, the PR Committee is currently developing a programme of seminars in the US and the Far East.

## **BUSINESS ADVICE OPEN DAYS**

ITMA has been a partner in this programme, which is run by the Business Liaison Team of Customs and Excise, since February 2003. The programme itself has been running for 10 years and involves a partnership involving the Inland Revenue, the OFT, HSE, OPRA (Occupational Pensions Regulatory Authority), Age Positive, the Environment Agency, Learndirect, RICS, the Valuation Office Agency, the Big Small Business Initiative, the Patent Office and ourselves.

In 2004 we attended Business Advice Open Days in Swansea, Bristol, West Ham, Croydon, Nairn, Glasgow, Sheffield, Bradford, Stoke, Newmarket, Coventry and Cardiff. The 2005 programme begins in Belfast and will continue throughout the UK.

ITMA is proud to be involved in this programme and shows how the Institute is being recognised as a major contributor to business development by government and public sector authorities.

## **“WHAT IS THE KEY?” CAMPAIGN**

Similarly, ITMA is delighted to be taking part in the Government’s “What is the Key?” campaign which is orchestrated by the UK Patent Office and involves ITMA, CIPA and the Patent Office in a joint strategy to raise awareness of IP.

The campaign features a series of seminars and exhibitions around the UK supported by a competition to win a free IP audit by an ITMA or CIPA member. Both Institutes have worked closely with the Patent Office in developing and implementing the campaign which has been so successful that it has been extended into 2005.

## **EXTERNAL RELATIONS**

These last two initiatives show how ITMA is increasingly developing good working relationships with CIPA, the UK Patent Office and other organisations.

ITMA continues to be an active member of the Alliance Against Counterfeiting and Piracy and the ITMA representative on the Alliance, Marjon Esfandiary, has recently been co-opted on to the PR Committee.

The PR Manager continues to represent the Institute on the IP Awareness Network which draws together representatives from other IP organisations, business, universities and the professions.

The President was invited to make a presentation to a local Rotary Club and, at the instigation of the Business Development Working Party; approaches have been made to other regional organisations to offer local seminars on trade marks.

Presentations for these seminars are available on the ITMA website as are materials for running regional seminars. The concept of members organising regional seminars was the main outcome of the 2003 PR Campaign Trade Mark or Trade Loss. The Business Development Working Party also recommended continuance of these seminars and in 2004 members organised events in Brighton and Leeds with support from the PR Manager as required.

## **MEDIA RELATIONS**

Over the last year ITMA has developed a close working relationship with two of the major trade mark specialist magazines – Trademark World and Managing Intellectual Property with the President and PR Manager meeting both publishers on several occasions throughout the year.

Trademark World built on this relationship by producing a commemorative 70<sup>th</sup> Birthday edition devoted entirely to ITMA and featuring articles written by ITMA members under the guidance of the PR Chair, Julie Kay. Further collaborative projects are being developed for 2005.

As ever, a number of articles and Press Releases have been put into the public domain to improve awareness of trade mark issues amongst the public and the business community.

It was another recommendation from the Business Development Working Party that underpinned the initiative to write articles and news releases designed for specific trade sectors. Thus an article was written on a baby foods product aimed at the mother and child market. As will be gleaned from the list below, certain articles were slanted towards specific trade sectors concerning cases arising from hearings or court decisions:

## **ARTICLES AND PRESS RELEASES**

Jan	Don't let 2004 be the year of direct mail scams
April	ITMA's new President aims to make the British trade mark profession the most respected in the world
May	Will ITMA's London black taxi be another hit on e-Bay? Corgi buses and taxis take trade mark world by storm + the role of trade marks in collecting - two articles for Diecast Collector Magazine
June	MBE for services to trade mark profession awarded to Secretary of ITMA Clementi Review - Trade mark attorneys and patent agents propose new regulatory model
August	Major stores can sell <i>Babylicious</i> after successful trade mark battle Attending an international trade fair? Watch out! Brandnappers about! Trade marks – A key to business success – an article for the Scottish Business Law Review Magazine
Sept	Aussies beat Americans to <i>Prodigy</i> wine name <i>Principles</i> loses trade mark case against <i>Principe</i>
Oct	Trade mark attorneys condemn political cyber squatting Landmark ruling on common names as trade marks
Nov	<i>Remington</i> in clover after trade mark victory <i>Mars</i> fails to register shape of <i>Bounty Bar</i> Welcome to the world of trade marks – an article for Chamberlink Magazine
Dec	Trade mark attorneys and patent agents welcome Clementi report Trade mark attorneys secure litigation rights

## **WEBSITE MANAGEMENT**

The ITMA website attracts about half a million hits every month. Job advertisers come back to us time and time again to advertise their vacancies and we continue to have a number of support services who advertise in the members area; directing their marketing straight to ITMA

members where appropriate. In 2004 we decided to bring the updating and management of the website into the Institute office. Jane Attreed and Gillian Rogers now handle all changes including members' details. The PR Committee is currently reviewing the ever-expanding website to ensure it continues to meet members' needs.

## **OTHER ACTIVITIES**

The PR Manager has also advised the President and officers of the Institute on presentational matters including responding to media requests and commenting on issues such as address for service to the Patent Office.

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

## **2005 – A LOOK AHEAD**

The PR Committee will continue to support the government campaign "What is the Key?" and encourage members to attend regional seminars and to be involved in the free IP audits. The PR Manager will also continue to attend the regional Business Advice Open Days, with assistance from members in the regions and will also be involved in promoting the free trade mark clinics that are to be offered at Harmsworth House in London.

With the introduction of litigators' rights, the committee will work closely with the officers and other committees to ensure members and the public are aware of the opportunities afforded by the new rights.

The committee and the PR Manager will continue to increase awareness of trade marks within the UK and to promote the Institute and the expertise of its members both within and outside the EU. Finally the committee is committed to reviewing the ITMA website to make sure it is an effective tool not only for members but to the general public.

## **20. Book Committee**

The main work of the Book Committee in 2004 has been in relation to the preparation, in conjunction with the joint editors of CIPA of the two half-yearly updates for the Community Trade Mark Handbook and United Kingdom Trade Mark Handbook and the new Community Designs Handbook.

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

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

It is hoped that the new Community Designs handbook will be published during the course of 2005.

There are many individual authors who have contributed to particular chapters of the three handbooks; their names are acknowledged in the various works. Without them the handbooks

could not be produced. The CIPA representative editors, Tibor Gold, Keith Farwell and David Musker, have each made an enormous contribution to the scholarship of the works.

The committee continues to be involved in certain of the training manuals, which have previously been produced by CIPA alone. The Madrid Protocol Training Manual was published at the end of the year as a jointly branded ITMA/CIPA publication. Particular thanks go to Rebecca Chambers, the author of the publication.

The committee has also become involved with a new programme to assist in the preparation of tutorial material for use on the QM Advanced Level Course and the other training initiatives currently undertaken by the Education and Training Committee. It is hoped that, if enough tutorial material is produced, this will be published in the future by ITMA.

## **21. Internet Committee**

During 2004 the committee monitored the progress towards the introduction of the .eu domains. It is anticipated that these will become available during 2005 and the committee will report at that time.

Nominet, the UK Domain Name Registrar, published proposals to modify the Domain Name Dispute Resolution Service. ITMA prepared and submitted a response to those proposals.

## **22. Joint Council Meetings**

The annual meeting between APRAM, BMM, ECTA, GRUR and ITMA was hosted by GRUR in Berlin in February. It was agreed at this meeting to invite MARQUES to future meetings.

A joint Council meeting was held with CIPA in September.

## **23. Representation of the Institute**

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

Joint APRAM, BBM, ECTA, GRUR and MARQUES meeting in Berlin in February -  
Dr. Stephen James

The Irish Association's Annual Dinner in March – Mr. Ian Buchan

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

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

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

TMPDF's lunch in July – Dr. Stephen James

IPIC meeting in Banff in October – Dr. Stephen James

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

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

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

## **24. General Purposes & Finance Committee**

The General Purposes & Finance Committee met ten times during 2004. Among the items dealt with were:

The Committee would like to put on record the tremendous debt that the Committee and the Institute in general owed to Nick Wilson who chaired the Committee for many years prior to his untimely death in March 2004. Without Nick's leadership, dedication and hard work many of the matters dealt with by the Committee over the years would never have reached fruition.

The Committee are pleased to report that following many years of hard work, primarily by Nick Wilson and Philip Harris, the Institute's application for Authorised Body Status under the Courts & Legal Services Act 1990 was finally approved. It is anticipated that the Institute will be granted the right to award Trade Mark and Design Litigator's Certificates as of 1 April 2005.

In anticipation of that, in conjunction with Nottingham Trent University Law School, ITMA set up an academic course to train Trade Mark and Design Litigators. The first of these crash courses was attended by 11 practitioners, all of whom had experience in litigation, and were seeking to qualify under the transitional provisions of the application. All 11 passed the course. A further crash course is being organised for 2005 as is a version of the existing LLM in intellectual property litigation at Nottingham Trent University Law School which will be suitable for trademark candidates.

The Institute has set up the Litigator's Accreditation Board (LAB), who have met a number of times. The LAB have both reviewed applications for participation in the crash course and have also validated the crash course. The LAB are in the process of validating the LLM.

In addition, the Institute has set up the Litigator's Conduct Committee which met once in 2004.

During the course of 2004, the responsibility for maintaining, updating and improving the Institute's website was transferred to Grayswood Computer Services. The website has been steadily improved and operated satisfactorily since that date.

During 2004 the Institute relinquished responsibility for providing secretarial support to the Joint Examination Board. On behalf of the Committee the Institute would like to record its debt and gratitude to Margaret Tyler and the staff of the ITMA office who, over many years, have worked tirelessly to support the Joint Examination Board. The secretarial services for the Joint Examination Board are now the sole responsibility of the Joint Examination Board and contracted out to third parties. The Joint Examination Board now provides monthly reports to both ITMA and CIPA.

The joint ITMA and CIPA Business Practice Committee has been reconstituted with Mr Buchan, Mr Harris and Mr Evans being the ITMA representatives with Mr Buchan chairing the joint Business Practice Committee. The joint committee will look at matters of common interest to both Institutes.

The Business Development Working Party (formerly known as the Drop In Trademark Filings Committee), has continued to meet during 2004. Some of the proposals coming from this working party include lecture trips to the US and Japan that it is hoped will be undertaken in 2005 and 2006.

The Committee finalised proposals for free trade mark clinics to be offered every month, initially in London, to members of the public. This is with the assistance of the UK Trade Marks Registry whose cooperation is greatly appreciated. The clinics will be manned by a number of volunteers from the Institute whose contributions are also gratefully acknowledged. It is anticipated that the first clinics will be held in March 2005.

During the year, in conjunction with CIPA, ECTA and the Patent Office, an ADR working party was set up to advise the Institutes on how best to raise awareness of ADR amongst its members and the public.

During the year the Committee, principally through The President and Mr Harris, had a number of meetings with personnel from the Regulatory Review body set up by the Government. ITMA prepared and submitted the Institute's response to the initial proposals of Sir David Clementi into the possible future regulatory and disciplinary oversight of the legal professions including Trade Mark Attorneys.

During the course of the year the Institute appointed a firm, Peninsular, to handle contracts, hand books and insurance for all Institute staff. A debt of gratitude to Maggie Ramage, the Treasurer, is due for her tireless efforts in connection with this.

The Government published proposals, under the heading Judiciary Review, raising the issue of broadening the pool of people appointed to the judiciary. The Institute felt that these proposals did not go far enough in the sense that the Government were not looking to include in the judiciary candidates such as Trade Mark Attorneys. The Committee arranged for members of the Institute to attend each public consultation meeting, run by the Department of Constitutional Affairs, on this issue. The Institute also prepared, during 2004, a draft response to the consultation document produced by the Government. Again thanks are due to Mr Harris for his considerable efforts in producing the Institute's response.

On behalf of the Institute, the Committee thanks all those who have served during 2004 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 throughout 2004.

## **25. Professional Guidance & Disciplinary Committee**

It is pleasing to report that the Professional Guidance and Disciplinary Committee had little reason to meet during 2004. It's first meeting took place in October and it has since had occasion to consider one or two cases of complaint to be administered under the revised Disciplinary Articles and By Law, which were passed at the AGM in March.

At the end of the year there was just one case in progress.

## **27. Charitable Donations**

The Institute made charitable donations amounting to £6,440 during the year.

## **28. 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 22nd February, 2005  
and signed on its behalf by**

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