

IPReg GLOSSARY

Academic qualifications	has the meaning set out in Schedule 2 to the Rules for the Examination and Admission of Individuals to the Registers of Patent and Trade Mark Attorneys 2011
Advocacy or Litigation Certificate	means a Higher Courts Advocacy Certificate; an Intellectual Property Litigation Certificate; or Higher Courts Litigation Certificate
Approved regulator	means a body listed as an approved regulator in paragraph 1 of Schedule 4 to the LSA or designated as an approved regulator by an order under paragraph 17 of that Schedule
Authorised person	means a person who is authorised by an <i>approved regulator</i> to carry on a <i>reserved legal activity</i> as defined under section 12 of the LSA
Case	means a matter referred or reported to IPReg for investigation in respect of a <i>regulated person</i>
Case Examiner	means an individual or panel appointed by IPReg in accordance with 1.2.1 of Chapter 4 of the Core Regulatory Framework, to determine whether there is a <i>case to answer</i> in respect of a <i>case</i> referred to them for further consideration
Case to answer	means that the facts alleged against the <i>regulated person</i> , if proved, support a finding of a breach of IPReg's <i>regulatory arrangements</i>
CIPA	means the Chartered Institute of Patent Attorneys
CITMA	means the Chartered Institute of Trade Mark Attorneys
CDPA	means the Copyright Designs and Patents Act 1988 (as amended)
CEO	means IPReg's Chief Executive Officer and includes their role as Registrar (an appointment made in accordance with the 2009 Regulations) to maintain the <i>registers</i>
Client	Means: (a) Existing, former and prospective clients; (b) the principal on whose behalf a <i>regulated person</i> acts as agent and includes any <i>person</i> for whom the <i>regulated person</i> is address for service for any right regardless of the nature of any current relationship. (c) In the case of foreign originating work, the "client" remains the principal for whom the work is ultimately being done, although the instructions may

	come from an intermediary foreign <i>patent or trade mark attorney</i>, to whom the <i>regulated person</i> will also owe a duty of professional care. Where a <i>regulated person</i> is instructed via such an intermediary, any obligation to provide information to a client under the Core Regulatory Framework may be discharged by providing such information to that intermediary
Client money	means money held or received by you or your firm in connection with work undertaken for a <i>client</i> , excluding any advance payments for <i>costs</i> received where the terms have been agreed
Code of Conduct	means <i>IPReg's</i> rules of conduct and standards of professionalism applicable to all <i>regulated persons</i>
Company	means any body corporate
Compliance officer	means a body's <i>HoLP</i> and/or <i>HoFA</i>
Costs	means <i>fees</i> and <i>disbursements</i>
Disbursements	means any costs or expenses paid or to be paid to a third party on behalf of the <i>client</i> or trust (including any VAT element) save for office expenses such as postage and courier fees
Disciplinary and Interim Orders Tribunal	means the pool from which an <i>Interim Orders Panel</i> and a <i>Disciplinary Panel</i> will be drawn to consider <i>interim order</i> applications and disciplinary matters in respect of a <i>regulated person</i>
Disciplinary Panel	means a panel appointed by <i>IPReg</i> under 1.2.3 of Chapter 4 of the Core Regulatory Framework and drawn from the <i>Disciplinary and Interim Orders Tribunal</i> , to consider disciplinary matters in respect of a <i>regulated person</i>
Employee	means an individual who is: (a) engaged under a contract of service by a <i>registered person</i> (b) engaged under a contract for services made between a <i>registered person</i> and: i. that individual; ii. an employment agency; iii. a <i>company</i> which is not held out to the public as providing legal services and is wholly owned and directed by that individual; - or iv. under which the <i>registered</i>

	<i>person</i> has exclusive control over the individual's time for all or part of the individual's working week.
Fees	means your own charges or profit costs (including any VAT element)
HoFA	means a Head of Finance and Administration as per the meaning of Paragraph 13(2) of Schedule 11 to the <i>LSA</i>
HoLP	means a Head of Legal Practice as per the meaning to Paragraph 11(2) of Schedule 11 to the <i>LSA</i>
Independent Adjudicator	means an individual appointed by <i>IPReg</i> under 1.2.4 of Chapter 4 of the Core Regulatory Framework and is an individual with suitable qualifications and experience to consider and determine a review in accordance with 4.1 of Chapter 4 of the Core Regulatory Framework
Interim order	means an order made in respect of a <i>regulated person</i> by an <i>Interim Orders Panel</i> on the application of <i>IPReg</i> , having regard to the matters set out in 2.2 of Chapter 4 of the Core Regulatory Framework
Interim Orders Panel	means a panel appointed by <i>IPReg</i> under 1.2.2 of Chapter 4 of the Core Regulatory Framework and drawn from the <i>Disciplinary and Interim Orders Tribunal</i> , to consider <i>interim order</i> applications in respect of a <i>regulated person</i>
IPReg	means the Intellectual Property Regulation Board Limited
Legal adviser	means an individual appointed by <i>IPReg</i> with suitable qualifications and experience to advise an <i>Interim Orders Panel</i> under 2.1 of Chapter 4 of the Core Regulatory Framework or a <i>Disciplinary Panel</i> under 3.2.2 of Chapter 4 of the Core Regulatory Framework on matters of law
Legal Ombudsman	means the scheme administered by the Office for Legal Complaints under Part 6 of the <i>LSA</i>
Licensable body	has the meaning set out at section 72 of the <i>LSA</i> and is a body eligible for entry onto the <i>patent attorney register</i> and/or the <i>trade mark attorney register</i>
Licensed body	has the meaning set out at section 71(2) of the <i>LSA</i> and is a body which has been entered onto the <i>patent attorney register</i> and/or the <i>trade mark attorney register</i> in accordance with the requirements set out at [2] of Chapter 3 of the Core Regulatory Framework
LSA	Legal Services Act 2007

LSB	means the Legal Services Board, established under section 2 of and Schedule 1 to the <i>LSA</i>
Manager	has the meaning set out at section 207 of the <i>LSA</i>
Overseas	means outside of England and Wales
Owner	means a <i>person</i> who has a material interest in a body, phrases “person” and “material interest” having the same meaning as in Schedule 13 to the <i>LSA</i> , save that, in relation to a <i>partnership</i> , a person has a material interest in the <i>partnership</i> if they are a <i>partner</i>
Partner	means a person who is or is held out as a partner in a <i>partnership</i>
Partnership	means a body that is not a body corporate (i.e. a <i>company</i>) and is a body in which persons are, or are held out as, <i>partners</i>
Patent attorney register	means the <i>register</i> kept under section 275 of the <i>CDPA</i>
Patent attorney work	means work done in the course of carrying on the business of acting as agent for others for the purpose of applying for or obtaining patents in the <i>UK</i> or elsewhere or of conducting proceedings relating to applications for or otherwise in connection with patents
Person	includes a body of persons (corporate or unincorporated)
PRB	means the Patent Attorney Regulation Board
Prescribed	means as determined by <i>IPReg</i> from time to time
Principles	means the Overarching Principles set out in Chapter 1.
Publicity	includes all promotional material and activity, including the name or description of your firm, stationery, advertisements, brochures, websites, directory entries, media appearances, promotional press releases, and direct approaches to potential <i>clients</i> and other persons, whether conducted in person, in writing, or in electronic form, but does not include press releases prepared on behalf of a <i>client</i>
Qualifying examination	has the meaning set out in the Rules for the Examination and Admission of Individuals to the Registers of Patent and Trade Mark Attorneys 2011
Register(s)	means in respect of <i>registered attorneys</i> or <i>registered bodies</i> other than a <i>licensed body</i> , the register kept under section 275 of the <i>CDPA</i> (“the <i>patent attorney register</i> ”); or the register kept under section 83 of the <i>TMA</i> (“the <i>trade mark attorney register</i> ”); and in respect of a <i>licensed body</i> means <i>IPReg’s</i> register kept under

	section 87 of the <i>LSA</i>
Registered attorney	means: (a) a <i>registered patent attorney</i> ; and (b) a <i>registered trade mark attorney</i> .
Registered body	means: a body other than a <i>licensed body</i> (corporate or unincorporated) entered (or where clear in the context, applying to be entered) in the <i>patent attorney register</i> and/or the <i>trade mark attorney register</i> and includes a <i>single attorney practice</i> “registration” and “registered” shall be construed accordingly and for the avoidance of doubt, references to “registration” and “register” are to initial registration and any renewal of registration
Registered patent attorney	means an individual whose name is entered in the <i>register</i> kept under section 275 of the <i>CDPA</i>
Registered person	means all of the following collectively: (a) a <i>registered attorney</i> ; (b) a <i>licensed body</i> ; and (c) a <i>registered body</i> .
Registered trade mark attorney	means an individual whose name is entered in the <i>register</i> kept under section 83 of the <i>TMA</i>
Regulated Person	includes those authorised by <i>IPReg</i> to carry on a <i>reserved legal activity</i> and those not so authorised but who are a <i>manager</i> or <i>employee</i> of those authorised to carry on a <i>reserved legal activity</i>
1991 Regulations	means the Regulations for the Examinations of Patent Agents & Trade Mark Agents 1991 as amended and including, but not limited to, the June 2010 Transitional Provisions of the Joint Examination Board
2009 Regulations	means the Patent & Trade Mark Attorney Qualification and Registration Regulations 2009, and references to “2009 Regulations” are construed accordingly
Regulatory arrangements	has the meaning set out at section 21 of the <i>LSA</i>
Regulatory objectives	has the meaning set out at section 1 of the <i>LSA</i>
Reserved legal activity	has the meaning set out at section 12(1) of the <i>LSA</i> and the scope as set out in Schedule 2 to the <i>LSA</i> .
Successor practice	means a practice identified in this definition as ‘B’ where: a. ‘A’ is the practice which B succeeds; and b. ‘A’s owner’ owns A immediately prior to transition; and c. ‘B’s owner’ is the owner of B immediately following transition; and

	d. 'transition' means merger, acquisition, absorption or other transition which results in A no longer operating as a discrete legal practice.
Technical adviser	means an individual appointed by <i>IPReg</i> with suitable qualifications and experience to advise an <i>Interim Orders Panel</i> under 2.1 of Chapter 4 of the Core Regulatory Framework or a <i>Disciplinary Panel</i> under 3.2.3 of Chapter 4 of the Core Regulatory Framework on matters of a technical nature
Third party managed account	means an account held at a bank or building society in the name of a third party which is an authorised payment institution or small payment institution that has chosen to implement safeguarding arrangement in accordance with the Payment Services Regulations (as each defined in the Payment Services Regulations 2017) regulated by the <i>FCA</i> , in which monies are owned beneficially by the third party, and which is operated upon terms agreed between the third party, you and your <i>client</i> as an escrow payment service
TMA	means the Trade Marks Act 1994 (as amended)
Trade mark attorney register	means the <i>register</i> kept under section 83 of the <i>TMA</i>
Trade mark attorney work	means work done in the course of carrying on the business of acting as agent for others for the purpose of applying for or obtaining trade marks in the <i>UK</i> or elsewhere or of conducting proceedings before the Comptroller relating to applications for or otherwise in connection with trade marks
TRB	means the Trade Mark Attorney Regulation Board
UK	means United Kingdom, made up of: England, Scotland, Wales and Northern Ireland
Undertaking	means a statement, given orally or in writing, whether or not it includes the word "undertake" or "undertaking", to someone who reasonably places reliance on it, that you or a third party will do something or cause something to be done, or refrain from doing something