

# **THE HONG KONG INSTITUTE OF TRADE MARK PRACTITIONERS**

## **PRESIDENT'S REPORT 2001/2002**

### **Introduction**

Like past years, the last year has been another busy and eventful year for the Institute. Apart from monitoring possible changes to intellectual property laws, including consultations on aspects concerning unfair competition and the recently released draft Trade Marks Rules, the Institute has attained another significant achievement in its collaboration with the School of Professional and Continuing Education (SPACE) of the University of Hong Kong on the Diploma Course in Trade Mark Law and Practice.

### **The new Trade Marks Ordinance**

The current draft of the new Trade Marks Rules is now available on the IPD's website. The consultation period will end on 18 October 2002. The Trade Marks Sub-committee of this Institute is now working on it and welcomes any comments and ideas.

### **Meetings with IPD**

The Institute along with the International Trademark Association, Asian Patent Attorneys Association Hong Kong Group (APAA) and the Law Society took part in the Joint Working Group Meetings with the IPD on the new Trade Mark Work Manual. The Institute has put in tremendous efforts in giving practical comments on the work manual drafted by the IPD, including chapters on assignments, licence, transitional arrangements, renewal and restoration, claim to priority, surrender, conversion of pending applications, famous persons, revocation on the grounds of non-use, certification and collective trade marks, colour, defensive trade marks, evidence of distinctiveness and prior registered rights.

Besides, the Institute had a regular bi-annual meeting with the IPD on 22 October 2001. The next meeting has been tentatively scheduled for October or November 2002.

Apart from bi-annual meetings, the Institute has actively participated in holding discussions with the IPD including the tea meetings in February and June 2002 to discuss on practical issues relating to the new Trade Marks law including specification of goods and services and registrability.

### **Education**

The Institute has teamed up with SPACE in launching a two-year Diploma in Hong Kong Trade Mark Law and Practice. There were 49 students enrolled in the 1st year, with 42 sitting for the examination in January 2002. Of these, 30 in total have passed, with 27 in first attempt. There are currently 32 students taking the 2nd year. Apart from the hard work by the Education Sub-committee chaired by Sandra Gibbons, I also take this opportunity to thank our other Council members and ordinary members who have devoted their generous time and efforts to prepare and deliver the lectures.

### **Seminars and receptions**

On 13 November 2001, a joint reception by the Institute, APAA and the Law Society was held in honour of Mr. Wang Jingchuan, Commission, State Intellectual Property Office (SIPO) at the Hong Kong Club.

On 20 March 2002, the Institute, APAA and the Law Society jointly hosted a reception on 20 March 2002 during the APEC Symposium on Traditional Medicine organized by the IPD. During the past year, I attended on behalf of the Institute the Mainland, Hong Kong SAR and Macao SAR Intellectual Property Symposium 2001 and the APEC Symposium on Traditional Medicine both organized by IPD.

Apart from symposiums, I attended on behalf of the Institute luncheon meetings with Mr. Paul Vandoren, Head of Unit in DG Trade M-4 of the European Commission and Ambassador Eduardo Perez Motta, Permanent Representative of Mexico to the WTO hosted by the IPD.

### **Newsletters**

The Institute has published 2 issues of the Newsletters and I would like to thank Graeme Hall for his contribution as the editor.

### **Membership**

The Institute has continued to expand with a current membership of 112 in total. I wish to thank Steven Birt for being an excellent membership secretary in maintaining and updating our records. That said, I must add that members' support is very important and I urge all members to keep Steven informed of any changes of your contacting details.

### **Library**

A complete collection of all Trade Marks Registry Decision and IPD Circulars is kept in the Institute Library. I would like to thank Jeannie Smith for her continued help as our librarian.

### **Council**

I have been grateful for my fellow Council members. The Council for this year has been :

Peggy Cheung -- Chairman  
Sandra Gibbons -- Vice President  
Matthew Laight -- Treasurer  
Charmaine Koo -- Secretary  
Steven Birt -- Membership Secretary  
Graeme Hall  
Winnie Chan  
John Cheung  
Lindsay Esler  
Nicholas Horvath

Irene Ng  
Jeannie Smith  
Henry Wheare  
Justin Davidson  
Davina Lee  
Barry Yen  
Winnie Yue

As we are limited to 17 Council members, one half of that number (other than the President and the Vice President) need to retire. Having regard to those elected in the previous year, the following will retire from this year and if willing, seek re-election :

Graeme Hall  
Nick Horvath  
Charmaine Koo  
Henry Wheare  
Winnie Yue  
John Cheung  
Winnie Chan  
Barry Yen

#### **Social Events**

The Institute has continued organizing a number of social events for our members, including the Go-Kart racing evening at the Go-Kart Mall on 17 April 2002. We are planning another social evening in December and details of this event will be circulated to members in due course.

#### **Sub-committees**

Last, but not least, I would like to thank all Sub-committees members for their hard work throughout this year :

##### Patents and Designs Sub-committee

Graeme Hall  
Matthew Laight  
Peggy Cheung

##### Copyright Sub-committee

Matthew Laight  
Steven Birt  
Justin Davidson  
Winnie Yue

##### Trade Marks Sub-committee

Peggy Cheung  
Sandra Gibbons  
Winnie Yue

Education Sub-committee

Sandra Gibbons

Peggy Cheung

Graeme Hall

Henry Wheare

Internet Sub-committee

Jeannie Smith

Winnie Yue

Matthew Laight

Barry Yen

Steven Birt

Peggy Cheung

President

24 September 2002