



Department  
for Education



Department for  
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*Dear Committee members,*

The Commons Delegated Legislation Committee considered the Designs and International Trade Marks (Amendment etc.) (EU Exit) Regulations 2019 on 5 March 2019. During that debate, I promised to write to the members who attended with further detail in response to questions raised. A copy of this letter has also been placed in the libraries of both Houses, as per normal convention.

### **Intellectual Property Office (IPO) - Staffing for EU Exit**

The IPO has been planning for EU Exit since the outcome of the referendum. As well as designing and putting in place all of the necessary policy, legal and IT changes, it has developed detailed resource plans for exit. The IPO has already increased the number of examiners to deal with a rise in demand for UK designs and trade marks as a result of the UK leaving the EU and has plans in place for further increases in capacity if and when demand increases.

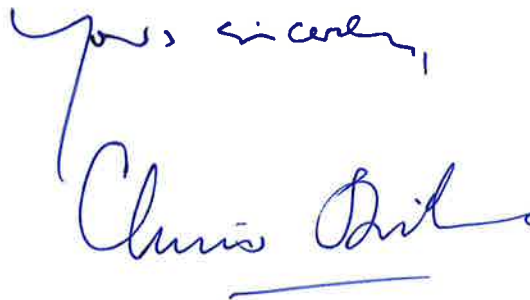
Alongside this work has been progressing to prepare internal systems to ensure the continued protection of EU IP rights through equivalent UK rights. This has mainly been accomplished using existing headcount by reprioritising activity, supported by the contingent labour market when necessary.

### **Public Consultation**

As outlined during the debate, the IPO has been engaging with stakeholders about the implications of exit since the referendum result. The Department used the existing Cabinet Office principles for consultation on all EU Exit SIs and the details of consultations undertaken are explained in the accompanying explanatory memorandums.

For this particular SI, the IPO undertook a technical review of the legislation, inviting a selected group of stakeholders who were chosen due to their expertise, experience and level of past engagement with the office. The discussion required a good knowledge of designs and trade mark legislation as a whole alongside the practical implications for business. My officials have subsequently sought permission from attendees of this review to release their names to this committee as per the request made by the Hon Mr Esterson. The participants who agreed to have their names shared were:

- Professor David Musker, Queen Mary University of London, member of the Designs and Copyright Committee of the Chartered Institute of Patent Attorneys
- Tania Clark, President of the Chartered Institute of Trade Mark Attorneys
- Richard Goddard, Chartered Institute of Trade Mark Attorneys
- Simon Forrester, Group IP Director, Dyson Legal

*Yours sincerely,*  
  
Chris Skidmore

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