The Institute of Patent and Trade Mark Attorneys of Australia

NINETY-EIGHTH ANNUAL REPORT OF COUNCIL AND FINANCIAL STATEMENTS

For the year ended 31 December 2016

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The Institute of Patent and Trade Mark Attorneys of Australia
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A.B.N. 78 004 194 263

PRESIDENT'S REPORT

I have pleasure in presenting this 2016 IPTA Annual Report to all members.

This has been my second and final year as President. Once again, the Productivity Commission and its review of Australia's IP system has been a key area of focus both for myself and for Council. The Productivity Commission's final report was issued in December 2016 and was, as Council had feared, quite "anti-patent". There were some small consolations, in particular in the area of software patents which the Productivity Commission accepted should be left alone, however there were many recommendations which if adopted by Government, would have significant adverse effects on IP protection in Australia. Two notable recommendations to which IPTA is very much opposed are the abolition of the innovation patent and the suggested changes to the patent term extension legislation.

Note that although Council makes submissions on behalf of IPTA, and therefore on behalf of our members, it is very useful for members to make their own submissions on their own behalf or on behalf of their firms, especially when the matter is of particular importance. Supporting submissions by clients of our member firms and other organisations can also be very helpful if they generally support IPTA's position.

The Government's response to the Productivity Commission's final report will issue in the near future. Should it accept any of the report's "anti-patent" proposals – such as the change to patent term extensions and the abolition of the innovation patent, it can be expected that legislation will be drafted in the near future to put at least some of those recommendations into effect.

IPTA has made submissions on a number of matters including IP Australia's proposed changes to the extension of time provisions for IP rights, and I am pleased to report that IPTA has, through the efforts of the Patents Legislation Committee and Michael Caine in particular, managed to persuade IP Australia of the benefits of retaining Australia's current Section 223 extension regime largely unchanged, but with added safeguards for third parties.

Council has spent some time over the years getting to know the politicians responsible for IP policy and their advisors, although as the personnel change frequently, building relationships is difficult and once again the relevant ministers have changed since last year. Council considers it important that we get to know as many of the relevant politicians and their parliamentary advisers as possible so that we can educate them as to who we are, who we represent, what we stand for, why our views should be taken into account, and how we can advise and help them make decisions in areas which affect IP. Following the demise of the TPP, the Government has re-activated the Regional Comprehensive Economic Partnership (RCEP) and I attended an update briefing on RCEP in November. The Government appears very keen to push RCEP, now that the US has indicated that it will not proceed with the TPP. IPTA is looking to be involved in the process.

Aside from engagement with IP Australia and other government bodies, IPTA's other major focus remains providing CPE education for our members. To this end, our Continuing Professional Education Committee continues to host regular webinars for members and aims to provide a webinar every month. If any members have an overseas attorney visiting their offices who would like to present to a wider audience, they are encouraged to contact Council to see if a webinar can be arranged. It is also possible for Council to run webinars where the speaker presents from overseas, so overseas attorneys can present from their home countries.

IPTA was represented at a number of overseas sister organisation meetings including AIPLA, the IPIC Annual Conference and the third JPAA President meeting. The JPAA President meeting was attended by representatives from JPAA, APAA, CIPA, FICPI and AIPLA as well as the presidents of the, Chinese, Korean and Singaporean patent attorney associations. At the meeting we discussed WIPO's e-PCT system and patent attorney privilege. The majority of those attending also visited the Japanese IP High Court and met with a number of IP judges and also visited the Japanese Patent Office.

Jeremy Dobbin
President

ANNUAL REPORTS

1. INTRODUCTION

Council has pleasure in presenting to Members their Annual Report for the year ended 31 December 2016, being the Ninety Eighth Annual Report since the formation of the Institute, together with the related Financial Statements identified on the introductory page.

2. OFFICE BEARERS

	1 Jan – 14 April	**14 April – 31 Dec**
PRESIDENT	J M Dobbin	J M Dobbin
VICE PRESIDENTS	R H Baddeley M J Caine	R H Baddeley M J Caine
COUNCILLORS	J S Borham T J Davies C A Emmanuel G J Gurr A Luxton J S Landells J J McEwan D A Slizys S M Smith D J Tadgell	J S Borham T J Davies C A Emmanuel G J Gurr A Luxton J S Landells J J McEwan G I Shoebridge D A Slizys D J Tadgell
IMMEDIATE PAST PRESIDENT	A H Makrigiorgos	A H Makrigiorgos
EXECUTIVE SECRETARY	L M Tocchet	L M Tocchet
BOOKKEEPER (part-time)	K Meade	K Meade
EVENTS/ADMINISTRATION CO-ORDINATOR	S Murray	S Murray (to 14/10/15)
AUDITOR	S Bradby	S Bradby

3. COUNCIL MEETINGS

During the 2016 calendar year there were seven Council Meetings. Five meetings were held via video conference and two meetings were held in Melbourne.

4. APPOINTMENT OF COMMITTEES

The 2016/17 Council appointed the following Committees, with Convenors underlined and co-opted members identified by an asterisk.

ADMINISTRATIVE COMMITTEES

COMMERCIALISATION	Christine Emmanuel Michael Angliss* Rick Aarons*	Jason Coonan* Mark Horsburgh*
CONFERENCE	Jeremy Dobbin Richard Baddeley Janelle Borham	Christine Emmanuel John Landells Jennifer McEwan
CONTINUING PROFESSIONAL EDUCATION	Janelle Borham John Landells Richard Baddeley Andrew Jones*	Jeremy Dobbin Jennifer McEwan Damian Slizys
EDUCATION RELATIONS	Christine Emmanuel Virginia Beniac-Brooks* Janelle Borham	Ian Horak* Karen Sinclair* David Tadgell
ETHICS & DISPUTES	Trevor Davies	Jeremy Dobbin
FINANCE & SECRETARIAT (including Fees)	Richard Baddeley Jeremy Dobbin	Greg Gurr
IP AUSTRALIA BUSINESS RELATIONS	Damian Slizys Richard Baddeley Paul Davis*	Christine Emmanuel David Webber* Geordie Oldfield*
MEMBERSHIP	Adam Luxton Malcolm Bell*	Jennifer McEwan
PUBLICATIONS & WEBSITE	Adam Luxton Richard Baddeley Karin Innes*	Jennifer McEwan Mark O'Donnell* Stuart Smith
PUBLIC RELATIONS	Grant Shoebridge Trevor Davies	
RULES	Damian Slizys Trevor Davies Adam Luxton	Paul Davis* Jeremy Dobbin

4. APPOINTMENT OF COMMITTEES (cont)

LEGISLATIVE COMMITTEES

DESIGNS	Jeremy Dobbin	Ray Hind*
	Caroline Bommer*	Lee Pippard*
	Shaun Griffin*	
INTERNATIONAL PATENTS	David Tadgell	Michael Caine
	Virginia Beniac-Brooks*	Damian Slizys
NEW ZEALAND LEGISLATION & IPONZ BUSINESS RELATIONS	John Landells	Nicholas Holmes*
	Michael Caine	
PATENTS LEGISLATION	Michael Caine	Greg Gurr
	Richard Baddeley	Kathryn Morris*
	Trevor Davies	David Tadgell
PATENT PRACTICE	Greg Gurr	Graham Cowin
	Richard Baddeley	Michael Caine
	Janelle Borham	Stephen Friend*
PLANT BREEDER'S RIGHTS	Trevor Davies	Simon Tout*
	Mark O'Donnell*	
TRADE MARKS	Jennifer McEwan	Mark Williams*
	Anne Makrigiorgos	Michael Wolnizer*

ADMINISTRATIVE COMMITTEE REPORTS

5. ANNUAL CONFERENCE COMMITTEE

Convenor: Mr Jeremy Dobbin

The 2016 Annual Conference was held at the Sheraton Mirage on the Gold Coast from 13-16 April. The Conference, as always, proved to be a great success with a full programme of educational opportunities arising from the varied business sessions. A new Wednesday afternoon trade mark focused session was trialled in order to make the business sessions more relevant for trade marks attorneys. The trade mark session was very well attended and this initiative is being repeated at the 2017 conference in Perth. My thanks go to Jennifer McEwan who both thought of and organized the trade marks session. All the business sessions were well attended and were both informative and entertaining. The social activities were also well attended.

I am pleased to say that the 2016 Conference was attended by a record number of delegates including 170 full delegates, 23 day delegates and 22 accompanying persons.

As usual, the Conference opened with an informal welcome reception and dinner on the Wednesday evening. Business sessions were held throughout Wednesday afternoon, Thursday and Friday. The Saturday optional activity was an enjoyable tour to Mt Tamborine.

5. ANNUAL CONFERENCE COMMITTEE (cont)

We were pleased to have Patricia Kelly, Director-General of IP Australia, present the Opening Address on the Thursday morning. We were also fortunate to have Fatima Beattie, Lejla Abaz, Natalie Anderson, Clare Broers, John Braybrooks, Emma Francis, Julie Gale, Paul Gardner, Alex Jaksic, Alison Knight, Jock McDonagh, Kieran Sloan, George Vuckovic and Sue Welin from IP Australia attend the conference. IPTA very much appreciates the continuing support and involvement in our annual conferences by representatives of IP Australia.

The business sessions included presentations from IP barristers and from our overseas colleagues from China, Japan, New Zealand, United Kingdom and the United States.

The Gala Dinner was a fun night held at the Palazzo Versace. The Master of Ceremonies for the evening was Mr Graham Cowin and the guest speaker was Mr Guy Leech, a former Australian Ironman Champion.

My thanks go to all the members of the Conference Committee for their hard work in organizing the 2016 conference

6. COMMERCIALISATION COMMITTEE

Convenor: Ms Christine Emmanuel

Information and resources around commercialisation and technology transfer are available on the IPTA website. Contributions are also made to the regular IPTA webinar sessions.

The Corporate members breakfast is a regular highlight of the IPTA conference, with topics of specific interest to corporate members. In 2016, the Vice President, Patent Counsel of QUALCOMM Europe, Inc spoke at the Corporate members breakfast.

Opportunities for educating the membership on commercial outcomes/drivers of their professional work are explored.

7. CONTINUING PROFESSIONAL EDUCATION COMMITTEE

Convenors: Ms Janelle Borham & Dr John Landells

This committee of IPTA is responsible for providing education sessions to assist attorneys to meet their CPE obligations for maintaining registration as a patent and/or trade marks attorney.

In 2016 the CPE committee organized and presented webinars from 10 speakers on topics relevant to patent and trade marks attorneys. The webinars are offered free of charge to members. Webinars are recorded and made available to members to watch after the original presentation in the members section of the IPTA website.

The CPE committee was also involved in the organization of speakers for education sessions at the annual conference. Members are encouraged to pass details of any associates visiting from overseas to the CPE committee, to enable education events to all IPTA members to be organized around visiting overseas attorneys.

The committee thanks all speakers who made themselves available to present webinars to members, and committee member Andrew Jones of Foundry IP for his involvement in the webinar program.

8. EDUCATION RELATIONS COMMITTEE

Convenor: Ms Christine Emmanuel

IP Australia Attorney Placement Program

Five staff members were placed in selected attorney firms throughout the year. The cooperation of attorney firms in this Program is appreciated.

Institute Prize

The Institute Prize is one of IPTA's most prestigious and well-regarded awards with a long and distinguished history. It has always been awarded to a candidate who has shown excellence in the academic subjects leading to qualification as a patent attorney and who has shown that they have the potential to contribute substantially to the profession.

In order to qualify for the Prize - candidates must be registered Australian patent attorneys who were registered in the period between 1 July 2015 and 30 June 2016.

The Institute Prize was awarded in 2016 to Akanksha Dahiya from FPA Patent Attorneys.

Malcolm Royal Prize

The Institute of Patent and Trade Mark Attorneys of Australia conducts an essay competition named in honour of former President and active member of the Institute, Malcolm Royal. The purpose of the competition is to encourage and promote higher learning within the IP profession in Australia, and so the essay may be on any intellectual property subject having relevance to Australian practitioners.

The 2016 Malcolm Royal Prize was awarded to Robert Cross for his essay entitled “Whose monopoly is it?”

9. ETHICS & DISPUTES COMMITTEE

Convenor: Dr Trevor Davies

Patent and Trade Marks Attorneys must be familiar with the *Code of Conduct for Patent and Trade Marks Attorneys 2013* and comply with the provisions at all times. There are obligations that require an attorney to only act where the attorney has appropriate competency. Attorneys must provide written information and cost estimates to prospective, new and existing clients. If attorneys ensure that at all times they act in the best interest of their clients then attorneys should comply with the professional obligations set out in the Code of Conduct.

A member of IPTA is expected to act within the spirit as well as the letter of the various matters set out in the IPTA Code of Ethics. Furthermore, By-Law 1 states that no member shall behave in a manner contrary to that defined in the Code of Ethics and any such contrary behaviour shall be deemed to be conduct unworthy of a member of IPTA.

The Ethics & Disputes Committee continues to field enquiries and complaints from clients of IPTA attorneys as well as from practitioners within the umbrella of IPTA. Members of the public who make the effort to either complain or request information from the IPTA Secretariat appreciate receiving a prompt reply. This Committee endeavours to provide a high level of service and usually a telephone discussion with a complainant is sufficient to satisfactorily address any issues.

9. **ETHICS & DISPUTES COMMITTEE** (cont)

A telephone call from a Committee member to the attorney may also be required to assist in addressing a complaint. If the complainant wishes to proceed further, then a formal written complaint is requested. A copy of the written complaint is then forwarded to the attorney with a request for a prompt written reply to be provided to the complainant. Any delays by the attorney in replying frustrate the complainant and serve only to place the profession in a bad light.

The complainant is also informed on the role of the Professional Standards Board for Patent and Trade Marks Attorneys and the Code of Conduct.

The Committee is very cognisant of the potential consequences associated with complaints that go to the Professional Standards Board. This Committee, with its less formal and flexible procedures, sets out to defuse issues so that a mutually satisfactory outcome can be reached. Attorneys are asked to consider this objective when responding to a call from a Committee member or a request for response to a written complaint.

IPTA is not a contact point for complainants regarding the Code of Conduct so any complaint about the conduct of an attorney under the Code of Conduct must be made to the Professional Standards Board. IPTA Council, however, continues to work with the Professional Standards Board and this Committee plays an important role in educating members and dealing with minor complaints and issues clients may have with members.

Members should note that an adverse finding by the Disciplinary Tribunal for Patents and Trade Marks Attorneys against a member obliges Council to consider appropriate action under the Memorandum and Articles of Association and Bi-Laws of IPTA.

The Committee also welcomes calls from members to discuss issues on ethics or potential conflicts that may arise in carrying out their professional duties. Over the past few years the Committee has dealt with an increased number of calls from members seeking assistance or guidance.

Any members having difficulties in managing their practice due to illness or other issues are invited to contact the Committee for assistance or guidance.

Although the Committee still receives calls from disgruntled clients of members, over the past year the complaints have been addressed without requiring a written complaint against a member. The number of calls from disgruntled clients has remained low which may well be a direct result of members taking action to improve communication with their clients, especially regarding the steps involved in protecting intellectual property rights and the associated costs and time frames.

Disappointingly, the Committee continues to receive complaints regarding the failure of members to promptly transfer files or provide a current IP status when clients have moved their work to another attorney firm. As a reminder to members, the IPTA Code of Ethics Guideline 12 states:

> *Where a member is instructed by a client to take over the handling of a case from another member, the member shall ensure, unless his or her instructions are to the contrary, that the other member is made aware of the first mentioned instructions. The other member is obliged without delay to loan or transfer all documents necessary for the handling of the case or provide copies thereof at reasonable expense, but such obligation shall not override any lien the other member may have over such files.*

10. FINANCE & SECRETARIAT COMMITTEE (incorporating fees)

Convenor: Mr Richard Baddeley

The operations of the Secretariat of the Institute (IPTA) include the following key tasks:

- Administration of IPTA on a daily basis
- Support to IPTA's educational webinars
- Running Annual Conference
- Administration of CPE functions
- Management of Institute funds

So, the administration of IPTA is a complex and ever expanding task with significant diligent and time consuming work needing to be done in the areas of accounts, audit, budget, insurance and various forms of compliance on a near "just in time" basis.

IP Australia Fee Review

A submission was filed in September 2015 in response to an IP Australia call for submissions on the current fee regime. Further opportunities to make submissions on the fee regime and fairly uncontroversial proposed changes became available in late April 2016 and were taken. Fee revisions took effect in October 2016. Removal of the trade mark acceptance fee and significant reduction in the international type search request fee were key changes.

Submissions

The Committee provided support to submissions made by the Patents Legislation Committee in another busy year from the IP policy perspective. The Productivity Commission Review of IP Arrangements proceeded and Richard Baddeley was involved with one meeting between IPTA and the Commission.

IP Stakeholder Forum

Richard Baddeley attended the May 2016 meeting in Sydney.

IPTA Staffing and Secretariat Relocation

Susannah Murray left the Secretariat in the second half of 2016. The Committee thanks Susannah for her service and passes on best wishes for her future career.

An appreciative thank you is extended to Linda Tocchet and Katharine Meade for their significant and willing contributions to making the Secretariat run so smoothly during 2016, with very special mention of their role in successfully relocating the Secretariat from Watermark's offices in Hawthorn to the Davies Collison Cave offices in Nicholson Street, Melbourne.

11. IP AUSTRALIA & IPONZ BUSINESS RELATIONS COMMITTEE

Convenor: Dr Damian Slizys

The IP Australia & IPONZ Business Relations Committee acts as a liaison between the IPTA membership and IP Australia and IPONZ for matters relating to the manner in which IPTA's members do business with IP Australia and IPONZ.

11. IP AUSTRALIA & IPONZ BUSINESS RELATIONS COMMITTEE (cont)

The Committee liaises with both IP Australia and IPONZ primarily in relation to business and administrative systems and processes. The Committee provides feedback to IP Australia so as to assist in ensuring that its business processes and systems enable the provision of effective and efficient services to IPTA members.

Any members who have concerns regarding efficient communication with IP Australia and IPONZ, or IP Australia's or IPONZ' databases and procedures, should bring those concerns to this committee, as a conduit for bringing those concerns to the attention of the relevant personnel at IP Australia or IPONZ.

12. MEMBERSHIP COMMITTEE

Convenor: Mr Adam Luxton

NEW MEMBERS ELECTED DURING 2016

Coonan, Jason	Fellow	16 June
Davey, Stephen	Fellow	28 July
Bruce, Elise Michelle	Ordinary	10 February
Chung, Jing Yeng	Ordinary	10 February
Cui, Chun	Ordinary	10 February
Dahiya, Akanksha	Ordinary	10 February
Jamison, Robert Aidan	Ordinary	10 February
Tham, Stephanie	Ordinary	10 February
Van der Waal, Sarah Ann	Ordinary	10 February
Zhang, Qi	Ordinary	10 February
Moore, Michael John Brian	Ordinary	27 April
McCamley, Kristy	Ordinary	27 April
Nicoletti, Elisa	Ordinary	27 April
Hartland, Catherine Lucy	Ordinary	16 June
Holopikian, Garen	Ordinary	16 June
Lim, Jee Lean	Ordinary	16 June
Cara-Carson, Felicity Anne	Ordinary	28 July
Ramasundara, Kumudu	Ordinary	28 July
Shan, Wen Jie	Ordinary	28 July
Shaw, Joanne Pamela	Ordinary	28 July
Tan, Isaac Jia Hao	Ordinary	28 July
Baker, Kathryn	Ordinary	14 September
Kaggwa, Gillian Barbara	Ordinary	14 September
Kark, David Nathan	Ordinary	14 September
Keed, Tyson	Ordinary	14 September
Oh, Dae Woong	Ordinary	14 September
Tso, Sylvie Shum Yee	Ordinary	14 September
Wadsworth, Daniel John	Ordinary	14 September
Dudina, Tatiana	Ordinary	9 November
Gun, Lara Townsend	Ordinary	9 November
Hegedus, Paul	Ordinary	9 November
Mason, Crystal Vivian	Ordinary	9 November
Chan, Madeleine Sy	Ordinary	15 December
Godfrey, Elizabeth Kate	Ordinary	15 December
Hammon, Matthew James	Ordinary	15 December
Mansell, Carly Eve	Ordinary	15 December
White, Serena Jean	Ordinary	15 December

12. **MEMBERSHIP COMMITTEE** (cont)

NEW MEMBERS ELECTED DURING 2016 (cont)

Boukarroum, Rabieh	Student	10 February
Jafari, Ingrid	Student	27 April
Goldys, Anna Magdelena	Student	16 June
Balis, Andrew Michael	Student	14 September
Bestic, Lachlan Bradley	Student	14 September
Bolderston, Daniel	Student	14 September
Burnley, James	Student	14 September
Mueller-Wiesner, David	Student	14 September
Whittaker, Jasmin	Student	14 September
White, Renee	Student	14 September
Wong, Warren	Student	14 September
Erce, Melissa Angelica	Student	9 November
Lin, Tony Chien Yu	Student	9 November
Pagani, Mattia	Student	9 November
Stewart, Matthew Blair	Student	9 November
Morton, Amanda Jane	Student	15 December
Quinn, Edward	Student	15 December
Sheehan, Timothy Patrick	Student	15 December
Delaney, Simren Kaur	Overseas	15 December

FELLOWS TRANSFERRED DURING 2016

Potter, George William	Fellow Emeritus	27 April
Griffith, David Carlyle	Fellow Emeritus	16 June

MEMBERS ELEVATED DURING 2016

Horton, Douglas Alexander	Fellow	10 February
McCrackan, Rebecca	Fellow	10 February
Wickham, Mark Edward	Fellow	10 February
Yip, Charles Cheuk Lam	Fellow	27 April
Cooper, Michael John	Fellow	16 June
Meyer, Johann André	Fellow	16 June
Stamatiou, Nicholas Emmanuel	Fellow	16 June
Strandberg Lutzow, Ylva Charlotta	Fellow	28 July
Bramante, Magda Khalil	Fellow	14 September
Holmes, Nicholas James	Fellow	14 September
Murdoch, Nicole Louise	Fellow	15 December
Olsen, Aaron Heath	Fellow	15 December
Seter, Marianne	Ordinary	10 February
Clarke, Andrew James	Ordinary	27 April
Newton, Annabella Freya	Ordinary	27 April
Chadbourne, Jessica Janice Silins	Ordinary	16 June
Balakrishnan, Lena Janaki	Ordinary	28 July
Cowin, Prue	Ordinary	28 July
Gregg, Claire	Ordinary	28 July
Hvasanov, David	Ordinary	14 September
Tsai, Louis Meng-Chin	Ordinary	14 September
Barry, Grant David	Ordinary	9 November
Fitzgerald, Timothy Liam	Ordinary	9 November

12. **MEMBERSHIP COMMITTEE** (cont)

MEMBERS ELEVATED DURING 2016 (cont)

Moller, Jeremy Lance	Ordinary	9 November
Tso, David	Ordinary	9 November
Grice, Desma	Ordinary	15 December
Lee, Amanda	Ordinary	15 December

RESIGNATIONS DURING 2016

Shannon, Wendy	10 February
Stafford, Lynn	10 February
Wright, Theresa	10 February
Bell, G Ronald	27 April
Wolmarans, Christel	27 April
Houlihan, Michael	16 June
O'Connor, John	28 July
Pini, Matthew	28 July
Ellis, W Simon	14 September
Longshaw, Victoria	14 September
LeRoux, Ernst	31 December

TERMINATIONS DURING 2016

Cash, David	14 September
Clark, Lisa	14 September
Fitzsimons, Miles	14 September
Shoolman, David	14 September
Simmons, David	14 September

ROLL OF MEMBERS AS AT 31 DECEMBER 2016

The Membership Roll as at 31 December 2016, comprised of 480 Fellows, 4 Distinguished Fellows, 14 Emeritus Fellows, 339 Ordinary Members, 43 Students and 10 Overseas Members giving a total of 890 Members.

FELLOWS (480)

Aarons R J S	Asquith J	Bentley G R
Abel J H	Atichian C J	Bentley K
Adams J G	Baddeley R H	Berggren S D
Adamthwaite D A	Barke H R	Berman C H
Ahearn T G	Barlow V P	Biernacki G A
Alder A P	Bartlett G J	Bird C J
Allen L K	Bates M C	Blattman A N
Anderson E W	Baxter C J	Blows J L
Anderson S J	Beadle D A	Boehm P A
Anderson-Taylor M	Bebber J	Bogdanov V
Andrews J C	Bell M N	Bolton K W
Angliss M L	Belyea C I	Bommer C M
Angus D	Beniac-Brooks V A	Borg K J
Argaet V P	Bennett W G	Borham J S

12. **MEMBERSHIP COMMITTEE** (cont)

ROLL OF MEMBERS AS AT 31 DECEMBER 2016 (cont)

FELLOWS (cont)

Borovec S V
Bowman B N L
Boyer S J
Bramante M
Brass J
Brown P
Brown R A
Browne S S
Buck M A
Bucknell D G
Burns D
Burns P A
Butler A G
Cahill A
Caine M J
Calabrese R
Cale A D
Caporn P M
Carroll J G
Carter C J
Caulfield M J
Chambers G M
Chan A
Chan G Y N
Chandler W G
Cher C V
Cherry J W
Chia R S F
Chiang-Cruise R I L
Chilco P J
Chin Quan E M
Christie A L
Chrysiliou A C
Chrysiliou K A
Chrysiliou L C
Cicchitelli L
Clark D G
Clark R J
Clarke T P
Clarkson R M
Connor B G
Coombs J T
Coonan J R
Cooper M
Couper S J
Cowin G L
Cowle A J
Cox G B
Crooks A H
Cross R N
Crump D J
Cumming H J
Curnick R D
Curwen J C B
Dabboussy R H
Dalton M A
Dark A D
Davey S
Davidson G R
Davies R J
Davies T J
Davis P J
Davis A J
de Bruyn P J
de Jonge B J
Dela Paz F
Di Giantomasso D F
Dibbens J A
Dixon G M
Dobbin J M
Dower J
Dowsing B J
Dredge T J
Drew D C
Drew I A
Dummer P C
Eadie E
Eagar B B
Earley M G
Egerton M L
Elliott C
Emmett L L
Emmanuel C A
Engel M D
English M S
Evans A J
Evans R L
Farbey P S
Ferraloro A
Ferrante A J
Finn M R
Fisher G W
Fitzpatrick B
Fitzpatrick B J
Fizulic I
Flattery-O'Brien J
Flinn J P
Fong P V
Ford E
Fox D P
Franke P N
Friedgut M
Friend S R
Galbraith F
Gardiner S J
Gardner J R G
Gehrig P W
Genocchio E I
Gibbs J C
Gibson D V
Gleghorn C A
Golja L J B
Goodhew C T
Gourley R D
Govenlock L J
Grabb A E
Graf E R
Grant R
Green J R
Green P A
Gretton P
Griffin S L
Griziotis G
Gumley T P
Gupta N
Gurr G J
Haines T
Halliday R G
Hamilton K R
Hantos S M
Harkins J M
Harrap C D
Harris C J
Harrison K M
Harrison P G
Hawkins B L
Heard R M
Heathcote M
Heathcote P R
Hedges M M
Heilbronn Lee K R
Hendry G S
Hendy B M
Hendy T J
Henning R G D
Henshaw D
Hess QC B J

12. **MEMBERSHIP COMMITTEE** (cont)

ROLL OF MEMBERS AS AT 31 DECEMBER 2016 (cont)

FELLOWS (cont)

Higinbotham G M
Hill G
Hind R S
Hird W
Hirsz C S
Hodgkinson H R
Hogan J P
Holliday N J
Holman J W
Holmes N J
Hooke R E J
Horsburgh M A
Horton D
Houlihan E E
Hughes D J
Hughes E J L
Hunter A J
Hunter N H
Huntsman P H
Hutchison J E
Hyland A L
Innes K M
Irani S
Ireland N K
Irvine S
Jahn S
Jayaswal S U
Jepson D B
Jones P W
Jones A L
Jones A R
Joseph S J
Juhasz C G
Kakuda D K
Kelson R C
Kennaugh L M
Kensett-Smith B
Keogh J M
Khajeh Tabari M
Kilborn P A
Kildea P F
King J H
Klinkradt S
Koch M J
Krouzecky S G
Lakatos N
Lake Maxwell N J
Landells J S
Law A J
Lee A A
Lee A W
Lee D P
Leeuwangh M P
Lesicar D
Leslie K
Letters T J
Leviton K M
Lewis J S
Lloyd W S
Logan Keeffe D H K
Loi T
Lokan N R
Lolis T V
Longmuir D F S
Lord K E
Lowe A R
Lucas M A
Lunn B A
Luxton A
Mackie J A
Macauley C D
Macken P J
Mahony P J
Makrigiorgos A H
Mansfield G M
Marinos A
Martin J C M
Martin M A E
Martorana A
Massang J R
Massey P D
Massie A B
Maxwell J V
Maxwell P F P
McCann J F
McCarthy D J
McCausland S M
McCormack J D
McCrackan R
McCutcheon E J
McEwan J J
McFarlane R N
McFarlane W G
McInnes K J
McKeveney D
McKinley D A
McManamny P
McMaster W
McMillan A M
McNamara K
McStea J A
Meka H
Melville T A
Merlino C
Merritt D D
Meyer J A
Mickan S P
Miles D H
Miller L N
Mizzi A P
Monger C
Monks W T
Montgomery R L
Morcom N B
Morgan D C
Morris K B
Morton A J
Moulee A
Mountford N G
Mullane L M
Munt G R
Murdoch N
Murray C J
Murray N W
Mutimer H P
Myers D K
Negler J P
Newman B S
Newton J
Nock G W
Noonan G J
North T
Nugent B J
Nutt B M
Oberin C J
Obranovich T D
O'Brien M E
O'Brien S T
O'Donnell M J
O'Donnell M T
Odorico N M
Oitmaa L M
Old F P
Oldfield G H

12. **MEMBERSHIP COMMITTEE** (cont)

ROLL OF MEMBERS AS AT 31 DECEMBER 2016 (cont)

FELLOWS (cont)

Olsen A H
O'Mahoney J M
O'Mally M
Onishi J Y
Osgerby K J
O'Sullivan M P
Owens C
Pannall M
Papamichalakis F
Parish T J
Park J J
Park S
Parker N J
Patterson E C
Peachey B J
Peh M C
Perkins D M
Perrin D
Petering J E
Philp S C M
Pickering W J
Piper J W
Pippard L D
Pluck P D
Plummer R W
Port M R
Power K
Pryor G C
Pullen M A T
Rajkovic I A
Ramchand N N
Rantzen H J
Recchia G D
Redfern J B
Reynolds S P
Richards A J
Richardson M R
Rickard D J
Rinder T M B
Roberts M K
Robinson K J
Rolls C L
Rose I S
Rosenthal D
Rourke I J
Ryan P D
Samargis J G
Sanders R L
Schieber J A C
Schlicht C D
Schulze H K
Seisdedos J P
Selleck A M
Shand T M
Shanks D H
Sharp S D
Shaw A L
Shoebridge G I
Silberstein R A
Silins G U
Simonetta G
Sinclair K J
Slater W A
Slattery J M
Slizys D A
Smeeton A R
Smith A J
Smith F
Smith M A
Smith P R
Smith S M
Smoorenburg R C T
Spark K A
Squires M P
Staley T J
Stamatiou N S
Stark A J
Starkie S J
Stead J E
Stevenson R A
Stines A P
Stramandinoli R
Strandberg Lutzow Y
Sunn K
Syn R J
Tadgell D J
Tannahill I R
Tansey C W
Taylor L V
Tettman R L J
Thompson P M
Thoo L W Y
Tilley A W
Tout S
Tozer R D
Treloar P J
Trento L D
Trioli A M
Tse V C
Tucker G P
Tulloch D L
Turner G M
Turonek M L
Tyndall S
Tzanidis A
Van Ballekom M
van Leeuwen J
van Rensburg G
Vilè S M
Vinall C L
Wadeson B J
Walker S A
Wallace R J
Walsh J R
Ward M J F
Warden-Hutton P D
Ware S G
Warner J A
Waters R J
Watson D C
Webb T L
Webber D B
Weisman S
Wellington B S
Whenman P C
White R W
Whitehead G J
Whitmore S A
Wickham M
Wilkinson C R
William M A
Williams K R
Williams M J
Wilson L
Winch J P
Wolnizer M
Wood-Roe R L M
Worthley S C
Wulff R P
Wulff S E
Wyk P J
Wynne C
Wynne E C
Yin Foo D D
Yip C
York S J
Zammit M D

12. **MEMBERSHIP COMMITTEE** (cont)

ROLL OF MEMBERS AS AT 31 DECEMBER 2016 (cont)

DISTINGUISHED FELLOWS (4)

Carmichael G D
Fitzpatrick D B
Ryan D J
Ward A J F

EMERITUS FELLOWS (14)

Callinan K W
Carter D C
Corbett T G
Duncan A D
Ernst I T
Griffith D C
Harwood E J
Munday B M
O'Sullivan C J B
Potter G W
Ryder J A
Santer V B
Walton R
Wilson D T

ORDINARY MEMBERS (339)

Abram A Z
Addicott C J
Adkins G J
Aliberti P
Anast M
Anderson R
Appleby E J
Atkins G R
Badenhop R F
Baker K M
Balakrishnan L J
Bandick S L
Barrett E S
Barry G D
Bartels A
Baskovich T P
Behan A P
Berger D
Berger T M
Betschart M
Boag J
Boe R W
Bogunovic D
Boyd B
Boys A J
Brittain F
Brown A J
Bruce E M
Burnett W
Burnton C M
Butera N P
Cable J R
Campbell S R
Cao C
Cara-Carson F A
Caska A J
Chadbourne J J
Chadwick R J
Chan M
Chelebian J
Cheong K T B
Christie A F
Chung J Y
Clarke A J
Clayton-Stamm P M
Clulow J C
Cooper M A A
Cordiner T D
Cowin P A
Cox S L
Crooks K
Cui C
Dahiya A
Davey A
De Jersey J
de Lima L
De Menezes R D M
Deane L
Denley A
Dick K J
Dickson A B
Dimitriadis C
Dittko K A
Don Paul M G
Drinnan N B
Dryza M
Dudina T
Duggan S B
Dutkowski R
Egan C
Evans K
Evans M P
Evenden R B
Fati S
Ferguson G M
Fischer J
Fitzgerald T L
Flego A D
Ford H
Ford M S
Foreman S E
Foster D L
Fung S H Y
Gale J
Gapes S J
Gatford S K
Gee O
Geldenhuys R
Gelman D M
Gigney E
Gilbert F
Glasson S
Gledhill J
Gledhill S
Godfrey E K
Goldberg B
Golding J
Goldschmied J C
Gomme P
Goodfellow D C
Gregg C
Gregory A M
Grice D
Griffiths T
Grocholsky A K
Guerin L G
Guillou M
Gun L T

12. **MEMBERSHIP COMMITTEE** (cont)

ROLL OF MEMBERS AS AT 31 DECEMBER 2016 (cont)

ORDINARY MEMBERS (cont)

Gurney S
Hamilton E F
Hammon M J
Hannebery J A
Harrison-Smith M
Hartland C L
Hartmann A
Hartmann B
Heerey E J C
Hegedus P
Hennebry S C
Herbert S
Hille P
Hodge D
Hollingsworth L J
Holloway S
Holopikian G
Hong J J E
Horak I P
Horn C O
Hrvoj C
Huber M
Hudson-Gofers A M
Humphris C K S
Huynh T
Hvasanov D
Hwang J P
Jacobs R J
Jamison R A
Jogia M K
Johnston A
Joiner D C
Jones J C
Jordan C F
Jukkola K
Kaggwa G B
Karabardak A
Kark D N
Kavadias H K
Keed T
Keep P L C
Keirs S
Khaidurova B
Khodeir R
Khotkar A
King-Scott J D
Klupacs R J
Kneebone S
Koch L O
Kong W K T
Kortian K
Kwok J S H
Lakatosh I
Lambourne D
Lay M L
Lee A
Lee A J
Lee J D
Lee S
Lee W J
Lees E
Leones R
Leong J C M
Leong K S
Leung M
Levy G P
Lewis B
Lightowlers G
Lim A S Y
Lim J L
Lindsay D I
Lockhart A S
Lord M B
Lowe C F
Lyons M A
Magarey J F A
Mail M I
Mallon E J
Mancini L A
Mannion R
Mansell C
Mason C V
Matsuda M
McCaffery C
McCamley K
McComb E L
McFadzean H
McHenry J Z
McKenzie G D
McLeod N J
McManis S F
McMaster R A M
McNamara D L
Meredith D H
Meskin B I
Miles L
Mills J A
Milne N P
Mok J T
Moller J
Mongey K
Moore M J B
Mott B R
Mukherji A
Munro R M
Munroe M
Mytton K
Neilson L
Newland A M
Newton A
Nguyen F
Nicoletti E
Norris A J
O'Callaghan T J
O'Connor M J
Ochsenbein S A
Oh D W
O'Kane H
Orth P
Padbury M L
Paras K K
Parker L A
Parker S R
Pece-Barbara N
Pereira N E
Pernat M
Perrier J
Platt S E
Poole S
Porter C P
Potter G I
Potter J L
Potter S J
Prabaharan H
Priddle C
Ralph C E
Ramasundara K
Reader A J
Repacholi M
Ritchie K B
Robinson J N
Rock K A
Roper M
Rowland S A
Ruhrmann A E
Ryan C M
Ryan M M

12. **MEMBERSHIP COMMITTEE** (cont)

ROLL OF MEMBERS AS AT 31 DECEMBER 2016 (cont)

ORDINARY MEMBERS (cont)

Ryan S
Ryder M A
Sasse G K G
Satchell J
Schaft D
Schmidt M
Schnapp J M
Schutte N
Scott A J
Searle A A
Sergi C
Sgourakis C
Shan W J
Shaw J
Sieveking D
Simpson J M
Simpson K M
Sinclair N J
Skelly G J
Skewes M G
Smit C C
Smith A B
Smith C
Smith M T A
Snoep R J
Solomon R
Sonneman S A
Spencer B J
Spicer J L
Stern S
Stevens T
Stevenson D E
Stonier G M
Stonier K
Sykes A N
Symonds J M
Tan I J H
Tan J F
Taylor D B
Tendulkar G A
Teoh M H S
Teoh N M
Terry A G
Tham S
Thompson D
Tipson K A
Treloar N
Tsai L
Tso D
Tso S S Y
Tuffery D E
Uren T
Uyttenhove J H D
Van der Waal S A
Van Meurs B
van Ruiten K H
van Wensveen C
Vikulov S
Vindurampulle C
Wadsworth D
Waldon S M W
Walker E M
Walker J H
Wan J Y
Warburton C A
Warburton M C
Ward J
Watal A
Webster N F
Wentzel S
West M L
White S J
Whitehead S E
Wilcox E M
Wilson D
Wilson M L
Wright J P
Wu Z
Wyndham-Wheeler J
Yamamoto H
Yap J
Young J Y
Zeng Z
Zhang Q

STUDENT MEMBERS (43)

Angus D M
Balis A M
Bayliss D
Bestic L B
Bolderston D
Boston J R
Boukarroum R
Burnely J
Chan K Y Y
Christie M D
Cram J R
Dow M J S
Erce M A
Fish G
Fluhr K
Goldys A M
Herman D A J
Jafari I
Kelly M
Lin T C Y
Loch D C
Low M R
Manhire-Heath R
Morton A J
Mueller-Wiesner D
Pagani M
Quinn E
Reid E
Schinella E
Seeto D
Sheehan T P
Slater A M
Stewart M B
Tachas G
Vink S
Wassouf P B
White R
Whittaker J
Widnersson I
Winbanks C
Wong L S M
Wong W
Zammit S C

12. MEMBERSHIP COMMITTEE (cont)

ROLL OF MEMBERS AS AT 31 DECEMBER 2016 (cont)

OVERSEAS MEMBERS (10)

Chissel A D	Hwang E M	St Vayanos G
Delaney S K	McCabe P T	Sullivan B M
Eftimov M	Rackette K	
Greene-Kelly J P	Robba E	

13. PUBLICATIONS & WEBSITE COMMITTEE

Convenor: Mr Adam Luxton

This committee has now delivered IPTA's new website.

The objective of the website project was to provide a platform for IPTA to:

- better communicate with its membership;
- be the reference point for members to access presentations and recorded sessions in order to help with CPE points;
- communicate with the public and media around issues affecting the profession and for users of the IP system; and
- generally provide a valuable resource for the membership.

It is hoped that the website will be of value to the membership and the committee looks forward to receiving feedback and suggestions as to how the website can drive value for members of IPTA.

14. PUBLIC RELATIONS COMMITTEE

Convenor: Dr Grant Shoebridge

1. Overview

During 2016, the role of convenor of the Public Relations (PR) Committee was handed over from Mr Stuart Smith to Dr Grant Shoebridge. There were a number of comprehensive discussions between Stuart Smith and Grant Shoebridge to ensure that the change of convenor would not substantially impact the projects and the ongoing initiatives being considered by the PR Committee. The transition also included meeting with John Richardson, from public affairs specialists, Richardson Coutts, who has in previous years assisted IPTA with engagement with relevant members of Parliament and associated policy advisors. Notwithstanding, given the change of convenor, 2016 was a period of transition for the Public Relations Committee.

In 2016, there were a number of developments which involved; a change in advertising in selected print media, primarily targeting SMEs; and a focus on initiatives with government relations and public affairs specialists, Richardson Coutts, in particular regarding the recommendations of the Productivity Commission report.

2. Political Engagement (Lobbying) Strategy

Richardson Coutts assisted IPTA in continued engagement with relevant members of Parliament and associated policy advisors.

14. **PUBLIC RELATIONS COMMITTEE** (cont)

This has included submissions in relation to proposed changes to Australia's innovation policy, via the recommendations of the Productivity Commission report. Given the great concern that the Government may adopt a number of the more extreme Productivity Commission recommendations, including:

- Abolition of Australia's second tier innovation patent system; and
- Restricting or making redundant extensions of patent term for pharmaceutical patents.

The main focus of the lobbying strategy for 2016 was the Productivity Commission recommendations. At this stage meetings have been scheduled for late March 2016.

IPTA also remains cognisant of need for explicit legislative provision change in relation to the possibility of the current address for service requirements being diminished in law or in practice, for example in the event of an electronic address for service being deemed permissible.

In 2017, we will remain focused on engaging with the Federal Government on two fronts; looking at ways to assist IP Australia in the development of mutually desirable policy and procedural outcomes; and demonstrating IPTA's value to IP Australia as a sounding board, particularly in terms of how IPTA's proposed initiatives will work in practice.

This will be pursued by an active media campaign on topical issues and continuing efforts to engage directly with interested MPs and to develop supportive relationships with the MPs and staffers we have met with previously. The focus of these meetings will be practical and directed toward those most likely to take an interest in supporting IPTA's objectives.

3. Media Engagement

Members will be aware that IPTA made submissions in relation to the recommendations of the Productivity Commission's report. As well as engaging with the Federal Government, media releases and opinion editorials were issued via Callidus PR, who was also involved in arranging prospective meetings with journalists to backup our meetings with Australian government representatives.

This type of media engagement is crucially important in raising the profile of the profession, providing a platform for IPTA as the peak professional body in Australia, and ensuring that public debate on important IP-related issues is balanced and properly informed.

4. Advertising

IPTA has continued its program of advertising in selected print media, primarily targeting SMEs. The aim is to raise the level of awareness in the business community of IP generally, and more particularly of the crucial role played by professional patent and trade mark attorneys in securing effective and enforceable IP rights, as a crucial foundation stone underpinning successful innovation and commercialisation.

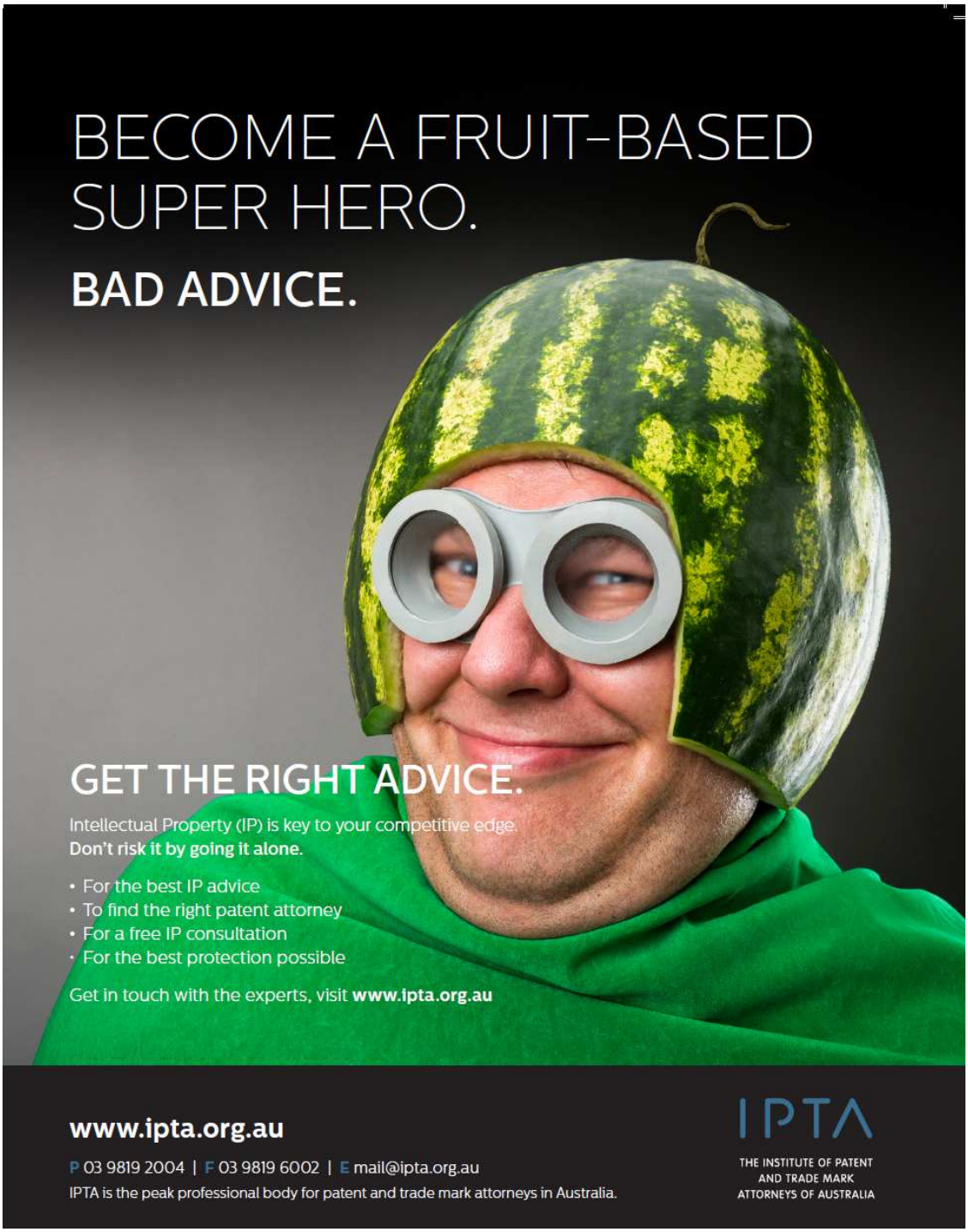
This program during 2016 primarily involved advertising in the publications:-

- *My Business* magazine; and
- *Inside Small Business* magazine.

During 2016, the Committee reviewed how best to raise awareness in the business community of IP and it is expected during 2017 that additional advertising and editorials, for example in digital publications, including podcasts will be explored.

14. **PUBLIC RELATIONS COMMITTEE** (cont)

IPTA's core advertisement was refreshed during the course of 2016. The new advertisement is shown below.



5. A Note of Thanks

I would also like to acknowledge the valuable advice and support from Stuart Smith during the handover of responsibility of the PR committee. I would also like to thank Michael Caine, (Convenor, Patents Legislation Committee) and Jeremy Dobbins (President) for valuable input and advice in connection with our political engagement strategy and government lobbying initiatives.

15. RULES COMMITTEE

Convenor: Dr Damian Slizys

The Rules Committee primarily handles general queries from members concerning the rules of the Institute and whether particular business structures, business practices and the like are in keeping with the rules of the Institute.

The Rules Committee has responded to members' queries over the year covering a variety of rules and business topics, including rules relating to incorporation and public listing. The Rules Committee also considers applications by members for use of the IPTA logo on their correspondence and websites.

The Rules Committee also liaises with IP Australia from time to time to inform them of any misleading websites and/or potential breaches of Sections 201 to 203 of the Patents Act.

I thank the members of the Rules Committee for their contribution this year.

LEGISLATIVE COMMITTEE REPORTS

16. DESIGNS COMMITTEE

Convenor: Mr Jeremy Dobbin

The Committee liaises with the Designs Office of IP Australia in relation to Designs Law and in relation to the administrative systems and processes implemented by the Designs Office. The Committee provides feedback to the Designs Office so as to assist in ensuring that its systems enable the provision of effective and efficient services to IPTA members. The Committee also provides submissions to various bodies concerning proposed changes in Designs legislation.

This year saw two meetings of the Combined Trade Marks and Designs Consultation Group, although the focus of those meetings was once again primarily on Trade Marks matters, rather than Registered Designs.

The committee was expecting some proposals for legislative changes arising from ACIP's recommendations in their final report which issued in May 2015. However, those changes were largely put on hold by the Government due to the Productivity Commission's review of Australia's IP arrangements, including Designs. The committee made some comments to the Productivity Commission during the review process, however, the Designs system was clearly not a major focus or target of the review and the Designs system escaped relatively unscathed in the Productivity Commission's final report.

We can expect that in the near future legislative changes will be proposed following on from ACIP's recommendations in their final report Options Paper and the Government response to that report which largely accepted the majority of ACIP's recommendations.

I thank all the members of the Designs committee for their contributions this year.

17. INTERNATIONAL PATENTS COMMITTEE

Convenor: Mr David Tadgell

The International Patents Committee monitors the international developments relevant to the Australian patent profession. As part of this process, the Committee makes submissions on behalf of IPTA to various international bodies where appropriate.

The International Patents Committee has continued to monitor the activity of WIPO and its review of the PCT system through outcomes of its regular meetings. We have also been contributing to the studies of what is known as the Group B+ which is an informal group of members from more than 40 patent offices or government departments with responsibility for IP. The Group B+ has been working on a number of key issues relating to patent rule harmonisation.

I attended the 8th Global Network Summit in Milan during the year, which is a Meeting organised for members of bodies such as IPTA, where issues with multi-jurisdictional consequences, such as those above, are discussed. The issues discussed included E-PCT, which is seemingly on its way, and other WIPO initiatives; and presentations relating to the Group B+ report and other harmonisation issues including Grace Periods, prior user rights and conflicting applications; and a discussion on the BREXIT consequences. It is a summit that IPTA should remain involved with where it can, as the issues may have relevance to Australian practitioners.

A particular matter that the International Patents Committee has been monitoring for some time now, is the negotiations surrounding the Trans-Pacific Partnership Agreement (TPP). The TPP was to be an agreement centred around free trade in the Asia Pacific region and includes negotiations between major trading countries of Australia, including New Zealand, Singapore, Canada, Malaysia and the U.S. amongst other countries. Whereas the TPP centres around free trade, there were some IP related issues that did form part of the TPP. These issues essentially affirmed and built upon the TRIPS Agreement, without any significant change to the Australian Patents Act.

As part of the process of looking at patent related issues associated with the TPP, a submission was prepared and submitted to the New Zealand Ministry of Business Innovation and Employment relating to New Zealand's obligation to introduce Pharmaceutical Extension of Term provisions. New Zealand did have an obligation to introduce some form of Extension of Term for pharmaceutical patents if the TPP was ratified, and we did provide some comments on the proposals put forward. It is now unlikely that this will progress any further.

With the election of Donald Trump, the US seemingly will not be party to the TPP. This has been highly promoted on news services. Without the participation of the US, the TPP cannot be ratified. The TPP may be somewhat dead, but may not however be completely buried. The International Patents Committee will continue to see if any life is suddenly drawn back to the TPP.

Other issues we are monitoring include the Tegernsee Group, which is also a group looking at patent harmonisation, and to negotiations relating to the Nagoya protocol, which is a protocol relating to access and fair and equitable sharing of genetic resource material.

18. N.Z. LEGISLATION & IPONZ BUSINESS RELATIONS COMMITTEE

Convenor: Dr John Landells

The N.Z. Legislation and IPONZ Business Relations Committee acts as a liaison between the IPTA membership and IPONZ for matters relating to legislation and practice issues, and the manner in which IPTA's members do business with IPONZ.

The Committee includes John Landells, Michael Caine and Nick Holmes. The Committee liaises with IPONZ primarily in relation to proposed legislation changes, current practice issues, and business and administrative systems and processes. The Committee provides feedback to IPONZ to assist in ensuring its business processes and systems enable the provision of effective and efficient services to IPTA members. IPONZ also allows the Committee to participate in Technical Focus Group discussions, which comprises a group including IPONZ representatives and a range of practitioners from various practice areas in each of a "hearings" and "prosecution" area.

Any members who have concerns with IPONZ practice and procedure should bring those concerns to this Committee, as a conduit for bringing those concerns to the attention of the relevant personnel at IPONZ.

The Committee has continued liaising with IPONZ in relation to its proposed changes to filing of divisional applications for "old Act" cases to be examined and granted under the "new Act". The current legislation and practice is for divisional applications filed from "old Act" parent applications to be examined and granted under the "old Act". In view of problems associated with "new Act" divisionals, namely double patenting, poisonous priority and REX filing being restricted to 5 years from the originating parent complete filing date, the Committee has filed submissions on behalf of IPTA against its proposed change until problems with "new Act" divisionals have been addressed.

The Committee also released best practice recommendations to IPTA's membership around the filing and prosecution of "new Act" divisionals, and continues to liaise with IPONZ specifically in relation to addressing related problems including poisonous priority.

19. PATENTS LEGISLATION COMMITTEE

Convenor: Mr Michael Caine

During the year the Committee took part in discussions with IP Australia in connection with the contents of the IP Laws Amendment Bill 2016, which during the year was renamed the IP Laws Amendment Bill 2017. The main issue of concern was that IP Australia would proceed with their proposal to place a two year limit on the time available for a Section 223 extension of time where there had been an error or omission or circumstances beyond the control of the person concerned. Any extension of time longer than two years would need to satisfy the more onerous "despite due care" standard.

The Committee provided IP Australia with detailed information concerning problems associated with the despite due care standard encountered in Europe and other jurisdictions, and provided a copy of a resolution passed by FICPI International which expressed concern about the application of the despite due care standard. IP Australia eventually decided to remove the "despite due care" standard altogether, and to withdraw their proposal to limit the time available for extensions of time for errors and omissions, or circumstances beyond the control of the person concerned.

They also indicated that they would introduce a requirement for extensions of time to be requested within two months of identifying the error or two months from the date that the circumstances leading to the failure to meet the deadline ceased to exist.

19. PATENTS LEGISLATION COMMITTEE (cont)

Extensions under three months would be granted automatically, although the Commissioner would be able to revisit such extensions at any stage during the life of the patent if they should not have been granted in the first place. They also proposed to expand the protections available for third parties so that they would not be required to seek a licence from the Commissioner. These proposals ultimately appeared in the IP Laws Amendment Bill 2017 which was made available for public comment at the end of 2016.

The Committee worked hard to assist the Productivity Commission in their review of Australia's IP arrangements. We attended hearings, round table meetings and made extensive submissions. The final report of the Productivity Commission was published at the end of 2016 and, unfortunately, it was clear that they took little notice of submissions made by IPTA. An opportunity was provided after publication of the final report to make further submissions in respect of the proposals, particularly those that had changed since the earlier publication of the draft report.

The Committee was represented at meetings of the Patent Consultation Group and IP Stakeholders Meetings during the year during which various issues relating to Australia's patent system were discussed. The Committee gave an extensive presentation in relation to Section 43(3) and the poisonous priority problem caused by the decision of the Full Court in AstraZeneca v Apotex. The Committee supported a proposal put forward by the Law Council of Australia to remove the best method requirement to bring Australia's patent law into better conformity with the laws of its major trading partners.

There were also extensive discussions in relation to problems caused by unauthorised agents representing applicants before IP Australia, particularly Chinese applicants. The Committee put forward strong submissions to the effect that these problems could be addressed if the Patents Act 1990 was amended to incorporate a right for Australian and New Zealand patent attorneys to represent foreign applicants in proceedings before IP Australia. These submissions are currently being considered by IP Australia as they continue to have difficulties with unauthorised agents.

The Committee was also asked to consider a request by Yates J for IPTA to intervene in a patent term extension appeal by the Commissioner of Patents against a decision of the AAT in connection with the extension of a number of patents in the name of AbbVie Biotechnology Ltd. Since AbbVie had not appealed the decision, there was no party to challenge the submissions put forward on behalf of the Commissioner. After making enquiries, a decision was made by IPTA not to intervene in the matter.

20. PATENTS PRACTICE COMMITTEE

Convenor: Mr Greg Gurr

The Patents Practice Committee is primarily responsible for liaising with IP Australia in relation to the practice of the Australian Patent Office, particularly in relation to how it affects users of the patent system, including IPTA Members and their clients. The Committee liaises with IP Australia on a formal basis by attending regular Patents Consultation Group (PCG) meetings and on an ad hoc basis as specific needs arise. The Committee also liaises with members and various other stakeholders on patent practice related matters.

20. PATENTS PRACTICE COMMITTEE (cont)

Some of the activities of the Patents Practice Committee over the last 12 months have included:

- liaising with IP Australia regarding examination quality in general;
- making submissions to IP Australia, and engaging in ongoing discussions, regarding inappropriate reliance on FERs for inventive step objections based on combinations of pieces of prior art information during examination;
- making submissions to IP Australia, and engaging in ongoing discussions, in relation to inadequate examination of dependent claims;
- making submissions to IP Australia in relation to patent examination related aspects of the IP Australia customer service charter/quality review system;
- liaising with IP Australia regarding opposition practice, particularly including consideration of extensions of time for filing evidence in opposition proceedings;
- monitoring developments with WIPO's proposal for national phase entry via e-PCT;
- making submissions to IP Australia in relation to breaches of S201 of the Patents Act by non-attorneys acting before IP Australia, and IP Australia's processes and systems that readily allow for such activity

21. PLANT BREEDER'S RIGHTS COMMITTEE

Convenor: Dr Trevor Davies

The Plant Breeder's Rights Advisory Committee has been discontinued and the Plant Breeder's Rights Consultation Group has been formed and managed by IP Australia. Members of PBRCG represent the following:

- Australian Centre for Intellectual Property in Agriculture
- Australian Cultivar Registration Authority
- Australian Seed Federation
- CSIRO
- Department of Agriculture and Water Resources Horticulture Innovation Australia
- Institute of Patent and Trade Mark Attorneys of Australia
- IP Australia
- Law Council of Australia
- National Farmers' Federation
- Nursery and Garden Industry Australia
- Qualified Persons (two)

Trevor Davies has been appointed as the representative of IPTA for the PBRCG and IPTA members will be informed of any developments relating to the protection of plant breeder's rights.

22. TRADE MARKS COMMITTEE

Convenor: Ms Jennifer McEwan

Members of IPTA's Trade Marks Committee are Jennifer McEwan, Michael Wolnizer, Anne Makrigiorgos and Mark Williams.

In last year's report, it was noted that it was a keen desire of the Committee to make IPTA's annual conference more relevant for trade mark attorneys. At the 2016 Annual Conference on the Gold Coast, a Wednesday afternoon trade mark focused session was trialled which proved to be a great success as the vast majority of conference delegates attended this session. As a result, a longer trade mark session has been included in the 2017 Annual Conference in Perth. In addition, the trade mark session last year included a contribution by IP Australia in relation to aspects of trade mark practice considered to be of interest to practising trade mark attorneys. We are pleased to report that IP Australia has kindly agreed to be part of a similar session at the 2017 conference in Perth. We do thank IP Australia, in particular Celia Poole, for their involvement which is greatly appreciated.

Submissions by IPTA in relation to the exposure drafts of the Intellectual Property Laws Amendment Bill 2017 and the Intellectual Property Laws Amendment Regulations 2017 were lodged in early February 2017. Submissions in relation to the trade mark sections were prepared by Jennifer McEwan and Michael Wolnizer.

Members of IP Australia's Trade Marks and Designs Consultation Group (TMDCG) met on 7 April and 10 November 2016. IPTA was represented by Michael Wolnizer and Jennifer McEwan. We continue to have a good working relationship with IP Australia on trade mark matters.

The Institute of Patent and Trade Mark Attorneys of Australia

ABN 78 004 194 263

Financial Statements

For the Year Ended 31 December 2016

The Institute of Patent and Trade Mark Attorneys of Australia

Financial Statements for the Year Ended 31 December 2016

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The Institute of Patent and Trade Mark Attorneys of Australia

Directors' Report
31 December 2016

Your directors present their report on The Institute of Patent and Trade Mark Attorneys of Australia for the financial year ended 31 December 2016.

1. Information on Directors

The names of directors in office during the year and to the date of this report are:

Name	Qualifications and Experience	Responsibilities
Richard H Baddeley	B.E. (Hons) (Chem), LLB Registered Patent Attorney – Australia and New Zealand Registered Trade Marks Attorney – Australia Council member since 2000	Company Secretary Convenor of Finance & Secretariat Committee (incorporating fees)
Janelle S Borham	B.Sc. (Hons) (Chemistry) Registered Patent Attorney – Australia and New Zealand Registered Trade Marks Attorney – Australia Council member since 2007	Co-Convenor of Continuing Professional Education Committee
Michael J Caine	B.Sc. (Hons) Registered Patent Attorney – Australia and New Zealand Registered Trade Marks Attorney – Australia Council member since 2001	Convenor of Patents Legislation Committee
Trevor J Davies	Bachelor of Science (Honours); Doctor of Philosophy; Graduate Diploma of Industrial Property Registered Patent Attorney – Australia and New Zealand Registered Trade Marks Attorney – Australia Council member since 2002	Convenor of Ethics and Disputes Committee and Plant Breeders Rights Committee
Jeremy M Dobbin	MA (Oxon) Registered Patent Attorney – Australia and New Zealand Registered Trade Marks Attorney – Australia Registered Patent Agent – United Kingdom European Patent Attorney Council member since 2000	President Convenor of Designs Committee and Conference Committee
Jennifer J McEwan	Bachelor Science (Honours), Bachelor of Laws Registered Patent Attorney – Australia and New Zealand Registered Trade Marks Attorney – Australia Council member since 2012	Convenor of Trade Marks Committee
Christine A Emmanuel	B.Sc. (Hons Chem) (Monash University) Certificate in Intellectual Property Law (University of London) Registered Patent Attorney - Australia Registered Trade Marks Attorney – Australia Council member since 2010	Convenor of Education Relations Committee and Commercialisation Committee

The Institute of Patent and Trade Mark Attorneys of Australia

Directors' Report (Continued)
31 December 2016

1. Information on Directors (continued)

Name	Qualifications and Experience	Responsibilities
Greg J Gurr	Bachelor of Engineering with Honours in Aeronautical Engineering Bachelor of Applied Science with Distinction in Mathematics. Master of Engineering (Research) Graduate Diploma of Business (Research Management) Graduate Diploma of Legal Studies Registered Patent Attorney – Australia and New Zealand Registered Trade Marks Attorney – Australia Council member since 2008	Convenor of Patents Practice Committee
John Landells	Bachelor of Science (Honours, Chemistry) Doctor of Philosophy (Chemistry) Bachelor of Laws Registered Legal Practitioner - Australia and New Zealand Registered Patent Attorney – Australia and New Zealand Council member since 2015	Co-Convenor of Continuing Professional Education Committee and Convenor of New Zealand Legislation and IPONZ Business Relations Committee
Adam Luxton	Bachelor of Engineering (Mining), UQ, Bachelor of Engineering (Software), UQ, Master of IP Law, UTS Registered Patent Attorney – Australia and New Zealand Registered Trade Marks Attorney – Australia Council member since 2015	Convenor of Membership Committee and Publications & Website Committee
Anne H Makrigiorgos	B.Sc LL.M Registered Patent Attorney – Australia Registered Trade Marks Attorney – Australia Council member since 1998	Immediate Past President (from 16 April 2015) Ex-officio member of Council (from 16 April 2015)
Grant I Shoebridge (appointed 14 April 2016)	Doctor of Philisophy (Immunology), UTS Master of Industrial Property, UTS Bachelor of Science (Molecular and Cell Biology)(Honours), Macquarie University Registered Patent Attorney (Australia & New Zealand) Council member since 2016	Convenor of Public Relations Committee
Damian A Slizys	PhD (Chemistry) LLB (Honours) Bachelor of Science (Honours) Registered Patent Attorney – Australia and New Zealand Council member since 2011	Convenor of IP Australia, Business Relations Committee and Rules Committee
Stuart M Smith (resigned 14 April 2016)	Bachelor of Engineering (Mechanical) Registered Patent Attorney – Australia Registered Trade Marks Attorney – Australia Council member since 2006	Convenor of Public Relations Committee

The Institute of Patent and Trade Mark Attorneys of Australia

Directors' Report (Continued)
31 December 2016

1. Information on Directors (continued)

Name	Qualifications and Experience	Responsibilities
David J Tadgell	Bachelor of Science (Chemistry) Registered Patent Attorney – Australia Registered Trade Marks Attorney – Australia Council member since 2009	Convenor of International Patents Committee

During the financial year, 7 meetings of Directors were held. Attendances by each Director were as follows:

	Number Eligible to Attend	Number Attended
Richard H Baddeley	7	6
Janelle S Borham	7	7
Michael J Caine	7	5
Trevor J Davies	7	5
Jeremy M Dobbin	7	7
Christine A Emmanuel	7	4
Greg J Gurr	7	7
John Landells	7	6
Adam Luxton	7	5
Anne H Makrigiorgos	7	0
Jennifer J McEwan	7	6
Damian A Slizys	7	4
Grant I Shoebridge	6	5
Stuart M Smith	1	1
David J Tadgell	7	4

2. Principal Activities and Objectives

The principal activities of the company in the course of the financial year were as a representative body of the profession of Patent and Trade Mark Attorneys in Australia. There was no significant change in the nature of the company's activities during the financial

Short term objectives

The entity's short term objectives are to:

- advocate improvements in patent, trademark, design and copyright laws and regulations;
- represent members' views and interests to business and government; and
- encourage member communication and dissemination of professional knowledge.

Long term objectives

The entity's long term objectives are to:

- provide a framework of by-laws and a code of ethics for the professional conduct of members;
- promote and provide opportunities for continuing professional training and education of members;
- promote and maintain high standards of professional conduct amongst members;
- promote the activities and status of the profession to business, government and the general public; and
- be a focus for identifying the impact of international intellectual property developments on Australian trade agreements, IP laws and practice, and interests.

The Institute of Patent and Trade Mark Attorneys of Australia

Directors' Report (Continued)
31 December 2016

2. Principal Activities and Objectives (continued)

Strategies

The stated objectives are achieved by an elected Council having a series of Committees responsible for undertaking activities consistent with the objectives and reporting outcomes to the members.

3. Operating Results, Review of Operations, State of Affairs, and Developments

The company's profit for the financial year ended 31 December 2016 was $41,671 (31 December 2015 deficit : $39,753). Revenue from rendering services and from other sources increased by approximately 1.6% over 2015 levels, while total expenditure decreased by approximately 9.6%.

Changes in the State of Affairs

Other than as disclosed above or elsewhere in this report or the accompanying financial statements of the company, there were no significant changes in the state of affairs or operations of the company that occurred during the financial year under review.

Likely Developments and Expected Results of Operations

The company will continue to carry on the principal activities disclosed within this report. There are no imminent plans that are anticipated to significantly impact the results of the company's operations.

4. Matters Subsequent to the Balance Date

No matters or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the company, the results of those operations or the state of affairs of the company in future financial years.

5. Other Matters

Directors' Benefits

Since the end of the previous financial year, no director of the company has received or become entitled to receive a benefit by reason of a contract made by the company or a related corporation with any director or with a firm of which any director is a member or with a company in which any director has a substantial financial interest, other than as disclosed within Note 13 to the financial statements.

Indemnifying Officer or Auditor

During the year, the company has paid insurance premiums in order to indemnify the directors of the company against liabilities that may arise from their position as officers of the company.

Auditor's Independence

A copy of the auditor's independence declaration as required under section 307C of the Corporations Act 2001 is set out on the following page.

Capital Structure

The Institute of Patent and Trade Mark Attorneys of Australia is a company limited by guarantee, incorporated and domiciled in Australia. In accordance with the guarantee, if the company is wound up, the Constitution states that each member is required to contribute a maximum of $2 each towards meeting any outstanding obligations of the company. At 31 December 2016 the number of members was 890. At that date the collective liability of members was $ nil (2015: $nil).

Signed in accordance with a resolution of the Board of Directors:

Director: .....
J M Dobbin

Director: .....
R H Baddeley

Melbourne, 28 March 2017

Auditor's Independence Declaration under Section 307C of the Corporations Act 2001 to the Directors of The Institute of Patent and Trade Mark Attorneys of Australia

In relation to our audit of the financial report of The Institute of Patent and Trade Mark Attorneys of Australia for the financial year ended 31 December 2016 to the best of my knowledge and belief, there have been no contraventions of the auditor independence requirements of the *Corporations Act 2001* or any applicable code of professional conduct.

PKF Melbourne Audit & Assurance

Steven Bradby

Director

Melbourne, 28 March 2017

PKF Melbourne
Audit & Assurance
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For office locations visit www.pkf.com.au

The Institute of Patent and Trade Mark Attorneys of Australia

Statement of Surplus or Deficit and Other Comprehensive Income
For the Year Ended 31 December 2016

	Note	2016	2015
		$	$
Revenue			
Annual conference		195,565	176,578
Education services		-	5,518
Interest from investments		15,802	25,289
Membership subscriptions		440,748	434,532
Social meetings		49,841	47,618
Sundry income		6,650	8,084
		708,606	697,619
Expenses			
Advertising		35,778	68,287
Annual conference		187,430	158,610
Bank and government charges		7,415	7,415
Council expenses		21,401	28,770
President Travel – Overseas Associations		3,920	30,428
Depreciation, amortisation and impairment:			
Furniture, fittings and equipment		1,329	2,258
Software		4,536	7,327
Education		11,300	26,662
Employees salaries, superannuation and benefits		245,177	235,186
Insurances		14,100	13,238
Internet and website maintenance		3,481	2,598
Legal expense		9,510	16,736
Newsletter		-	320
Office administration and sundry expense		8,834	31,401
Office rental		19,757	19,275
Postage and couriers		2,905	2,694
Printing and stationery		7,399	7,217
Professional services fees:			
Accounting and taxation services		3,600	3,500
Audit services		7,800	7,800
Social meetings		49,820	46,826
Sponsorships and donations		15,000	15,000
Telephone		6,443	5,824
		666,935	737,372
Surplus (deficit) for the year		41,671	(39,753)
Other comprehensive income		-	-
Total surplus (deficit) for the year and other comprehensive income		41,671	(39,753)

The accompanying notes form part of these financial statements.

The Institute of Patent and Trade Mark Attorneys of Australia

Statement of Financial Position
As at 31 December 2016

	Note	2016	2015
		$	$
Assets			
Current assets			
Cash and cash equivalents	4	864,480	826,453
Trade and other receivables	5	5,758	7,010
Other current assets	6	37,529	36,255
		907,767	869,718
Non-current assets			
Property, plant and equipment	7	1,258	2,587
Intangibles	8	22,211	9,962
		23,469	12,549
Total assets		931,236	882,267
Liabilities			
Current liabilities			
Trade and other payables	9	38,262	45,616
Provisions	10	68,343	53,691
Total liabilities		106,605	99,307
Net assets		824,631	782,960
Members' funds			
Retained surpluses		824,631	782,960
Total members' funds		824,631	782,960

The accompanying notes form part of these financial statements.

The Institute of Patent and Trade Mark Attorneys of Australia

Statements of Changes in Members' Funds and Cash Flows
For the Year Ended 31 December 2016

	Note	2016	2015
		$	$
Statement of Changes in Members' Funds			
Retained surpluses as at 1 January		782,960	822,713
Surplus (deficit) for the year		41,671	(39,753)
Retained surpluses as at 31 December		824,631	782,960
Statements of Cash Flows			
Cash flows from operating activities			
Receipts from member activities		762,938	742,477
Payments to suppliers and employees		(741,018)	(785,577)
Interest received		16,107	25,289
Net cash provided by operating activities	11	38,027	(17,811)
Cash flows from investing activities			
Purchase of plant and equipment		-	-
Net payment for fixed term investments with maturity greater than three months		(14,659)	125,620
Net cash provided by (used in) investing activities		(14,659)	(30,887)
Net increase (decrease) in cash and cash equivalents		23,368	107,809
Cash and cash equivalents at beginning of financial year		164,352	56,543
Cash and cash equivalents at end of financial year	4	187,720	164,352

The accompanying notes form part of these financial statements.

The Institute of Patent and Trade Mark Attorneys of Australia

Notes to and forming part of the Financial Statements For the Year Ended 31 December 2016

1. Corporate Information

The Institute of Patent and Trade Mark Attorneys of Australia is a company limited by guarantee, incorporated and domiciled in Australia. In accordance with the guarantee, if the company is wound up, the Constitution states that each member is required to contribute a maximum of $2 each towards meeting any outstanding obligations of the company. At 31 December 2016 the number of members was 890 (2015: 856).

The financial report is for The Institute of Patent and Trade Mark Attorneys of Australia as an individual entity. The financial report was authorised for issue in accordance with a resolution of the directors on the date of the directors' report.

The nature of the operations and principal activities of the company are described in the directors' report.

2. Summary of Significant Accounting Policies

(a) Basis of preparation

The financial statements are general purpose financial statements that have been prepared in accordance with Australian Accounting Standards - Reduced Disclosure Requirements and the Corporations Act 2001.

Australian Accounting Standards set out accounting policies that the Australian Accounting Standards Board has concluded would result in financial statements containing relevant and reliable information about transactions, events and conditions. Material accounting policies adopted in the preparation of these financial statements are presented below and have been consistently applied unless otherwise stated.

The financial statements are presented in Australian dollars, and have been prepared on an accruals basis. They are based on historical costs modified, where stated, by the measurement at fair value of selected non current assets and financial assets.

Application of new and revised Accounting Standards

There are no new and revised Standards or Interpretations adopted in these financial statements affecting the reported results or financial position.

The company has not elected to early adopt any new Standards or Interpretations that are issued but not yet effective. There are no such Standards or Interpretations that are considered by the directors to have an impact on the future financial statements or performance of the company,

(b) Cash and cash equivalents

Cash and cash equivalents include cash on hand, deposits held at call with banks, other short term liquid investments which are convertible to a known amount of cash and subject to an insignificant risk of change in value. For the purposes of the statement of cash flows, cash and cash equivalents consist of cash, deposits and other short term investments with original maturities of three months or less.

(c) Trade and other receivables

Trade receivables, which comprise amounts due from members for subscriptions or services provided are recognised and carried at original invoice amount less an allowance for any uncollectable amounts. Normal terms of settlement are within 30 days. The notional amount of the receivable is deemed to reflect fair value. An allowance for doubtful debts is made when there is objective evidence that the company will not be able to collect the debts. Bad debts are written off when identified.

(d) Investments and other financial assets

Investments and financial assets in the scope of AASB 139 Financial Instruments: Recognition and Measurement are categorised as: loans and receivables, held to maturity investments, available for sale financial assets, or financial assets at fair value through profit or loss. The classification depends on the purpose for which the investments were acquired. Designation is re-evaluated at each financial year end, but there are restrictions on reclassifying to other categories.

The company's objectives are not aligned to acquiring financial assets for the purpose of trading, or in the equity of other entities; accordingly it does not hold financial assets classified as at fair value through profit or loss, or available for sale investments.

The Institute of Patent and Trade Mark Attorneys of Australia

Notes to and forming part of the Financial Statements For the Year Ended 31 December 2016

2. Summary of Significant Accounting Policies (Continued)

(d) Investments and other financial assets (continued)

(i) Recognition and Derecognition

Financial assets are recognised when the company becomes a party to the contractual provisions to the instrument. This is the equivalent to the date that the company commits itself to either the purchase or sale of the asset (i.e. trade date accounting is adopted). Financial instruments are initially measured at fair value plus transactions costs.

Financial assets are derecognised where the contractual rights to receipt of cash flows expires or the asset is transferred to another party whereby the entity no longer has any significant continuing involvement in the risks and benefits associated with the asset.

(ii) Held to maturity investments, loans and receivables

Held-to-maturity investments have fixed maturities, and it is the company's intention to hold these investments to maturity. Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. Each asset category is carried at amortised cost using the effective interest method. Gains and losses are recognised in profit or loss when assets are derecognised or impaired, as well as through the amortisation process.

(e) Property, plant and equipment

(i) Bases of measurement of carrying amount

Plant and equipment is measured on the cost basis less depreciation and impairment losses.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to the entity and the costs of the item can be measured reliably. All other repairs and maintenance are charged to the income statement during the financial period in which they are incurred.

(ii) Depreciation

Depreciation is charged to the income statement on a diminishing value basis over the estimated useful lives of each part of plant and equipment commencing from the time the assets are held ready for use.

The depreciation rates used for each class of depreciable assets are:

Class of Fixed Asset	Depreciation Rate
Furniture, Fixtures and Equipment	10% - 66%

The assets' residual values, depreciation methods and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.

(iii) Impairment

The carrying values of plant and equipment are reviewed for impairment at each reporting date, with the recoverable amount being estimated when events or changes in circumstances indicate that the carrying value may be impaired. Impairment exists when the carrying value of an asset exceeds its estimated recoverable amount. The asset is then written down to its recoverable amount.

(iv) Derecognition and disposal

An item of plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These are included in the income statement.

The Institute of Patent and Trade Mark Attorneys of Australia

Notes to and forming part of the Financial Statements For the Year Ended 31 December 2016

2. Summary of Significant Accounting Policies (Continued)

(f) Intangible assets acquired separately

Intangible assets with finite lives that are acquired separately are carried at cost less accumulated amortisation and accumulated impairment losses. Amortisation is recognised on a straight-line basis over their estimated useful lives. The estimated useful life and amortisation method are reviewed at the end of each reporting period, with the effect of any changes in estimate being accounted for on a prospective basis. Intangible assets with indefinite useful lives that are acquired separately are carried at cost less accumulated impairment losses.

(g) Trade and other payables

Trade and other payables represent the liability outstanding at the end of the reporting period for goods and services received by the company during the reporting period which remain unpaid. The balance is recognised as a current liability with the amounts normally paid within 30 days of recognition of the liability.

(h) Employee benefits

Provision is made for the company's liability for employee benefits arising from services rendered by employees to the end of the reporting year. Employee benefits that are expected to be settled within one year have been measured at the amounts expected to be paid when the liability is settled.

Employee benefits payable later than one year have been measured at the present value of the estimated future cash outflows to be made for those benefits. In determining the liability consideration is given to employee wage increases and the probability that the employee may not satisfy vesting requirements. Those cash outflows are discounted using market yields on national government bonds with terms to maturity that match the expected timing of cash flows.

Contributions are made by the company to an employee superannuation fund and are charged as expenses when incurred.

(i) Revenue

Revenue is recognised and measured at the fair value of the consideration received or receivable to the extent it is probable that the economic benefits will flow to the entity and the revenue can be reliably measured. The following specific recognition criteria must also be met before revenue is recognised:

(i) Subscriptions and fees

Revenue is recognised upon invoice date.

(ii) Conference

Revenue is recognised based on stage of completion, which is usually assessed by reference to event delivery.

(iii) Interest

Interest income is recognised in the income statement as it accrues, using the effective interest method.

(j) Goods and services tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Tax Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of the expense. Receivables and payables in the statement of financial position are shown inclusive of GST.

Cash flows are presented in the statement of cash flows on a gross basis, except for the GST component of investing and financing activities, which are disclosed as operating cash flows.

(k) Income tax

The entity is a non-profit organisation for income tax purposes, and income from fees, subscriptions and levies received from members is not taxable. Income received from non-members is subject to income tax at company tax rates after allowing for related deductible expenses.

Realisation of accumulated income tax losses is not anticipated, and no deferred tax asset has been recognised.

The Institute of Patent and Trade Mark Attorneys of Australia

Notes to and forming part of the Financial Statements For the Year Ended 31 December 2016

3. Significant Accounting Judgements, Estimates and Assumptions

The preparation of the financial statements requires management to make judgements, estimates and assumptions that affect the application of policies and reported amounts of assets, liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances, the results of which form the basis of making the judgments. Actual results may differ from these estimates.

In the process of applying the company's accounting policies, management has made the following judgements, estimates and assumptions which have the most significant effect on the amounts recognised in the financial statements.

Impairment of non financial assets

The company assesses impairment of all assets at each reporting date by evaluating conditions specific to the company and to the particular asset that may lead to impairment. These include economic environment and future expectations of the assets. If an impairment trigger exists the recoverable amount of the asset is determined.

Estimation of useful lives of assets

The estimation of the useful lives of assets has been based on historical experience. In addition, the condition of the assets is assessed at least once per year and considered against the remaining useful life. Adjustments to useful lives are made when considered necessary.

	Notes	2016 $	2015 $
4. Cash and Cash Equivalents			
Cash at bank and on hand		**187,720**	**164,352**
Cash as shown in the statement of cash flows		**187,720**	**164,352**
Fixed term investments with maturities of greater than three months		**676,760**	**662,101**
		864,480	**826,453**

The effective interest rate on fixed-term investments was 3.34% (2015: 3.70%); these investments have an average maturity of 201 days (2015: 157 days).

5. Trade and Other Receivables			
Receivables related to subscriptions due or services provided		**2,650**	**1,714**
Provision for doubtful accounts		**(720)**	**(720)**
		1,930	**994**
Accrued interest income		**1,681**	**1,986**
Goods and services tax receivable		**2,147**	**4,030**
		5,758	**7,010**
6. Other Current Assets			
Prepaid expenses		**37,529**	**36,255**
7. Plant and Equipment			
Furniture, fittings and equipment at cost		**33,168**	**33,168**
Accumulated depreciation		**(31,910)**	**(30,581)**
		1,258	**2,587**
Movements in carrying amounts during the year:			
Opening carrying amount of furniture, fittings and equipment		**2,587**	**4,845**
Depreciation		**(1,329)**	**(2,258)**
		1,258	**2,587**

The Institute of Patent and Trade Mark Attorneys of Australia

Notes to and forming part of the Financial Statements For the Year Ended 31 December 2016

	Notes	2016 $	2015 $
8. Intangibles			
Website development at cost		**36,400**	**19,615**
Accumulated amortisation and impairment - Website		**(16,129)**	**(12,320)**
		20,271	**7,295**
Software development at cost		**3,636**	**3,636**
Accumulated amortisation and impairment -Software		**(1,696)**	**(969)**
		1,940	**2,667**
Total intangible assets		**22,211**	**9,962**
Movements in carrying amounts during the year:			
Opening carrying amount of intangibles		**9,962**	**11,974**
Additions		**16,785**	**5,315**
Amortisation		**(4,536)**	**(7,327)**
		22,211	**9,962**
9. Trade and Other Payables			
Trade payables and accrued expenses		**38,262**	**45,616**
10. Provisions			
Employee entitlements		**68,343**	**53,691**
11. Cash Flow Information			
Reconciliation of surplus for the year to cash flows from operating activities:			
Surplus (deficit) for the year		**41,671**	**(39,753)**
Non-cash flows in surplus:			
- depreciation and amortisation		**5,865**	**9,585**
Changes in assets and liabilities:			
- (increase)/decrease in trade and other receivables		**1,252**	**2,649**
- (increase)/decrease in prepaid expenses		**(18,059)**	**(4,144)**
- increase/(decrease) in trade and other payables		**(7,354)**	**5,572**
- increase/(decrease) in provisions		**14,652**	**8,280**
Cash flow from operations		**38,027**	**(17,811)**

12. Commitments

The company utilises office space with payment of outgoings monthly in arears.

The company has committed to sponsor the Francis Gurry Annual IP Lecture held by the University of Melbourne for a further three year period from 2016 to 2018 inclusive. This constitutes an annual cash payment of $15,000 over those three years.

The Institute of Patent and Trade Mark Attorneys of Australia

Notes to and forming part of the Financial Statements For the Year Ended 31 December 2016

13. Related Parties and Related Party Transactions

Transactions between related parties are on normal commercial terms and conditions no more favourable than those available to other parties unless otherwise stated.

During the year, the company utilised office space provided by a director-related entity, under normal terms and conditions, at a cost of $17,684 (2015: $17,925).

Key Management Personnel, Directors and Compensation

The key management personnel of the company are the Directors in office during the year, as disclosed in the Directors' report that accompanies these financial statements. The Directors act in an honorary capacity and receive no compensation for their services.

14. Events after the end of the Reporting Period

No matters or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the company, the results of those operations or the state of affairs of the company in future financial years.

The Institute of Patent and Trade Mark Attorneys of Australia

DIRECTORS' DECLARATION

The directors of the company declare that:

1 The financial statements and notes are in accordance with the *Corporations Act 2001* and:

a. comply with Accounting Standards - Reduced Disclosure Requirement; and

b. give a true and fair view of the financial position as at 31 December 2016 and of the performance for the year ended on that date of the company.

2 In the directors' opinion, there are reasonable grounds to believe that the company will be able to pay its debts as and when they become due and payable.

This declaration is made in accordance with a resolution of the Board of Directors.

Director: .....
J M Dobbin

Director: .....
R H Baddeley

Melbourne, 28 March 2017

Independent Audit Report to the members of The Institute of Patent and Trade Mark Attorneys of Australia

Report on the Financial Report

Opinion

We have audited the accompanying financial report of The Institute of Patent and Trade Mark Attorneys of Australia (the company), which comprises the statement of financial position as at 31 December 2016, the statements of surplus or deficit and other comprehensive income, changes in members' funds, and cash flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the directors' declaration.

In our opinion the financial report of The Institute of Patent and Trade Mark Attorneys of Australia is in accordance with the *Corporations Act 2001*, including:

(a) giving a true and fair view of the financial position of the company as at 31 December 2016 and of its financial performance for the year ended on that date; and
(b) complying with Australian Accounting Standards – Reduced Disclosure Requirements and the *Corporations Regulations 2001*.

Basis for opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the company in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We have given to the directors of the company a written auditor's independence declaration, a copy of which is referenced in the directors' report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Directors' Responsibility for the Financial Report

The directors of the company are responsible for the preparation and fair presentation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards – Reduced Disclosure Requirements and the *Corporations Act 2001*, and for such internal control as the directors determine is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the directors of the company are responsible for assessing the company's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the company or to cease operations, or have no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial report.

As part of an audit in accordance with Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the company's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of the director's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the company's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the company to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

PKF Melbourne Audit & Assurance
Melbourne, 28 March 2017

Steven Bradby
Director