



**LEGAL SERVICES
BOARD**

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The Right Honourable Chris Grayling MP
Lord Chancellor and Secretary of State for Justice
102 Petty France
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6 December 2013

Dear Lord Chancellor

Recommendation for the Chartered Institute of Patent Attorneys (CIPA) and the Institute of Trade Mark Attorneys (ITMA) to be designated as licensing authorities for their existing reserved legal activities

Schedule 10 to the Legal Services Act 2007 (**the Act**) contains provisions for the Legal Services Board (**the Board**) to recommend that an order be made by the Lord Chancellor designating bodies as licensing authorities in respect of identified reserved legal activities.

The Intellectual Property Regulation Board (**IPReg**) formally made an application to the Board on behalf of CIPA and ITMA under the Act, for the Board to recommend to the Lord Chancellor that an order be made designating CIPA and ITMA as licensing authorities for their existing reserved legal activities.

The LSB's Rules for Licensing Authority Designation Applications (LSB Rules)¹ giving effect to paragraphs 11(2) and 11(3) of Schedule 10 to the Act set out the matters on which the Board must be satisfied when granting an application for designation as a licensing authority. The Board has considered the applications and is satisfied that the criteria for granting a licensing authority designation application have been met.

Therefore, the Board agreed at its meeting on 27 November 2013 to recommend to the Lord Chancellor that CIPA/ITMA be designated under paragraph 14(2) of Schedule 10 to the Act as licensing authorities for the following reserved legal activities undertaken by trade mark and patent attorneys:

- The exercise of a right of audience;
- The conduct of litigation;

¹ The LSB rules are published on its website at

http://www.legalservicesboard.org.uk/what_we_do/regulation/pdf/designating_la_rules_v2_june_2011_final.pdf

- Reserved instrument activities; and
- The administration of oaths.

Furthermore, the Board agreed that the licensing rules be approved for use by the licensing authority when the Lord Chancellor exercises his authority under paragraph 16(1) of Schedule 10. I enclose my formal recommendation to the Lord Chancellor.

There are a number of documents in support of this recommendation. Due to the volume, only electronic copies of the following documents have been provided to your officials but paper copies can be provided if they are needed:

- IPReg application which sets out the proposals and how they comply with the requirements of the Act and our rules and guidance;
- IPReg Registered Bodies Regulations and General Conditions of the (Specimen) Registration Certificate which form part of the proposed licensing rules;
- advice from Mandatory Consultees and IPReg's response to that advice; and
- the Board's decision notice.

Yours sincerely

A handwritten signature in black ink, appearing to read "David Edmonds". The signature is written in a cursive, slightly slanted style.

David Edmonds
Chairman