



## **The Intellectual Property Regulation Board**

### **Consultation**

#### **2025/26 Business Plan**

#### **2025 Budget and Practising Fees**

**15 July 2024**

**This consultation closes at 5pm on 28 August 2024**

## Introduction

1. This consultation asks for your views on our proposals for our Business Plan for 2025/26. We have a very full programme of work already, in particular on education and therefore we are not proposing to include any new areas (other than those required by the Legal Services Board). We anticipate that the main areas of work will be:
  - a. Continuing our work on education including taking forward the work we have already started on:
    - Assessing the impact of the changes to the patent attorney European Qualifying Exams (EQE) on our approach to exemptions from the final diploma exams set by the Patent Examination Board (PEB);
    - Widening participation in the patent attorney profession and improving its diversity;
    - Reviewing the Accreditation Handbook which sets out our approach for accrediting providers of attorney qualification training courses and outlines the core syllabus for the foundation level qualification;
    - Our work with stakeholders on the feasibility of developing an apprenticeship route to becoming a patent attorney.
  - b. Monitoring the implementation of the new regulatory arrangements following their introduction on 1 July 2023;
  - c. Continuing to build our evidence base about the IP sector;
  - d. Funding diversity initiatives;
  - e. Responding to consultations and information requests from the Legal Services Board (LSB);
  - f. Business as usual work such as admissions to the registers, investigating complaints, taking disciplinary action and responding to enquiries.
2. We are also seeking your views on:
  - a. Increasing practising fees in 2025 by 3% (slightly higher than the current rate of [CPI](#)) with the exception of the not in active practice fee category. This is a lower percentage increase than in 2024 (8%). The proposed increase will, in the IPReg Board's judgment, allow us to finance our planned activities. In addition, we consider it important that our reserves are sufficient to enable us to respond to unexpected changes in our workload caused by external events and to take into account the impact of inflation on our day to day operating costs (e.g. by increasing the general contingency reserve). The impact of the proposed increase on each fee category is set out in **Annex A**.<sup>1</sup> This would increase our budgeted income from practising fees from £1,274,781 in 2024 to £1,330,451 in 2025 (an increase of £82,670);

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<sup>1</sup> We realise that the current categories of fee payers may not reflect all the different ways in which attorneys currently work. We suggested, as part of our review of regulatory arrangements, that we could consider whether the categories could be changed; there were mixed responses to that suggestion and so it was not taken forward as part of the review. Because around 85% of attorneys work in private practice and have their fees paid by their employer, the IPReg Board has decided that it is not necessary to pursue changes to fee paying categories.

- b. Abolishing the fee paying category “Registered attorney practising as a sole trader and employing other registered attorneys or other professionals”. Our register shows that there is currently one attorney in this category. The reason for proposing the abolition of this category is that our understanding is that the category was originally created to cater for a much larger number of attorneys who practised in this way. Over time, those people have either ceased to practise or they have changed their business model and set up a limited company.
3. We will retain the ability to waive practising fees for attorneys who are facing hardship. This was introduced as a result of the Covid-19 pandemic for attorneys who had been made redundant or were furloughed and was broadened in 2023 to help attorneys suffering hardship for any reason.

**If you have any comments on the business plan, budget or practising fees, please send them to: [info@ipreg.org.uk](mailto:info@ipreg.org.uk) by 5pm on 28 August 2024. If you would like to discuss the plan with us or would like further information, please contact us online using this [form](#).**

## **Draft Business Plan – 2025/26**<sup>2</sup>

### **IPReg's strategic priorities**

4. In November 2023, reflecting the progress made in achieving its initial strategic priorities the Board re-cast its strategic priorities:

#### A. Users of IP legal services and the public

*Strategic priority:* To improve consumer knowledge and empowerment among users of IP legal services.

*We will do this by:*

- a. Increasing the public profile of IPReg to the regulated community and users of IP legal services;
- b. Increasing our understanding of the needs and expectations of users of IP legal services;
- c. Providing targeted and proportionate information to enable those users to make informed choices about their legal adviser;
- d. Increasing our understanding of the needs and expectations of all types of regulated attorneys/firms and disseminating information about best practice.

#### B. The profession (current and future)

*Strategic priority:* Setting, promoting and enforcing high quality education and professional standards for entry to the professions.

*We will do this by:*

- a. Using data and insights from our regulatory activity to influence the future of the profession in a way that ensures that appropriate standards are maintained and routes to entry onto the registers are varied and fit for purpose;
- b. Encouraging an increase in the good quality providers of qualification pathways and examinations, in particular as a tool to increase the diversity of the trade mark and patent attorney professions;
- c. Gathering data about the diversity of the profession (attorneys and students) to inform our decision making.

#### C. IPReg

*Strategic priority:* Carrying out our regulatory activities proactively, effectively and inclusively, ensuring the efficient use of resources.

*We will do this by:*

- a. Building our capacity to understand and respond to global and market trends (including the use of technology) that impact on intellectual property matters, the wider environment and our approach to regulation;

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<sup>2</sup> Note that all dates are for the calendar year.

- b. Acting quickly and consistently when we identify potential breaches of regulatory requirements and conducting investigations efficiently and effectively;
- c. Encouraging innovation and competition in the provision of regulated IP legal services.

## **Driving forward our work on education**

- 5. The IPReg Board wants to maintain the momentum it has built up on education issues. Through the course of this work, we have identified a number of regulatory policy issues in the route to qualification for patent attorneys (particularly at the advanced level). We have therefore turned our focus (and resources) to exploring the policy issues raised about the patent attorney qualification route.
- 6. During 2024, we have been considering the most appropriate way to take this work forward. There are a number of different, inter-dependent elements to the work and we are in the process of recruiting a Head of Education Review project manager (in the same way that we did for the review of our regulatory arrangements) to ensure that project runs smoothly. Stakeholder engagement will be crucial to ensuring that the proposals we put forward have widespread support. We anticipate that, in addition to bi-lateral meetings, we will set up focus groups to discuss specific topics.
- 7. The epi has introduced wide ranging changes to the way in which the EQEs are structured. These changes will be introduced between 2025 and 2027. Currently, IPReg's regulatory arrangements provide that passing EQE papers A and B provides exemptions from the PEB's FD2 and FD3 exams.<sup>3</sup> We therefore need to evaluate the changes to the EQEs in order to establish how our regulatory arrangements need to change to ensure that exemptions can continue to apply (and, possibly, expand) and what transitional arrangements will need to be put in place. In 2024, we started working with Julia Gwilt (Chair of the epi Professional Education Committee) to map the new EQEs onto IPReg's competency framework. We realise the importance of providing as much certainty as possible to candidates and employers about our future approach. We will consult on the changes that are necessary and will take forward a rule change application to the Legal Services Board once we have considered the responses to that consultation. We will provide more information about timing during 2024 and continue the work into 2025.
- 8. In addition to the above work, we will continue to work on important issues concerning accredited attorney qualification providers:
  - a. Working with providers to ensure that accreditation recommendations are taken forward and quality assurance mechanisms are fit for purpose, including responding to key stakeholder feedback. Where there are concerns, IPReg will raise these with the provider to ensure that action is taken. This work will continue as necessary in 2025/26;
  - b. Working with providers to ensure that online delivery of courses and examinations meets the required standards;
  - c. Working with stakeholders and potential providers to encourage new qualification pathway options including apprenticeships;
  - d. We will continue to undertake reaccreditation assessments (typically every 5 years) of qualification providers.

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<sup>3</sup> There are other permutations for exemptions but this is the main one that we see on applications for admission to the register.

9. As part of this work, we will start reviews of the IPReg Competency Frameworks. We will also start a review the Accreditation Handbook.
10. We anticipate that this work will need significant input from external advisers, for example on the best approach to identify what should be included in the competency framework. We have therefore allocated £85,000 to this work in the budget.
11. This work supports in particular the regulatory objective of encouraging an independent, strong, diverse and effective legal profession.<sup>4</sup>

## Thematic reviews

12. Our new regulatory arrangements came into force on 1 July 2023. We are committed to reviewing the effectiveness of the new arrangements. The new arrangements were accompanied by an impact assessment. In 2025 we will review the impact of the new arrangements by updating the impact assessment. We will publish the revised impact assessment and ask for views on it from our stakeholders.
13. We will also assess the effectiveness of elements of the new arrangements by conducting thematic reviews:
  - a. Continuing competence – attorneys are now required to: assess, bearing in mind their existing skills and the nature of their practice, how they will maintain their competence. This means that they regularly:
    - Reflect on their professional knowledge and skills and identify any development needs;
    - Plan how these needs can be addressed through appropriate activities, training and other learning; and
    - Record the assessments and evaluate the activities they have undertaken in the light of those assessments.

Attorneys must confirm to IPReg annually that they have met these requirements and, if requested, provide to us their records or other material which demonstrates that they have met the requirements. We have transitional arrangements on enforcement of these requirements in place for approximately 18 months; they will end no later than 30 June 2025. This will give attorneys and firms sufficient time to become familiar with the new arrangements.

In 2024, we are conducting random sampling of attorneys' records or other material to assess how well the new requirements have been embedded, identify any barriers to compliance with them and provide examples of good practice. Depending on the outcome of that review, a further review may need to be conducted in 2025.

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<sup>4</sup> The LSA section 28(2) imposes an obligation on IPReg to, so far as is reasonably practicable, act in a way (a) which is compatible with the regulatory objectives, and (b) which [IPReg] considers most appropriate for the purpose of meeting those objectives. The regulatory objectives in the LSA section 1(1) are: (a) protecting and promoting the public interest; (b) supporting the constitutional principle of the rule of law; (c) improving access to justice; (d) protecting and promoting the interests of consumers; (e) promoting competition in the provision of [legal] services; (f) encouraging an independent, strong, diverse and effective legal profession; (g) increasing public understanding of the citizen's legal rights and duties; (h) promoting and maintaining adherence to the professional principles [in LSA section 1(3)]; (i) promoting the prevention and detection of economic crime.

If a second review is needed, this will be financed from our reserves.

- b. Transparency requirements – these will provide better information to clients and prospective clients about costs. The new rules require that attorneys give appropriate explanations to their clients about any financial benefits that they receive as a result of the work that they do. This includes commissions, foreign exchange rate uplifts or discounts or rebates. Attorneys also need to inform their clients about any referral arrangements in place such as payment of a referral fee and fee sharing arrangements. Although it will be for attorneys/firms to decide how to provide this information, it must be clear, accurate and sufficient to enable clients and prospective clients to make informed decisions about who to instruct. We will be conducting this review in the second half of 2024 and plan to publish a report on its findings and lessons learned early in 2025.

We have allocated £5,000 for follow up work on transparency.

- c. During 2025, we will continue to assess applications for admission to our professional indemnity insurance (PII) sandbox. This enables testing alternative PII arrangements by providing a way for firms or sole traders to obtain PII from insurers who are not on IPReg's list of participating insurers. This will then enable them to apply to be admitted to, or remain on, the IPReg registers and be regulated. It may also be of interest to firms who are able to obtain cover from a participating insurer but who want to make alternative arrangements (perhaps for commercial reasons).

We will continue to monitor closely how the sandbox is working throughout 2025. Depending on the nature and extent of applicants and entrants, we will conduct a thematic review of how the sandbox is working towards the end of 2025.

We have budgeted £10,000 for this work which would be allocated, if required, to external advice (e.g. from an insurer or actuary).

14. This work supports all the regulatory objectives in the Legal Services Act 2007 (LSA).

### **Building our evidence base**

15. In addition to the data and evidence gathering work that we plan to undertake for the thematic reviews on continuing competence and transparency, we will continue to gather data and evidence about the nature of the IP legal sector.
16. We will continue to work with our external adviser who reviews relevant research by the other regulators, the Legal Services Consumer Panel and other bodies to evaluate whether it should be incorporated into IPReg's evidence base.
17. This work supports all the regulatory objectives.

### **Diversity**

18. For the avoidance of doubt, we remain committed to keeping a ring-fenced reserve to fund suitable diversity initiatives. The reserve is currently set at £20,000.
19. We are undertaking a diversity survey in 2024 and will publish the results on our website. We do not plan to repeat the survey in 2025.
20. We will be using our work on diversity to inform our education workstreams. Understanding how to widen participation and progression in the profession will be a key factor in exploring different routes to

qualification for patent attorneys. This information will form a key part of our education workstream and should help us to improve the opportunities at the earliest stages of education and training.

21. We will continue to work with, and contribute to, the cross-sector work on EDI. This will enable us to learn from stakeholders in the IP sector and other regulators. We will share our research and experiences and work towards a collective approach to gathering data, identifying barriers to entry to the legal profession and the sector's approach to designing, implementing and evaluating regulatory interventions.
22. This work supports in particular the regulatory objective of encouraging an independent, strong, diverse and effective legal profession.

### **Responding to LSB consultations and related work**

23. The Legal Services Board ("LSB") is IPReg's (and the other legal regulators') regulator. The volume of work that is generated by the LSB has increased significantly over the last 5 years. Prior to that, we were able to accommodate this work as part of our normal day to day business as usual. However, the current volume of work means that this approach is no longer possible and additional resources are needed. The Director of Policy undertakes this work as well as work on wider policy issues.
24. The LSB's [Quarterly Activity Schedule](#) for 2024/25<sup>5</sup> shows a significant number of issues where IPReg will need to engage with and respond to the LSB's work including in January to March 2025:
  - a. Evaluation by the IPReg Board of our performance against the LSB's performance management framework;
  - b. Considering the impact of the LSB's proposals for regulators to advance equality, diversity and inclusion;
  - c. Considering the impact of the LSB's decisions following its consultation on professional ethics;
  - d. Responding to a possible LSB consultation on disciplinary and enforcement processes;
  - e. Ongoing engagement on technology (including AI) and its use in the IP sector;
  - f. Responding to the LSB's review of approaches to consumer vulnerability;
  - g. Responding to the LSB's work on a review of its Internal Governance Rules;
  - h. Responding to any consultation by the LSB of its own enforcement policy;
  - i. Considering the impact of any decision by the LSB on its work on access to justice.
25. In addition, the LSB's [Business Plan](#) for 2024/25 includes the following issues where IPReg will need to engage with and respond to the LSB's work:
  - a. Responding to requests for information about IPReg's compliance with the LSB's new [regulatory performance framework](#);
  - b. Responding to ongoing monitoring requests from the LSB concerning its expectation that IPReg is meeting the requirements set out in its various statutory statements of policy;

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<sup>5</sup> The LSB operates on a financial year basis.



- c. Responding to any investigations and/or thematic reviews that the LSB undertakes which impact on IPReg's work;
- d. Other requests for information during the course of the year.

## **Our day to day activities**

26. In addition to the specific areas of work set out above, the IPReg team carries out a wide range of "business as usual" activities. These include:
- a. Considering applications from individuals and entities for registration on, and removal from, the registers;
  - b. Providing advice on our regulatory arrangements;
  - c. Investigating complaints and taking disciplinary action where necessary;
  - d. Dealing with enquires to our CRM system and our "Info" email box.
27. These activities support all the regulatory objectives.

## **Impact of Covid-19: IPReg's office and Board meetings**

28. We are working on a hybrid basis: members of the IPReg Team must work in the office for a minimum of half their working time. We have considered whether it would be appropriate not to have a fixed base in London and to work permanently from home, booking regular meeting spaces as required. However, because IPReg is a small team, the IPReg Board considers that it is important to ensure that staff overlap as much as possible and our experience of returning to the office after the lockdowns is that it is highly beneficial to be in the office with colleagues when developing policy issues or generating ideas. Nevertheless, we recognise that our office licence fee and related services costs is a significant proportion of the budget. We have therefore decided to move (in October 2024) to a smaller office with our current provider with an associated reduction in licence and service fees of £15,200 a year.

We have budgeted £63,950 for our licence fees and services.

29. The Board will continue its practice of holding hybrid meetings for its 7 scheduled meetings in 2025.
30. In September 2025, our Chair (Lord Smith of Finsbury) will complete his second term of office and step down from the Board. We will run an open recruitment campaign for his successor (who must be a lay person) and use an external recruitment consultant to help us with this process.

We have budgeted £30,000 for this.

## **Question 1: What are your views on the proposed Business Plan?**

## **Question 2: What are your views on the proposal to abolish the fee paying category "Registered attorney practising as a sole trader and employing other registered attorneys or other professionals"?**

## Equality Impact Assessment

31. The LSB has introduced a requirement for an equality impact assessment (EIA) to be included with applications to it for approval of practising fees. A draft EIA is at **Annex B** which uses data from IPReg's 2021 diversity survey.<sup>6</sup>

**Question 3: Do you have any evidence of the impact that each of these proposals will have on different categories of individuals or firms? In particular, do you have any evidence of the potential impact on the diversity of the profession? Do you have any comments on the EIA at Annex B?**

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<sup>6</sup> Although the results from the 2024 survey are not yet available, we consider that the 2021 data provides good evidence about the professions' diversity for the purposes of this consultation. If the results from the 2024 survey are available prior to submission of our practice fee application to the LSB, we will consider if/how they alter the EIA.

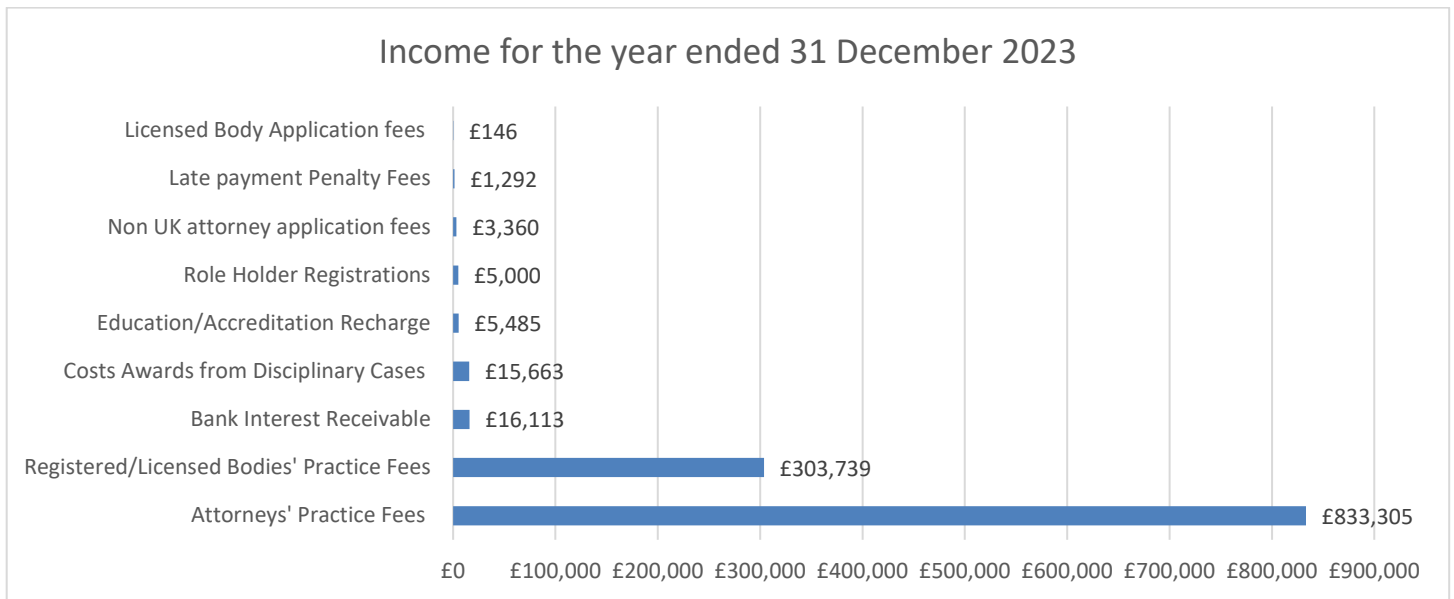
## Proposed 2025 budget

32. The draft 2025 budget (and comparison with the 2024 budget) (**Annex C**) is based on an increase in fees of 3% in order to take account of the current level of inflation and to finance our planned activities.
33. The proposed budgeted expenditure for 2025 is £54,280 more than the 2024 budget with a projected operating surplus of £51,101. The Board has committed to using reserves to offset against operating deficits if and when required. Our Reserves Policy is at **Annex D** and our Reserves as at 30 June 2024 are at **Annex E**. We have increased our General Contingency reserve to £320,000 to meet the objective in our Reserves Policy of having up to 3 months' total expenditure which could be used in the event that there is a delay in collecting practising fees.
34. The main changes that we have made to the reserves are:
  - a. Allocating an additional £50,000 to the General Contingency Reserve;
  - b. Allocating £35,000 to Assurance Disciplinary & Litigation Reserve;
  - c. Allocating £35,000 to IT/Website Reserve;
  - d. Allocating £20,000 to General Operational & Research Reserves;
  - e. Re-allocating Income & Expenditure by £140,000 as above.

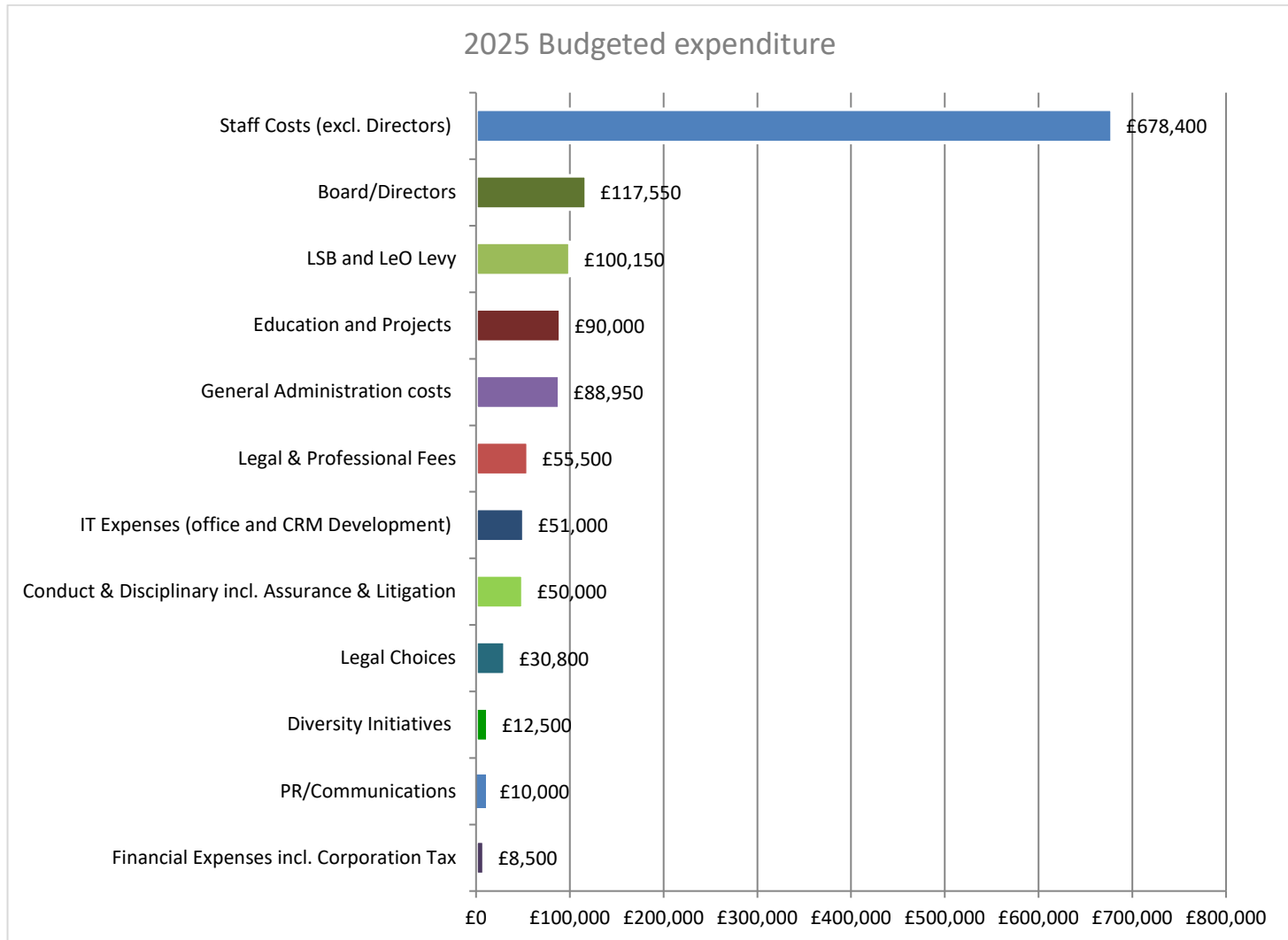
### Context – how the practising fees are spent

35. Each year, we publish an [Annual Report](#) that sets out what we have done and how we spend the practising fees and other income that we receive. The most recent information is for [2022](#) and the 2023 report will be published soon. Most of our income comes from the practising fees paid by registrants. We also receive some income from applications for entry to the register(s) from alternative business structures. The chart below gives more detail about our sources of income in 2023:

Figure 1 – Breakdown of Income for 2023



The main expenditure from our budget is:



These costs are explained below:

### Staff Costs

Staff costs include salaries (projected increase of 5%), employer's National Insurance, staff benefits and pension costs.

### Board/Directors

Board members are also directors of The Intellectual Property Regulation Board Limited. Their remuneration has a projected 5% increase. Board fees will be increased by the 12 month CPI rate to December 2024. Also included is an estimate for travel and subsistence (grossed up and paid through payroll) to attend Board meetings in person and an estimate for the recruitment of the Chair of £30,000.

## Legal Services Board and Legal Ombudsman Levy

The LSB charges a levy on all legal regulators to cover its annual running costs. The levy is calculated with reference to the LSB's financial year which is 31 March. Each year, to assist the legal regulators with setting their budgets, the LSB provides an indicative levy for its current financial year. The levy is based on IPReg's proportion of the total number of regulated lawyers and the levy may change when the number of regulated lawyers is finalised in January 2025. At the point of writing this document, IPReg has not been given the indicative levy for 2024/2025. The LSB 2023/2024 levy was 9.87% higher than the previous year and we have used the same percentage increase as the basis of our calculations. IPReg's budget covers the year to 31 December therefore the budgeted levy figure is made up of two levy years - the actual levy prorated to the end of March and an estimate of the next year's levy prorated to the end of December. IPReg's 2025 Budget uses the 2023/2024 levy increased by 9.87% to estimate the levy to 31 March 2025 (2024/2025) and with a similar 9.87% increase to estimate the levy to 31 March 2026 (2025/2026). The levy paid to the Legal Ombudsman remains unchanged at the minimum £5,000.<sup>7</sup> No complaints have been received by the Ombudsman about IPReg-regulated attorneys since March 2020.

## Education & Projects

This includes Board Education Working Group member costs and expenses as well the costs associated with the development of different routes to patent attorney qualification. We anticipate that this work will need significant input from external advisers.

## General Administration Costs

This includes general office costs, licence and services. The licence fee and service charges for our office will decrease by £15.2k following the move to a smaller office.

## Legal and Professional Fees

This relates to costs for advice on areas such as audit and accountancy services and actuarial and legal costs for the Compensation Fund and reviews, as well as costs such as insurance, Practical Law and Westlaw subscriptions and practising fees for the professionally qualified members of staff.

## IT Expenses (office and website)

Included are costs to support and maintain the office IT platform and software licences.

## Conduct & Disciplinary incl. Assurance and Litigation

This relates to external legal costs and internal costs associated with assurance and disciplinary matters and includes panellists' and Case Examiners' fees and expenses for attendance at hearings. While it is usually the case that hearings are conducted on the papers or remotely by video-conferencing, we have included a small amount of associated costs such as photocopying and room hire in the event a hearing needs to be conducted in person.

## Legal Choices

This is a funding instalment for the [Legal Choices website](#) (a joint project undertaken by all the legal regulators to provide consumers with information on legal services to help them make an informed

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<sup>7</sup> The Legal Services Act 2007 (Levy) (No.2) (Amendment) Rules 2014

decision).

The LSB's 2022 [Statement of Policy](#) on consumer empowerment states:<sup>8</sup>

*Regulators are expected to put in place an effective programme of activity to support the regulatory objective of increasing public understanding of the citizen's legal rights and duties. This should be with a particular focus on public legal education that supports people to understand where they have a legal problem and how to access the professional help they need to resolve it.*

*Regulators are expected to make meaningful contributions to cross-sector initiatives, such as Legal Choices, that are subject to appropriate mechanisms to ensure they are effective. Regulators should be able to demonstrate suitable investment, reach and impact of such initiatives following evaluation.*

This budget line also includes £25,000 for IPReg's share of the potential cost of the development and maintenance of a Regulatory Information Service required by the LSB. This is subject to ongoing discussions between the frontline regulators and the LSB; the exact amount of IPReg's contribution is not yet known.

### Diversity Initiatives

IPReg has a statutory objective to encourage a diverse legal profession and accordingly supports initiatives aimed at promoting this objective. This work is supported by a reserve of £20,000.

### PR/Communications

This is for costs associated with improving our stakeholder engagement; we have allocated an additional £7,000 to this work.

### Financial Expenses including Corporation Tax

This includes bank charges, card provider service charges and corporation tax on bank interest.

## **Proposed 2025 fees**

36. IPReg is proposing to increase fees by 3% from their 2024 level. This is slightly above the current level of [inflation](#) (CPI). The IPReg Board considered carefully whether it would be possible to hold fees level or reduce fees in 2025. However, the Board considers that all the work outlined in the draft Business Plan is essential to ensure targeted and proportionate regulation of the IP sector. This means that overall, in the Board's judgement, it would not be financially prudent to reduce fees or keep them at 2024 levels.
37. The proposed budget makes the following assumptions:
  - a. All Board meetings will be hybrid with most Board members attending in person;
  - b. There will be a 5% increase in Board members' fees and the Team's salaries;
  - c. In a change from our usual practice, the budget makes an estimate for other income such as role-holder/licensed body/registered body applications and interest. Having analysed this

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<sup>8</sup> At paragraphs 14 and 15

income over the last three years, we have included £14,000 for this.

38. The Board has allocated £100,000 to its Compensation Fund Reserve (this is a committed reserve and should not be used for any other purpose). The compensation fund can provide grants for hardship causing loss in the event of fraud or failure to account by a regulated person. Our actuary has estimated that £7 of each attorney's practising fee contributes to the compensation fund.<sup>9</sup> To date, we have never had a claim on the fund.

Full details of the reserves are at **Annex E**. The changes that we have made are to transfer £140,000 from the Income and Expenditure Account allocating:

- a. £50,000 to the General Contingency Reserve. This will mean that we have reached the reserves policy objective to hold at least 3 months' expenditure as a reserve in case of difficulty collecting the practising fees;
- b. £35,000 to the Assurance Disciplinary & Litigation Reserve. This is because costs are increasing and we cannot rely on costs awards from all cases. This will help to mitigate the impact if costs are not awarded;
- c. £35,000 to IT/Website Reserve. This is to provide for any recommended enhancements to cyber security for both the office and website
- d. £20,000 to General Operational & Research Reserve to further enhance our data and evidence gathering capacity.

**Question 4: What are your views on the proposal to increase practising fees by 3%?**

**Question 5: What are your views on the proposed 2025 budget (Annex C)?**

**Question 6: Do you have any comments on the draft Practising Fee Regulations (Annex F)?**

## **All consultation questions**

Question 1. What are your views on the proposed Business Plan?

Question 2: What are your views on the proposal to abolish the fee paying category "Registered attorney practising as a sole trader and employing other registered attorneys or other professionals"?

Question 3. Do you have any evidence of the impact that each of these proposals will have on different categories of individuals or firms? In particular, do you have any evidence of the potential impact on the diversity of the profession? Do you have any comments on the Equality Impact Assessment at Annex B?

Question 4. What are your views on the proposal to increase practising fees by 3%?

Question 5. What are your views on the proposed 2025 budget at Annex C?

Question 6. Do you have any comments on the draft Practising Fee Regulations at Annex F?

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<sup>9</sup> This compares to the [proposed](#) 2024/25 SRA compensation fund contributions of £90 (up from £30 in 2023/24) from each individual and £2,200 (up from £660 in 2023/24) from each firm that holds client money.



**Proposed 2025 Fees**

Proposed % increase for all categories except Registered attorneys not in active practice

3%

Attorneys/Individuals	2024 Fees		Proposed 2025 Fees	
	Single register	Both registers	Single register	Both registers
Registered attorney solely undertaking corporate work	£203	£324	£209	£334
Registered attorney in private practice	£246	£404	£253	£416
Registered attorney not in active practice	£171	£273	£171	£273
Registered attorney practising as a sole trader attorney not employing other registered attorneys or other professionals	£404	£577	£416	£594
Registered attorney practising as a sole trader and employing other registered attorneys or other professionals :	£404	£577	£416	£594
employing other registered attorneys - add fee per attorney	£81	£81	£83	£83
employing other professionals - add fee per professional	£324	£324	£334	£334
<b>NB SUBJECT TO CONSULTATION TO ABOLISH THIS CATEGORY</b>				

Registered Bodies and Licensed Bodies	2024 Fees	Proposed 2025 Fees
	Single or both registers	Single or both registers
Registered or licensed bodies through which only a single registered attorney provides services (employing no other registered attorneys or other professionals)	£158	£163
Any other registered body or licensed body		
Base Fee	£404	£416
add fee per registered attorney	£81	£83
add fee per other professional	£324	£334
practising via the registered or licensed body		

### Draft equality impact assessment

Results from the IPReg 2021 diversity survey are on our website [here](#).<sup>1</sup>

The LSB's diversity dashboard which compares data from all the regulators is on its website [here](#).

Protected Characteristic Group	Is there a potential for positive or negative impact	Please explain and give examples of any evidence/consultation/data used	Action to address negative impact (e.g. adjustment to the policy)
Disability	Unknown	Our diversity survey indicates that there are very few attorneys who consider that they have a disability. In the survey, 4.43% of attorneys considered that they had a disability and 2.26% were not sure.	The level of reporting of disability was below the benchmark that the LSB has identified (15%) so there may be under-reporting (in common with other sectors of the legal services market).  We recognise that the number (or proportion) of disabled people is not relevant to the question of whether, and to what extent, those people could be disadvantaged. The fee waiver provisions may help to alleviate hardship.
Gender reassignment	Unknown	Data for this characteristic is very limited and so we are unable to draw any conclusions from it.	N/A
Marriage or civil partnership	Unknown	IPReg has taken a targeted and proportionate approach to its initial diversity data gathering and does not yet collect data on this characteristic.	N/A

<sup>1</sup> Although the results from the 2024 survey are not yet available, we consider that the 2021 data provides good evidence about the professions' diversity for the purposes of this consultation. If the results from the 2024 survey are available prior to submission of our practice fee application to the LSB, we will consider if/how they alter the EIA.

Annex B

Protected Characteristic Group	Is there a potential for positive or negative impact	Please explain and give examples of any evidence/consultation/data used	Action to address negative impact (e.g. adjustment to the policy)
Pregnancy and maternity	No	Anyone on maternity leave can apply to IPReg to be put in the “not in active practice” category with an associated reduction on practising fees (although the fees are not reimbursed if the change occurs mid-year)	This policy will remain in place. We also accept applications for moving to the “not in active practice” category from attorneys who are on adoption or parental leave.
Race	No	Supplementary analysis of our diversity survey shows that there are proportionately more (8%) Asian attorneys compared to the LSB benchmark (5%). Black attorneys appear to be under-represented (1%) compared to the LSB benchmark (3%). However, for Black registrants, there is significant divergence between the patent (0%) and trade mark (5%) professions.	N/A
Religion or belief	No	Our diversity survey showed that 42% of attorneys said that they did not have a religion; this is higher than the LSB benchmark (38%). In	N/A

Annex B

Protected Characteristic Group	Is there a potential for positive or negative impact	Please explain and give examples of any evidence/consultation/data used	Action to address negative impact (e.g. adjustment to the policy)
		<p>addition, 14% said that they are an atheist (no LSB benchmark data available). Attorneys who are Christians make up a smaller percentage (34%) than the benchmark (52%). Other religions are under-represented compared to the LSB benchmarks.</p>	
Sexual orientation	Unknown	<p>Data for this characteristic is very limited and so we are unable to draw any conclusions from it.</p>	N/A
Sex (gender)	No	<p>There is a significant difference between the number of women trade mark attorneys (68%) compared to patent attorneys (38%); LSB benchmark: 47%. The professions' senior ranks reflect a higher (59%/40%) male/female ratio than the average for the professions as a whole (48%/42%).</p>	<p>Middle and junior level attorneys show proportionately higher numbers of women than men. No targeted action is required but it is important to note that all attorneys can apply to IPReg to be moved to the "not in active practice" category.</p>
Age	No	<p>The age profile of attorneys who are aged 55-64 and 65+ and are on both registers is</p>	<p>The number of attorneys on both registers is low: 7.8% and mainly represents an historic grandfathering policy. Numbers are decreasing over time as it is no longer common practice to be dual-qualified.</p>

Annex B

Protected Characteristic Group	Is there a potential for positive or negative impact	Please explain and give examples of any evidence/consultation/data used	Action to address negative impact (e.g. adjustment to the policy)
		slightly higher (34% and 22%) than those who are only on one register (patent attorneys: 10% and 2%; trade mark attorneys: 12% and 4%). However the sample size for both registers is small (~8.5%)	

Question	Explanation / justification	
Is it possible that the proposed level of PCF could discriminate or unfairly disadvantage members of the regulated community?	<p>Prior to consultation, we have not identified any evidence that the level of the fee or the proposal to increase it could discriminate against or unfairly disadvantage attorneys with protected characteristics.</p> <p>As part of the consultation on the level of 2025 practising fees we are asking respondents if they have any comments on this equality impact assessment.</p>	
Final Decision	Tick the relevant box	Include any explanation / justification required
No barriers identified		
Bias towards one or more groups		
Adapted practising fee to eliminate bias		

Annex B

<p>Barriers or impact identified but having considered all options carefully, there appear to be no other proportionate ways to achieve the policy aims in the programme of activity but by charging this level of practising fee.</p>		
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**2024 BUDGET**

	Note	2025 Budget		2024 Budget comparative	
		£	£	£	£
<b>PROJECTED INCOME</b>	<i>a.</i>		1,344,451		1,247,781
<b>PROJECTED EXPENDITURE</b>					
<b>LEGAL SERVICES BOARD AND LEGAL OMBUDSMAN</b>	<i>b.</i>		100,150		91,600
<b>PROJECTED OPERATIONAL EXPENDITURE</b>					
Board/Directors	<i>c.</i>		117,550		99,000
Conduct & Disciplinary incl. Assurance & Litigation	<i>d.</i>		50,000		50,000
Corporation Tax			500		3,000
Diversity Initiatives	<i>e.</i>		12,500		27,000
Education & Projects	<i>f.</i>		90,000		27,600
Financial Expenses			8,000		7,000
General Administration Expenses	<i>g.</i>		88,950		107,170
IT Support (office and website)	<i>h.</i>		51,000		98,500
Legal & Professional	<i>i.</i>		55,500		91,000
Legal Choices	<i>j.</i>		30,800		5,800
PR/Communications			10,000		3,000
Staff Costs	<i>k.</i>		678,400		628,400
<b>TOTAL PROJECTED EXPENDITURE</b>			<u>1,293,350</u>		<u>1,239,070</u>
<b>PROJECTED OPERATING BALANCE</b>			<u>£51,101</u>		<u>£8,711</u>

See notes overleaf

**2024 BUDGET**

Notes:

**a. Projected Income**

	<u>2025 Budget</u>		<u>2024 Budget comparative</u>	
	£	£	£	£
Budgeted Practice Fees - Attorneys & Entities		1,330,451		1,247,781
Other Income		14,000		0
		<u>1,344,451</u>		<u>1,247,781</u>

Budgeted Practice Fee Income for 2025 - based on a fee increase of 3% applied to the estimate of the final practice fee income for 2024 for all practising fee paying categories (no increase applied to the not in active practice fee paying category) and also a provision for attorney admissions reduced by an estimate for voluntary removals/removals in 2025.

Other Income - an estimate has been made for other income from bank interest and from role holder/licensed body applications based on the average over the past 3 years. No estimate for costs awards/fines from disciplinary cases has been made as these are outside our control.

**b. Legal Services Board and Legal Ombudsman**

	<u>2025 Budget</u>		<u>2024 Budget comparative</u>	
	£	£	£	£
LSB Levy		95,150		86,600
LeO/OLC Levy		5,000		5,000
		<u>100,150</u>		<u>91,600</u>

The LSB year end is 31 March, therefore the budget is made up of 2 levy years. The 2025 budget figure has been calculated by taking the estimated levy for 2024/2025 (calculated to be 9.87% higher than the 2023/2024 levy) and taking a prorated proportion of an estimated levy for 2025/2026 with a similar increase.

**c. Board/Directors**

	<u>2025 Budget</u>		<u>2024 Budget comparative</u>	
	£	£	£	£
Replacement of Chair		30,000		0
Replacement of Board members		0		14,000
Remuneration		73,300		70,500
Travel & Subsistence		10,000		10,500
Employer's National Insurance		4,250		4,000
		<u>117,550</u>		<u>99,000</u>

Board members are also directors of The Intellectual Property Regulation Board Limited.

Board Fees - the 2025 budget has estimated an increase of 5%. Board fees will be increased by the 12 month CPI rate to December 2024.

Travel & subsistence - an estimate for travel and subsistence (grossed up and paid through payroll) to attend all board meetings in person is shown separately and not part of Directors Remuneration, to aid transparency.

**d. Conduct & Disciplinary incl. Assurance & Litigation**

	<u>2025 Budget</u>		<u>2024 Budget comparative</u>	
	£	£	£	£
External Legal Costs and Hearing Costs		<u>50,000</u>		<u>50,000</u>



**2024 BUDGET**

Notes (continued):

**e. Diversity Initiatives**

	2025 Budget		2024 Budget comparative	
	£	£	£	£
Donations		12,500		7,000
Diversity research and survey		0		20,000
		<u>12,500</u>		<u>27,000</u>

**f. Education**

The budget also includes £85,000 in respect of external costs to consider the regulatory policy issues regarding the development of different routes to qualification particularly for the patent attorney qualification, accreditations, review of the Accreditation Handbook and review of the Competency Frameworks. The 2024 budget comparative included costs that have now been allocated to a staff member to oversee the review of education which have been reallocated to Staff Costs to aid comparison.

**g. General Administration Expenses**

	2025 Budget		2024 Budget comparative	
	£	£	£	£
Licence & Services		63,950		82,170
Other Office Costs		25,000		25,000
		<u>88,950</u>		<u>107,170</u>

Licence & Services - the 2024 budget was based on an increase of 5% when the licence expired at the end of March 2024. The 2025 budget is reflects the costs of the move to a smaller office when the licence and services agreement for the current office expires at the end of September 2024.

**h. IT Support (office and website)**

	2025 Budget		2024 Budget comparative	
	£	£	£	£
Support		14,000		13,500
CRM - operational		17,000		15,000
CRM - website redevelopment & enhancements		20,000		70,000
		<u>51,000</u>		<u>98,500</u>

CRM - website redevelopment & enhancements - the 2025 budget line is an estimate for any enhancements to the system. The 2024 Budget was in respect of estimated expenditure in respect of the website redevelopment & any enhancements arising from the regulatory arrangements review.

**i. Legal & Professional**

	2025 Budget		2024 Budget comparative	
	£	£	£	£
Legal & Professional Costs		30,500		26,000
Actuarial and Legal Costs in respect of Compensation Fund		10,000		10,000
Statistical Sampling in relation to Thematic Reviews		0		15,000
PII Sandbox - Review (2024: Implementation )		10,000		10,000
Transparency Thematic Reviews		5,000		30,000
		<u>55,500</u>		<u>91,000</u>

**2024 BUDGET**

Notes (continued):

**j. Legal Choices**

The budget line includes IPReg's contribution to the running costs of the Legal Choices website of £5,800 (unchanged from 2024) and £25,000 in respect of IPReg' share of the costs of the development and maintenance of a Regulatory Information Service.

**k. Staff Costs**

	<b>2025 Budget</b>		<b>2024 Budget comparative</b>	
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
CEO		101,100		96,600
Regulatory Officers		400,500		354,600
Administrative Staff		83,750		84,350
Employer's National Insurance		63,350		62,150
Pension Costs		16,200		14,200
Staff Benefits		8,500		11,500
Staff development and training		5,000		5,000
		<u>678,400</u>		<u>628,400</u>

Staff costs - the 2024 budget has a projected increase of 5% for current IPReg staff salaries. The 2023 Budget anticipated a 5% increase for staff. The IPReg Board decided in January 2023 that, given the then rate of inflation, staff salaries should increase by 9.3%.

Regulatory Officers - includes an additional staff member recruited in 2024 to oversee the Education Review exercises that IPReg is undertaking and budget for additional Regulatory support that may be required. The 2024 comparative has also been adjusted - see note f.

## Reserves Policy

1. There is no statutory requirement to hold reserves or to ring-fence reserves for specific purposes. We consider that it is financially prudent to hold reserves for the following purposes:
  - a. to cushion against unexpected or exceptional increases in costs;
  - b. financing specific project commitments including capital and systems expenditure to promote the regulatory objectives and fulfil our regulatory functions;
  - c. alleviating any short-term pressure on the level of practising fee or fluctuations in the level of fees year on year;
  - d. ensuring sufficient funds to support regulatory and disciplinary actions;
  - e. covering costs of up to 3 months if we were unable to collect practising fees, for example as a result of an IT system failure.
2. Reserves are considered by the Board annually when the operating balance for the preceding financial year is identified. Decisions about the transfer of part or all of specific reserve(s) to or from the income and expenditure account will be considered and made by the Board at this meeting.
3. Additionally, the Board will review the level of financial risk that IPReg faces, using information available on its risk register and the results of the audit of its accounts for the preceding year. As a result of this review, project-related or allocated costs reserves may be adjusted or reallocated to other or new reserves.

### Compensation Fund Reserve

4. In 2021, IPReg had to establish a Compensation Fund Reserve to comply with its statutory requirement to have appropriate compensation arrangements in place. This was previously met through a bespoke insurance policy which was withdrawn by the provider and no replacement policy can be found.
5. The Legal Services Board requires all regulators to identify “committed reserves” and IPReg considers that the Compensation Fund Reserve falls into this category. As such, points 2 and 3 do not apply to the Compensation Fund Reserve.
6. Basis of Claims: The compensation fund is a ‘claims made’ fund (replicating the terms of the previous insurance policy), i.e. it covers claims notified in the ‘contribution year’, irrespective of when the dishonesty occurred (because dishonesty may not be discovered until several years after the dishonest event occurred).
7. Funding Basis: The actuarial assessment is a (prudent) expected claims cost of £30k pa. Thus each year’s P&L (opex budget) will be charged £30k. In addition, for additional prudence, the fund will be fully funded on Day 1 for a maximum pay-out in Year 1 (£100k). This means an additional transfer from Reserves of c£70k in Year 1. If no claims are notified in Year 1, and the maximum pay-out in Year 2 remains £100k. This £30k opex cost in Year 2 will enable £30k of the additional transfer to be returned to Reserves. An actuarial review is planned by the end of Year 2 to determine if the claims experience warrants continuing to hold the maximum annual pay-out of £100k.

8. Funding Principles/third party oversight: Initial funding principles for the first 2 years for the new fund will be to ring-fence funds no less than the actuary's assessment of the risk of claims emerging from incidents at each future actuarial review assessment date, bearing in mind, as above, that dishonesty may not be discovered until several years later.
9. Fund Management/third party oversight: the Compensation Fund Reserve will be held in a separate bank account. No withdrawals will be made without actuarial and legal approval (e.g. to pay claims).
10. Fund Investment/third party oversight: IPReg's Compensation Arrangements Rules 2021 give it the power to invest and borrow against the Compensation Fund. However, initially (i.e. for Year 1 and Year 2) the Fund will be invested in cash until next actuarial review and no borrowing/investing will take place without actuarial and legal advice on the impact on claimant security.

September 2021

**RESERVES AS AT 30 JUNE 2024**

Please note: the Operating surplus for the 6 months ended 30 June is a draft figure and is unaudited.

	£	£	Adjustments	Adjusted Reserves
<b>COMMITTED RESERVES</b>				
Compensation Fund Reserve		100,000		<b>100,000</b>
<b>UNCOMMITTED RESERVES</b>				
General Contingency Reserve	1	270,000	50,000	<b>320,000</b>
Assurance Disciplinary & Litigation Reserve	2	210,000	35,000	<b>245,000</b>
Funding Diversity Initiatives Reserve		20,000		<b>20,000</b>
IT/Website Reserve	3	60,000	35,000	<b>95,000</b>
General Operational & Research Reserve	4	76,000	20,000	<b>96,000</b>
Income & Expenditure Account				
Brought forward at 1 January 2024		140,834		
Operating surplus for the 6 months ended 30 June 2024		748,017		
	5	<u>888,851</u>	-140,000	<b>748,851</b>
		<u><b>£1,624,851</b></u>		<u><b>£1,624,851</b></u>

The Board approved the following adjustments to the Reserves at the 11 July 2024 meeting which are reflected above:

- 1 To increase the General Contingency Reserve by £50,000
- 2 To increase the Assurance Disciplinary & Litigation Reserve by £35,000
- 3 To increase the IT/Website Reserve by £35,000
- 4 To increase the General Operational & Research Reserve by £20,000
- 5 To transfer £140,000 from the Income & expenditure Account to be allocated to other Reserves as noted in point 1-4.

[See our Reserves Policy](#)

## ANNEX F

### IPReg Practice Fee Regulations ~~2023~~2024

These regulations set out *IPReg's* requirements in relation to practice fees payable by *registered persons* on entry to the *register(s)* and on annual renewal of registration to the *register(s)*. They also set out the penalty fees that *IPReg* will apply in the event that a *registered attorney* fails to renew their registration by the *prescribed* date, and the penalty fee that *IPReg* may direct to be payable by an individual applicant seeking restoration to the *register(s)* following removal for failure to renew registration.

These regulations relate to provisions set out at Chapter 3 of *IPReg's* Core Regulatory Framework, and associated requirements set out in *IPReg's* Standard Operating Procedure in respect of admission and authorisation, and Chapter 6 of the Core Regulatory Framework, and associated requirements set out in the Standard Operating Procedure in respect of applications to waive the practice fees set out in these regulations.

#### **Registered attorneys: entry onto the register and annual renewal of registration**

1. The *prescribed* practice fee for:
  - a. Applicants seeking entry onto the *register(s)* in accordance with 1.3 of Chapter 3 of the Core Regulatory Framework and paragraph 2 of the part of the *IPReg* Standard Operating Procedure relating to admission and authorisation requirements; and
  - b. *Registered attorneys* seeking renewal of their annual registration in accordance with 4.1 of Chapter 3 of the Core Regulatory Framework and paragraph 73 of the part of the *IPReg* Standard Operating Procedure relating to admission and authorisation requirements,

shall be in accordance with Table 1 below.

Table 1: *Registered attorneys*: practice fees for entry onto the relevant *register(s)* or annual renewal of registration

	For entry onto a single <i>register</i> , or renewal of registration for, a single <i>register</i>	For entry onto both <i>registers</i> , or renewal of registration for, both <i>registers</i>
<i>Registered attorney</i> solely undertaking corporate work	£ <del>203</del> <u>209</u>	£ <del>324</del> <u>334</u>
<i>Registered attorney</i> in private practice	£ <del>246</del> <u>253</u>	£ <del>404</del> <u>416</u>

<i>Registered attorney not in active practice</i>	£171	£273
<i>Registered attorney practising as a sole trader and not employing other <i>registered attorneys</i> or other professionals *</i>	<del>£404 416</del>	<del>£577 594</del>
<i>Registered attorney practising as a sole trader and employing other <i>registered attorneys</i> or other professionals * <u>NB SUBJECT TO CONSULTATION PROPOSAL TO ABOLISH THIS CATEGORY</u></i>	<del>£404 416</del> + <del>£81-83</del> for each registered attorney employed by the sole trader + <del>£324-334</del> for each other professional employed by the sole trader	<del>£577 594</del> + <del>£81-83</del> for each registered attorney employed by the sole trader + <del>£324-334</del> for each other professional employed by the sole trader

\* For the purposes of these Regulations, “other professional” shall mean a *manager* or *employee* based in the *UK* who is: (i) not a *registered attorney* but holds the qualifications necessary for registration; (ii) a qualified European patent and/or trade mark attorney; (iii) a barrister of England and Wales; or (iv) a solicitor of England and Wales.

***Registered attorneys: penalty fee for failure to renew registration by the prescribed date***

2. In accordance with 4.1 and 4.2 of Chapter 3 of the Core Regulatory Framework, and paragraphs 73 to 80, inclusive, of the part of the *IPReg* Standard Operating Procedure relating to admission and authorisation requirements, the penalty fee that will apply to *registered attorneys* who have not renewed their registration before the *prescribed* date in each year, shall be equal to 50% of the corresponding practising fee for entry on to or renewal for the *register(s)* in accordance with Table 1, up to a maximum penalty fee of £250.
  
3. In accordance with 5.3.7 of Chapter 3 of the Core Regulatory Framework and paragraph 98 of the part of the *IPReg* Standard Operating Procedure relating to admission and authorisation requirements, the penalty fee that *IPReg* may direct an individual applicant who is seeking restoration to the *register* following removal for failure to renew registration to pay, shall be equal to 50% of the corresponding practising fee for entry on to or renewal for the *register(s)* in accordance with Table 1, up to a maximum penalty fee of £250.

***Registered attorneys: waivers in respect of practising fees***

4. In accordance with 2 of Chapter 6 of the Core Regulatory Framework and associated requirements set out in the part of the *IPReg* Standard Operating Procedure relating to waivers, a *registered attorney* may apply to *IPReg* for all or part of their relevant practice fees as set out in Table 1 to be waived.

5. Waivers in respect of practice fees will only be granted where the *registered attorney* provides evidence of hardship.
6. A *registered attorney* whose practice fee is waived under this regulation will remain on the *register(s)* and must continue to comply with *IPReg's regulatory arrangements*, including, but not limited to, the requirement set out in 3.10 and 3.11 of the Code of Conduct in Chapter 2 of the Core Regulatory Framework, to take out and maintain a policy of Professional Indemnity Insurance and, where necessary, run-off cover insurance.
7. A *registered attorney* who has had their practice fee waived under this regulation must notify *IPReg* within 14 days of a change in their circumstances, such as an increase in income, becoming employed or resuming trading. In such event, their full practising fee will become payable to *IPReg* within 28 days of their notification to *IPReg* of their change in circumstances.

**Registered and licensed bodies: entry onto the *register(s)* and annual renewal of registration**

8. Subject to Regulation 5, the *prescribed* practice fee for:
  - a. Applicants seeking entry onto the *register(s)* in accordance with 2.1 of Chapter 3 of the Core Regulatory Framework and paragraph 33 of the part of the *IPReg* Standard Operating Procedure relating to admission and authorisation requirements; and
  - b. *Registered and licensed bodies* seeking to renew their annual registration in accordance with 4.1 of Chapter 3 of the Core Regulatory Framework and paragraph 73 of the part of the *IPReg* Standard Operating Procedure relating to admission and authorisation requirements,

shall be in accordance with Table 2 below.

Table 2: *Registered and licensed bodies* practice fees for entry onto the *register(s)* or annual renewal of registration

	For entry onto either or both <i>register(s)</i> , or renewal of registration
<i>Registered bodies</i> through which only a single <i>registered attorney</i> provides services (employing no other <i>registered attorneys</i> or other professionals) *	£ <del>158</del> 163



Any other <i>registered and licensed bodies</i>	£ <del>404-416</del> + £ <del>81-83</del> for each <i>registered attorney</i> practising via the <i>registered or licensed body</i> + £ <del>324-334</del> for each other professional practising via the <i>registered or licensed body</i> *
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\* For the purposes of these Regulations, “other professional” shall mean a *manager* or *employee* based in the *UK* who is: (i) not a *registered attorney* but holds the qualifications necessary for registration; (ii) a qualified European patent and/or trade mark attorney; (iii) a barrister of England and Wales; or (iv) a solicitor of England and Wales.

9. *Registered bodies and licensed bodies* will be subject to an additional fee for their first approval, which shall be equal to the practice fee payable upon their entry onto a single or both *register(s)*.

**Commencement provisions**

10. The fees set out in these regulations shall apply from 1<sup>st</sup> January 2024 until further amended or substituted by further regulation.

**Supplemental notes**

These Regulations are made under section 275A of the Copyright Designs and Patents Act 1988 and section 83A of the Trade Marks Act 1994, respectively (pursuant to sections 185 and 184 of the Legal Services Act 2007) and section 21 of the Legal Services Act 2007.