

Consultation on proposal for changes in registered design fees

Introduction

The Federation represents IP intensive companies in the United Kingdom - a list of members is attached. Our member companies are extensively involved with IP in Europe and internationally. Not only do our companies own considerable numbers of IP rights, both in Europe and elsewhere, but they are affected by the activities and IP rights of competitors. They may be either plaintiffs or defendants in IP related court actions, here and elsewhere.

The consultation

On 7 January 2016, the Government launched a [consultation](#) which seeks views on the proposed changes to the fees for registered designs.

The IPO is developing a new digital service for designs, as part of a programme of modernisation for design rights in accordance with the government's 'digital by default' agenda. As a result, IPO costs will be reduced. They are now looking at how to pass on these reductions to their customers and are proposing changing the fees for registering and renewing designs.

The consultation closes at 5 p.m. on **29 January 2016**.

IP Federation response

In general, IP Federation members welcome any reduction in the official fees charged in order to secure IP rights, whether they are patents, designs or trade marks. On that basis, we support the proposed fee reductions because those members who file applications for UK registered designs will see reductions in their own costs. We note that the reduced fees will apply only to online applications. We support the increased use of online systems and therefore understand and support the IPO's efforts to encourage users to file applications online.

In this instance, we also welcome the proposed fee reductions for a further reason. We are well aware that there are many UK designers and design companies who do not register their designs because they find the costs prohibitively high. We hope and expect that the proposed fee reductions will encourage at least a proportion of those designers and design companies who currently do not use the registration system to register more of their designs so that third parties - including our members - can readily inspect the register and carry out appropriate searches when clearing their own designs for use. We believe very firmly that a more comprehensive register is beneficial to all users of the design system in the UK and that reductions to the official fees will promote this.

However, please note that many IP Federation members require protection for their designs throughout the European Community and therefore use the Community Registered Design system rather than the UK national system. For that reason alone, our responses to questions 2, 3 and 4 are negative. We urge the IPO to press OHIM to consider making similar reductions to the fees charged in respect of Community Registered Designs so that designers throughout the Community are encouraged to register more of their designs and so enhance the accessible registers.

The questions

Turning to the specific questions set out in the consultation:

Question 1 Do you have any comments on the proposed changes? Please detail the reasons behind your view, providing evidence if possible.

The IP Federation supports the proposed changes to fees relating to online applications for UK registered designs for the following reasons:

- a. Reduced costs for our members;
- b. Encouragement to all users to file online;
- c. Encouragement to all users to register more designs.

Question 2 If you do not currently register your designs, would you consider registering them in the UK as a result of the proposed fee changes?

The IP Federation members would not register designs in the UK which they currently do not register as a result of the proposed fee changes because we generally use the Community system.

Question 3 Would you consider registering more designs in the UK as a result of the proposed fee changes? If so, how many?

The IP Federation members would not register more designs in the UK as a result of the proposed fee changes because we generally use the Community system.

Question 4 Would you be more likely to renew your designs as a result of the proposed fee changes?

The IP Federation members would not renew more UK registered designs as a result of the proposed fee changes because we generally use the Community system.

Conclusion

IP Federation members support the proposed fee reductions and the increased use of online systems. We believe that a more comprehensive register is beneficial to all users of the design system in the UK and that reductions to the official fees will promote this.

We urge the IPO to press OHIM to consider making similar reductions to the fees charged in respect of Community Registered Designs.

IP Federation
29 January 2016



IP Federation members 2016

The IP Federation represents the views of UK industry in both IPR policy and practice matters within the EU, the UK and internationally. Its membership comprises the innovative and influential companies listed below. The CBI, although not a member, is represented on the Federation Council, and the Council is supported by a number of leading law firms which attend its meetings as observers. It is listed on the joint Transparency Register of the European Parliament and the Commission with identity No. 83549331760-12.

AGCO Ltd
Airbus
ARM Ltd
AstraZeneca plc
Babcock International Ltd
BAE Systems plc
BP p.l.c.
British Telecommunications plc
British-American Tobacco Co Ltd
BTG plc
Caterpillar U.K. Ltd
Dyson Technology Ltd
Eli Lilly & Co Ltd
Ericsson Limited
ExxonMobil Chemical Europe Inc.
Ford of Europe
Fujitsu Services Ltd
GE Healthcare
GKN plc
GlaxoSmithKline plc
Glory Global Solutions Ltd
HP Inc UK Limited
IBM UK Ltd
Infineum UK Ltd
Johnson Matthey PLC
Merck Sharp & Dohme Ltd
Nokia UK Ltd
Pfizer Ltd
Philips Electronics UK Ltd
Pilkington Group Ltd
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