

Hong Kong Institute of Trade Mark Practitioners
Annual General Meeting
28 October 2024

President's Report 2023/2024

I am humbled and profoundly honoured to be elected as the President of the Institute and am pleased to present my first President's Report for the Institute.

I would like to thank Loretta Lau and Nick Horvath for preparing the documentation for this meeting and organising the dinner, and Benjamin Choi for preparing the Institute's accounts.

Committees

We have seven committees responsible for various tasks and functions throughout the year. Membership of these committees are:-

1. Trade Marks Committee: Jacqueline Chu, Loretta Lau, Patsy Lau, Serena Lim, Theresa Mak, Helen Tang, David Wu
2. Patents and Designs Committee: Peggy Cheung, Justin Davidson, Jeffrey McLean
3. Copyright Committee: Steven Birt, Benjamin Choi, Peggy Cheung, Katherine Lai, Serena Lim, Valerie Suen
4. Seminar Committee: Benjamin Choi, Jacqueline Chu, Justin Davidson, Theresa Mak
5. Social Events Committee: Peggy Cheung, Andrea Fong, Nick Horvath, Barry Yen
6. Website Committee: Jeffrey McLean, Katherine Lai
7. Newsletter Committee: Helen Tang, Valerie Suen, David Wu

A Special Membership Committee was set up this year to review the Institute's Articles of Association and make recommendations on the changes to the classes of members. Members of the Special Membership Committee are Steven Birt, Nick Horvath, Katherine Lai, Patsy Lau, Barry Yen and David Wu.

Meetings with the Intellectual Property Department ("IPD")

We had several meetings with the IPD in the year 2023/24:-

1. Annual Meeting between the Institute and the IPD (14 November 2023)
2. Annual Joint Meeting between the Institute, APAA, Law Society IP Committee ("IPLS") and the IPD (7 March 2024)
3. Patent Practice Group Meeting (7 March 2024)
4. First meeting of the Industry Consultation Group on the proposed regulatory arrangements for local patent agency services ("ICG") between the Institute, APAA, IPLS, the Hong Kong Institute of Patent Attorneys, the Hong Kong Institute of Patent Practitioners and the Hong Kong Chinese Patent Attorneys Association (21 May 2024)
5. Second meeting of the ICG between the Institute and other relevant industry bodies (20 June 2024)
6. Third meeting of the ICG between the Institute and other relevant industry bodies (9 July 2024)

7. Patent Practice Meeting (16 July 2024)
8. Third meeting of the ICG between the Institute and other relevant industry bodies (19 July 2024)
9. Fourth meeting of the ICG between the Institute and other relevant industry bodies (20 August 2024)
10. Briefing on a public consultation on the enhancement of the Copyright Ordinance regarding protection for artificial intelligence technology developments (26 August 2024)
11. Trade Mark Practice Group Meeting between the Institute, APAA, IPLS and the IPD (30 August 2024)
12. Fifth meeting of the ICG between the Institute and other relevant industry bodies (16 September 2024)

A summary of the issues discussed in the Annual Meeting on 14 November 2023 and the Annual Joint Meeting on 7 March 2024 has been published in our October 2024 newsletter.

One of the major tasks that the IPD is focusing on is the proposed regulatory arrangements for local patent agency services following the 2023 Policy Address. As mentioned above, the Institute has attended five meetings of the ICG so far and the sixth ICG meeting will be held on 21 October 2024. The ICG serves as a forum for the government to engage the trade and collect views on the proposed regulatory arrangement and the core regulatory issues discussed at the ICG include:

- Patent agency services at issue
- Regulatory approach
- Any transitional/grandfathering arrangement;
- Qualification requirement
- Training provision/qualifying examination (if any): course, examination and accreditation;
- Privilege in communications with clients;
- Institutional arrangement for future regulation.

Through the process, the IPD aims at collecting cogent views from the industry for the Government's consideration.

Submissions to IPD

1. Submission to Consultation on Proposed Subsidiary Legislation for Specification of Libraries, Museums and Archives and Prescribed Conditions for Certain Permitted Acts under the Copyright Ordinance
2. Letter to the IPD regarding the proposed regulatory arrangements for local patent agency services
3. Submission to Public Consultation on Copyright and Artificial Intelligence
4. Letter to the IPD regarding an agent which does not appear to have a real place of business in Hong Kong

Events and invitations

Members of the Council were invited to and/or participated in a number of other meetings, discussion sessions and events including:-

1. Closing ceremony for IP Ambassador Programme 2022/23 and welcome reception for IP Ambassador Programme 2023/24 (November 2023)
2. BIP Asia Forum (7-8 December 2023). The Institute was also a supporting organization for the Business of IP Asia Forum.
3. World IP Day Reception hosted by IPD (26 April 2024)
4. Mainland and Hong Kong SAR, Macao SAR Intellectual Property Symposium 2024 (June 2024)
5. Closing ceremony for IP Ambassador Programme 2023/24 and welcome reception for IP Ambassador Programme 2024/25 (October 2024)
6. IEEM IP Programme 2024 co-organised by the Institute of European Studies of Macau (IEEM) and the IPD (November 2024)

This year's BIP Asia Forum will take place on 5-6 December 2024, and the Institute will once again be a supporting organization of the forum.

Seminar/Webinar

The Institute organised the following lunchtime seminars this year:

1. On 31 October 2023, Ms Stephanie Wong, barrister at Des Voeux Chambers, gave a presentation on topics relating to e-commerce platforms, joint-liability, and jurisdictional issues regarding goods sold in Hong Kong via mainland Chinese e-commerce platforms.
2. On 11 January 2024, Mr Christopher Leung, a London-based Senior Associate in the IP team at Fieldfisher, gave a presentation on the topic of "Litigation in the field of Generative AI: A UK Insight".

Recently, we have invited Ms Kelly Saliger, President of the Chartered Institute of Trade Mark Attorneys, to deliver a webinar on "Practical Tips on the IR System from a UK Practitioner's Perspective" for us on 23 October 2024.

The Institute has not applied for CPD accreditation for our seminars/webinars. According to the Law Society's guidelines, under the deemed accreditation system, a solicitor or trainee solicitor subject to the CPD Rules Cap. 159W may, out of the annual CPD requirement of 15 CPD points, claim a maximum of 3 CPD points per CPD practice year by attending courses which fulfil the accreditation criteria prescribed under the deemed accreditation system stated in the CPD Information Package. Members who wish to claim CPD points under the deemed accreditation system are reminded to keep records of attendance of webinar and check the correct paragraph(s) in the "Statement of Compliance with CPD and RME Requirements – Solicitors" (if required) in order to comply with the Law Society's Guidelines.

Members are encouraged to get in touch with the Institute on topics that you would be interested in future seminars.

Social Events

1. Spring Dinner at Hong Kong University Alumni Association member's dining club on 13 March 2024

2. Mooncake Tasting Event at Club Lusitano on 11 September 2024

Newsletter

Our latest newsletter was issued in October 2023 and the next edition will be issued in the first quarter of 2025. Many thanks to David Wu for his time and effort in producing the newsletter.

Membership

Our membership currently stands at 86 (of which 79 are Ordinary Full Members, 4 Affiliate Members, 3 Student Members).

Names of new members since the last AGM include:

- (a) Charmaine Kwong of Clifford Chance joined as of February 2024
- (b) Janette Li of Davies Collison Cave joined as of April 2024
- (c) Kennis Cheung of MinterEllison LLP joined as of May 2024
- (d) Ada Chow of Simmons & Simmons joined as of August 2024

On 13 March 2024, honorary membership was given to Nick Bodnar-Horvath in appreciation of his dedicated service for over 35 years.

Council Meetings

For the year 2023/2024, we had 10 Council meetings on the following dates:-

- 1. 18 October 2023
- 2. 15 November 2023
- 3. 14 December 2023
- 4. 17 January 2024
- 5. 21 February 2024
- 6. 10 April 2024
- 7. 12 June 2024
- 8. 17 July 2024
- 9. 21 August 2024
- 10. 25 September 2024

Council Members

For the year 2023/2024, the following members have served on Council:-

- | | |
|---|-------------------------|
| 1. Jacqueline Chu –President | 10. Andrea Fong |
| 2. Valerie Suen – Vice President | 11. Patsy Lau |
| 3. Benjamin Choi – Treasurer | 12. Serena Lim |
| 4. Loretta Lau – Secretary | 13. Theresa Mak |
| 5. Katherine Lai – Membership Secretary | 14. Janette Sham |
| 6. Steven Birt | 15. Helen Tang |
| 7. Nick Bodnar-Horvath | 16. David Wu |
| 8. Peggy Cheung | 17. Barry Yen |
| 9. Justin Davidson | 18. Jeffrey Ross Mclean |

Jeffrey McLean has been our long-standing Co-Op Affiliate Member providing support to the Council on all patent related matters. Many thanks to Jeff for his support.

Each year, one-half of the Council Members excluding the President and Vice President having served longest in office will need to retire and will need to be re-elected. The following members retiring this year are:-

1. Steven Birt
2. Benjamin Choi
3. Justin Davidson
4. Loretta Lau
5. Katherine Lai
6. Patsy Lau
7. Theresa Mak
8. Barry Yen

I would like to thank all Council Members, Co-Op Affiliate Member and office bearers for all their contributions and service on Council and each Committee throughout the year.

The Scrutineer have received the following nominations:

1. Steven Birt
2. Benjamin Choi
3. Justin Davidson
4. Loretta Lau
5. Katherine Lai
6. Patsy Lau
7. Theresa Mak
8. Barry Yen

Awards

Each year, the Institute grants awards to recognize academic achievements in the Intellectual Property Law subject. The Institute received 2 nominations from the University of Hong Kong and the Chinese University of Hong Kong this year.

The IP Prize winners for our financial year ending 2023/2024 were as follows:

- HKU: Mr Wong Chung Yin
- CUHK: Ms Chui Suet Yi

This concludes my last President's Report.

Jacqueline Chu
President
The Hong Kong Institute of Trade Mark Practitioners
18 October 2024