

IPReg's 2025/26 business plan and 2025 budget: IP Inclusive consultation response



1 Introduction

These submissions are made by the IP Inclusive initiative, in response to IPReg's July 2024 consultation on its 2025/26 business plan, budget and practising fee proposals.

They are made on behalf of the UK-based IP professionals – including many registered patent and trade mark attorneys – who support IP Inclusive in its efforts to improve equality, diversity, inclusion and wellbeing across the UK's IP sector.

2 The draft 2025/26 business plan

2.1 General comments

We are pleased to see that equality, diversity and inclusion (EDI) continue to play a key part in IPReg's proposed 2025/26 plans, in particular through its education-, training- and qualification-related activities. We note that IPReg intends to continue with projects begun under its 2024/25 business plan, many of which are likely to improve diversity and inclusivity in, and access to, the patent and trade mark professions and thus to have a positive impact on the regulated community. We applaud this work, for the reasons set out in our response to IPReg's 2023 business plan and budget consultation¹.

We particularly applaud the work being done (a) to ensure that routes to entry onto the patent and trade mark registers are varied as well as fit for purpose; (b) to encourage an increase in good quality providers of qualification pathways and examinations, in particular as a tool to increase diversity in the sector; and (c) to gather data about the diversity of the professions to inform IPReg's decision making: see our comments at 2.2 below.

We note IPReg's planned work concerning accredited attorney qualification providers. This we believe can also improve diversity in the pipeline of new recruits to the patent and trade mark professions. We urge IPReg to continue to ensure that accredited providers offer accessible training and assessment systems, with reasonable adjustments for those who need them, and a wide and inclusive range of qualification pathways wherever feasible.

¹ See <https://ipinclusive.org.uk/wp-content/uploads/2023/08/230818-ipreg-2024-budget-consultation-ip-inclusive-response.pdf>

As a more general point, we are pleased that “funding diversity initiatives” remains one of IPReg’s anticipated main areas of work. Increasing diversity is, we believe, beneficial for both the patent and trade mark professions and their clients, as well as one of the regulatory objectives under the Legal Services Act 2007. We remain ready to work with IPReg on its EDI-related projects, alongside our own ongoing efforts to improve diversity in the IP professions.

2.2 Diversity data gathering

IPReg states that it will continue to work with, and contribute to, cross-sector work on EDI, and in particular mentions working towards a collective approach to gathering data. IP Inclusive has been collaborating with CIPA, CITMA, The IP Federation and IPReg to develop an EDI data gathering toolkit that will support patent and trade mark professionals in their data gathering efforts and align approaches and benchmarking across the sector. We appreciate IPReg’s support for, and contributions to, this project, which we hope will continue. Ultimately we believe the toolkit will help us all to design, implement and evaluate EDI-related interventions, including at the points of entry to the patent and trade mark professions.

“Continuing to build our evidence base about the IP sector” also remains one of the anticipated main areas of work in IPReg’s proposed 2025/26 business plan. In this regard, we were delighted that IPReg ran a fresh diversity survey earlier in 2024. For the reasons given in our 2023 consultation response¹, we believe it was important for this work to be conducted as early as possible. We understand that response rates were better than in 2021 and we look forward to seeing the results.

We note that IPReg does not intend to repeat the survey in 2025 and appreciate that there are practical constraints to be considered in this context. However, in the longer term, we continue to recommend that an EDI data gathering process be incorporated into IPReg’s annual registration procedures. We remain of the view that for the patent and trade mark professions, it is the regulator that is best placed to gather this data and to provide accurate diversity benchmarks for its registrants, their businesses, their clients and other legal sector regulators. It therefore has a responsibility to do so. Moreover it is important that IPReg itself has up-to-date evidence, in order to evaluate the impact of its EDI-related regulatory arrangements and target future EDI initiatives more effectively. See the comments at 3.4 in our 2023 consultation response¹.

3 The proposed 2025 budget

We are pleased to see the inclusion, in the proposed 2025 budget, of an increased allowance of £12,500 for supporting diversity initiatives in the regulated community, underpinned by the continuing £20,000 diversity initiatives reserve.

We have very much appreciated and thank IPReg for using some of its previous diversity budgets to support IP Inclusive. This has allowed us to continue our work to promote equality, diversity, inclusion and wellbeing in the UK’s IP sector – a sector which embraces not only IPReg’s regulated community but also the other IP professionals who work alongside them for the benefit of their clients. We hope that this funding can continue during 2025.

Similarly we thank IPReg for its support in promoting and participating in IP Inclusive's work, in sharing relevant information and experiences, and in collaborating on projects where appropriate.

As ever, IP Inclusive – in particular through its communities² and Careers in Ideas outreach campaign³ and their respective contacts – would welcome the opportunity to work with IPReg to ensure that the 2025 diversity budget is appropriately spent on projects that will have a positive impact on EDI in the patent and trade mark professions.

4 The proposed 2025 practising fees

We have no comments on IPReg's proposed increase to the practising fees in 2025, other than to stress the importance of the discretionary waiver (sections 4 to 7 of the draft Practice Fee Regulations). We welcome the fact that IPReg intends to maintain the waiver and its availability in any case of hardship. This represents a proportionate way of ensuring the fee increase does not compromise inclusivity in the regulated professions. We believe it will help the professions to embrace and nurture a wider range of people, in turn contributing to the sector's independence, strength, diversity and effectiveness.

5 The equality impact assessment (EIA)

We note that this year's EIA is based on diversity data gathered in 2021, and are pleased that next year's will be informed by more up-to-date evidence from the 2024 survey: see 2.2 above.

As the 2024 EIA is largely unchanged compared to the 2023 version, our comments in response to the 2023 EIA (see section 6 of our 2023 submissions¹) largely still stand.

In particular, we are pleased that the discretionary fee waiver will continue to help reduce detrimental effects on groups for which IPReg has little statistically significant data.

6 About IP Inclusive

IP Inclusive is an association of individuals and organisations who share a commitment to improving equality, diversity, inclusion and wellbeing throughout the UK's IP professions. Its founding organisations were the Chartered Institute of Patent Attorneys (CIPA), the Chartered Institute of Trade Mark Attorneys (CITMA), the IP Federation and The UK Association of the International Federation of Intellectual Property Attorneys (FICPI-UK), with active support and involvement from the UK Intellectual Property Office. The founding organisations do not have any ownership or control of IP Inclusive.

² See <https://ipinclusive.org.uk/community/>

³ See <https://ipinclusive.org.uk/careers-in-ideas/>

Our supporters span the IP-related professions and include patent and trade mark attorneys and paralegals, their business support colleagues, IP solicitors and barristers, and other professionals who work in or with intellectual property. Many CIPA and CITMA members are actively involved in the initiative, as are their organisations, which support us as Charter signatories and/or donors.

Our work, which is overseen by the governing body IP Inclusive Management⁴, includes:

- A voluntary best practice Equality, Diversity and Inclusion Charter⁵, which currently has 157 signatories from across the IP professions, and an associated “Senior Leaders’ Pledge”⁶.
- The “Careers in Ideas”³ campaign, which raises awareness of IP-related careers in order to diversify the pool from which the professions recruit.
- Networking and support “communities”² for under-represented groups and their allies, which currently include our Women in IP community; IP & ME for professionals from minority ethnic backgrounds; IP Ability for disabled (including neurodivergent) professionals and carers; IPause for professionals affected by the (peri)menopause; IP Futures for early-career professionals; and IP Out for LGBTQ+ professionals.
- EDI- and wellbeing-related resources⁷, training, news⁸ and information, which we disseminate through our website, events⁹ and regular updates to our supporters.

Our Lead Executive Officer Andrea Brewster is a Chartered Patent Attorney, a former CIPA Council member and President, and now an honorary member of CIPA. In the past she has served on the Institute’s Education and Business Practice Committees. She is regulated by IPReg but not currently in active practice.

For more information about IP Inclusive, please visit our website at <https://ipinclusive.org.uk/>, or email contact@ipinclusive.org.uk.

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⁴ See <https://ipinclusive.org.uk/ip-inclusive-management/>

⁵ See <https://ipinclusive.org.uk/about/our-charter/>

⁶ See <https://ipinclusive.org.uk/the-ip-inclusive-senior-leaders-pledge/>

⁷ See <https://ipinclusive.org.uk/resources/>

⁸ See <https://ipinclusive.org.uk/newsandfeatures/>

⁹ See <https://ipinclusive.org.uk/events/>