

IPReg: 2022 Business Plan, Budget and Practising Fees consultation

1. The Chartered Institute of Trade Mark Attorneys (CITMA) is responding to the consultation by IPReg on their 2022 Business Plan, Budget and Practising Fees in its capacity as an Approved Regulator, as defined in the Legal Services Act 2007 (the Act) and as the representative body for Chartered Trade Mark Attorneys and the wider trade mark and design profession. We are grateful to IPReg for the opportunity to comment.
2. Our response answers the specific questions asked in the consultation.

Question 1. What are your views on the proposal to keep practising fees at the 2021 level?

3. We support the proposal to keep practising fees at the 2021 level. We welcome the sensible approach outlined by IPReg in the consultation. The reasons provided for not uplifting fees as well as the reasons provided for not decreasing fees would appear reasonable and appropriate at this time.
4. In previous responses to practising fee consultations we made it clear that we hoped for a reduction in practising fees, all things being equal, in future years. This was something the Legal Services Board supported through an expectation that the cost of regulation would reduce over time. This remains our overall position, but we appreciate the current uncertain times and accept fees remaining at 2021 rates. We would hope that for 2023 fees may be reduced if there is a greater degree of certainty.

Question 2. What are your views to continue the process for waiving fees for individual attorneys who are facing hardship as a direct result of the pandemic?

5. We would support the proposal to continue the process for waiving fees. There is still uncertainty across the profession and stability is unlikely to be in place by the end of 2021, therefore the option to support those who may be impacted by this unfortunate situation is welcomed.
6. As noted last year we would like to take the opportunity to remind IPReg that as most Registered Trade Mark Attorneys are likely to be members of CITMA, and that should IPReg come into contact with someone who may be experiencing financial hardship, it might be helpful to signpost them to the '[support](#)' services CITMA has available, for example, the CITMA Benevolent Fund.

Question 3. Do you have any evidence of the impact that each of these proposals will have on different categories of individuals or firms? In particular, do you have any evidence of the potential impact on the diversity of the profession? Do you have any comments on the EIA at Annex A? Do you agree that we should not conduct a diversity survey in 2022?

7. We do not have any particular evidence of the impact that each of the proposals will have on different categories and would look to comments made by IP Inclusive in this regard and comments made by IP Inclusive in relation to the EIA.
8. On balance, we would support the proposal for IPReg not to conduct a diversity survey in 2022. We would welcome the opportunity to discuss further with IPReg and the wider IP community any possible collaboration in seeking to obtain more robust data on diversity across and within the IP profession. We are not sure that IPReg collecting data in isolation is the most appropriate approach.

Question 4. Do you have any comments on the proposed Business Plan?

9. We have no substantive comments to make on the proposed Business Plan. We were pleased to see the review of regulatory arrangements project commence in 2021 and fully understand the significance of this project and the resources it will need. We therefore support the proposal that this project is the primary focus in 2022.
10. We look forward to working closely with IPReg as the project develops to ensure that regulation of Registered Trade Mark Attorneys is fit-for-purpose, delivers against the regulatory objectives and is not overly complicated or burdensome for those regulated.
11. We are also pleased to see the inclusion of education work in the plan. We have engaged with IPReg on various aspects around education and will continue to do so.

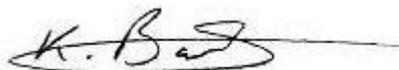
Question 5. Do you have any comments on the draft Practising Fee Regulations at Annex B?

12. We have no comments on the draft regulations.

General comments

13. We are pleased to see, once again, a ring-fence of reserves for diversity initiatives. It is important for IPReg to support and align with the broader work of the IP Profession in this area.
14. We would welcome further information to explain the difference in expenditure for the 'Regulatory Officers' between the 2021 budget and the proposed 2022 budget. A difference of £36,110 is not insignificant, therefore it would be beneficial to understand the rationale behind the increase.
14. We would be happy to discuss any of these points further with representatives from IPReg if it would be of assistance.

For and on behalf of the Chartered Institute of Trade Mark Attorneys



Keven Bader
Chief Executive

4th October 2021