



For Innovation

# The Patent Office Annual Review 06





#### **The Patent Office Annual Review 06: About this book**

Much like the seasons, the environment in which we live is constantly changing and with the current climate amidst the fears of Global warming The Patent Of ce is proud to be green. This annual review is dedicated to the patented technology used in today's renewable energy sources, as they protect our future, we protect the hard work of their inventors.



# For Innovation

The Patent Office Annual Review 06

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**Ron Marchant**  
**Chief Executive**  
**The Patent Office**

# ANNUAL REVIEW 06

## CEO INTRODUCTION

This is the second edition of our Annual review. The first was well received and this review not only introduces issues that are new for 2006, but also reports on our progress from last year. We have also adopted a fresh format to reflect our wish to be innovative each year.

This year, our highlights are grouped under four headings:

**'Being Innovative – new initiatives for 2006':** this year we have been active in increasing our range of services. I would draw your attention to our award winning mediation service, the redesign of our website, support and training in China and Europe, and a focussed approach to develop a system to ensure that our staff have the skills and motivation to enable us to continue as a high performing organisation.

**'Stakeholder Value – exceeding expectations':** here we describe how the quality of our achievements has been recognised, and the structural changes we have made in acknowledgment of the central importance of meeting our customers' needs, and the response to our consultation on our innovation support strategy.

**'Developing Best Practice – reflecting on our services':** we don't rest on our laurels and regularly reassess our services and the way we deliver them to ensure we remain one of the best at what we do. During the year we have reviewed our inventive step policy and the workings of the Copyright Tribunal. We have also introduced electronic case file handling for Patents and brought our programme 'A Patent Office for the 21st Century'; toward completion.

**'Enforcement – how we support your rights':** this remains a key priority. Counterfeiting and piracy cause significant damage to both industry and consumers. This year, we have seen our Opinions service develop as a useful tool to help parties avoid legal action. We have also been developing the role of the IP Crime Unit during the year and improved our intelligence capability.



As the nature of the world economy continues to change, the importance of innovation to the economic performance of the UK is unarguable, particularly with respect to the growing economies of China and India. Having the right IP framework which enables and encourages creators and inventors to succeed in the market place is indispensable. We are committed to providing such a framework coupled with the efficient and effective delivery and management of IP rights in an e-business environment. Of course, none of this has effect unless business and society is able to understand the most effective use of IP. Hence, we are developing the breadth and extent of our awareness activities even further.

The independent Gowers review reported in December. The recommendations the review made move us in the same direction as the work we began in our Patent Office for the 21st century programme, and I am pleased that our work in this area provides a strong foundation for delivering those recommendations. As the year ended, we worked with colleagues across Government to develop plans for implementation of the suggestions made. We also drew up the first draft of the Corporate Plan for 2007 and in doing so incorporated both the Gowers material and the outcome of our PO21C programme. We will report on our progress in next year's Annual Review.

This has been an important year for the Patent Office. We end the year fit for purpose and fit for the future. I am especially pleased that "The Patent Office for the 21st Century", supported as it was by Lord Sainsbury as our Minister, will - on the basis of the Gowers review - become '**The UK Intellectual Property Office**'.

I have been privileged in leading the Patent Office through this period and recognise my good fortune in having staff with such a customer focussed "can do" approach. I am certain they will meet the challenge of creating the 21st Century UK Intellectual Property Office delivering all the things that the Gowers review covers. I regret that I will not be part of that.

Ron Marchant.

# EXECUTIVE BOARD MEMBERS



**Robin Webb**

Trade Marks and Designs Director



**Kevin Woodrow**

Finance Director



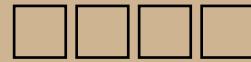
**Louise Smyth**

Human Resources & Corporate  
Administrative Support Director

My highlight of 2006 was the way our staff rose to the challenge of more trade mark applications than in any year since the “dot.com boom” six years ago. In addition, the modernisation of registered Design right law, and agreement on the future of the trade mark relative grounds regime, were landmark developments which will deliver improvements for years to come. I thank everyone in the Directorate for their commitment this year, and look forward to continuing our quality of service into 2007.

This year, as well as consistently delivering high quality application and fee processing, accounting and procurement, we have been joined by patent and trade mark staff providing statutory register maintenance services. Against this restructure, we have also implemented a credit card payment system, a new business model and a Balanced Scorecard. We will build on these successes in 2007 to deliver further improvements to our services to all our customers. I would like to thank the whole Directorate for their enthusiasm and dedication throughout the year.

Thank you to everyone in my Directorate who has risen to the challenge as we have begun to transform the way we provide services to the Office. The results are already beginning to show through more customer focussed and responsive delivery but there is still a lot more for us to do. We have also worked on major projects with colleagues across the Office as part of PO21C Programme. These will provide the foundation for work in 2007/8 to make the Office an even better place to work.



**Mark Pacey**  
Information Systems Director

In 2006 we made significant changes for the benefit of our customers. We relaunched our website, worked with the EPO to implement an electronic case file for patents, and continued to improve the reliability, availability and security of our infrastructure. My staff have worked hard to achieve these successes, for which I am extremely grateful. Next year, we will provide more electronic registration options and improved search functions on our website. We will also review the design of our business and systems to identify how to modernise our trade marks operation.



**Mike Wright**  
Customer and Innovation Support Director

The highlights for me over the past year have been the launch of an innovation support strategy and the creation of a brand new Customer Relationship Management Unit. My focus for 2007 is to implement our ambitious programme of innovation support activities, including recommendations in the Gowers review, and to improve our understanding of our customers to ensure their needs are met. I look forward to progressing these with my teams who have shown commitment and hard work over the past year.



**Liz Coleman**  
Policy Director

This is my first year as Director and during 2006 my capable and energetic teams have taken forward not only the highlights featured here, but also other EU legislation, the Treaty on Trademark Law, new arrangements for stakeholder involvement, and a quality review of our internal processes. For 2007, a significant new challenge will be taking forward the recommendations of the Gowers review. I would like to thank my teams for their enthusiasm and commitment throughout the year.



**Sean Dennehey**  
Patents Director

One of my defining moments of 2006 was publicly tearing up a piece of paper no bigger than a £10 note. Destroying this "voucher" signalled our switch from paper files to electronic ones for processing patent applications, a major e-business step. Another keynote was our decision to challenge ourselves to deliver search reports even faster – in four months – and I thank everyone for their committed response to these changes. In 2007, I'm looking forward to building on the Gowers recommendations and improving our patents operation still further.

# Spring<sup>1</sup>

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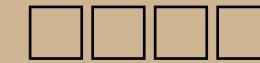
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# spring 1



## BEING INNOVATIVE: NEW INITIATIVES FOR 2006

### **HYDROELECTRIC DAMS**

Hydroelectricity is electricity obtained from hydropower. Most hydroelectric power comes from the potential energy of dammed water driving a water turbine and generator, although less common variations use water's kinetic energy or dammed sources, such as tidal power. Hydroelectricity is a renewable energy source.

**Peter Back**  
**Divisional Director**  
**Patents**

## NEW MEDIATION SERVICE JUDGED A SUCCESS

Our mediation service offers our customers an affordable alternative to the burden of taking legal action in intellectual property (IP) disputes. Success at the Centre for Effective Dispute Resolution Awards (September 2006) shows the support from the sector we have received for our pioneering work in this field.

On 3rd April, we launched our mediation service. Throughout this year our strategy has been to change our services to meet customers' needs now and in the future, by providing choice and flexibility. We believe that enforcing IP rights through Alternative Dispute Resolution (ADR) procedures is an important part of this strategy.

The mediation service is the most ambitious part of our ADR strategy. In 2004, we introduced a non-binding opinions service for Patents<sup>1</sup>, where we offer an independent assessment of the main issues in a dispute, and before that a streamlined opposition procedure for trade marks. The aim of all three initiatives is to encourage negotiation before formal legal action is taken.

Early in 2005 we launched an informal consultation into whether and to what extent we should make the use of mediation to resolve IP disputes possible. This involved meetings with various interests including mediation providers, The Chartered Institute of Patent Agents (CIPA), The Institute of Trade Mark Attorneys (ITMA), the Department of Constitutional Affairs and patent court judges. Our consultation ended with a seminar held in London in July 2005. The general consensus was that there was much that the Patent Office could do.

We therefore arranged for four of our senior staff, all experienced inter-parties hearing officers, to receive mediation training from the Centre for Effective Dispute Resolution (CEDR). They have now all been accredited by CEDR and two are on their way to achieving CEDR registered status. We are now able to provide affordable mediation across the full spectrum of IP rights at either our London or Newport offices. Our service is tailored to appeal to parties who are referred to mediation by the courts, or those who had initially come to us for a hearing. Obviously, parties who approach us independently are also welcome!

To support this move, we have also given hearing officers new guidance on identifying opportunities for ADR. This makes sure that ADR is given serious consideration whenever parties initiate proceedings before the Patent Office.

<sup>1</sup>See our website at <http://www.patent.gov.uk/patent/p-other/p-object/p-object-opinion.htm> for information on our Opinions service.



Our mediation service was used for the first time shortly after its launch. However, it is still early days. The initial reaction to our service has been encouraging, with Judge Fysh QC, the Patents County Court judge, saying:

"This initiative from the Patent Office is consistent with changes being made by the courts to encourage willing parties away from expensive litigation. I wish it every success."<sup>2</sup>

In September, at the CEDR Awards for excellence in ADR, our Patent Office Mediation service came first in the public sector category. CEDR's report on the winners and finalist commented that:

"[The Patent Office] has shown great leadership and innovation, both through service design and in their awareness raising. They have shown a deep commitment to ADR as best practice for the sector, and have worked with a number of stakeholders to make sure that services are delivered to a high standard."<sup>3</sup>

Mediation is a relatively new approach to resolving IP disputes and we continue to support promoting ADR in IP disputes through awareness exercises at seminars and workshops. Our mediators are also keeping up with training and development by assisting experienced mediators at every opportunity. We plan to continue taking up such opportunities to gain experience and support ADR within IP into 2007.

<sup>2</sup>His Honour Judge Fysh is located at QC, Field House, 15-25 Breams Buildings, London, EC4A 1DZ. A mediation brochure giving details of inter alia the Patent Office Mediation Service is available from Judge Fysh's clerk.

<sup>3</sup>Extract from [www.cedr.co.uk/index.php?location=/library/articles/20071020\\_183.htm](http://www.cedr.co.uk/index.php?location=/library/articles/20071020_183.htm), October 2006 press release; source www.cedr.co.uk.

**"The mediation service is the most ambitious element of our ADR strategy."**

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## REDESIGNED WEBSITE WILL MEET THE NEEDS OF OUR CUSTOMERS IN 21ST CENTURY

**This year, we have redesigned our website so that it covers all intellectual property (IP) matters and reflects our customers' diverse needs.**

Our newly designed website is part of our plan to meet the challenges of the 21st Century. Our main aim was to offer a better service to our customers and meet their needs more effectively. We believe our new website achieves this. This project is just one action within our ongoing initiative to improve our customers' overall experience when working with us.

The redesign project began in July and August 2005 when we consulted our users. This consultation showed us the strengths and weaknesses of our existing website. We followed this with customer workshops and testing sessions, which gave us an even better understanding of their needs.

In the redesign process, we also considered new website standards, accessibility law, and guidance from the Plain English campaign, all of which had emerged since our last website update. We also had to balance our obligation to support innovation and promote awareness of IP amongst the general public, with our ongoing commitment to working with the professional IP community.

We are confident that this major change to our website reinforces our strong business and customer focus. We are sure customers will find the new format more friendly, quicker and easier to use.

Here are some of the main features of the new website:

We have taken information from the intellectual property portal, updated its content and included it into our new website. We plan to continue this process gradually, and our ultimate aim is to phase out the IP portal during 2007.

The new website structure is 'goal driven' in that it is designed to help the user retrieve information as efficiently as possible. This is especially important for newcomers to IP who may not know which type of protection they need.



Working with experts from our business areas, we have reviewed and rewritten the old website content. We've also removed information that was out of date or considered unnecessary.

The new website uses the same search engine as on the old website, but we are improving it so it will give better and more meaningful results.

We will improve our website further during 2007. This includes expanding our on-line services for patents and trade marks.

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**"We are confident that this major change to our website reinforces our strong business and customer focus."**

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**Val Waters**  
**Policy Co-ordinator**  
**Intellectual Property and Innovation**

## SHARING OUR EXPERIENCE OF IP WITH CHINA WILL FACILITATE UK INTERESTS

Over the past year we have shared our knowledge on innovation and enforcement with China. By helping to train their police officers and being part of future initiatives of the Chinese Patent Office, we can make sure that their fast-paced economy has a system of innovation and enforcement that takes into account UK interests.

The growth of the Chinese economy provides a number of new challenges and opportunities for the UK. In terms of IP field, we have had a long connection with the State Intellectual Patent Office (SIPO) of the People's Republic of China in terms of training and exchanging information. However, over the last year, we have become more involved in sharing information about the whole system of innovation and enforcement. We are also active partners in the cross-government China group.

In 2001, China began to revise its laws and regulations in relation to IP rights and clearly began to take their responsibilities to protect and enforce IP rights seriously. China has made and continues to make significant progress since 2001, bringing its IP framework into line with the Trade Related aspects of Intellectual Property rights (TRIPS)<sup>1</sup>. The Chinese Government has put a strong emphasis on bringing together its governmental bodies by introducing a State Intellectual Property Right Protection Work Team headed by Vice Premier Wu. An action plan has been produced that contains a number of major commitments that will increase criminal prosecutions, reduce illegal exports, and improve police co-ordination. The action plan will also complete the Government's programme to make sure only licensed software products are used by central, provincial and local government offices, which will help to prevent and disrupt IP crime.

Just as in the UK, a number of governmental bodies have responsibility in specific areas. China and its provincial authorities are increasing their efforts to tackle infringement. They are very eager to change the current opinion that they tolerate intellectual property crime. Many enforcement agencies have some form of policing role. The public security bureau is responsible for criminal enforcement. The Administration for Industry and Commerce (AIC), the Technical Security Bureau (TSB) and some provincial and local enforcement agencies such as the Urban Administration Agency (controlling street peddling) and the Publications, Radio, Telecommunications and Film Bureau, all have authority to act. However the Copyright Bureau should be your first contact point for piracy.

<sup>1</sup>See [http://www.wto.org/english/tratop\\_e/trips\\_e/t\\_agm0\\_e.htm](http://www.wto.org/english/tratop_e/trips_e/t_agm0_e.htm) for full text of TRIPS agreement



We work with the UK Trade and Investment and the Beijing Embassy to share knowledge and make sure that the interests of UK business are effectively considered. Recently, an official from the Office has been involved in training of MPS (police) officers in Guangzhou and Beijing. We are also preparing a 'roadmap' for the British Consul in Guangzhou. This roadmap is designed to guide the Consulate into a position where it can best help UK companies make the most of Chinese enforcement. To develop this work, our Chief Executive, Ron Marchant and members of the Patent Office IP Crime Team visited China in November and discussed future initiatives with SIPO, the Ministry of Commerce and the Trademark Office.

We hope our efforts to support China in their campaign for better enforcement of IP rights will not only improve their system of innovation, but also make sure that Chinese officials have a close working relationship with the UK Embassy when developing their plans. In time all of this will benefit UK business and the protection of their IP rights.

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**"We work alongside UK Trade and Investment and the Beijing Embassy to share knowledge and make sure that the interests of UK business are effectively considered."**

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## EUROPEAN PROJECT IMPROVES CROSS-BORDER PARTNERSHIPS

Cross-border collaborations can be an effective way of doing research, but differences in national rules and general practice make it difficult to develop new relationships. We set up a European project to improve opportunities for cross-border partnerships and this year have created a toolkit that identifies the main issues to consider when entering into an international collaboration.

The Committee de la Recherche Scientifique & Technique (CREST) was set up to increase research and development in Europe and to make sure that Europe gains a competitive advantage from world-class research. Developing the knowledge-based economy is a key part of efforts to make sure that Europe becomes the world's most competitive economy.

We have an important role to play in making this process possible. Last year, we told you about the work that we had done with the Lambert Working Group<sup>1</sup> to produce model contracts for universities and business partnerships. This year, we led a European project looking at this area and have developed a new toolkit for people involved in cross-border work to use when setting up new projects. We also investigated ways to make sure the profession and training programmes can tackle the extra challenges created by working in an international environment.

The CREST projects are a series of European Union (EU) funded programmes that bring together experts from member states to compare notes and look for solutions based on other countries' experiences. As part of our plans for the Presidency of the EU, we wanted to use this opportunity to look at what other member states had done, and to try to help UK businesses and universities enter into international collaborations. Our group included 17 European countries, and we brought in a range of experts from industry, research and education, the public sector and business from across Europe and UK to explore the subject and highlight areas where there are perceived difficulties. An important outcome has been the realisation that the reality of working together is not as bad as it is perceived to be, and that sharing information and best practice about what works helps overcome this.

<sup>1</sup>See our website at <http://www.patent.gov.uk/education/education-hfe/education-agreements.htm> for more information on the Lambert Model Agreements toolkit.



Lord Sainsbury launched our group at a meeting in London in September 2005. We published the group's report in September 2006, and are currently developing a web version of the toolkit with the Commission. We hope that understanding factors such as differences in funding, tax systems or national practice will help businesses and universities to set up effective collaborations. The toolkit identifies the main issues that need to be considered when entering into an international collaboration and how IP rights might be used. Understanding the needs of both sides and using a series of fact sheets setting out national rules and best practice should help avoid misunderstandings or conflicts that might otherwise have prevented a new idea from being developed.

Initial feedback has been positive and the report has been taken up by Licensing Executives Society (LES) in Germany and France, the UK and Ireland, Greece and Portugal, and the main European knowledge transfer organisations as a tool for their members to use. Over the coming months, we plan to publicise the web toolkit alongside what we have done in Lambert to make sure that we continue to build understanding in universities and businesses of the opportunities that research collaborations provide.

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**"An important outcome has been the realisation that the reality of working together is not as bad as it is perceived to be, and that sharing information and best practice about what works helps overcome this."**

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## HUMAN RESOURCE INITIATIVES MEANS BETTER CUSTOMER SERVICE

As part of our Patent Office for the 21st century programme, we have looked at our internal functions and the best way to develop talent and performance amongst our staff, while delivering a high-quality service to our customers. To maximise our performance, we have focused on eight areas from rewarding success in the Office to promoting a healthy workforce. We introduced several initiatives in 2006, including our leadership development programme and new performance management system, which have put us well on our way to meeting these goals.

Alongside the business areas in the Office this year, we in human resources (HR) have reviewed the way we operate and how we can improve our service. Staff are our main asset and we are responsible for making sure that the working environment is a positive one; an environment which nurtures talent and innovation, drives up performance and rewards achievement.

From our review, we identified the need for a HR strategy which would be:

- be flexible enough to incorporate change as the business develops; and,
- robust enough to use as a guide to keep us heading in the right direction towards our goals.

We consulted with staff across the Office at all levels. We looked at best practice and what other HR sections were doing both inside and outside of government.

We reviewed the way we deliver our services to staff. In response to this, we have set up a service centre and are looking at ways to improve the way we deliver services electronically to make them more efficient and easier to use. We have also introduced HR advisors who will work directly with the business areas in the Office and encourage two-way communications to identify any problem areas and improve the way we support the business.

There are eight main areas that we want to focus on to improve our performance as an office and our performance in HR as a service to the Office:

- resource management and delivering business success through people;



- embedding a culture that drives up performance;
- consistently rewarding success and celebrating achievement;
- nurturing and bringing on talent in our staff;
- ensuring a management culture which fosters a good working environment while delivering business aims, and a leadership style which delivers more modern, efficient and dynamic services;
- supporting and promoting the health and well being of our staff;
- ensuring HR policies and practices are modern, forward thinking, robust and recognise diversity and good practice; and,
- ensuring an HR function which supports business priorities.

We have already introduced various initiatives to take us forward under the HR strategy and are engaged in some

**“We are looking at leadership and management styles across the Office from the top down to make sure we have a working environment that encourages innovation, an emphasis on customer service and quality in performance.”**

significant projects which will improve the way we work.

In particular, we have introduced a leadership development programme tailored for specific staff who have been identified as potential future leaders. At the same time, we are reinforcing the importance of self-development to all staff through our ‘Working together for success’ initiative, which encourages everyone to develop their skills and potential. We are looking at leadership and management styles across the Office from the top down to make sure we have a working environment that encourages innovation, an emphasis on customer service and quality in performance. We have developed a new performance management system, which focuses on business aims and actual achievement and will improve the way we prioritise our work.

Throughout 2007, we will continue to develop our HR operation to improve the way we work with the business areas in the Office and to help support them in delivering a high-quality service to our customers.



The image shows a close-up view of a solar panel array. A thick yellow diagonal band runs from the top left towards the center. Overlaid on this band is the word "Sun" in large, bold, orange letters. The background consists of numerous blue solar panels with white grid lines. A white support pole is visible in the foreground, holding one of the panels.

Sun



# mmer<sup>2</sup>

STAKEHOLDER VALUE: EXCEEDING EXPECTATIONS

## SOLAR PANELS

Solar power is the technology of obtaining usable energy from the light of the Sun. Solar energy has been used in many traditional technologies for centuries and has come into widespread use where other power supplies are absent, such as in remote locations and in space.



**David Evans**  
**Patent Examiner**

## PATENT OFFICE AWARD WINNING SCHEME DEMONSTRATES A REAL COMMITMENT TO OUR STAKEHOLDERS

We are committed to our corporate social responsibility and contribute a great deal of support to our local community, encouraging staff to take part in a wide range of community events and fundraising activities. Our Patent Office School Support (POSS) scheme has been particularly successful, and this year was again awarded the 'Science Award for Industry' by the Mid Glamorgan Education Business Partnership (EBP).

We have offered help and assistance to primary and secondary schools in the South Wales region for many years. We have a well established Patent Office School Support (POSS) scheme, which specifically works with local schools, education and business partnerships, and local authorities. The POSS team consists of 10 patent examiners and all of the activities they deliver aim to develop pupils' interests in science, engineering and intellectual property (IP). Other activities include those that help to prepare students for the workplace and university.

The team is also a member of the Science and Engineering Ambassadors scheme, established by the Department of Trade and Industry (DTI) and Department of Education (DfE). This year, and for the third year running, the team was presented with the 'Science Award for Industry' by the Mid Glamorgan Education Business Partnership (EBP). The award, presented by Jane Davidson AM, Minister for Education and Lifelong Learning, clearly recognised our commitment to the local community of South Wales. We have been described locally as the organisation that provides the highest level of support and greatest number of facilitators for events.

We deliver our 'Patent Office Challenge' to pre-GCSE students, and it provides a 'hands-on' science and engineering experience. This interactive challenge combines science, engineering, IP and business principles in allowing students to design and develop prototype mechanical models. Other educational events supported by our team include a host of extra engineering and scientific workshops, and mock interviews that aim to prepare secondary school students for university or job interviews. We also work alongside our Awareness and Information Media Team in delivering IP presentations to A-level students.



Following the continued success of this team, a corporate decision has been made to expand the team to include staff throughout the Office. The POSS team coverage will also be extended to include Swansea, Bristol and Bath. This will provide both greater support for the local community and an excellent development opportunity for staff.

**“We have been described locally as the organisation that provides the highest level of support and greatest number of facilitators for events.”**

**Mike Wright**  
**Director, Customer Innovation and Support Services**

## NEW CUSTOMER RELATIONSHIP MANAGEMENT UNIT WILL FOCUS CUSTOMER RELATIONS

This year we have worked to improve our customer relations. In doing this, we have asked for feedback on our performance through a customer research report (with great results), and developed a strategy for supporting innovation with a programme of new awareness raising activities for 2007. Further, a new Customer Relationship Management Unit will focus customer relations into one central team.

Customer relations have been at the forefront of our activities this year, and our overall aim has been to deliver the IP rights that customers want, in the timescales they want and in the ways that they want. In 2006, we consulted externally on how we can support innovation, over and above our core functions. We have analysed our office structure to see if it best reflects how we deliver our role, and created a whole new customer relationship team as a result. Not only this, but we have also carried out in-depth research into our customers, and this produced very useful results. We believe our hard work has contributed towards our aim, and we will benefit from this in 2007 and for years to come.

### **Customer Relationship Management Unit**

As part of the 'Patent Office in the 21st Century' programme, the Patent Office Board agreed to introduce a new Customer and Innovation Support Services Directorate (CISS). This new directorate will take over certain existing activities, for example, our Awareness, Information and Media team, but most significantly we will create a brand new unit to focus on customer relations. The main responsibilities of this Customer Relationship Management (CRM) Unit will be to:

- understand the needs of our existing and future customers;
- find out what customers think of our services; and,
- decide how we will efficiently record the information they provide.

Firstly, we will find out which aspects of our customers' expectations we are not meeting and how we can improve. We will also develop best-practice models which will form the basis of our CRM Unit. These best-practice models will help define our approach to managing customer relations, and we will embed this approach throughout the whole of the Office.



### **Customer research report**

One of the crucial foundations for the CRM Unit will be the results of the customer research we commissioned from IFF Research this year. This gave us essential information on our types of customers and what they consider to be our strengths and weaknesses. The responses also contained significant praise for our staff and the level of training they receive. We will continue to use this information to help us find out even more about our customers so that we can provide them with services that meet their expectations.

### **Innovation support strategy**

In its Innovation Report 2003, the Department of Trade and Industry (DTI) acknowledged the important role we can play in supporting innovation. We already support innovation by granting high-quality IP rights which provide the necessary protection that helps encourage investment in innovation. Our tribunal and mediation functions and IP crime strategy contribute to IP enforcement. Through our policy role, we help develop a framework of IP law and policy to meet a modern knowledge-based economy. We are also very active in promoting greater awareness of IP. However, we have more to offer and have been exploring how else we can use our knowledge and expertise to contribute to the Government's innovation agenda.



To use our assets effectively and efficiently, we have developed a strategy for supporting innovation. We consulted the public on this strategy this year. We considered the responses we received when producing the final version of the strategy document, which is available on our website at [www.patent.gov.uk/innovationstrategy.pdf](http://www.patent.gov.uk/innovationstrategy.pdf).

The strategy contains a programme of support activities which we carry out as well as our main functions. They include new awareness raising measures in both the business and education sectors, and non-statutory services that can help businesses make informed decisions. Some activities will involve working with other organisations. It is not possible for us to do all this at the same time, so we will give priority to those that offer the greatest benefits in promoting innovation.

**"We have more to offer and have been exploring how else we can use our knowledge and expertise to contribute to the Government's innovation agenda."**

**Jim Houlihan**  
**Senior Policy Advisor**

**Dave Morgan**  
**Education Support Manager**

**Susan Chalmers**  
**Deputy Director, Patents**

## PATENT OFFICE AWARD WINNING PERFORMANCES RECOGNISED

This year both our THINK kit® and Intellectual Property and Genetics Testing Technology teams received silver awards at the Business and Innovation Group Top Team Award (BIGTTA). Coupled with the re-certification of our pre-patent granting service to the ISO, we are pleased that once again the services we provide have been recognised by others.

In the past we have been recognised for our excellence in the services we provide, and this year has been no different. In 2006, we have received a number of awards at both governmental and independent award ceremonies. We mention the success of our mediation service at the Centre for Effective Dispute Resolution (CEDR) Awards for excellence in alternative dispute resolution on page 3 and the award from the Mid Glamorgan Education Business Partnership (EBP) for our Patent Office School Support (POSS) scheme on page 15. Our successes at the Business and Innovation Group Top Team Award and on our certification to the ISO 9001 quality standard are highlighted below.



### **Business and Innovation Group Top Team Award (BIGTTA)**

Since 2002 the BIGTTA panel has rewarded staff in the Business and Innovation Groups of the Department of Trade and Industry (DTI) with financial rewards of up to £500. The BIGTTA Panel judges meet to consider nominations twice a year. They assess the nominations against a set of criteria which include 'overcoming obstacles and pulling together to deliver aims' and 'implemented innovative ways of team working or serving customers/stakeholders'. Winning nominations are awarded gold, silver or bronze depending on how well they meet the criteria.

This year saw the final BIGTTA ceremony now that the Innovation Group has become part of the Office of Science and Innovation (OSI), and we were privileged to be amongst the 16 award winning teams. The efforts and successes of our THINK kit® and Intellectual Property (IP) and Genetics Testing Technology teams were both recognised by silver awards in the innovation group.

The 'IP and Genetics Testing Technology' team was awarded for their success in setting up and hosting a nationwide conference on IP rights and technology for genetic testing. The conference was a response to concerns from the public sector about IP issues connected with genetic testing kits that are being developed in public health laboratories. It attracted delegates from across a variety of healthcare and biotechnology organisations. Feedback from the day was very positive, and attendees found it useful to meet with others from this field of work. In particular, some took the opportunity to learn about our bespoke commercial search services from demonstrations provided by examiners. As a result of the conference's success, we are currently organising a symposium for spring 2007, in partnership with colleagues in the DTI BioScience Unit and the National Health Service National Innovation Centre. The general theme of this symposium will be medical innovation, particular regenerative medicine, and will also follow up some of the interesting issues raised at February's conference.

**"Feedback from the day was very positive, and attendees found it useful to meet with others from this field of work."**

BIGTTA rewarded the THINK kit® team for raising awareness of IP. Our educational resources give students a basic understanding of how important robust IP strategies are to organisations in today's economy. Independent research shows that our resource is being used by a wide variety of teachers to introduce the complex subject of IP. The project is now in its third year and this is not the first time that our highly successful educational resource has won a prestigious prize - in 2004, we received an award for the Best Integrated Public Relations campaign. We are currently working on different versions of THINK kit® to expand our programme in 2007. Our electronic version will be made up of modules to make it flexible to use, and will include links to the websites of other providers. We are developing it with a specialist in this field, and it will follow the educational curriculum. We launched this version of THINK kit® with the Department of Education and Skills (DfES) and the Specialist Schools and Academies Trust at their yearly conference in Chester in February 2007. We are also developing a version aimed at the further and higher education sectors with the National Council for Graduate Entrepreneurs. It will feature the experiences of some of our graduate entrepreneurs, and will show how IP is an important consideration when setting up a new business.

Mark Gibson, the Enterprise and Business Group Director General, confirmed that both he and Sir Keith O'Nions, the Director General of Science and Innovation, are committed to these awards, so we hope to continue our success into 2007 now that we are part of OSI.

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**“Independent research shows that our resource is being used by a wide variety of teachers to introduce the complex subject of IP.”**

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## ISO 9001:2000

In February, we successfully gained ISO 9001 re-certification of the pre-grant patenting process. We also extended certification to cover our Search and Advisory Service commercial patent search resource. We are the first patent office in the world to gain certification again, and the award confirms the Office as a centre for quality and excellence.

ISO 9001:2000 is the international standard for quality management systems. To gain certification again, we had to show we have a framework in place to efficiently grant patents that our customers can trust to be valid and provide high-quality commercial patent searches. This framework includes our day-to-day work, policies and business network. An independent assessor spent five days interviewing staff at all levels, so that he had a good understanding of the way we work. The assessment covered training, quality assurance, information technology systems, managing workflow and customer relations.

The ISO 9001 award sits alongside our fifth Charter Mark award in 2005 for excellence in public service.

**“We are the first patent office in the world to gain certification again, and the award confirms the Office as a centre for quality and excellence.”**

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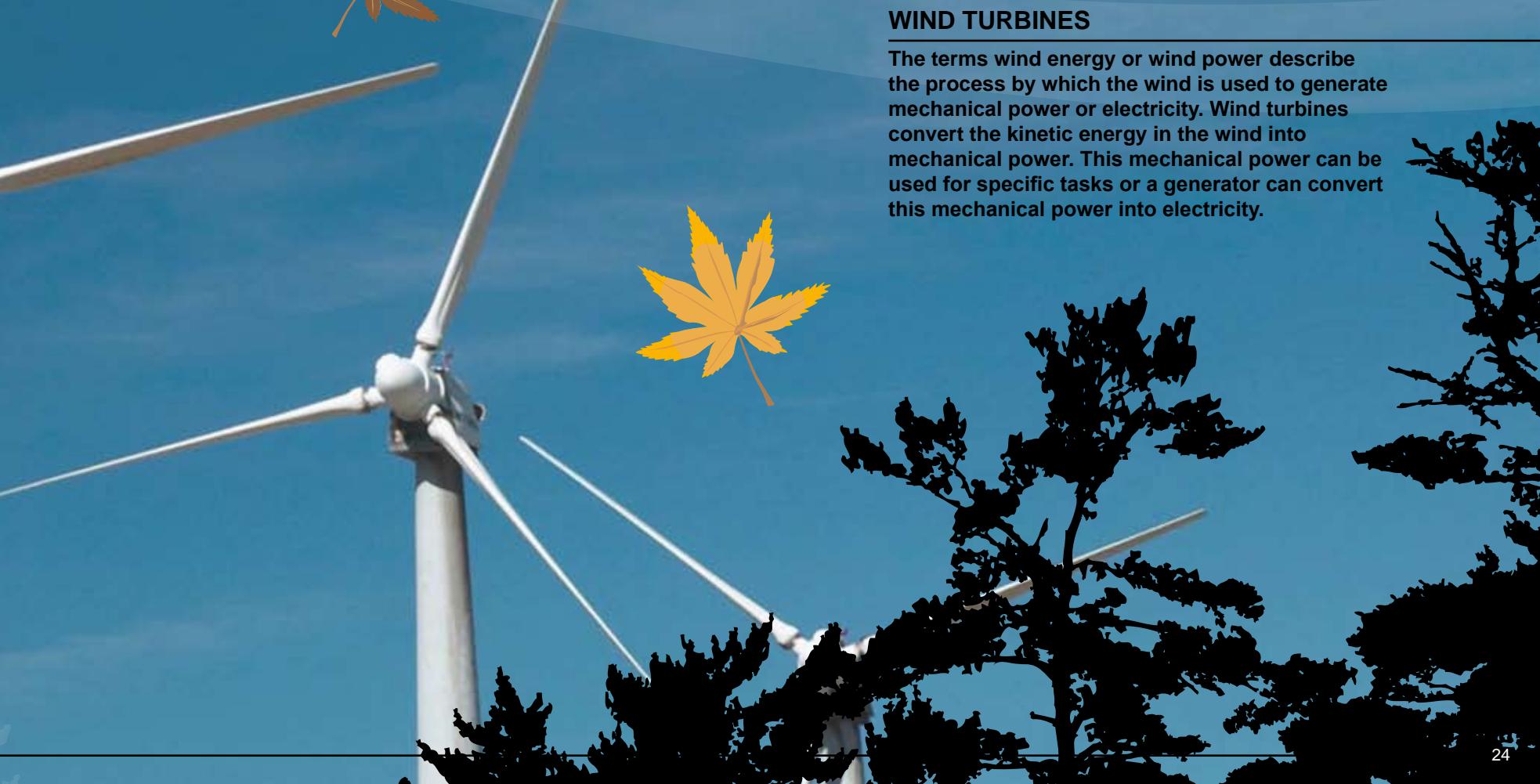


# itumn<sup>3</sup>

DEVELOPING BEST PRACTICE: REFLECTING ON OUR SERVICES

## WIND TURBINES

The terms wind energy or wind power describe the process by which the wind is used to generate mechanical power or electricity. Wind turbines convert the kinetic energy in the wind into mechanical power. This mechanical power can be used for specific tasks or a generator can convert this mechanical power into electricity.



We value the opinions of our stakeholders and this year consulted on a key aspect of UK trade mark examination practice ‘relative grounds’. Most of the respondents favoured a system that identifies conflicting marks to both the owners of them and the applicant, but does not affect the registration process. While this option differed somewhat from our recommendation, we concluded that our users were right and adjusted our approach accordingly.

In February, our Trade Marks Registry published a consultation paper to gather opinions on how we should deal with the relative grounds for refusal contained in section 5 of the Trade Marks Act 1994. The examination process here is significant because under this section we can refuse a new trade mark application which clashes with earlier registrations.

The aim of our consultation was to make sure that we have a system of trade mark registration that provides a useful and affordable alternative to registration at the Office for Harmonisation of the Internal Market (OHIM) for businesses in the UK. We also wanted to identify the best way to provide this.

Before issuing our consultation document, we asked for the views of our users through a pre-consultation exercise. The aim was to assess opinions on the strengths and weaknesses in our current system. These views, together with our own, helped us to put forward five options for the future of how we should deal with examination on relative grounds.

The options we put forward were as follows:

1. Keep the current system with no changes;
2. Search for conflicting marks and tell the applicant, but in certain circumstances allow the application to go ahead where the applicant agrees to contact the owner of the earlier mark;
3. Search for conflicting marks and tell the applicant, but allow them to help us find out if there is any proper reason to enforce the earlier mark or marks;



4. Continue the official search for conflicting marks, but contact the applicant for information only; or
5. Continue the official search for conflicting marks, but contact both the applicant and owners of earlier marks for information.

We had already consulted on this issue in 2002 and at that time recommended a model similar to option 4. When we launched this new consultation, having looked at the matter for a second time, we once again considered that option 4 was the most agreeable approach. We made this same recommendation on the basis that most of our users were unlikely to take action unless there was real conflict in the marketplace.

The consultation period ended on 17 May and we had 63 responses in total. It was extremely helpful that a large number of respondents had given specific and quite detailed reasons for their preferred option.

Of the responses we received, an overwhelming number supported the approaches suggested in options 4 and 5. The views put forward on these two options were also well thought through and finely balanced, and this made it tough to decide between them. The main argument for both was that disputes should be resolved as early as possible to avoid wasted investment in new trade marks. We agreed with this and so decided that option 5, rather than our recommendation of option 4, best supported this aim. It was also significant that 43% of the respondents had backed this approach.

Our next steps are to give more detail to option 5 and introduce the legal and administrative changes needed to put it into place. This will involve further consultation with our users on the procedural rules we need to introduce. We expect that this process and the changes we need to make to our internal systems will come into force in October 2007.

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**“It was extremely helpful that a large number of respondents had given specific and quite detailed reasons for their preferred option.”**

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## **RESULTS OF PATENT LAW AND PRACTICE SURVEY WILL HELP IMPROVE PATENT GRANTING SERVICE**

**In light of recent European debate, this year we have surveyed the application of the ‘inventive step’ requirement under United Kingdom (UK) patent law. The results suggest that, overall, users are happy with the current system and our examination practice in this regard, although there are lessons for us and we will use the responses we received to improve our patent granting service during the year ahead.**

The criteria we use to decide whether an invention is worthy of patent protection are very important to our economy, as our patent system contributes to competition, innovation and competitiveness in the UK. One such criterion that has recently been debated is the ‘inventive step’ requirement, that is, that an invention can only be patented if it is not obvious compared to what was known before. In the early part of this year, we carried out a formal consultation to reassess this requirement under UK patent law and practice.

Our consultation document<sup>1</sup> asked our customers a number of important questions ranging from the ‘level’ of inventive step needed to get a patent to how effectively it is assessed in practice. This was supplemented by a study within the Office of how the inventive step requirement is examined.

We had good interest in the consultation. There were over 7,500 visits to the internet pages hosting the document. Although in comparison to this, relatively few questionnaires were returned, several of these were submitted on behalf of organisations representing a range of industrial interests and professionals<sup>2</sup>.

The main message to come through was that most external users are happy with the current law and practice within the UK and that we manage examination for inventive step well. However, there are still lessons to be learnt. For example, there was some suggestion of inconsistency in certain high-technology fields (in particular computing and biotechnology) and we have recommended that this should be investigated further. Some respondents seemed to think that we apply a different standard of inventive step from the European Patent Office (EPO), while our internal work highlighted the importance of the quality of search and examiners’ professional development. These findings will provide a focus for future work.

<sup>1</sup>The inventive step requirement in United Kingdom patent law and practice: A review by the UK Patent Office <http://www.patent.gov.uk/consult-inventive.pdf>

<sup>2</sup>The full results of the consultation and the official response can be found at <http://www.patent.gov.uk/response-inventive.pdf>



One interesting finding from the process was that some respondents did not seem to be aware of the provision in the Patents Act that allows third parties to make observations on applications and whether they should be patented before they are granted. Third party observations by their nature increase the strength of the patents we issue and so in turn contribute to a robust patent system. In line with recommendation 22 of the Gowers review<sup>3</sup>, which set out that we should ‘maintain a high quality of patents awarded by increasing the use of ‘section 21’ observations: streamlining procedures and raising awareness’, we are taking steps to encourage use of this feature.

Our overall conclusion from this review has been a positive one for both the Office and the patent system we run. The responses have confirmed that we are working well to make sure that our system benefits our country, while also giving some useful comments on how we can further improve our service.



**“The responses have confirmed that we are working well to make sure that our system benefits our country, while also giving some useful comments on how we can further improve our service.”**

<sup>3</sup>For the full Gowers report see [http://www.hm-treasury.gov.uk/independent\\_reviews/gowers\\_review\\_intellectual\\_property/gowersreview\\_index.cfm](http://www.hm-treasury.gov.uk/independent_reviews/gowers_review_intellectual_property/gowersreview_index.cfm)

**David Landau**  
**Principal Hearing Officer**

**Chris Bowen**  
**Assistant Principal Hearing Officer**

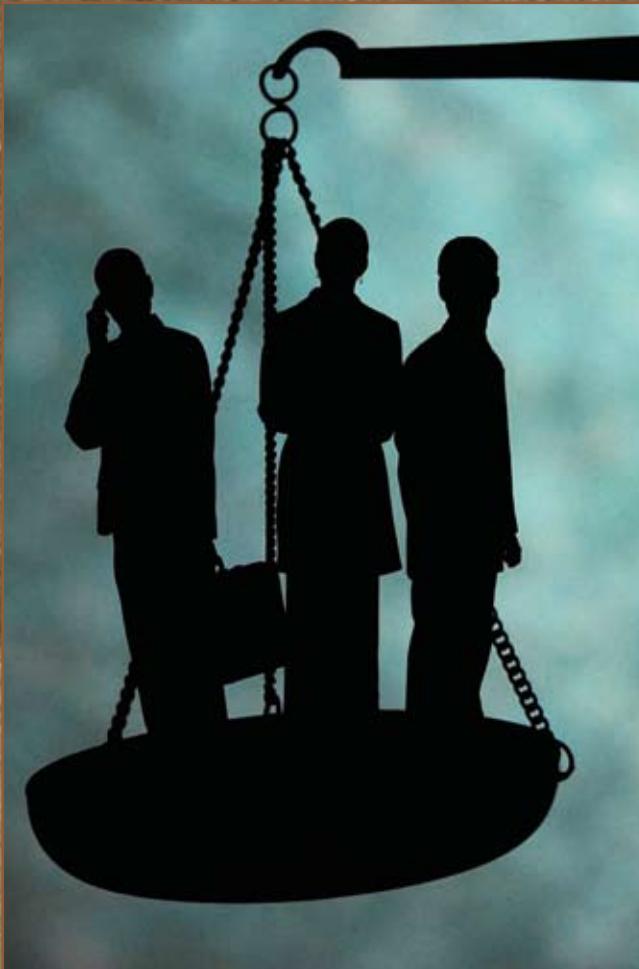
## COPYRIGHT TRIBUNAL REVIEW LOOKS AT WAYS OF CUTTING COSTS AND SPEEDING UP THE TRIBUNAL PROCESS

This year we have asked for opinions on our Copyright Tribunal and started to compare our service with others in terms of both its general administration and specific legal functions. So far, our investigations have taken us to the other side of the world as we look for best practice to help us tackle the two main issues identified - cost and time.

In March, we began a review of the United Kingdom Copyright Tribunal as a result of an initiative taken in late 2005. The purpose of the review is to consider whether we can improve the way in which the tribunal works. We are interested in the Copyright Tribunal Rules 1989 (as amended), the statutory instruments governing the workings of the Tribunal and the 1995 Practice Direction (as amended). The review will show whether these need to be amended, consolidated or revised. The review is also considering the general administration and workings of the Tribunal.

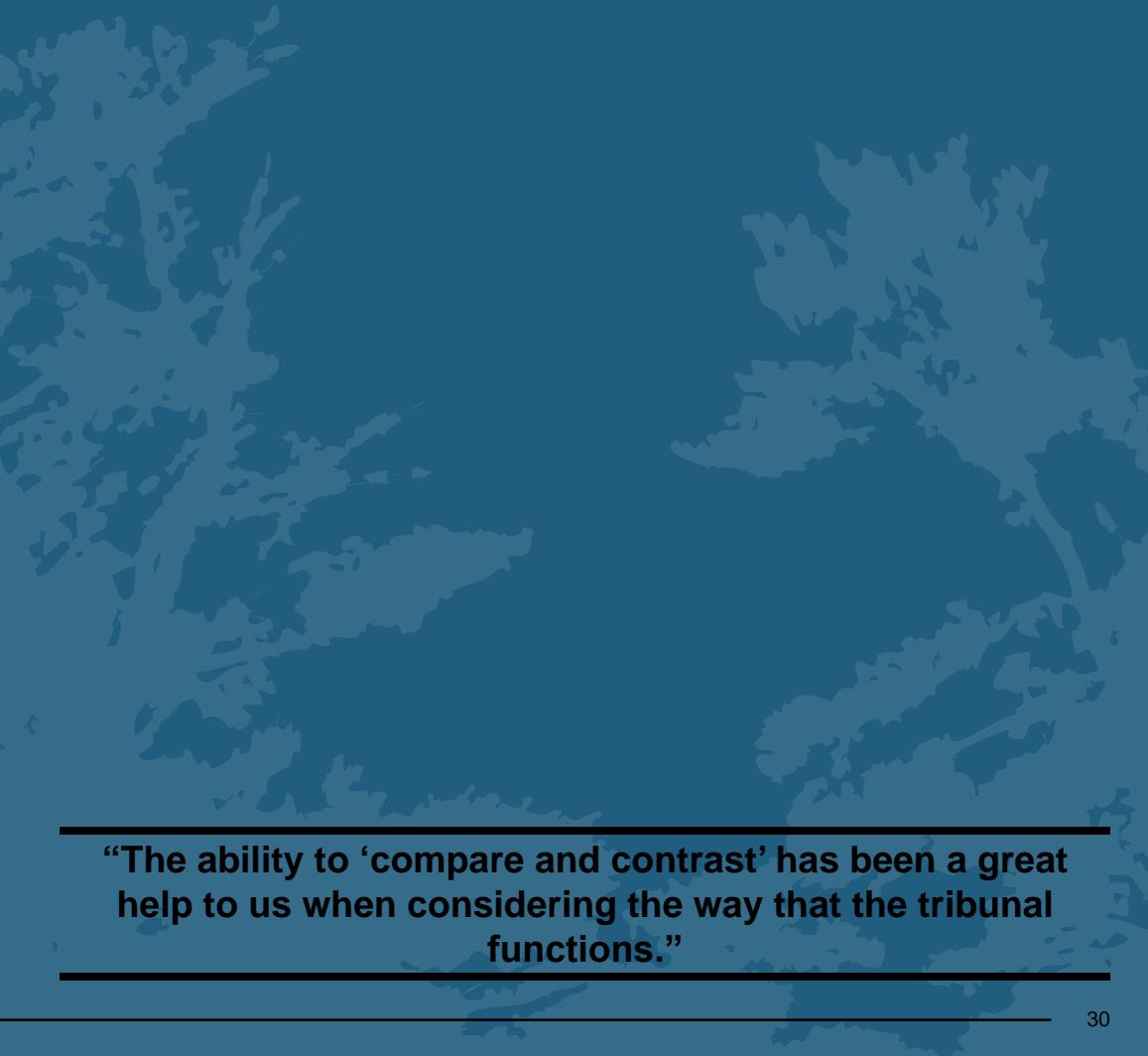
The review process began with an assessment of the case files and decisions of the tribunal from 2000 onwards. We then asked for views of those with a known interest in the tribunal, such as collecting societies and rights users, along with the views of the chairman and deputy chairmen of the tribunal and the tribunal's lay members. We also asked for views through our website. Interested parties had until the end of May in which to make their views known. We received a range of responses.

In September, we visited the Copyright Board of Canada. The purpose of the visit was to compare their work to that of the UK Tribunal. The ability to 'compare and contrast' has been a great help to us when considering the way that the tribunal functions. We have also looked at Australian law and have studied the reports of the Monopolies and Merger Commission into the PPL (Phonographic Performance Limited) and the PRS (Performing Right Society Limited).



The next phase of our review is to consider the responses we received and analyse the findings of our Canadian visit. It is too early to say what our findings will be and, of course, we will need to consider any relevant recommendations or findings in the Gowers review. However, it clear that both collecting societies and rights users are frustrated by the time and expense associated with a reference to the Tribunal and we will be addressing this in the review.

We plan to complete our review in the spring of 2007.



**“The ability to ‘compare and contrast’ has been a great help to us when considering the way that the tribunal functions.”**

## THE PATENT OFFICE SUCCESSFULLY DELIVERS AN ELECTRONIC PATENT FILING SYSTEM

In last year's annual review we told you about the reasoning behind our Patents Electronic Casefile System (PECS) programme and the team involved. This year we achieved our goal and successfully launched the first part of PECS in June. We reviewed our project so far in July and August. This highlighted how good relations and well organised training has helped us to deliver our plans.

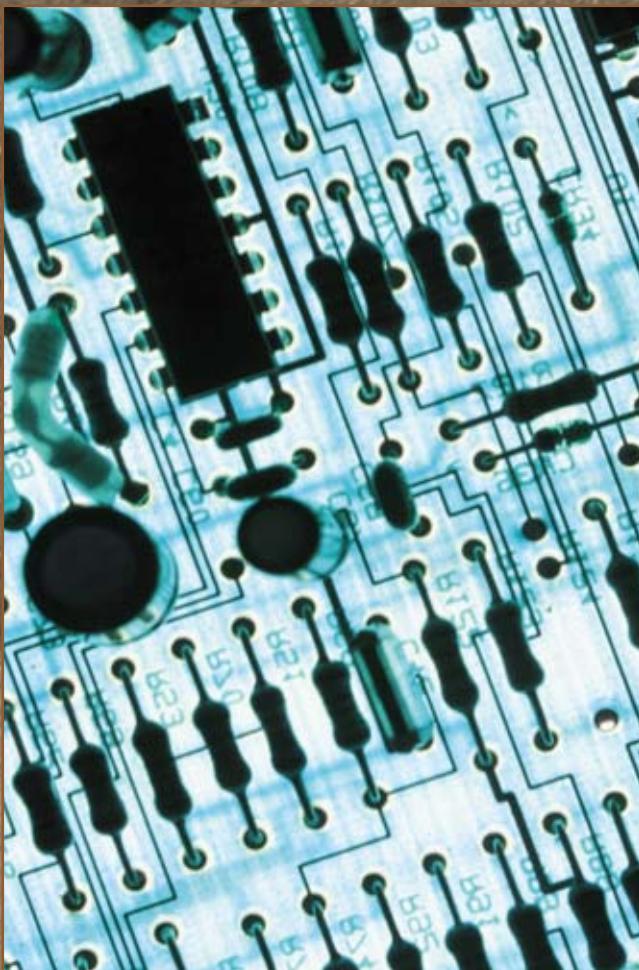
On 26 June, we launched our new Patents Electronic Casefile System (PECS). The PECS programme is all about providing a quicker, more efficient service for customers streamlining our workflows by introducing an electronic system for handling patents cases.

This has been driven by the government's targets for delivering on-line services and customer demand for on-line access to their applications and related documents. PECS will allow customers to have access to information, records and documents through more convenient electronic methods.

Our programme is managed using the 'Managing Successful Programmes' (MSP) method. We developed a business case to set out the aims for the programme, which were later stated in the PECS Programme Vision Statement:

'Paper free patenting resulting in operating efficiencies and improved operational capabilities, inter-operability with other Patent Offices and customer service.'

To achieve these benefits, we are taking a phased approach and introducing the programme one part at a time. The first part is now finished and delivers an electronic platform from which new UK patent applications can be processed electronically. This marks an innovative step as we are one of the few national patent offices able to process patents without using paper files as well. The second part began in September and focuses on turning all of the existing paper files into electronic form and increasing the range of electronic customer services available. We plan to have delivered this second part of the programme by early April 2007.



Our Executive Management Board is highly committed to the programme and some members are on the Programme Board with Sean Dennehey, Director of Patents, as Senior Responsible Owner (SRO). Throughout July and August we reviewed part 1 of the programme and from this identified that the support of the SRO and the clear allocation of resources, including the appointment of a Business Change Manager and Business Systems Manager, were crucial to the success of the programme.

We also realised that to bring about such a large change successfully required a huge amount of work from a dedicated team. We set up individual teams to be responsible for business change, information technology (IT) and training, and the purpose of the programme is to make sure that all of these parts of the jigsaw fit together.

As a result, the programme has also created a real team spirit, both across the Office and with the EPO. By placing our IT programme support and the business delivery teams in the same area we were able to better understand our different work cultures. As the programme has developed, there are now even closer ties between the two groups as a result of our



regular meetings.

The difficulties we experienced in introducing the European Patent Office's PHOENIX software strengthened our partnership with them. The software was needed to complete the move from paper casefiles to electronic ones, and we were able to overcome our difficulties through increased co-operation and active communication between our team and the EPO.

Finally, the part 1 review has highlighted that our training programme was also pivotal to the successful management of this change. The time we spent on training needs analysis and the coaching of in-house trainers, without a doubt, helped to make this change. Around 500 staff have now been trained on PECS and all this was done while maintaining business as usual. We hope the introduction of part 2 will be just as triumphant.

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**"The first part [of PECS].... marks an innovative step as we are one of the few national patent offices able to process patents without using paper files as well."**

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## PATENT OFFICE FOR THE 21ST CENTURY PROGRAMME WILL IMPROVE OUR PLANNING PROCESSES AND CUSTOMER RELATIONS

This year, our ‘Patent Office for the 21st Century’ programme has delivered many benefits to the Office, from establishing a new directorate focussed on our customer relations, to the development of a new business planning process. The Government’s independent report into intellectual property (IP) was published in December, and we were pleased that much of our programme is in line with the recommendations made.

As reported in our 2005 Review, last year we started a programme to put in place a new business model. Our aim was to provide a framework for our 2006/07 Corporate Plan as well as underpin our future plans. In particular, the programme has produced a model that gives a more robust and comprehensive way of assessing our business performance.

‘A Patent Office for the 21st Century’ (PO21C) included a number of project teams tasked with:

- identifying new customer services;
- identifying improved innovation support;
- working on details of the financial and efficiency regimes;
- providing IT and communication infrastructure;
- identifying the overall organisational structure that best supports the new framework; and,
- identifying skills needed by our staff to make the whole thing work.

To this end, our programme has produced the following benefits and outcomes in 2006:

We have established a new Customer & Innovation Support Services directorate. This has brought together all of our customer and innovation-related work and includes a new Customer Relationship Management Unit.

We conducted a survey of customer needs which has focussed our attention on the market segmentation amongst customers and this has informed the role of our Customer Relationship Management Unit.

We conducted a skills analysis. This has clearly identified our strengths, but at the same time exposed the gaps in our skills which we will address.



We consulted on our innovation support services and as a result have identified our partnerships with others and prioritised our activities. This will benefit our customers by providing a complete package on the support for innovation that is available. We also identified and will carry out a range of education and advisory activities to small businesses and research and educational institutions. In doing this, we aim to increase their chance of business success by ensuring that they have a sufficient understanding of IP. Our activities will include training, advice to specific firms and individuals, providing audits for organisations to help identify the IP they hold and guidance on licensing agreements for technology transfer.

We developed a business planning process that incorporates a balance scorecard method. This approach allows us to measure our efficiency in all areas of the work we do.

We identified the need for a major rethink on our Information Systems Strategy and commissioned a short project to make recommendations on scope for common platforms and what is known as an "Enterprise Architecture".

We produced a Policy Business Plan to identify priorities and best use of resources. However, in light of the Gowers review – which is explored further below – we will now need to amend this.

During the year, the Government commissioned the independent Gowers report into the delivery and use of intellectual property<sup>1</sup>. We met Andrew Gowers early in the review and discussed the aims of the PO21C programme. We were pleased that he supported our aims, and saw the programme as being very much in line with the direction of his commission. Following that early meeting, we kept in touch with the Review Team and offered information as and when requested. We also commented on emerging recommendations.

The Gowers report was published on 6 December 2006 and our next task is to merge actions on the recommendations with the outcomes of the PO21C programme. Together they will form the backbone of our 2007 Corporate Plan.

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**"In particular, the programme has produced a model that gives a more robust and comprehensive way of assessing our business performance."**

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<sup>1</sup>For the full Gowers report see [http://www.hm-treasury.gov.uk/independent\\_reviews/gowers\\_review\\_intellectual\\_property/gowersreview\\_index.cfm](http://www.hm-treasury.gov.uk/independent_reviews/gowers_review_intellectual_property/gowersreview_index.cfm).





# Winter4

## ENFORCEMENT: HOW WE SUPPORT YOUR RIGHTS

### GEOTHERMAL POWER PLANTS

Geothermal power is the use of geothermal heat for electricity generation. It is often referred to as a form of renewable energy, but because the heat at any location can eventually be depleted it technically may not be strictly renewable. Geothermal comes from the Greek words geo, meaning earth, and therme, meaning heat. Geothermal literally means “earth heat”.

## WE TAKE PRIDE IN OUR CONTRIBUTION TO INTERNATIONAL INITIATIVES ON FIGHTING IP CRIME

The European Directive on the Enforcement of Intellectual Property (IP) Rights and G8 projects on combating piracy and counterfeiting are developments at European and International level in the fight against IP crime. The enforcement of IP rights is a subject close to our hearts, and so we take pride in our effective contribution to both of these key initiatives.

We continue to represent the UK at both a European and International level to make sure that developments in intellectual property (IP) reflect the interests of our stakeholders. IP is a complicated subject and because countries often have different opinions on what a common approach should be, it can be difficult to reach an agreement on best practice. In last year's Annual Review, we told you about our involvement in negotiations at the World Intellectual Property Organisation (WIPO) and the Office for Harmonisation of the Internal Market (OHIM). This year, the enforcement of IP rights has been an important issue and we are pleased that two European and International developments have been influenced by the UK - the European Directive on the Enforcement of Intellectual Property Rights, which was implemented in April, and the announcement of the G8 projects on combating piracy and counterfeiting that were put together under the UK Presidency.

### **European Enforcement Directive**

The Directive on the Enforcement of Intellectual Property Rights (2004/48/EC)<sup>1</sup> harmonised the civil measures and procedures for the enforcement of IP rights across the countries of the European Union. The aim was to make sure that there were consistent resolutions available. Most notably these covered the protection of evidence, provisional injunctions and damage awards.

We were pleased that a lot of the Directive was based on UK practice and procedures. This showed how strong and highly regarded our system of enforcement is considered by our colleagues in Europe. The changes needed to UK law and civil procedures were therefore relatively minor, but implementing the Directive was still a complicated task. We oversaw the analysis of all the current intellectual property laws in the UK to make sure that they met the terms of the Directive. We also had to be careful to take into account the differences between English and Scottish law. We carried out the analysis in partnership with other government interests, particularly the Department for Constitutional Affairs. Together, we carried out both formal and informal consultations to make sure that all of our stakeholders had a chance to comment.

<sup>1</sup>The Directive on the Enforcement of Intellectual Property Rights (2004/48/EC) [http://europa.eu.int/eur-lex/pri/en/oj/dat/2004/l\\_195/l\\_19520040602en00160025.pdf](http://europa.eu.int/eur-lex/pri/en/oj/dat/2004/l_195/l_19520040602en00160025.pdf)



We implemented the Directive by the required deadline of the end of April<sup>2</sup>, except for some minor changes to court rules for Northern Ireland. The next item on the European Commission's agenda is their proposal for another directive<sup>3</sup> on the enforcement of IP rights, but this time it covers criminal law. Our colleagues in the Home Office are leading on the Brussels discussions of this proposal because of the criminal aspect, but we are working closely with them to make sure that IP interests are properly represented.

### G8 Activities

This year we have seen our efforts under the UK Presidency of G8 in 2005 come into fruition. During our Presidency we put together a number of projects to take forward the G8 statement on piracy and counterfeiting issued at Gleneagles in July 2005. These projects are designed to improve co-operation among the G8 countries and other countries, as well as competent international organisations to tackle the trade in pirated and counterfeit goods.



We discussed the project proposals with our G8 partners and observer organisations (World Trade Organisation, World Intellectual Property Organisation, World Customs Organisation, Organisation for Economic Co-operation and Development, Interpol) at the second meeting of the G8 IPR experts group in March. Before this we had got together various UK interests to get their opinions on the projects so that we could fairly represent their views. This meeting was well attended and provided useful preparation for the G8 discussions. There was general support for the project's aims with various concerns expressed as to what could actually be achieved.

This year's Russian G8 Presidency then announced the projects at the St. Petersburg Summit in July<sup>4</sup>. We went to the third meeting of the experts group in November to consider detailed plans to progress these projects. We still have a lot of work to do, but, at the 2007 Presidency, the Germans confirmed their commitment to take the work forward and that there will be further meetings of the expert group in February and April next year.

<sup>2</sup>See our website at <http://www.patent.gov.uk/policy/policy-issues/policy-issues-enforcement/policy-issues-enforcement-eudevelopments.htm> for more information on EU developments

<sup>3</sup>Amended proposal for a Directive of the European Parliament and of the Council on criminal measures aimed at ensuring the enforcement of intellectual property rights

<sup>4</sup>Combating IPR Piracy and Counterfeiting, St.Petersburg, July 16, 2006 <http://en.g8russia.ru/docs/15.html>

**"We were pleased that a lot of the Directive was based on UK practice and procedures."**

## ENFORCEMENT REPORT IS KEY IN FIGHTING IP CRIME

**As the vehicle that co-ordinates anti-piracy and counterfeiting activity in the UK, our Annual Enforcement Report is a key tool in the fight against intellectual property crime. This year, a rise in contributions shows how our partnership with government agencies and industry has strengthened, and how the internet is now being used as a major source of trade in counterfeit goods.**

Businesses with creative, technical and intellectual products, processes and services have placed increasing emphasis on the value of intellectual property (IP). Unfortunately we are not the only ones to have recognised the increased value of IP in today's world. Criminals have followed this trend and see counterfeiting and piracy as an easy way to make money. The Government is determined to put in place effective protection measures so that UK businesses can work in fair and equitable markets.

The role of our annual enforcement report is to:

- provide a framework for collecting evidence to find out the scale of IP crime in the UK;
- set out what action is currently being taken; and,
- set out plans for increasing the fight against counterfeiting and piracy.

Lord Sainsbury of Turville launched the report in June, warning that international intellectual property crime is becoming a more serious problem, with seizures at European Union (EU) borders rising dramatically. The report includes contributions from the Government, enforcement agencies and industry, and sets out the scope and scale of IP crime.

Our annual enforcement report is the result of a considerable effort that we have put into developing a national IP crime strategy. This year's report has seen the number of contributors rise significantly since last year; further evidence of an expansion of the partnership that is continuing to work together effectively to tackle IP crime. Our report also showed the range of activities that is being carried out by enforcement agencies and provides a clear picture of emerging trends in illegal activities. The aim is to show what has been effective and what still needs to be done.



This year's report has highlighted how the internet is being used for selling counterfeit goods, particularly through on-line auction sites. The Business Software Alliance estimates that Microsoft has stopped more than 35,000 auctions on a leading UK based auction site since August 2005. Music piracy is now considered to be a common problem and the British Phonographic Industry (BPI) estimates that there is now somebody on every street in the UK manufacturing music illegally, either for their own use or to make money. Against the background of this growth in criminal activity, the contributors to our report were very concerned that there exists a public perception that there are no victims of IP crime.

The role of the IP Crime Group is to try to make sure that there is a change in the response to, and an increase awareness of, IP crime. This means both in sharing knowledge and developing new tools, such as the IP Crime National Database, which we tell you more about on page 43. Over the coming year, we hope to make progress in a number of these areas, and will tell you how we get on in next year's annual enforcement report.

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**“Our annual enforcement report is the result of a considerable effort that we have put into the developing a national IP crime strategy.”**

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## PROFESSIONALS VALUE OUR OPINIONS SERVICE

Our opinion service has been well used with some thirty requests filed since it was launched in October 2005. In autumn we began to review the service and the effect it has had from a business point of view. It appears everything is 'so far, so good', and the positive comments we received from the professional press clearly show that the service has gone down well with users and has met a real need.

Our opinion service was introduced on 1 October 2005. It was a ground-breaking initiative aimed at helping parties avoid legal action, or at least reduce its cost. The service was intended to be quick, while offering a high-quality, independent view. It covers both whether a patent is valid and patent infringement.

### So has it worked?

In just over a year, some thirty requests have been filed - a very encouraging number given the understandable caution of users to be the first to try a new legal service. Our service is open to everyone to use, and this is reflected in the nature of the requests we have received so far. Users have ranged from big companies to Small and Medium-sized Enterprises (SMEs), meeting our expectation that the service would appeal to a wide cross-section of the market. The straightforward procedures have given eight parties without legal representation the confidence to use the service. Requests for opinions on infringement were slightly more popular than requests on validity, with one in four users of the service asking for both. It is also notable that in most cases third parties have been submitting observations rather than staying silent. That's important, because an opinion based on the views of both sides carries more weight.



So much for the demand, but what about the delivery? That too has gone very well. At the time of writing, examiners had issued all their opinions within the tight three-month target, with the exception of just one case where legal proceedings that were taking place at the same time caused some procedural problems.

In the autumn, we started a review to find out what effect the service has had from a business point of view and early signs from that are positive. What is obvious is that the quality of the opinions we have issued has received consistently high praise in the professional press. A typical example is a recent article by a patent attorney in the European Intellectual Property Review, which - as well as saying that the Office has "delivered on all of these requests with some style" and that the opinions are "fair and reasonable" – concludes that "The system has been met with interest far beyond the United Kingdom and we may see it as a template for initiatives elsewhere.... If it can keep to the current strict timescale and robust operational principles, then the opinion process could continue to provide a very useful additional forum to IP users."<sup>1</sup>

<sup>1</sup>Extracts from "Patent Office Opinions: The Patent Agent's view" by Gwyllim Roberts of Kilburn & Strode from issue 10 of the EIPR (European Intellectual Property Review) 2006, published by Sweet & Maxwell Ltd.

**"[the Office has] delivered on all of these requests with some style."**

## THE PATENT OFFICE LEADS IN FIGHT AGAINST IP CRIME

Our Intellectual Property Crime National Database holds information to help in the prevention and detection of intellectual property (IP) crime and during 2006 we increased the number of people trained to over 500. This direct contact with users has also given us the opportunity to re-emphasise the importance of an information-lead strategy and get their ideas on the best ways to tackle the ever-growing problems of counterfeiting and piracy.

The IP Crime National Database helps us to collect and analyse information on IP crime for the IP rights enforcement community. It is planned that the system will be used by enforcers of IP rights in the UK who want to benefit from sharing information and working in partnership with other enforcement agencies.

Lord Sainsbury, at the Annual Trading Standards Institute Conference in June 2006 said “....the clear message to IP criminals is that the UK is no longer a safe environment for you. Our joint intelligence will lead to more surprise raids, in more locations, and we will take action against those who are involved...” Making sure that we have an information database is obviously an important part of this work. Our focus this year has therefore been the development of that database. This is a significant task, and we will be continuing this work over 2007.

Our plan is for the database to hold information to prevent and detect IP crime. We will process and assess the information to identify how accurate and dependable it is, and for its level of sensitivity. However, a database is only as good as the information that goes into it, and the analysis that comes out of it. We have also been working with regional ‘scambuster’ analysts and tactical tasking groups to make sure that the information we collect in the future can be analysed and allow effective enforcement action to take place.

There are a huge number of possible users across trading standards, police and customs officers, investigators from the Department for Work and Pensions and Jobcentre Plus, brand protection managers and anti-piracy investigators working in the creative media industries, such as music, films and games.



The enforcement team has taken part in over 20 training sessions throughout the UK, and so far we have trained over 500 people on how to use the database. Our aim is to develop a core base of users, who can supplement other training materials with the database to make sure that it is taken up widely. Indeed, we have already collected 500,000 pieces of information on the database.

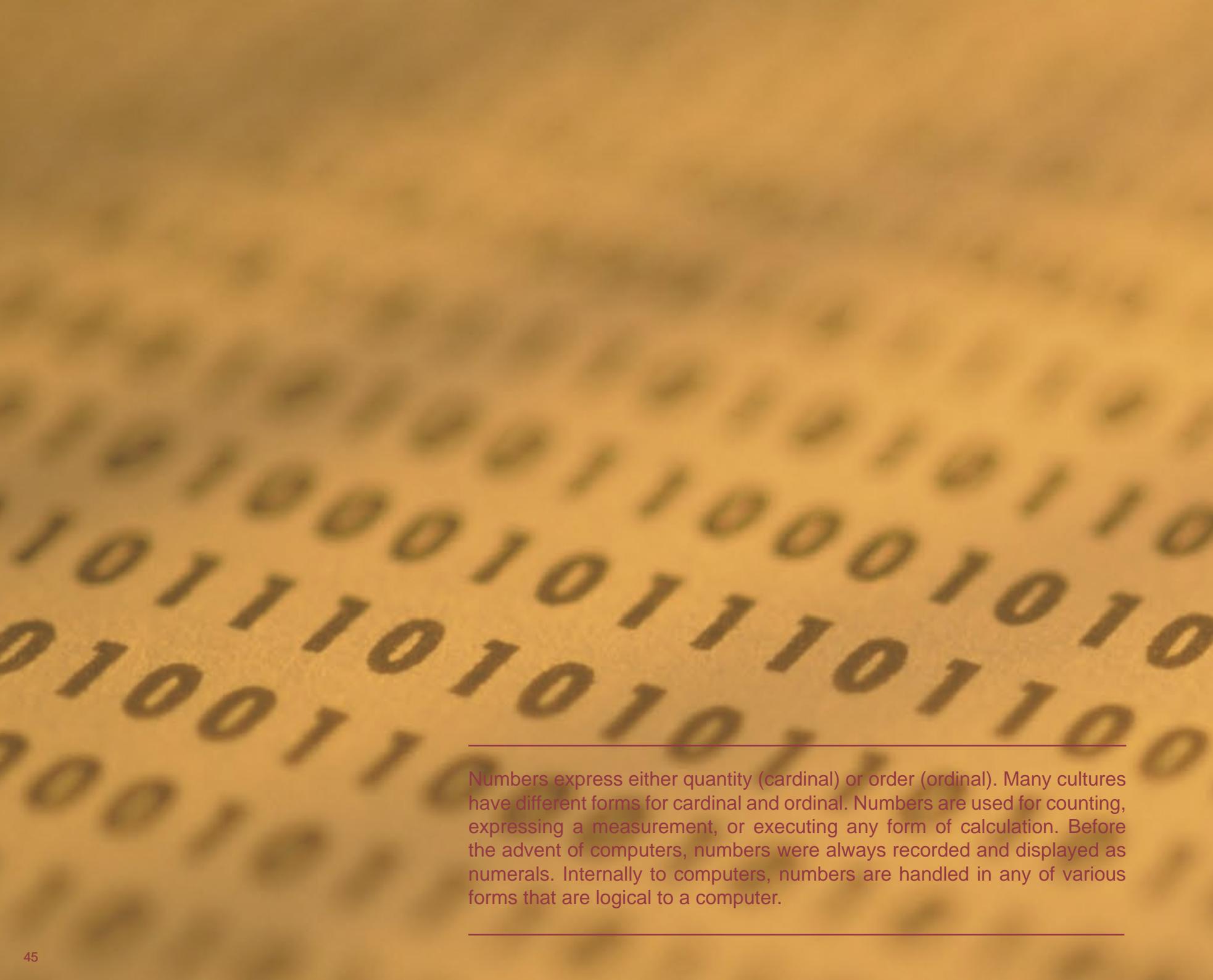
We have aimed the training at those officers who will use the system regularly and who deal with IP crime during the course of their weekly duties. We have had excellent feedback from users who are delighted to see the development of co-ordinated action on IP crime. Alongside teaching people how to use the system, it has been a great opportunity to raise the importance of an information-lead strategy and to talk to people about how best to tackle the growing problem of IP crime.

We see the IP Crime National Computer as an essential tool to help beat IP crime in the UK. It will be sophisticated enough to challenge the criminals at their own game, and will help enforcers to detect, prevent and disrupt organised crime.

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**“We see the IP Crime National Computer as an essential tool to help beat IP crime in the UK....sophisticated enough to challenge the criminals at their own game.”**

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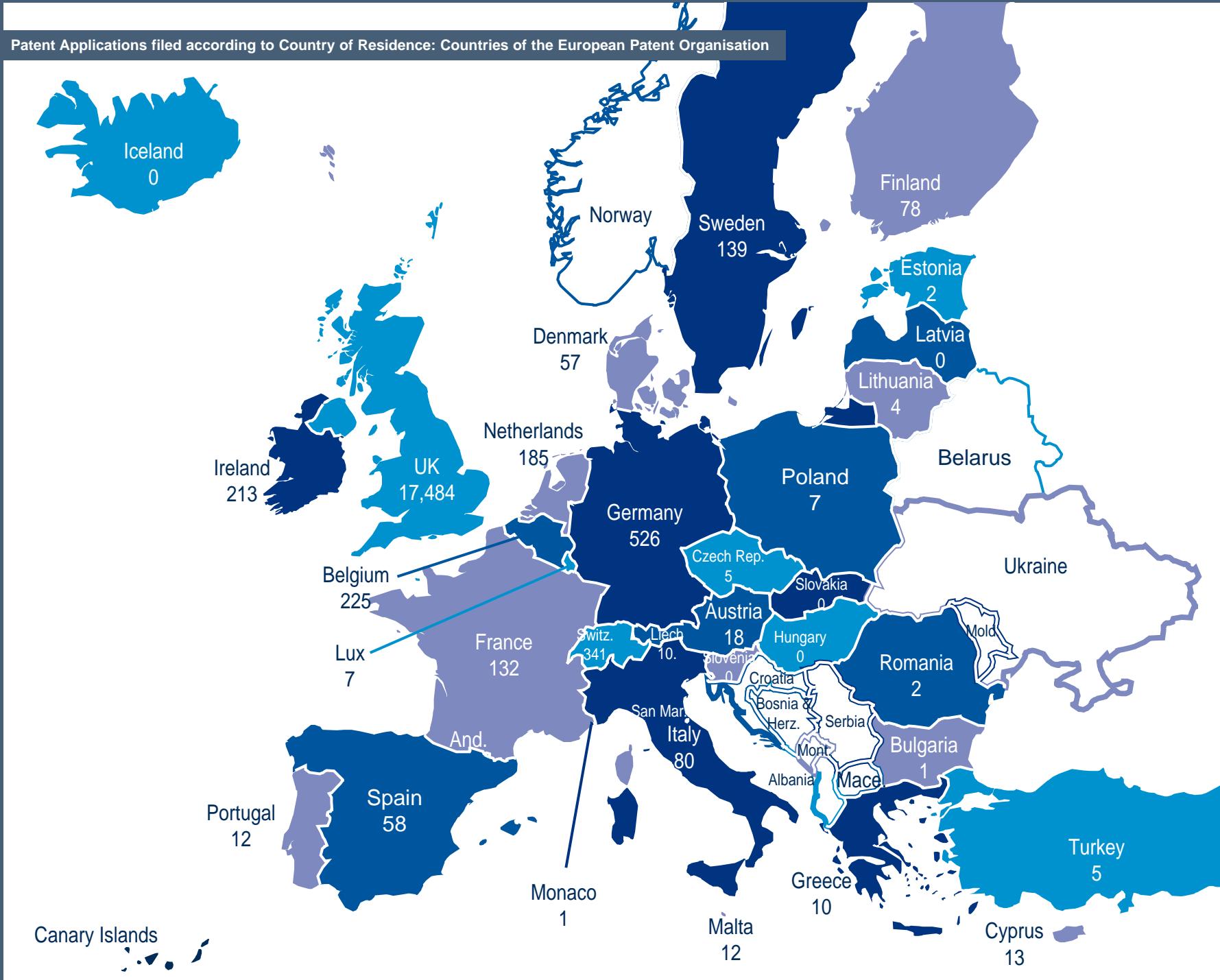


Numbers express either quantity (cardinal) or order (ordinal). Many cultures have different forms for cardinal and ordinal. Numbers are used for counting, expressing a measurement, or executing any form of calculation. Before the advent of computers, numbers were always recorded and displayed as numerals. Internally to computers, numbers are handled in any of various forms that are logical to a computer.

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# Facts and Figures<sup>5</sup>

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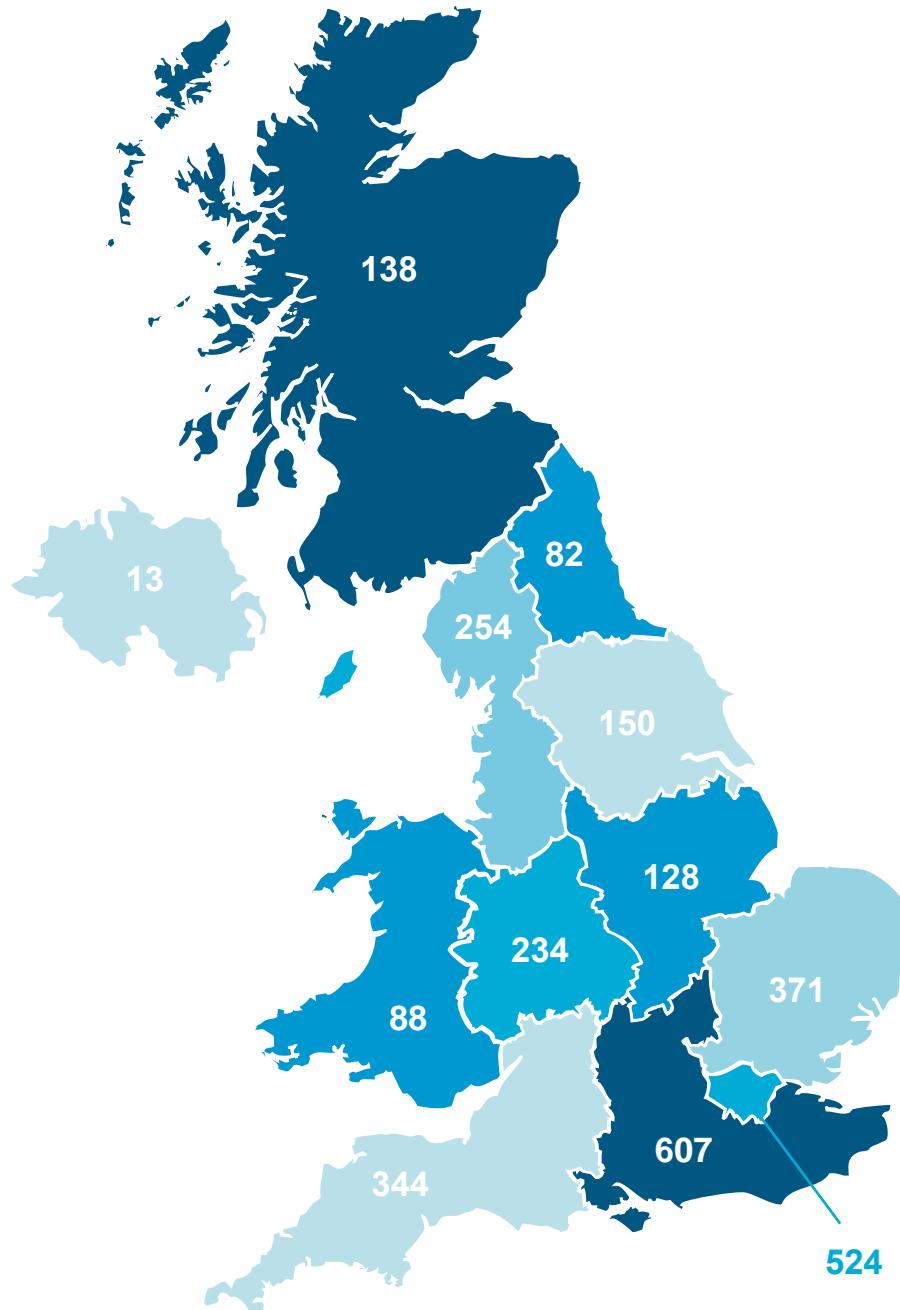
# Patents

## 1. Patent Applications Filed and Granted by Region\*

Region	Number of Applications Filed		Number of Applications Granted	
	2005	2006	2005	2006
East Midlands	775	768	174	128
East of England	2,181	2,082	484	371
London	3,242	3,075	570	524
North West	1,497	1,537	312	254
Northern Ireland	253	238	32	13
North East	417	357	64	82
Scotland	1,053	1,131	179	138
South East	3,184	3,106	822	607
South West	1,580	1,764	390	344
Wales	621	652	147	88
West Midlands	1,280	1,219	287	234
Yorkshire	1,227	1,301	200	150
Unmatched Postcodes**	178	254	90	45
<b>Total</b>	<b>17,488</b>	<b>17,484</b>	<b>3,751</b>	<b>2,978</b>

\* Patent applications for the first named applicant at the time of filing.

\*\* Full address details not given at point of data capture.



**2. Classification of Published Applications and Granted Patents by UK Classification Key\***

Division	Title	Applications Published		Patents Granted	
		2005	2006	2005	2006
A1	Agriculture: animal husbandry	214	192	103	110
A2	Food: tobacco	64	67	65	45
A3	Apparel: footwear, jewellery	128	120	46	51
A4	Furniture: household articles	720	709	495	347
A5	Medicines: surgery	510	457	307	210
A6	Entertainments	324	307	184	137
B1	Physical and Chemical apparatus	156	148	142	103
B2	Crushing: coating, separating	121	139	101	82
B3	Metal working	186	182	160	132
B4	Cutting: hand tools: radioactive handling	127	139	84	74
B5	Working non-metals; presses	188	218	146	113
B6	Stationery: printing: writing: decorating	196	152	174	127
B7	Transport	443	450	326	289
B8	Conveying: packing: load handling: hoisting: storing	516	531	332	324
C1	Inorganic chemistry: glass: fertilizers: explosives	114	102	91	66
C2	Organic chemistry	94	83	58	36
C3	Macromolecular compounds	157	156	137	49
C4	Dyes: paints: miscellaneous compositions	57	50	40	33
C5	Fats: oils: waxes: petroleum: gas manufacture	82	74	62	33
C6	Sugar: skins: microbiology: beverages	27	28	18	17
C7	Metallurgy: electrolysis	78	94	92	60
D1	Textiles: sewing: ropes	49	69	74	41
D2	Paper	4	1	6	2
E1	Civil engineering: building	1,002	976	892	817
E2	Fastenings: operating doors	243	248	231	190
F1	Prime movers: pumps	295	293	244	201
F2	Machine elements	571	574	513	414
F3	Armaments: projectiles	28	44	36	19
F4	Heating: cooling: drying: lighting	337	292	283	185
G1	Measuring: testing	804	791	684	615
G2	Optics: photography	183	185	138	137
G3	Controlling: timing	139	190	141	97
G4	Calculating: counting: checking: signalling: data handling	1,205	1,066	1,144	662
G5	Advertising: education: music: recording	314	277	182	164
G6	Nucleonics	7	6	5	5
H1	Electric circuit elements: magnets	590	576	559	482
H2	Electric power	320	329	380	226
H3	Electronic circuits: radio receivers	134	152	161	134
H4	Telecommunications	1,379	1,341	1,279	1,050
H5	Miscellaneous electric techniques	30	38	44	28
Total		12,136	11,846	10,159	7,907

\* Covers published applications originally filed under the UK Patents Act and the PCT.

### 3. Classification of Published Applications and Granted Patents by International Patent Classification (IPC)

IPC Technical Unit	Title	Applications Published		Patents Granted	
		2005	2006	2005	2006
01	Agriculture; animal husbandry; forestry; fishing	231	200	112	112
02	Foodstuffs; tobacco	77	77	78	52
03	Apparel; footwear; jewellery; furniture; household articles	763	742	477	366
04	Health; surgery; amusement	844	789	517	384
05	Medical, dental or toilet preparations	132	107	74	52
06	Separating; cleaning; crushing; coating;	265	277	218	176
07	Metal-working; machine tools	142	146	128	115
08	Hand tools; shaping; layered products	342	405	256	228
09	Printing; bookbinding; writing; decorating	176	142	151	109
10	Vehicles; transporting; conveying; packing; containers	1,167	1,175	879	732
11	Micro-structural technology; nano-technology	3	6	4	2
12	Inorganic chemistry; glass; fertilisers	100	92	85	65
13	Organic chemistry; biocides	138	115	85	43
14	Macromolecular compounds	63	66	53	23
15	Dyes; paints; oils; fats; petroleum; detergents	157	133	116	79
16	Microbiology; alcoholic beverages; sugar; skins	78	77	61	46
17	Metallurgy; electrolysis; crystal growth	73	76	82	51
18	Textiles; sewing; ropes	61	68	78	44
19	Paper	14	13	19	9
20	Building; civil engineering; locks	689	716	561	466
21	Earth or rock drilling; mining	537	500	535	551
22	Engines; pumps; hydraulics; pneumatics	343	360	311	235
23	Engineering elements; storing gases; pipe-lines	471	490	430	338
24	Lighting; heating; cooling; drying; heat-exchange	289	223	236	143
25	Weapons; ammunition; blasting; explosives	30	54	32	18
26	Measuring; testing; optics; photography	936	993	840	732
27	Controlling; computing; timing; checking; signalling	1,456	1,343	1,299	838
28	Educating; advertising; music; recording	371	310	280	198
29	Nucleonics	9	7	6	6
30	Electric elements; electric power	872	908	937	673
31	Electronic circuitry; telecommunications	1,307	1,236	1,219	1021
32	Others (unclassified)	-	-	-	-
<b>Total</b>		<b>12,136</b>	<b>11,846</b>	<b>10,159</b>	<b>7,907</b>

### 4. Supplementary Protection Certificates\* : applications for medicinal products under Regulation (EEC) No 1768/92 and plant protection products under Regulation (EC) No 1610/96 for 2006

SPC applications	Filed	Granted	Withdrawn	Rejected	Entered into force
Medicinal products	38	5	1	-	26
Plant protection products	7	4	-	-	9
<b>Total</b>	<b>45</b>	<b>9</b>	<b>1</b>	<b>-</b>	<b>35</b>

\* A supplementary protection certificate is intended to compensate a patent holder for the loss of effective protection that results from the time taken to obtain regulatory approval to place a product on the market as either a medicinal or plant protection product. A certificate takes effect at the end of the lawful term of the patent but does not extend the term of the patent itself. It extends the protection conferred by the patent only in respect of a product that is covered by an authorisation to place the product on the market as a corresponding medicinal or plant protection product.

## 5. Patents Granted 2005 and 2006 (Top 10)\*

Ranking	Organisation	2005	2006
			Organisation
1	Hewlett-Packard	513	Hewlett-Packard Dev Co LP
2	Schlumberger	204	Schlumberger Technology Corp
3	NEC	178	Agilight Inc
4	Samsung	153	Motorola Inc
5	Motorola	132	Weatherford/Lamb Inc
6	Sun Microsystems	127	NEC Corp
7	Ford	123	Samsung Electronics Co Ltd
8	Visteon Global Technologies	101	Bosch GmbH Robert
9	Baker Hughes	96	Rolls-Royce AB
10	Lear Corp	85	Baker Hughes Inc

\* Top 10 companies who have had the most patents granted in any particular year.

## 6. GB Patents Granted 2006 (Top 50)\*

Ranking	Number	Organisation	Ranking	Number	Organisation
1	273	Hewlett-Packard Dev Co LP	26	44	Intel Corp
2	167	Schlumberger Technology Corp	27	42	Smith Int Inc
3	133	Agilight Inc	28	39	Hitachi Ltd
4	115	Motorola Inc	29	37	Sun Microsystems Inc
5	113	Weatherford/Lamb Inc	30	35	Abb Res Ltd
6	109	NEC Corp	31	34	Matsushita Electric Ind Co Ltd
7	98	Samsung Electronics Co Ltd	32	33	University of Osaka
8	83	Bosch GmbH Robert	33	32	Advanced Micro Devices Inc
9	82	Rolls-Royce AB	34	31	Avago Technologies Gen IP Singapore PTE
10	81	Baker Hughes Inc	35	31	Johnson J
11	76	LG Chem Ltd	36	31	Drange G A M
12	72	Ogg R	37	31	Alza Corp
13	65	Toshiba Denshi Eng KK	38	30	Chang T
14	64	Ford Global Technologies LLC	39	30	Ambrozy R S
15	61	Lear Corp	40	29	Barr R K
16	54	Osram Opto Semiconductors GmbH & Co OHG	41	29	Thomas G R
17	52	Halliburton Energy Services Inc	42	29	Varco IP Inc
18	51	Chen S	43	29	Univ Florida Res Found Inc
19	49	Armadar LLC	44	28	Adria Alimentos do Brasil Ltda
20	49	Micromet AG	45	28	Burns A G
21	47	General Electric Co	46	26	Vetco Gray Inc
22	47	Honda Motor Co Ltd	47	26	Willinger J
23	45	Asahi Optical Co Ltd	48	26	Cent Japan Railway Co
24	45	Cie Automotive SA	49	24	Fujitsu Ltd
25	44	IGT	50	23	Denso Corp

Notes: Figures were obtained from Derwent World Patents Index database and do not include European patents designating GB.

\* Top 50 companies who have had the most patents granted in any particular year.

**7. Applications Made and Published, and Patents Granted, in 2005 and 2006, according to Country of Residence\***

	Applications Made						Applications Published						Patents Granted					
	2005	2006	2005	2006	2005	2006	2005	2006	2005	2006	2005	2006	2005	2006	2005	2006	2005	2006
United Kingdom	17,488	17,484	5,634	5,363	3,751	2,978	Greece		3	10	1	1	-	-	-	-	-	-
Channel Islands	51	39	22	15	25	9	Grenada		1	-	-	-	-	-	-	-	-	-
Andorra	-	-	-	-	-	-	Hong Kong		107	81	87	82	81	65				
Antigua and Barbuda	1	-	-	1	-	-	Hungary		2	-	1	-	1	-	-	-	-	-
Argentina	-	1	1	-	-	1	Iceland		3	-	-	1	-	-	-	-	-	-
Aruba	-	-	1	-	-	-	India		40	33	37	31	35	21				
Australia	129	143	112	91	69	73	Indonesia		-	3	-	1	-	-	-	-	-	-
Austria	15	18	18	15	17	14	Iran		3	9	-	3	-	-	-	-	-	-
Bahamas	8	10	9	6	14	10	Iraq		-	1	-	-	-	-	-	-	-	-
Bahrain	-	1	-	1	-	-	Irish Republic		148	213	95	96	93	75				
Barbados	2	3	1	1	1	2	Isle of Man		57	30	19	18	21	15				
Belgium	190	225	31	17	18	7	Israel		74	75	39	31	17	19				
Belize	-	-	-	-	1	-	Italy		89	80	42	38	51	21				
Bermuda	2	3	-	1	2	-	Jamaica		1	-	-	-	-	-				
Brazil	10	8	6	9	2	4	Japan		866	759	809	826	1,006	743				
British Virgin Islands	193	263	222	182	181	187	Jordan		1	2	-	1	-	-				
Brunei Darussalem	1	-	1	-	-	-	Kenya		5	1	-	-	-	-				
Bulgaria	1	1	1	-	1	-	Korea, Republic of		265	253	272	235	297	214				
Canada	150	188	124	102	127	86	Kuwait		3	-	1	1	-	-				
Cayman Islands	5	5	4	2	6	5	Kyrgyzstan		1	-	-	-	-	-				
Chile	-	1	-	1	-	-	Lebanon		-	2	1	-	1	-				
China	54	100	37	57	37	19	Libya		1	1	-	-	-	-				
Columbia	-	1	1	-	-	-	Liechtenstein		2	10	6	5	4	5				
Cook Island	-	-	-	-	1	-	Lithuania		-	4	-	-	-	-				
Croatia	9	19	1	-	-	-	Luxembourg		1	7	2	3	1	-				
Cyprus	7	13	1	2	1	3	Malaysia		9	10	5	16	7	12				
Czech Republic	-	5	-	-	1	-	Malta		9	12	-	1	2	-				
Czechoslovakia	-	-	-	-	1	-	Mauritius		4	10	-	4	-	-				
Democratic People's Republic of Korea	-	-	-	-	-	-	Mexico		1	-	1	1	-	2				
Denmark	68	57	25	20	22	9	Monaco		-	1	-	-	-	-				
Egypt	3	1	-	2	-	-	Namibia		1	-	-	-	-	-				
Estonia	1	2	-	-	-	-	Netherlands		180	185	80	69	70	40				
Finland	96	78	74	46	55	28	Netherlands Antilles		1	-	1	-	4	-				
France	132	132	114	88	102	85	New Zealand		31	34	25	23	30	12				
Georgia	2	5	-	-	-	-	Nigeria		2	1	-	-	-	-				
Germany	514	526	448	468	430	347	Norway		163	175	83	80	57	76				
Gibraltar	12	23	2	5	5	2	Pakistan		1	2	-	-	-	-				
							Panama		9	14	2	-	2	-				

	Applications Made		Applications Published		Patents Granted	
	2005	2006	2005	2006	2005	2006
Philippines	5	2	2	3	-	1
Poland	1	7	1	5	1	2
Portugal	9	12	-	5	2	-
Puerto Rico	9	-	-	-	-	-
Qatar	-	1	-	-	-	-
Romania	-	2	-	-	-	-
Russian Federation	11	7	10	9	4	6
Saudi Arabia	11	7	1	3	1	-
St Kitts & Nevis	-	1	-	-	-	-
Seychelles	2	2	-	-	-	-
Singapore	33	122	30	52	19	16
Slovakia	1	-	-	1	-	-
Slovenia, Republic of	1	-	-	-	-	-
South Africa	20	24	14	13	15	8
Spain	68	58	13	23	11	15
Sri Lanka	1	1	-	93	1	-
Sweden	283	139	99	-	114	75
Switzerland	506	341	77	74	57	51
Syria	-	-	-	-	-	-
Taiwan	520	502	478	494	348	275
Thailand	1	3	6	-	3	3
Trinidad & Tobago	4	7	-	1	-	-
Tunisia	-	1	-	-	-	-
Turkey	4	5	3	1	1	-
Turks & Caicos	-	-	-	1	-	-
Uganda	-	1	-	-	-	-
Ukraine	2	6	1	1	1	1
United Arab Emirates	6	5	3	2	-	-
United Republic of Tanzania	5	-	-	1	-	-
Uruguay	-	1	-	1	1	-
USA	3,458	3,104	2,898	3,000	2,930	2,265
Vietnam	-	1	-	-	-	-
Western Samoa	-	2	1	-	-	-
Yemen	-	1	-	-	-	-
Zimbabwe	2	-	-	1	-	-
**Other	1	7	-	-	-	-
<b>Total</b>	<b>26,192</b>	<b>25,745</b>	<b>12,136</b>	<b>11,846</b>	<b>10,159</b>	<b>7,907</b>

\* Country of residence of first named applicant.

\*\* Country of residence not provided at time of filing under the provisions introduced by the Regulatory Reform (Patent) Order 2004.

#### 8. Requests for Grant for Search and Examination (Patents Act 1977)

	Without claim to priority	With claim to priority	Total	Requests for search	Requests for examination
2005	18.9	7.2	26.1	16.7	11.4
2006	18.5	7.2	25.7	16.8	11

000's to one decimal point

#### 9. Number of Patent Renewal Fees Paid 2005-2006

	5th year	6th year	7th year	8th year	9th year	10th year	11th year	12th year	13th year	14th year	15th year	16th year	17th year	18th year	19th year	20th year
2005	20.9	29	32.2	33.9	34	30.8	27.2	23.9	20.7	18.4	16	14.3	11	8.8	6.6	4.9
2006	21.6	28.6	34.4	35	35	33.3	29.3	25.3	21.9	18.8	16.5	14.1	12.4	9.4	7.4	5.3

000's to one decimal point

#### 10. European Patents (UK) (included in table above)

	5th year	6th year	7th year	8th year	9th year	10th year	11th year	12th year	13th year	14th year	15th year	16th year	17th year	18th year	19th year	20th year
2005	13	21.9	25.6	28	28.3	26	23.3	20.6	17.9	15.7	13.7	12.3	9.1	7.1	5.1	3.7
2006	13.9	21.4	27.9	29	29.6	28.2	24.8	21.7	18.8	16.2	14.1	12.1	10.7	7.8	6	4

000's to one decimal point

#### 11. Extensions of Period for Payment of Patent Renewal Fees

	1 month	2 months	3 months	4 months	5 months	6 months	Total
2005	13,824	1,474	639	479	609	1,388	18,413
2006	6,260	1,371	647	476	732	1,355	10,841

## 12. European Patents (UK) (included in previous table)

	1 month	2 months	3 months	4 months	5 months	6 months	Total
2005	10,415	999	464	361	490	1,095	13,824
2006	3,843	894	451	348	550	1,030	7,116

## 13. Licences of Right

Number of applications  
for entry in the register  
that licences are available  
as of right

2005	1369
2006	737

## 14. Miscellaneous ex parte post grant cases decided without a hearing or reasoned decision

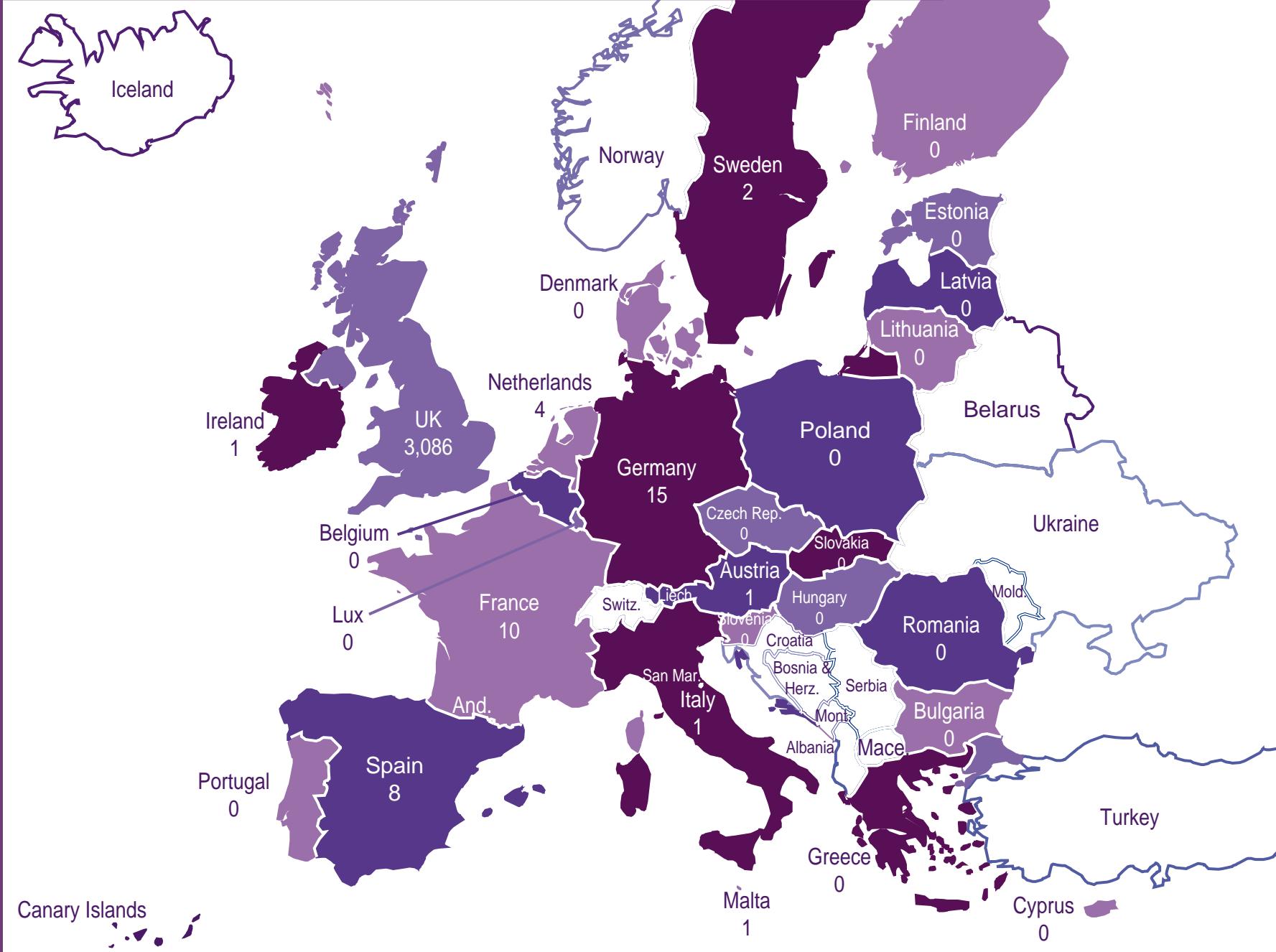
	Amendments <sup>1</sup>		Corrections <sup>2</sup>		Cancellation of Licences of Right		Restorations		Surrender		Revocations <sup>3</sup>		Totals		
	2005	2006	2005	2006	2005	2006	2005	2006	2005	2006	2005	2006	2005	2006	
	Filed	119	127	160	131	9	12	183	200	7	6	195	167	673	643
Withdrawn	3	4	22	29	0	1	18	15	3	0	4	13	50	62	
Decided	118	125	138	107	17	9	212	149	9	6	215	125	709	521	

<sup>1</sup> Includes applications filed under Section 27

<sup>2</sup> Includes applications filed under Sections 80 and 117

<sup>3</sup> Includes revocations under Sections 73(1) and 73(2)

Design Applications filed according to Country of Residence: Countries of the Office of Harmonisation for the Internal Market

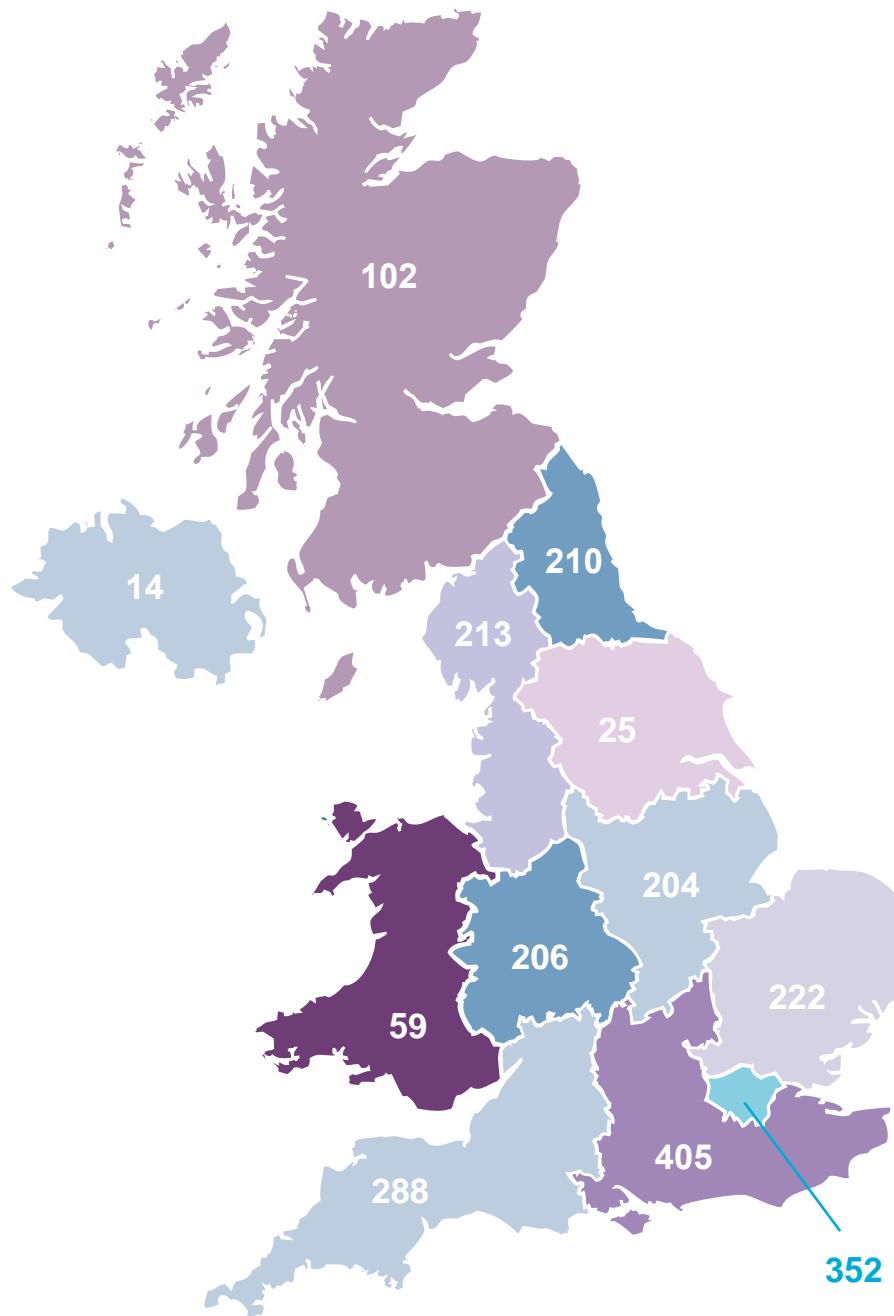


# Designs



## 1. Design Applications Filed and Registered by Region

Region	Number of Applications Filed		Number of Applications Registered	
	2005	2006	2005	2006
East Midlands	238	262	178	204
East of England	265	296	213	222
London	635	536	477	352
North East	245	289	204	210
North West	315	321	214	213
Northern Ireland	14	26	11	14
Scotland	153	174	98	102
South East	586	611	434	405
South West	396	389	293	288
Wales	83	83	59	59
West Midlands	303	306	253	206
Yorkshire	53	33	30	25
Other	40	57	35	36
Total	3,326	3,383	2,499	2,336



## 2. Design Applications in 2006 by Classification of Goods

Foodstuffs	7	Musical Instruments	12
Clothing haberdashery	242	Printing and office machinery	3
Travel goods/cases	88	Stationery/artists' equipment	171
Brushware	47	Sales/advertising/signs	67
Textiles	41	Games/toys/sports goods	302
Furnishing	534	Arms/hunting/fishing	26
Household goods	174	Fluid dis/sanitary/air conditioning	141
Tools and Hardware	259	Medical/laboratory equipment	42
Packages etc	279	Building/construction	187
Clocks watches etc	109	Lighting apparatus	83
Articles of adornment	196	Tobacco and smokers' articles	7
Transport/hoisting	173	Pharmaceutical/cosmetic	43
Electricity	96	Fire/accident prevention	5
Recording/communication	136	Care and handling of animals	45
Machines not elsewhere specified	92	Machines for food/drink preparation	6
Photographic/optical	14	Miscellaneous	367

## 3. Designs Registered 2005 and 2006 (Top 10)\*

Ranking	2005		2006	
	Organisation	Count	Organisation	Count
1	Novar ED&S Ltd	66	JIG UK Limited	25
2	Patrick Joseph Broderick	44	Ian Clifford Boast	20
3	Omega SA	29	Brother Industries Limited	17
4	Lloyd Pascal & Co Ltd	22	Barlow Tyrie Ltd	17
5	Mark Timmis	22	Charles Bentley and Son Ltd	17
6	Ascot (S&F) International Ltd	21	T & G Woodware Limited	15
7	Mainetti (UK) Ltd	20	Sun 99 Ltd	14
8	Braitrim (UK) Ltd	18	Broxap Limited	14
9	Helen Jane Cooper	18	Omega SA (Omega AG)	14
10	Karsten Manufacturing Corp	16	Carlisle Brass Ltd	13

\* Top 10 companies who have had the most designs granted in any particular year.

#### 4. Design Applicants for Registration 2006 (Top 50)\*

Ranking	Number	Organisation	Ranking	Number	Organisation
1	28	Dyson Limited	26	10	Burley Appliances Limited
2	25	JIG UK Limited	27	10	GMCA Pty Ltd
3	23	Lloyd Pascal & Co Limited	28	10	Montres Breguet S.A
4	22	Mainetti (UK) Limited	29	10	Charles Bentley and Son Ltd
5	22	T & G Woodware Limited	30	10	Vivo Technologies Limited
6	22	Perfect Creation Company Limited	31	10	Decor Frame plc
7	20	Ian Clifford Boast	32	9	British Telecommunications
8	17	Brother Industries Limited	33	9	Smallbone & Co. (Devizes)
9	17	Barlow Tyrie Ltd	34	9	Design Go Limited
10	17	Charles Bentley and Son Ltd	35	9	Emarket Trading Ltd
11	14	Sun 99 Ltd	36	9	Bosieboo Ltd
12	14	Broxap Limited	37	9	Robert Anthony Davies
13	14	Omega SA (Omega AG)	38	9	Blackberry International Limited
14	13	Unilever Plc	39	9	Peter Rankin
15	13	Carlisle Brass Ltd	40	9	Wynne Willson Gottelier
16	13	Bissell Homecare Inc	41	8	Faversham Furniture Limited
17	13	Neptune (Europe) Ltd	42	8	B-Tech International Limited
18	13	ATP Gifts Ltd	43	8	Aggregate Industries UK
19	12	Karsten Manufacturing Corporation	44	8	Birchwood Products Limited
20	11	Glaxo Group Limited	45	8	Milo International Ltd
21	11	Milwaukee Electric Tool Corporation	46	8	Sefour Limited
22	11	East Coast Nursery Ltd	47	8	Martin Nadvornik
23	11	HNI Technologies Inc	48	8	Alison Cowell
24	11	Silampos (UK) Ltd	49	8	Zhi Liu
25	10	Royal College of Art	50	8	Wagner Spray Tech

\* Top 50 companies who have applied for design registration.

## 5. Applications for Design Registration in 2005 and 2006 according to Country of Residence of Applicant\*

Country	2005	2006		2005	2006		2005	2006
United Kingdom	2,974	3,086	Guernsey	-	1	Serbia & Montenegro	-	-
Channel Islands	-	-	Hong Kong	67	20	Seychelles	1	1
Australia	25	25	India	2	3	Singapore	2	2
Austria	-	1	Iran	2	5	Slovenia, Republic of	2	-
Barbados	-	2	Irish Republic	13	1	South Africa	2	1
Belgium	1	-	Isle of Man	1	-	Spain	-	8
Bolivia	-	1	Italy	1	1	Sweden	5	2
Brazil	4	-	Japan	75	32	Switzerland	68	80
British Virgin Islands	7	6	Jersey	1	1	Taiwan	48	23
British West Indies	1	-	Korea, Republic of	8	8	Thailand	5	2
Bulgaria	-	-	Lebanon	-	4	Trinidad & Tobago	-	-
Canada	4	1	Malaysia	8	9	Tunisia	-	1
Cayman Islands	1	1	Malta	1	1	Turkey	1	-
China	13	6	Monaco	-	-	Turks & Caicos	-	-
Cook Islands	-	2	Netherlands	11	4	Ukraine	-	2
Denmark	3	-	New Zealand	2	9	United Arab Emirates	-	-
Finland	-	-	Norway	2	6	United States of America	149	106
France	17	10	Peru	-	1	Venezuela	-	1
Germany	55	15	Portugal	1	-	Zimbabwe	1	-
Gibraltar	-	-	Romania	1	-	Total	3,588	3,495
Greece	1	-	Saudi Arabia	2	4			

\* Country of residence of first named applicant.

## 6. Designs Applications and Registrations

	Total	From Abroad Total	Claiming Priority under International Convention	Designs Registered
2005	3,588	614	341(a)	3,432
2006	3,086	409	233	2,855

(a) In addition convention priority was claimed by 23 UK residents.

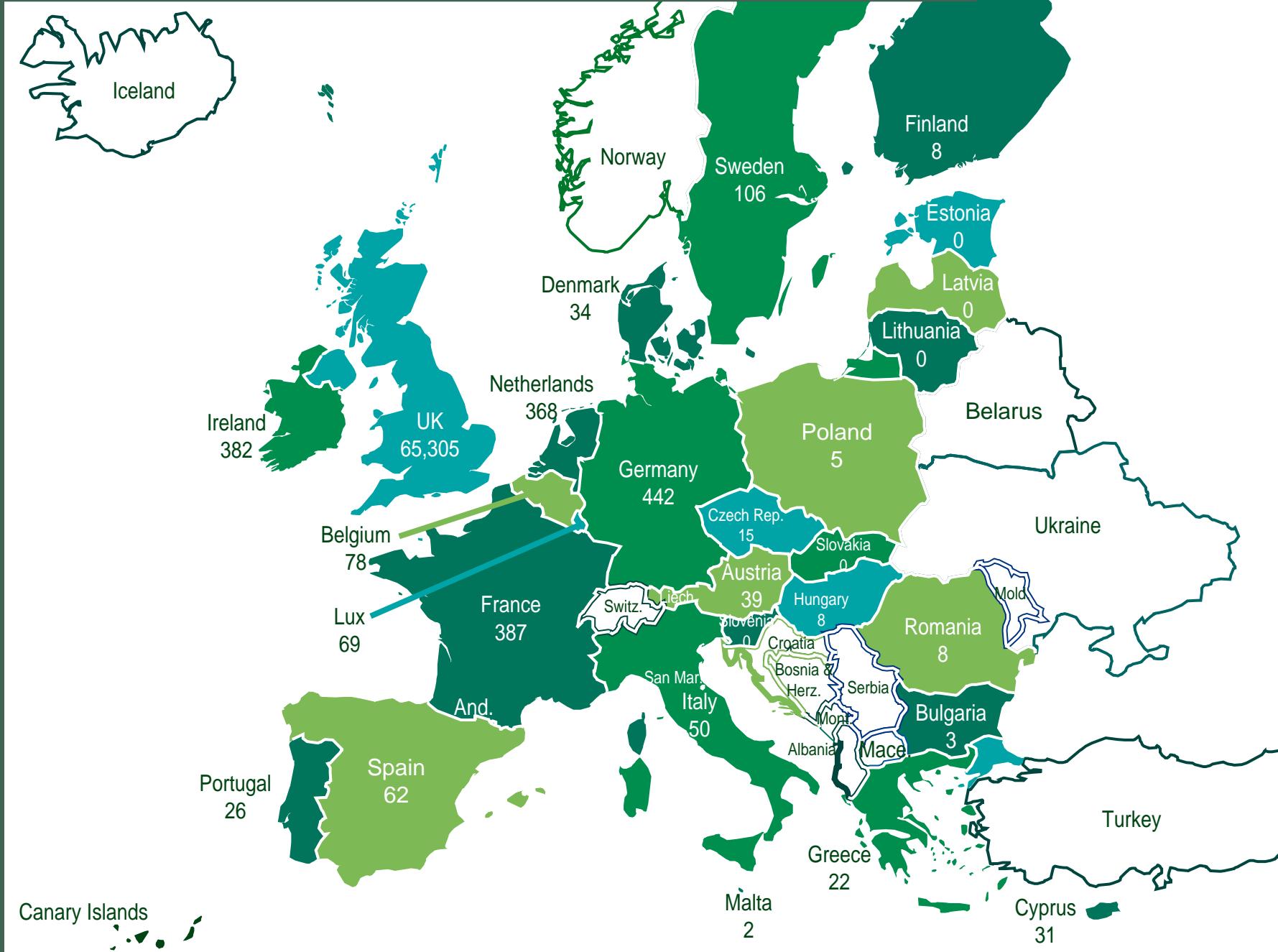
## 7. Renewals (Section 8(2) of the Registered Designs Act 1949)

	Extended for 2nd Period	Extended for 3rd period	Extended for 4th period
2005	4,131	1,786	755
2006	4,182	1,848	792

\* A design registration must be renewed every 5 years to maintain its validity.

If the holder of a registered design chooses not to renew the design, it will be removed from the Register.

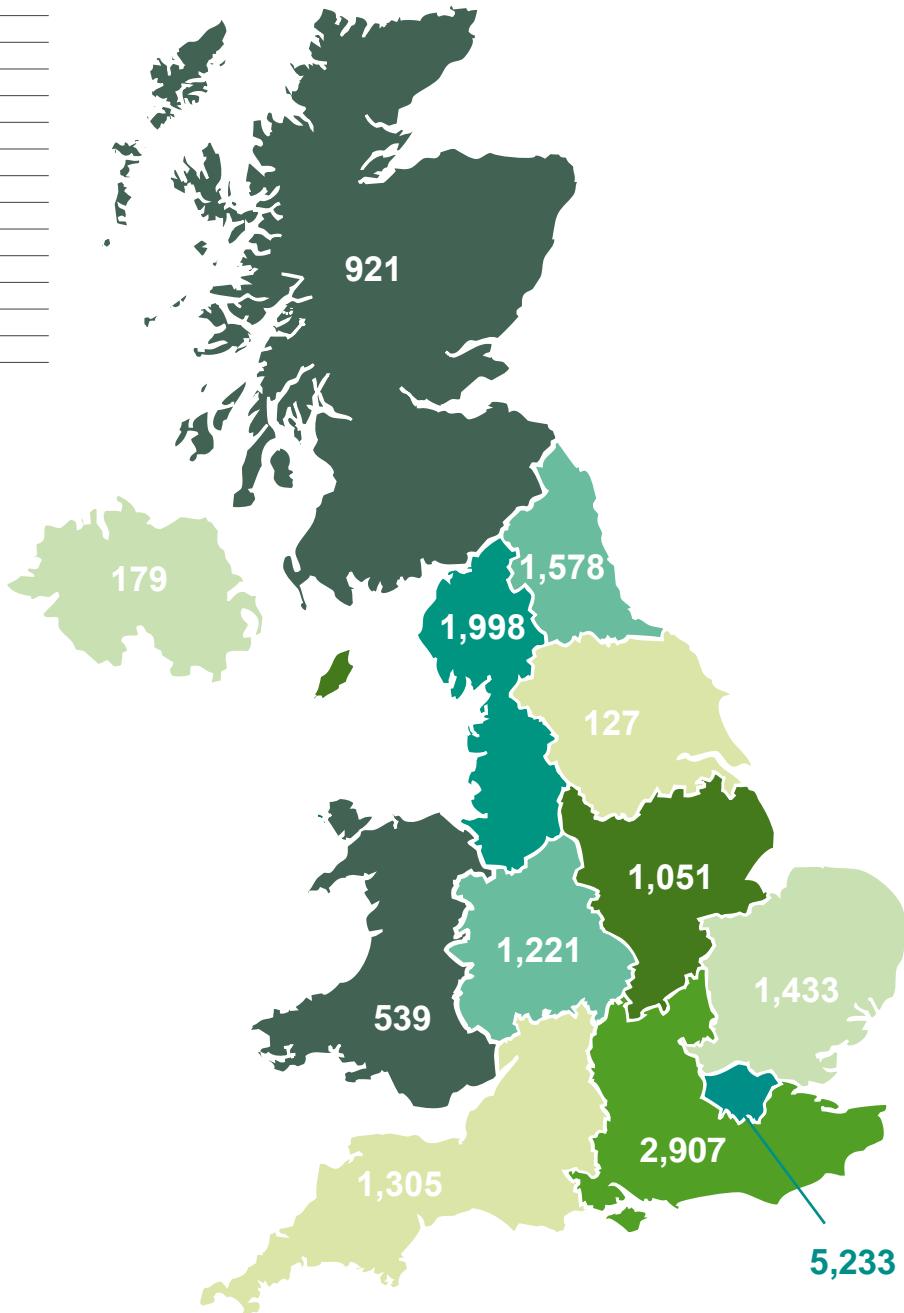
Trade Mark Applications filed according to Country of Residence: Countries of the Office of Harmonisation for the Internal Market



# Trade marks

## 1. Trade Mark Applications Filed and Registered by Region

Region	Number of Applications Filed		Number of Applications Registered	
	2005	2006	2005	2006
East Midlands	1,433	1,522	1,051	1,051
East of England	1,919	2,021	1,563	1,433
London	6,808	7,806	5,175	5,233
North East	1,707	2,101	1,221	1,578
North West	2,484	2,715	1,891	1,998
Northern Ireland	212	262	133	179
Scotland	1,114	1,360	854	921
South East	3,782	4,142	2,941	2,907
South West	1,599	2,101	1,291	1,305
Wales	622	720	405	539
West Midlands	1,566	1,792	1,281	1,221
Yorkshire	435	203	332	127
<b>Total</b>	<b>23,681</b>	<b>26,745</b>	<b>18,138</b>	<b>18,492</b>



## 2. Classification of Trade Marks for Goods and Services Published and Registered in 2005 and 2006

Class	Classification of Goods	UK Published		UK Registered		Madrid Published*		Madrid Registered	
		2005	2006	2005	2006	2005	2006	2005	2006
1	Chemical products used in industry, science etc	438	439	449	427	329	343	335	378
2	Paints, varnishes, lacquers etc	276	358	238	365	119	114	127	121
3	Cleaning preparations, soaps, perfumes etc	1,463	1,305	1,453	1,366	590	617	573	620
4	Industrial oils and greases, candles, tapers, etc	262	256	271	248	85	79	75	90
5	Pharmaceutical, veterinary and sanitary substances, infants' and invalids' foods etc	1,541	1,415	1,566	1,467	671	617	680	620
6	Unwrought and partly wrought common metals etc	694	759	709	714	269	327	272	329
7	Machines and machine tools, motors (except for vehicles) etc	574	595	572	564	401	422	417	444
8	Hand tools and instruments; cutlery, forks and spoons; side arms	381	374	391	367	138	139	133	140
9	Scientific, nautical and surveying and electrical apparatus and instruments (including wireless etc)	4,835	4,872	4,714	4,749	1,183	1,222	1,217	1,271
10	Surgical, medical, dental and veterinary instruments and apparatus	610	579	616	548	292	316	284	318
11	Installations for lighting, cooking, etc	920	878	854	861	333	382	341	389
12	Vehicles: apparatus for locomotion by land, air or water	571	590	548	551	324	294	334	288
13	Firearms, ammunition etc	34	31	33	28	20	18	19	20
14	Precious metals and their alloys etc	715	756	773	697	275	282	312	280
15	Musical instruments (other than talking machines and wireless apparatus)	97	91	85	80	25	34	19	30
16	Paper and paper articles, stationery, office requisites etc	3,793	3,802	3,804	3,681	536	567	544	584
17	Gutta-percha, India rubber etc	204	260	224	238	168	193	189	187
18	Leather, skins, umbrellas, harness etc	1,031	1,034	1,023	1,022	352	337	357	315
19	Building materials, road making materials, etc	705	698	730	683	205	207	206	219
20	Furniture, articles of wood, cork etc	885	960	875	970	273	313	262	305
21	Small domestic utensils and containers (not precious metal) glassware, etc	858	883	868	892	222	275	233	263
22	Rope, string, nets, tents, raw fibrous textile materials, etc	110	136	140	120	71	72	71	68
23	Yarns; threads	54	65	55	36	33	31	37	32
24	Tissues (piece goods) bed and table covers etc	608	609	582	630	209	229	205	226
25	Clothing including boots shoes and slippers	2,862	2,831	2,816	2,712	829	867	800	871
26	Lace and embroidery; ribbons and braids; artificial flowers etc	320	323	317	308	57	62	54	58
27	Carpets, rugs etc	187	277	188	258	56	59	56	51
28	Games etc	1,493	1,529	1,534	1,452	248	304	270	291
29	Meat, fish, poultry and game; meat extracts, etc	1,131	1,082	1,084	1,062	365	343	340	371
30	Coffee, tea, cocoa, sugar, rice etc	1,375	1,360	1,368	1,350	433	389	420	414
31	Agricultural, horticultural and forestry products, fresh fruits etc	454	487	443	457	181	196	184	186
32	Beer, ale, porter, mineral and aerated waters etc	917	940	923	892	257	247	250	258
33	Wines, spirits and liqueurs	835	767	860	761	335	334	322	349
34	Tobacco, raw or manufactured; smokers' articles, matches	120	166	142	149	84	101	79	105
35	Advertising; business management; business administration etc	4,010	4,542	3,938	4,169	618	738	618	704
36	Insurance; financial affairs; monetary affairs; etc	2,119	2,506	2,080	2,295	252	335	274	307
37	Building; construction, repair; installation services	1,233	1,442	1,254	1,329	225	278	234	275
38	Telecommunications	1,308	1,429	1,219	1,390	317	317	302	327
39	Transportation, packaging and storage	991	1,087	987	1,052	235	244	236	235
40	Treatment of material	419	462	391	459	125	146	118	150

## 2. Classification of Trade Marks for Goods and Services Published and Registered in 2005 and 2006

Class		UK Published		UK Registered		Madrid Published*		Madrid Registered	
		2005	2006	2005	2006	2005	2006	2005	2006
41	Education; entertainment; sporting and cultural applications	4,138	4,413	4,044	4,200	449	542	463	532
42	Scientific and technological services and research and design relating thereto ; industrial analysis and research services; design and development of computer hardware and software; legal services.	2,731	2,900	2,648	2,812	639	667	648	680
43	Services for providing food or drink ; temporary accommodation	1,355	1,484	1,319	1,405	137	181	136	177
44	Medical services; veterinary services, hygienic and beauty care for human beings or animals ; agriculture, horticulture and forestry services	948	1,049	922	974	138	127	127	143
45	Personal and social services rendered by others to meet the needs of individuals ; security services for the protection of property and individuals	473	553	468	487	29	34	35	30
<b>Totals</b>		<b>51,078</b>	<b>53,374</b>	<b>50,518</b>	<b>51,277</b>	<b>13,132</b>	<b>13,941</b>	<b>13,208</b>	<b>14,051</b>

\* Following examination for registrability a mark is published for opposition purposes in the Trade Marks Journal (a third party has a period of 3 months in which to object to or oppose the registration). Where a mark is not opposed it is automatically registered at the expiry date of the opposition period.

## 3. Trade Marks Registered 2005 and 2006 (Top 10)\*

Ranking	Organisation	2005	2006
		Organisation	
1	Unilever plc	113	Imperial Chemical Industries
2	Glaxo Group Limited	101	AKZO Nobel Coatings International
3	Imperial Chemical Industries plc	97	Unilever plc
4	Johnson and Johnson	79	Glaxo Group Limited
5	British Telecommunications plc	72	Johnathan Dormer and Mandy Dormer
6	Asda Stores Limited	68	British Sky Broadcasting Group plc
7	Marks and Spencer plc	57	National Lottery Commission
8	National Lottery Commission	57	Aldi Stores Limited
9	Healthaid Limited	48	Boots Company plc
10	IXL Pharma Limited	47	Coca Cola Company

\* Top 10 companies who have had the most trade marks granted in any particular year.

#### 4. Trade Marks Registered 2006 (Top 50)\*

Ranking	Number	Organisation	Ranking	Number	Organisation
1	197	Imperial Chemical Industries plc	26	27	American Ironhorse Motorcycle Company Inc
2	130	AKZO Nobel Coatings International	27	27	Dunlop Slazenger Group Limited
3	89	Unilever plc	28	27	Rok Productions Limited
4	76	Glaxo Group Limited	29	27	Wyeth
5	64	Jonathan Dormer and Mandy Dormer	30	26	Action Indoor Sports Stadiums Limited
6	63	British Sky Broadcasting Group plc	31	26	United Biscuits Limited
7	59	National Lottery Commission	32	24	Airport Direct Travel Limited
8	58	Aldi Stores Limited	33	24	Next Retail Limited
9	56	Boots Company plc	34	23	Bristol-Myers Squibb Company
10	55	Coca Cola Company	35	23	EMAP Consumer Media Limited
11	45	GlaxoSmithKline Biologicals S.A	36	23	Llexeter Ltd
12	43	British Telecommunications Public Limited Company	37	23	Northern Bank Limited
13	38	Tesco Stores Limited	38	23	Royal Bank of Scotland Group plc
14	35	Johnson and Johnson	39	23	Société Des Produits Nestlé SA
15	35	Tea Limited	40	22	Bitrez Ltd
16	34	J and P Coats Limited	41	22	Brand Handling International Limited
17	33	Asda Stores Limited	42	22	Cheese Company Limited
18	33	Rehana Darr	43	22	Neways Inc
19	31	Aggregate Industries UK Limited	44	21	Marks and Spencer plc
20	30	Reckitt Benkiser UK Limited	45	21	Procter and Gamble Company
21	29	J Sainsbury plc	46	21	Royal and Sun Alliance Insurance Group
22	29	Knowledge and Merchandising Ltd	47	21	Steven Harris
23	28	British Sky Broadcasting Limited	48	21	WM Wrigley Jr Company
24	28	Pfizer Products Inc	49	20	Early Learning Centre Limited
25	28	Select Appointments Holdings Limited	50	20	FM Birch Ltd

\*Top 50 companies who have had the most trade marks granted in any particular year.

#### 5. Applications for Trade Marks

National/Domestic applications filed during the year	2005	2006
- trade marks		
- service marks		
Applications filed during the year (a)	28,694	32,049
Additional classes filed during the year	35,032	42,105
Applications designating the UK under the Madrid Protocol (b)		
Designations received during the year	8,064	7,455
Additional classes received during the year	8,393	7,907

(a) Since the implementation of the new Trade Marks Act on 31 October 1994 applicants have been able to file an application (multi-class application) covering more than one class of goods or services.

(b) The UK joined the Madrid Protocol in April 1996. Since then, a holder of a Trade Marks registration in another country (which is a member of the Protocol) can apply through the World Intellectual Property Organisation (WIPO) to "designate" the UK for protection of that Trade Mark (the mark is examined in the UK for registrability in much the same way as an application via the national/domestic route).

## 6. Trade Marks Applied for and Registered in 2005 and 2006 according to Country of Residence of Applicant\*

Country	Applications and Additional Classes				Registrations			
	Trade Marks		Madrid Applications		Trade Marks		Madrid Protected	
	2005	2006	2005	2006	2005	2006	2005	2006
United Kingdom	55,600	65,305	-	-	43,412	44,459	-	-
Channel Islands	370	-	-	-	252	-	-	-
Albania	-	-	18	-	-	-	-	10
Antigua and Barbuda	3	1	-	-	26	2	-	-
Argentina	12	17	-	-	10	10	-	-
Armenia	-	2	-	2	-	2	-	1
Australia	361	493	564	653	347	333	370	497
Austria	14	39	525	469	21	30	432	437
Azerbaijan	-	-	-	-	2	-	-	-
Bahamas	30	28	-	-	68	20	-	-
Bahrain	-	3	-	-	2	1	-	-
Barbados	21	39	-	-	6	38	-	-
Belarus	-	-	4	6	-	-	4	-
Belgium	79	78	-	-	50	59	-	-
Benelux	-	-	1,377	1,358	-	-	1,132	1,232
Bermuda	36	178	-	-	41	32	-	-
Brazil	24	35	-	-	20	42	-	-
Bulgaria	2	3	172	208	-	1	75	151
Canada	192	268	-	-	147	156	-	-
Cape Verde	3	-	-	-	3	-	-	-
Caribbean	-	77	-	-	-	67	-	-
Cayman Islands	28	91	6	-	49	38	5	-
Central America	-	-	-	-	-	-	-	-
Chile	26	26	-	-	27	17	-	-
China (People's Republic of)	136	212	699	784	71	150	389	689
Colombia	2	1	-	-	30	1	-	-
Croatia	-	7	23	48	-	2	19	27
Cuba	2	3	8	1	1	2	-	9
Cyprus	8	31	-	3	15	19	6	1
Czech Republic	1	15	313	295	-	17	233	287
Denmark	42	34	97	106	28	30	72	76
Ecuador	2	-	-	-	1	1	-	-
Egypt	2	2	-	-	1	-	-	-
Estonia	3	-	15	35	-	-	33	14
Falkland Islands	3	-	-	-	-	3	-	-
Fiji	-	4	-	-	1	1	-	-

\* Country of residence of named applicant.

Country	Applications and Additional Classes				Registrations			
	Trade Marks		Madrid Applications		Trade Marks		Madrid Protected	
	2005	2006	2005	2006	2005	2006	2005	2006
Finland	18	8	17	50	12	15	19	32
France	266	387	2,439	2,115	274	294	1,943	1,931
Georgia	-	-	1	5	-	-	1	5
Germany	378	442	4,110	3,162	403	346	3,377	3,392
Gibraltar	12	69	-	-	19	24	-	-
Greece	3	22	6	8	15	5	5	10
Hong Kong	154	156	-	-	116	113	-	-
Hungary	3	8	67	52	4	6	38	54
Iceland	1	13	26	49	1	4	29	37
India	94	78	-	-	92	85	-	-
Iran	-	3	44	14	-	-	2	50
Irish Republic	387	382	31	7	280	330	11	18
Israel	19	18	-	-	9	18	-	-
Italy	67	50	874	875	53	72	947	731
Japan	362	327	479	437	471	320	417	409
Jamaica	70	9	-	-	28	75	-	-
Kenya	-	-	1	7	-	-	-	3
Korea (Republic of)	117	78	80	114	90	80	46	75
Latvia	-	6	50	39	-	-	24	32
Lebanon	6	-	-	-	7	2	-	-
Liechtenstein	3	-	65	63	-	-	68	24
Lithuania	-	-	22	82	-	-	7	12
Luxembourg	26	69	-	-	36	25	-	-
Macedonia	-	-	1	3	-	-	1	-
Malaysia	24	13	-	-	20	20	-	-
Malta	2	2	-	-	4	2	-	-
Moldova	-	-	30	15	-	-	17	19
Monaco	14	5	66	33	9	1	39	50
Mongolia	-	-	1	-	-	-	-	-
Morocco	-	-	38	25	-	-	30	37
Netherlands	218	368	-	-	198	291	-	-
Netherlands Antilles	13	21	-	7	5	11	1	3
New Zealand	183	218	-	-	138	152	-	-
Norway	30	20	149	204	15	17	93	136
OHIM	-	-	9	20	-	-	3	15
Others (Africa)	3	21	-	-	3	13	-	-

Country	Applications and Additional Classes				Registrations			
	Trade Marks		Madrid Applications		Trade Marks		Madrid Protected	
	2005	2006	2005	2006	2005	2006	2005	2006
Others (Asia)	268	81	-	-	146	44	-	-
Poland	3	5	193	229	-	10	144	142
Portugal	26	26	97	144	17	26	51	120
Romania	1	8	21	30	1	7	31	13
Russian Federation	49	29	367	370	18	28	215	333
Serbia Montenegro	-	-	-	6	-	-	-	3
Singapore	55	76	65	82	51	68	32	58
Slovakia	-	-	106	112	-	-	56	90
Slovenia (Republic of)	1	-	197	88	5	-	77	151
South Africa	89	150	-	-	68	96	-	-
South America	57	12	-	-	143	24	-	-
Spain	65	62	218	186	60	39	187	177
Sweden	144	106	119	178	56	45	124	112
Switzerland	354	351	1,753	1,395	301	324	1,685	1,323
Syria	-	-	1	-	-	-	-	1
Taiwan	118	56	-	-	87	57	-	-
Turkey	11	34	485	529	16	12	285	372
Ukraine	8	50	33	77	-	50	34	38
United Arab Emirates	28	60	-	-	-	25	-	-
United States of America	2,817	3,050	716	732	2,592	2,472	392	599
Virgin Islands	157	205	-	-	61	95	-	-
Yugoslavia	-	-	19	18	-	-	4	13
<b>Total</b>	<b>63,726</b>	<b>74,146</b>	<b>16,817</b>	<b>15,530</b>	<b>50,555</b>	<b>51,276</b>	<b>13,205</b>	<b>14,051</b>

## 7. Maintenance of the Trade Marks Register

Renewals and Registrations	2005	2006
No. of registrations renewable	32,790	59,307
No. of registrations renewed by application	25,019	30,091
No. of registrations renewed by additional class	7,771	10,875
No. of lapsed registrations restored and renewed (not including above)	82	160





# Hearings

## 1. Patents: Ex parte hearings and reasoned decisions made without a hearing (excluding reviews of opinions)

	Applications for Patents		Restorations		SPCs		Total	
	2005	2006	2005	2006	2005	2006	2005	2006
Requested	51	145	11	6	2	-	64	151
Substantive decisions	34	80	5	10	3	-	42	90
Procedural decisions / CMC <sup>1</sup>	4	3	-	-	-	-	4	3
Withdrawn	6	14	-	1	-	-	6	15
Appeals heard by Patents Court	6	8	-	-	-	-	6	8

<sup>1</sup> CMC = Case Management Conference.

## 2. Inter partes hearings, and reasoned decisions made without a hearing<sup>1</sup> (excluding reviews of opinions)

	Ownership <sup>2</sup>		Revocation		Oppositions <sup>3</sup>		Declaration of non-infringement		Licences <sup>4</sup>		Totals	
	2005	2006	2005	2006	2005	2006	2005	2006	2005	2006	2005	2006
Filed	37	37	9	7	2	2	1	1	-	-	49	47
Substantive decisions	37	33	12	13	-	6	2	-	-	-	51	52
Procedural decisions / CMC <sup>5</sup>	6	8	8	7	2	1	1	-	-	-	17	16
Withdrawn	4	4	3	1	-	-	-	-	-	-	7	5
Appeals heard by Patents Court	1	2	-	-	-	1	-	-	-	-	1	3

<sup>1</sup> A new method of counting inter partes cases was introduced in 2005.

<sup>2</sup> Includes references under Sections 8, 10, 12 and 37, and applications under Sections 13 and 40.

<sup>3</sup> Includes oppositions under Sections 27(5), 75(2) and 117(2).

<sup>4</sup> Includes applications under Sections 46(3) and 48(1) and oppositions under Sections 47(6) and 52(1).

<sup>5</sup> CMC = Case Management Conference.

## 3. Opinions as to validity or infringement

	Totals	
	2005	2006
Filed	4	30
Withdrawn	-	2
Refused	-	-
Issued	-	20

## 4. Reviews of opinions

	Totals	
	2005	2006
Filed	-	6
Withdrawn	-	1
Decided	-	-
Appeals heard by Patents Court	-	-

## 5. Trade Mark Applications - Objections, Hearings and Appeals - (a)

### Hearings - Ex Parte (a)

	2005	2006
Number appointed	1,956	1,973
Number postponed etc	147	214
Number withdrawn before Hearings	185	223
Number taken	1,809	1,648
Number not yet taken	567	216

### Refusals

Number of written grounds issued	29	24
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### Appeals to Appointed Person (Ex Parte cases)

	2005	2006
Pending at beginning of year	4	7
Lodged during the year	9	12
Withdrawn	-	-
Dismissed	5	8
Allowed	-	-
Transferred to High Court	-	-
Decision set aside, referred back to Registry	1	1
Pending at end of year	7	10

### Appeals made direct to the Court (Ex Parte cases)

	2005	2006
Pending at beginning of year	1	1
Lodged during the year	2	-
Withdrawn	-	-
Dismissed	2	-
Allowed	-	-
Referred to ECJ	-	-
Pending at end of year	1	1

(a) This covers applications under Section 37 of the Trade Marks Act 1994. When an objection to the registrability of a mark is raised during the examination process, the applicant/attorney has the right to request an oral hearing with a Hearings Officer. Based upon the facts presented at the Hearing, the Hearings Officer will decide whether the objection can be waived or maintained. The Hearings Officer is independent of the examiner and is not involved in the original decision. If the objection is overcome, the mark can proceed to publication in the Trade Marks Journal. Decisions of the Registry can be appealed to the Appointed Person (an independent party specialising in Intellectual Property issues) or to the Court.

## 6. Oppositions to Trade Mark Registration

Oppositions before the Registrar	2005	2006
Pending at beginning of year	897	877
Filed during the year	890	907
Withdrawn -		
- applications	336	207
- oppositions	483	404
Oppositions refused	40	47
Oppositions allowed	51	41
Pending at end of year	877	1,085
Main Hearings on Oppositions	39(a)	62(b)
Appeals to Appointed Person <i>(Opposition/Post Registration cases)</i>		
Pending at beginning of year	42	37
Lodged during year	26	42
Withdrawn	6	3
Dismissed	16	13
Allowed	7	4
Transferred to High Court	-	-
Decision set aside, referred back to Registry	2	1
Pending at end of year	37	58
Appeals made direct to the Court <i>(Opposition cases)</i>		
Pending at beginning of year	10	12
Lodged during the year	5	9
Withdrawn	-	2
Dismissed	3	1
Allowed	-	-
Referred to ECJ	-	-
Pending at end of year	12	18

- (a) In addition, 62 decisions were made from the papers without a hearing and 34 Interlocutory Hearings were held during the year.  
 (b) In addition, 69 decisions were made from the papers without a hearing and 43 Interlocutory Hearings were held during the year.

## 7. Revocation/Invalidity/Rectification of Trade Marks – (a)

Applications made to Registrar	2005	2006
Pending at beginning of year	609	622
Filed in year	296(b)	348(d)
Withdrawn	242	169
Refused	16	12
Allowed	25	41
Pending at end of year	622	748
Main Hearings	32(c)	32(e)
Appeals made direct to the Court <i>(Post Registration cases)</i>		
Pending at beginning of year	2	4
Lodged in year	4	3
Withdrawn	-	1
Dismissed	-	-
Allowed	2	-
Referred to ECJ	-	-
Pending at end of year	4	6
Applications made direct to Court		
Pending at beginning of year	38	56
Lodged in year	20	11
Withdrawn	2	4
Refused	-	-
Allowed	-	-
Pending at end of year	56	63

- (a) This covers revocation, invalidation and rectification action under sections 46, 47, 60 and 64 of the 1994 Trade Mark Act.  
 (b) Of which 245 were revocations, 47 invalidations and 4 were rectifications.  
 (c) In addition, 16 decisions were made from the papers without a hearing and 19 Interlocutory Hearings were held during the year.  
 (d) Of which 270 were revocations, 72 invalidations and 6 were rectifications.  
 (e) In addition 23 decisions were made from the papers without a hearing and 18 Interlocutory Hearings were held during the year.

#### 8. Ex Parte Hearings and Appeals Under the Registered Designs Act 1949

	Hearings held and Outcome		Allowed to Proceed		Appeals to Tribunal		
	Hearings Held	Refused	With modification	Without modification	Dismissed	Allowed	Withdrawn
2005	2	-	-	2	-	-	-
2006	5	1	1	3	-	-	-

#### 9. Cancellation under Sections 11 & 11(2) and Invalidations under Section 11ZB of the Registered Designs Act 1949 (as amended)

	Lodged	Decided	Allowed	Refused	Appeals Heard
Cancellation filed by Registered Proprietor Section 11(1)	2	2	2	-	-
Cancellation filed by third party, Section 11(2)	5	2	2	-	-
Invalidations filed, Section 11ZB	5	1	1	-	-

#### 10. Design Right Proceedings under Sections 246 and 247 of the Copyright, Designs and Patents Act 1988

	Design Right Section 246		Design Right Licences of Right, Section 247		Totals	
	2005	2006	2005	2006	2005	2006
Filed	1	1	1	-	2	1
Withdrawn	1	-	2	-	3	-
Decided	1	2	-	-	1	3
Appeals Heard <sup>1</sup>	-	-	-	-	-	-

<sup>1</sup>Appeals heard by Registered Designs Appeal Tribunal or Patents Court.

<sup>2</sup>Case Management Conferences were held in 2005



# CEU and AIM

## Events 2005/2006

### Exhibitions

Enterprise Show	Kempton Park Racecourse	Jan-06
Grow Your Own Business	Manchester	Jan-06
IP Event	Essex	Feb-06
British Female Inventor & Innovation Network	London	Feb-06
Ideas North West	Blackburn	Feb-06
Enterprise Show	Edinburgh	Feb-06
Aiming Higher Prowess International Conference	Cardiff	Feb-06
HM R & C Business Advice Open Day	Liverpool	Feb-06
Enterprise Show	Basingstoke	Mar-06
Everywoman Conference	Liverpool	Mar-06
Commercialisation Event	Teeside	Mar-06
East Midlands Development Authority	Nottingham	Mar-06
Enterprise Show	Sheffield	Mar-06
HM R & C Business Advice Open Day	Birmingham	Mar-06
Business South	Southampton	Mar-06
New Start Scotland	Glasgow	Mar-06
Grow Your Own Business	London	Mar-06
BL Innovation Event	Middlesborough	Mar-06
Enterprise Show	Leeds	Apr-06
Chamber of Commerce Business Convention	London	Apr-06
Supporting Creative Industries	London	Apr-06
HM R & C Business Advice Open Day	Belfast	Apr-06
HM R & C Business Advice Open Day	Swansea	Apr-06
Welsh National Convention of Excellence in Engineering	Newport	Apr-06
NUT Conference	Torquay	Apr-06
AURIL Conference	Brighton	Apr-06
Enterprise Show	Sheffield	May-06
Business Start Up	London	May-06
HM R & C Business Advice Open Day	London	May-06
Business XL	London	May-06
Enterprise Show	York	May-06
Science & Innovation 2006	London	May-06
West Focus Innovation Day	Kempton	May-06
HM R & C Business Advice Open Day	Aviemore	May-06
Business Start Up	Birmingham	Jun-06
Enterprise Show	Hull	Jun-06
Chamber Expo	Hull	Jun-06
Woman's Business Fair	Yeovil	Jun-06
HM R & C Business Advice Open Day	Surrey	Jun-06
Everywoman Conference	Exeter	Jun-06
Enterprise Education in School Conference	Cornwall	Jun-06
Business 2 Business	London	Jun-06

### Exhibitions

Licensing Executive Society	Glasgow	Jun-06
Opening Doors	Newport	Jun-06
LGA Exhibition & Conference 2006	Bournemouth	Jul-06
HM R & C Business Advice Open Day	Edinburgh	Jul-06
HM R & C Business Advice Open Day	Cheltenham	Jul-06
Sussex Enterprise Annual Conference	Sussex	Sep-06
HM R & C Business Advice Open Day	Cornwall	Sep-06
NFEA	Kenilworth	Sep-06
HM R & C Business Advice Open Day	Newcastle	Sep-06
Business 2 Business	Windsor	Sep-06
International Entrepreneurship	Cardiff	Oct-06
Building & Delivering Specialised Diplomas	London	Oct-06
AOC Annual Conference	Birmingham	Oct-06
New Business, New Life	Leicestershire	Oct-06
New Business, New Life	Derby	Oct-06
Five Counties Exhibition	Cwmbran	Oct-06
Brand Licensing 2006	London	Oct-06
Grow Your Own Business	Birmingham	Oct-06
HM R & C Business Advice Open Day	Peterborough	Oct-06
Business South West	Exeter	Oct-06
Medical Innovation Forum	London	Oct-06
British Invention Show	London	Oct-06
Specialist Schools & Academies Trust	Birmingham	Nov-06
Manufacturers Innovation Day	Slough	Nov-06
Inspire 06	Basingstoke	Nov-06
Women's Enterprise Day	Somerset	Nov-06
Effective Asset Management	London	Nov-06
Online 2006	London	Nov-06
New Business, New Life	Northampton	Nov-06
Business Start Up	London	Nov-06
New Business, New Life	Lincoln	Nov-06
New Business, New Life	Mansfield	Nov-06
HM R & C Business Advice Open Day	Llangollen	Nov-06
Start Your Own Business	Newcastle	Nov-06
Business 2 Business North West	Manchester	Nov-06
HM R & C Business Advice Open Day	Manchester	Nov-06
Women in Enterprise	Somerset	Nov-06
Business 2 Business	Edinburgh	Nov-06
Enterprise	Norfolk	Nov-06
HM R & C Business Advice Open Day	Norwich	Nov-06
Innovate	London	Nov-06

#### **Workshops for Business Advisers**

Winnovate		Camarthenshire	Jan-06
Invest Northern Ireland		Newry	Apr-06
Open University		Milton Keyes	Jun-06

#### **Workshops, Presentations and Seminars to SMEs**

University of Teeside	Middlesborough	Jan-06	Successful SMEs	London	Jun-06
IMECHE Patent Law	Durham	Jan-06	IP Event, Essex Business Support	Epping	Jun-06
Open University	Milton Keyes	Feb-06	Chwarae Teg	Cardiff	Sep-06
Plant Variety Rights & Seed Office	Cambridge	Feb-06	IP Workshops Landrover	Gaydon	Sep-06
Innovation Workshop	Kent	Feb-06	IP Event	Southend	Sep-06
Eye of the Beholder	Edinburgh	Feb-06	Mind of an Entrepreneur	London	Oct-06
NHS Procurement & IPR Seminar	Kegworth	Feb-06	Oxford Brookes University	Oxford	Oct-06
Durham Business School	Durham	Mar-06	Ideas 21	London	Oct-06
Caledonian University	Glasgow	Mar-06	IP Workshop	Llandridnod Wells	Oct-06
University of Teeside	Middlesborough	Mar-06	IPAG Introduction to IP	Reading	Oct-06
DePoy International Ltd	Leeds	Mar-06	IP Workshop	Nottingham	Oct-06
Caerphilly County Council	Caerphilly	Mar-06	Knowledge Transfer Conference	Bath	Nov-06
University of Essex	Southend	Mar-06	IP Workshop	Stirling	Nov-06
The Ropewalk	North Lincolnshire	May-06	IP Seminar	University of York	Nov-06
Setsquared	University of Bristol	May-06	Oxford Brookes University	Oxford	Nov-06
University of Portsmouth	Portsmouth	May-06	London South Bank University	London	Nov-06
Smart Scotland Awards	Glasgow	May-06	IP Workshop	Middlesborough	Nov-06
IP Event	Swindon	May-06	Stockport Story Exhibitions	Stockport	Nov-06
What is IP?	Caerphilly	May-06	IP Workshop	Derry, Northern Ireland	Nov-06
University of Derby	Derby	Jun-06	Business Advisor Breakfast Meeting	Bristol	Dec-06
			London South Bank University	London	Dec-06

#### **Intellectual Property Awareness Campaign**

Intellectual Property Awareness Oxford	Oxford	Oct-06
Intellectual Property Awareness Glasgow	Glasgow	Nov-06
Intellectual Property Awareness London	London	Dec-06

#### **Number of customers who contacted us during 2006**

Telephone calls received by our Central Enquiry Office during 2006	92,192
E-mails received by our Central Enquiry Office during 2006	18,952
Business events attended	253
Intellectual Property awareness campaigns	3





# For Innovation

The Patent Office Annual Review 06



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