

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

## **PRESIDENT'S REPORT 2004/2005**

After 2 years I will be standing down as President of the Institute. It has been a busy 2 years. Numerous issues and concerns have been considered, many of which are not yet resolved and will continue to be challenges for the future.

I would like to thank the members of Council and the Institute for their hard work and to encourage their greater communication and co-operation. Council has endeavoured to disseminate information to members through the newsletter and more often by email. While improvements are possible, Council is always trying to keep members informed of changes and issues affecting the profession. Membership participation is also essential. The Council needs your comments and feedback. Members with any issues or concerns should notify a Council member.

### **Intellectual Property Department**

The Institute and IPD have liaised on various issues affecting the profession.

Council members met with IPD in October 2004 and April 2005 for the Bi-Annual and Working Group Meetings. At the Bi-Annual meetings, which deal with policy issues, e-filing was the main topic of discussion. The Working Group meetings allowed the profession to raise any concerns about the day to day practices of the Registry.

A Working Group Meeting dedicated to patents was held in August 2005. The meeting discussed practical issues arising since the introduction of the Patents Ordinance in 1997. Some changes to the Ordinance are under review.

A meeting was also held in April with representatives of IPD, the Company's Registry and the Business Names Register to express our concern at the growing number of companies being registered in Hong Kong under names which incorporate famous trade marks without the trade mark owners' permission. At present, it is difficult for trade mark owners to take action to force the company to change its name. The Government is looking at possible ways to assist trade mark owners. The Institute is monitoring the situation.

The Institute has continued to assist IPD to contact members of the profession to inform them of various symposia, seminars, surveys and other matters of interest.

### **Copyright**

In February 2005, the Institute filed a comprehensive submission in response to the Government's discussion paper titled "Review of Certain Provision of the Copyright Ordinance". Many thanks to the hard work of the Copyright Subcommittee, headed by Steven Birt.

## **Register of Trade Mark Agents**

Council is in the process of formulating a proposal for the establishment of a register in Hong Kong of qualified trade mark agents. A draft proposal will be circulated for comment in the next few months. Changes to the current trade mark laws will be required to provide for the Register. The Register will be of great benefit to trade mark owners to identify experienced and qualified practitioners.

Thanks to Henry Wheare who chairs the Sub-Committee.

## **Education**

The Institute has continued to work with the School of Professional and Continuing Education (SPACE) of the University of Hong Kong to administer the Diploma Course in Trade Mark Law and Practice. Patsy Lau has given much of her time to organizing the course and ensuring that it runs smoothly. The Institute thanks all members and non members who have taken the considerable time to give lectures for the course.

The second of the two year courses was completed at the end of 2004. Eighteen students sat the final exam. An Examiners Board meeting will be held in the next week to finalize marking. There is an expected pass rate of around 50%. Students who failed will be invited to resit the exam.

It has been decided to discontinue the education programme while consideration is given to requirements for qualifying for the Register of Trade Mark Agents. In the meantime the Institute will continue to assist SPACE to provide education in intellectual property law as part of SPACE's certificate of legal education.

## **Newsletter**

Only one issue of the newsletter was circulated in the past 12 months, in March 2005. However, it was long and informative. We do hope to be able to circulate at least 2 issues a year in the future to keep members informed of issues and events in the profession and in the Institute itself. Winnie Yue has worked hard as editor. She would welcome any articles, information or news from members which may be of interest to other members.

## **Social Events**

There have been 2 social events for members in the past 12 months, both of which were very popular and successful. A dinks evening was held at the Kee Club on 17 February 2005. Mike Reynolds, Principal Hearing Officer of the UK Patents Office, was our guest speaker. Mike mingled with members throughout the evening discussing various issues of interest.

Our other social event, the Happy Valley Race Night on 15 June was a washout for the racing only. Members braved the torrential rain and a fun evening was had by all.

## **Membership**

New members of the Institute since last October include Gina Reid, Sebastian Hughes, Ted Marr and Henry Hui as ordinary members. Michael Lee, John Hawker, Lily Chan and Sandra Lee have resigned their memberships.

Richard Halstead, a founding member and Robin Bridge, a long time supporter of the Institute, have been made honorary members of the Institute.

Please notify the membership secretary of any changes to your contact details.

## **Council Members**

For the past 12 months members serving on Council have been:

|                  |                      |
|------------------|----------------------|
| Sandra Gibbons   | President            |
| Steven Birt      | Vice-President       |
| Davina Lee       | Treasurer            |
| Kim Nicholoso    | Secretary            |
| Justin Davidson  | Membership Secretary |
| Peggy Cheung     |                      |
| Anne Choi        |                      |
| Lindsay Esler    |                      |
| Graeme Hall      |                      |
| Nicholas Horvath |                      |
| Patsy Lau        |                      |
| Charmaine Koo    |                      |
| Jeannie Smith    |                      |
| Henry Wheare     |                      |
| Barry Yen        |                      |
| Winnie Yue       |                      |

All Council members have contributed much of their time to the Institute.

At the AGM Davina Lee, Justin Davidson, Lindsay Esler, Patsy Lau, Barry Yen, Anne Choi, Jeannie Smith and Peggy Cheung will stand down from Council. They may stand for re-election.

Jeannie Smith has decided not to stand for re-election due to work commitments. Jeannie has worked on Council for many years and was President for much of that time. She has contributed greatly to the success of the Institute. Her energy and organization will be missed.

I am looking forward to supporting the new president to ensure that the profession and the Institute continue to prosper.

Sandra Gibbons  
President  
20 September 2005