



INTELLECTUAL PROPERTY INSTITUTE OF CANADA
INSTITUT DE LA PROPRIÉTÉ INTELLECTUELLE DU CANADA

[2018-2020]

STRATEGIC PLAN

September 2017

A MESSAGE FROM THE **PRESIDENT**

I am very proud to present IPIC's 2018-2020 strategic plan. Council carefully analyzed members' feedback received from membership surveys, various in-person meetings and interviews to develop a plan divided into four goal areas: Advocacy, Professional Development, Outreach & Awareness, and Stewardship. The objectives identified in each of these areas are ambitious and we look forward to the challenge.

Planning is a vital element of success and the need for a robust plan is important, especially in a time where the IP policy landscape is changing, where governments are looking at IP more closely and where there is an increasing need to strengthen the IP culture in Canada to compete in a global marketplace.

We are therefore taking charge of our future, not only the future of the association itself but the future of the profession in Canada. This comprehensive, rigorous and ambitious plan will guide IPIC through this journey. This plan is only just the beginning, the beginning of great things to come.



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2016-17 PRESIDENT

2016-17 IPIC COUNCIL



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INTRODUCTION

The Intellectual Property Institute of Canada (IPIC) is the professional association of patent agents, trademark agents, and lawyers practising in all areas of intellectual property (IP) law. Founded in 1926, IPIC has grown to more than 1,700 members, which include practitioners in law firms and agencies of all sizes, sole practitioners, in-house corporate IP professionals, government personnel, and academics.

IPIC's members support the Canadian economy by providing expert services to local, national, and international companies that are developing and growing their businesses. Members' clients include virtually all types of Canadian businesses, universities, and other institutions that have an interest in IP in Canada or elsewhere, as well as foreign companies that hold IP rights in Canada.

As technology and innovation accelerate in the global economy, the Canadian IP industry is facing several challenges. In its 2011 report "Rights and Rents: Why Canada must harness its intellectual property resources," the Canadian International Council documented some key findings that IPIC members have long understood. In particular, the report notes that in Canada, "the creativity and ingenuity that are critical to invention have not been recognized as valuable commodities," and that the absence of a national policy on IP threatens Canada's ability to compete globally.

IPIC's own work—supported by robust national network of committed members who volunteer thousands of hours each year—has documented these trends as well. Although Canada has a strong track

record of basic research and bench-scale innovation, much of Canada's world-class research and innovation stalls at the pre-commercialization stage, and early stage companies often don't apply for IP protection or, if they do, they don't leverage it. And as a smaller player in the global marketplace, Canada is often not the first jurisdiction of choice for companies wanting to register a patent or trademark. However, it should also be noted that this issue is not just with early stage businesses; many small, medium and large companies also do not secure key IP rights or leverage them to their full extent possible.

As a result of these forces, Canada's IP activity is lagging. The federal government's Intellectual Property Canada Report 2016 indicates that Canadian patent activity continues to be relatively stable, declining slightly in the last decade. However, the opposite is true for countries like the United States and China, where patent activity has significantly increased and IP is deeply integrated into the business culture. The data is clear—Canada is falling behind. As well, it appears that Canadians do not leverage the patent system abroad either. Failing to secure patent rights contributes to the innovation gap by making commercialization opportunities less attractive.

Other developments are also having a profound influence on the IP industry. When the federal government seeks to harmonize laws with other jurisdictions, the business and practice of IP is affected. For example, recent changes to Canadian legislation arising from new international treaty obligations could

result in lost business for Canadian IP professionals. Other legislative proposals can also directly impact IP rights holders.

As frontline IP professionals, IPIC members are seized with the urgent need to raise the profile of IP in Canada, and to improve the way our IP system works. With the government's 2017 commitment to launch a national IP strategy within the next year, IPIC has a tremendous opportunity to strengthen the culture of IP among Canadian businesses, and to help ensure that IP becomes recognized as an integral component of business development and growth.

Likewise, with the current federal government's focus on innovation—which is intimately connected to IP—the timing has never been better for IPIC to renew its commitment to serving IP professionals, and to focus its energy on key activities that will support the health of the IP industry.

As a membership-based organization, IPIC has tremendous capacity to harness the deep knowledge and experience needed to address these complex issues. IPIC and its members are ready for the challenge. We look forward to using this strategic plan as a framework to advance this work.

SUMMARY

This Strategic Plan will guide us in achieving our mission and fulfilling our vision. Our goals are our expected results, and for each goal we have identified key objectives to guide our work as well as tactics that we will employ to achieve our goals. The strategy is presented in an aligned, linear fashion; however, it is important to consider that each goal, objective and tactic reinforce and enhance other elements of the strategy, and should be seen as operating in a dynamic system.

Goal 1: Advocacy

Engage with government and elected officials, courts, and global IP groups, to ensure that the interests and goals of the Canadian IP profession are considered in relevant legislation, regulation, policies, and international treaties.

- OBJECTIVE 1.1: Advise government on how legislation, regulations, and policies affect the rights of IP holders
- OBJECTIVE 1.2: Influence legislation, regulations, and policies that affect IP practice
- OBJECTIVE 1.3: Establish an effective self-governance regime for IP agents via the College



Goal 2: Professional Development

Develop and deliver high quality training and development programs to help our members achieve and maintain the highest standards throughout their careers.

- OBJECTIVE 2.1: Provide technical training for new professionals
- OBJECTIVE 2.2: Expand continuing professional development offerings for mid to late career professionals
- OBJECTIVE 2.3: Create opportunities to enhance members' knowledge of the business and policy environment



Goal 3: Outreach & Awareness

Promote awareness of the value of IP and leverage stakeholder partnerships to increase influence on key advocacy issues.

- OBJECTIVE 3.1: Increase business awareness of the value of IP to the growth and long-term sustainability of their business
- OBJECTIVE 3.2: Raise knowledge and awareness about the IP profession to business and to government
- OBJECTIVE 3.3: Increase awareness about how IPIC serves IP professionals



Goal 4: Stewardship

IPIC is committed to three pillars of stewardship as the foundation for achieving its goals: member engagement, resource management, and governance.

- OBJECTIVE 4.1: Position IPIC as the organization of choice for IP professionals
- OBJECTIVE 4.2: Demonstrate continuous improvement in how IPIC operates
- OBJECTIVE 4.3: Modernize IPIC's governance approach



OUR VISION

IPIC members come from diverse training backgrounds, and include a range of patent agents, trademark agents, lawyers, and other subject matter experts. Although several other organizations have an interest in intellectual property issues, many focus on the rights of IP holders or only represent the interests of a subset of IP professionals. IPIC is the only association in Canada that represents all types of Canadian IP professionals.

Our vision is for IPIC to be the leading authority on intellectual property in Canada, and the voice of intellectual property professionals.

OUR MISSION

Highly trained intellectual property professionals contribute to a robust economy by helping organizations understand and leverage the value of intellectual property.

Our mission is to enhance our members' expertise as trusted intellectual property advisors, and to shape a policy and business environment that encourages the development, use, and value of intellectual property.

OUR VALUES

IPIC and its members share a deep commitment to creating a professional community of practice that serves with integrity. All of IPIC's activities are guided by our core values:

Teamwork

Excellence

Respect

Trust

Creativity

Relationships

Accountability

Leadership

Diversity

Guided by this foundation, our work over the next planning cycle will focus on four strategic goal areas: Advocacy, Professional Development, Outreach and Awareness, and Stewardship.

STRATEGIC GOALS

This plan builds on the strategic objectives adopted by IPIC's Council in 2012, and was developed based on extensive input from IPIC Council, staff, and other IPIC members. The goals and tactics are closely linked and mutually supporting—taken together, they provide a roadmap that will effectively guide IPIC through the 2018–2020 planning horizon.



STRATEGIC GOAL AREA

ADVOCACY

Goal 1: Engage with government and elected officials, courts, and global IP groups, to ensure that the interests and goals of the Canadian IP profession are considered in relevant legislation, regulation, policies, and international treaties.

Advocacy—along with professional development—has always been at the forefront of IPIC's work. We will continue to advocate for changes that support the IP profession. Technology and innovation continue to generate opportunities for creators and inventors to develop new products and services and bring them to market, and to develop new uses for existing ones. Government plays an active role in this space, both in how it addresses specific issues in regulation and through its role in international affairs. As part of its innovation agenda, the government has described its role, in part, as “ensuring that Canadian laws, regulations, and standards keep pace with rapid change, while protecting consumers.” In IPIC's submission to government on the innovation agenda, we noted that laws and regulations have a significant impact on the ease of obtaining IP protection.

The marketplace has become increasingly global, and countries around the world are negotiating trade agreements designed to support the movement of goods and services. As a result, both the registration and commercialization of IP is becoming more global in nature. This has caused a ripple effect in Canadian legislation, regulation, and practice policy for IP.

OBJECTIVE 1.1: Advise government on how legislation, regulations, and policies affect the rights of IP holders.

In the past five years, IPIC has responded to more than 70 government consultations and intervened in selected court cases to provide the perspective of professionals who work on a daily basis with IP legislation, regulation, and policies. IPIC will continue to monitor the government's agenda, and will regularly engage with Members of Parliament, Ministerial staff, Senators, and departmental officials to ensure that they understand the practical impacts of IP-related policy initiatives, including domestic proposals and international treaty negotiations that have domestic implications. IPIC will continue to respond to government consultations on proposed new legislation, regulation, and policies, and will seek opportunities to present at Parliamentary committees, Senate hearings, other formal consultation events, and as an intervener in key court cases.

IPIC also believes it is critical to ensure that IP considerations are taken into account before legislation, regulations, or policies are developed. To this end, in connection with Strategic Goal #3, IPIC will reach out to parliamentarians and senior departmental officials to ensure that they have a solid appreciation of what IP is, how government initiatives affect IP rights, and how IP supports economic growth in Canada.

TACTIC 1.1.1: Mobilize members to develop submissions to government consultation processes and to intervene in selected court cases.

TACTIC 1.1.2: Proactively engage parliamentarians and government officials on emerging public policy issues that have implications for IP rights holders.

OBJECTIVE 1.2: Influence government legislation, regulations, and policies that affect IP practice.

In addition to affecting IP rights, many government initiatives and processes have a direct impact on IP practice, and IPIC's practice committees are one of our most active. As the users of the IP system, IP professionals seek continuous improvement of the practice guidelines, interpretations, filing systems, fee structures, and consideration of jurisprudence.

IPIC has a key role to play in advocating for improvements to the IP system that will help IP professionals, and in turn, support the increased use of IP.

TACTIC 1.2.1: Consult with members to develop and refine priority lists of practice-related topics that require attention during this planning horizon.

TACTIC 1.2.2: Maintain regular dialogue with government officials to develop a collaborative approach to address key concerns.

OBJECTIVE 1.3: Establish an effective self-governance regime for IP agents via the College.

IPIC believes that Canada needs a robust, highly trained intellectual property community of professionals to support the Canadian economy. To serve as trusted IP advisors to the business community, the IP profession must demonstrate that it has a strong governance system that holds its members to the highest development and ethical standards. To this end, IPIC has long advocated for the creation of a College of Patent and Trademark Agents of Canada—a key step that will solidify the excellence of the IP profession in Canada and support a strong IP system.

Consistent with IPIC's discussion paper, "Sustaining Excellence" IPIC will continue to work with the federal government to support its proposal to modernize the governance framework for patent and trademark agents. Realizing the College will place the IP profession alongside other regulated professionals who deliver high quality services under a self-regulation model that serves the public interest.

TACTIC 1.3.1: Engage with government officials to further develop the legislative proposal for the College.

TACTIC 1.3.2: Delineate how IPIC will work alongside the College in the long term to best serve the IP profession and the public interest.

TACTIC 1.3.3: Following passage of enabling legislation, support the College during the creation and transition period to get the organization up and running.



"One way of being a trusted advisor is to show in Canada that the profession has a strong governance system."

IPIC Strategic Planning Session

STRATEGIC GOAL AREA

PROFESSIONAL DEVELOPMENT

Goal 2: Develop and deliver high quality training and development programs to help our members achieve and maintain the highest standards throughout their careers.

One of IPIC's key objectives, as described in our constitution, is to ensure high levels of knowledge, training, and ethics in Canadian intellectual property professionals. IPIC is recognized for the value of its educational offerings, particularly for new professionals who are preparing to take the exams to become a patent or trademark agent. At the same time, the marketplace for professional development has become very crowded, and IPIC now competes with other organizations that provide free or low-cost training that professionals can access on demand.

IPIC remains deeply committed to ensuring that intellectual property professionals have the skills they need to succeed throughout their careers in an increasingly competitive marketplace, and ensuring that IPIC is considered the leading provider of accessible, high quality, cost effective training and development.

OBJECTIVE 2.1: Provide technical training for new professionals.

IPIC's educational offerings include training courses designed to help emerging IP professionals prepare for the rigorous qualification exams to become a patent or trademark agent. IPIC will maintain and enhance these offerings to ensure that new IP professionals in Canada begin their careers with a solid foundation in IP law and practice, and are well prepared to take the qualification exams.

TACTIC 2.1.1: Continue to collaborate with the Canadian Intellectual Property Office to set the patent and trademark agent exams and assist with the transition of the exam setting process to the College.

TACTIC 2.1.2: Continuously improve exam standards for candidates, and modernize curriculum accordingly.

TACTIC 2.1.3: Establish training for IP clerks.

OBJECTIVE 2.2: Expand continuing professional development offerings for mid to late career professionals.

IPIC offers between 20 and 30 webinars each year, and hosts an annual two-day conference on a wide range of IP subjects. IPIC is accredited by many law societies as a continuing education provider. IPIC members have identified a need for additional training to support IP professionals throughout their career trajectory from pre-qualification to their early years in practice to seasoned professionals.

IPIC is committed to enhancing its continuing professional development program to include offerings that are relevant to all professionals. Subject areas could include topics like emerging business/legal trends and leveraging IP rights (business, commercial and tax considerations) as well as those related to the efficient running of a business, such as handling challenging clients, alternative fee arrangements, sustaining proper file management systems, business development, and marketing.

TACTIC 2.2.1: Canvass members for specific topic areas for continuing professional development activities.

TACTIC 2.2.2: Increase IPIC's suite of continuing professional development offerings with dynamic sessions targeted at advanced professionals.

"I learn more through IPIC than I do from any other professional organization."

IPIC Strategic Planning Session



OBJECTIVE 2.3: Create opportunities to enhance members' knowledge of the business and policy environment that influences IP.

IPIC members have also expressed a need to create opportunities for members to learn more about the business and policy environment that influence the IP industry. For example, this could include networking opportunities built around vertical market areas such as the oil industry, how computer applications are developed, or how drones are regulated. Having a better understanding of their clients' work fits in the bigger picture would allow members to increase their knowledge, enhance their professional network, and contribute to business development.

IPIC will supplement its CPD programs with new offerings that will make it easier for members to share information about current and emerging trends that are relevant to IP professionals.

TACTIC 2.3.1: Host events for knowledge exchange between business and profession.

TACTIC 2.3.2: Establish a mentorship program to match senior or retired professionals with mentees seeking support to develop their careers.

STRATEGIC GOAL AREA

OUTREACH AND AWARENESS

Goal 3: Promote awareness of the value of IP and leverage stakeholder partnerships to increase influence on key advocacy issues.

Intellectual property is a fundamental element in the growth of innovative companies. The road from idea to commercial product or service includes the key step of protecting the IP that is inherent to innovation. Because innovation and intellectual property are inextricably linked, countries that are global innovation leaders have robust IP systems. However, research has demonstrated that Canadian organizations are less aware of intellectual property than their U.S. counterparts, and are not as familiar with how IP applies to them or how they could better use IP to achieve their goals. Supporting the increased use of the IP system benefits the economy and supports a strong and vibrant IP profession in Canada.

In this environment, and given the current federal government's commitment to innovation, now is the ideal time for IPIC to promote awareness of the value of IP, and to strengthen its relationship with stakeholders to magnify common messages.

OBJECTIVE 3.1: Increase business awareness of the value of IP to the growth and long-term sustainability of their business.

Research shows the enormous value that intellectual property brings to organizations. For example, recent reports have noted that a business's IP is among its most valuable assets.

IPIC believes that businesses need to consider IP as central to business planning as they consider tax and accounting expertise as part of their overall strategy for business growth. In addition to its own outreach efforts, and the outreach efforts of its individual members, IPIC will seek to partner with chambers of commerce, start-up incubators, and think tanks to incorporate messaging about IP in broader communications to the business community. Together with Strategic Goal #1 and #4, these partnerships might also create opportunities to conduct research to fill knowledge gaps that will support IPIC's advocacy work.

IPIC will also reach out to universities, colleges, and high school educators to find ways to incorporate IP into their curricula, to develop a new generation of entrepreneurs who start their business careers with a firm understanding of IP.

TACTIC 3.1.1: Conduct a stakeholder mapping exercise to identify organizations and thought leaders with mutual interests.

TACTIC 3.1.2: Develop a stakeholder engagement strategy and associated communications collateral to promote key messages (e.g., "There's more to IP than just filing a patent").

TACTIC 3.1.3: Replenish the Bank of Speakers and identify opportunities for members to promote IP and the profession.

OBJECTIVE 3.2: Raise knowledge and awareness about the IP profession to business and to government.

Even as organizations become more knowledgeable about IP, there is a related need to improve the awareness of the IP profession and the value of hiring an authorized expert to handle IP issues. In this way, IP professionals can learn from the effort invested by chartered professional accountants in raising the profile of what they offer. There are clear advantages associated with hiring a professional—for example, in the success rate of applications and through professional advice on appropriate strategies for using IP to a business' best advantage.

IPIC wishes to collaborate with government organizations such as the Canadian Intellectual Property Office and Innovation, Science, and Economic Development Canada to ensure that potential users of the IP system know how to find patent and trademark agents. As well, together with the work in Objective 3.1, IPIC will leverage opportunities to demonstrate how hiring an IP professional can save valuable time and resources, and identify the risks associated with hiring someone who is not an authorized agent.



"People are generating IP, but not using the IP system. If people see it as valuable they will pursue it to enhance the value of their business."

IPIC Strategic Planning Session

OBJECTIVE 3.3: Increase awareness about how IPIC serves IP professionals in Canada.

IPIC sees an opportunity to raise awareness among other stakeholders about the unique value that IPIC brings to the IP industry. IPIC plans to strengthen its relations with sister organizations in other countries, and seek opportunities to collaborate on issues of mutual interest.

TACTIC 3.3.1: Improve IPIC's internal and external communications about member benefits and services.

TACTIC 3.3.2: In tandem with Objective 3.1, actively engage with international organizations, such as the World Intellectual Property Organization, to share Canadian perspectives, stay abreast of developments in other jurisdictions, and identify potential opportunities for collaboration.

STRATEGIC GOAL AREA

STEWARDSHIP

Goal 4: IPIC is committed to three pillars of stewardship as the foundation for achieving its goals: member engagement, resource management, and governance.

IPIC's greatest strength is its members, both for what they contribute to the organization as volunteers, and how IPIC's membership numbers elevate our collective voice on issues that matter to Canada's IP community. IPIC is committed to improving the way it engages with members, to ensure that each person who joins IPIC sees value in their membership.

IPIC also recognizes that its membership is diverse, and that many members also belong to other associations. Feedback from active IPIC members consistently identifies the value they received from their membership, but IPIC recognizes the need to ensure that all members—current and potential—see an excellent return for their membership dues.

OBJECTIVE 4.1: Position IPIC as the organization of choice for IP professionals.

To remain viable, IPIC needs to ensure that its members view the organization as relevant and high performing, and that it continues to attract and retain members.

In the past year, IPIC staff have received positive feedback about recent improvements to how information is communicated to members. IPIC plans to build on this success by surveying members to better understand their needs, and by developing additional strategies to ensure that membership in IPIC is considered a must-have for all IP professionals in Canada.

TACTIC 4.1.1: Update IPIC's website to make it a valuable resource for information about IPIC, its members, and IP generally.

TACTIC 4.1.2: In tandem with Objective 3.1, develop communications collateral to promote IPIC and the benefits of membership for emerging and established professionals.

OBJECTIVE 4.2: Demonstrate continuous improvement in how IPIC operates.

IPIC is committed to ensuring it has effective processes in place to manage its financial and human resources, and to ensuring that the organization remains healthy and sustainable in the long-term.

In addition to maintaining strong internal processes for budgeting and staffing, IPIC intends to strengthen its capacity for knowledge management, to improve record keeping and ensure that work undertaken by volunteer committees is accessible to others. As part of this work, IPIC will also look for opportunities to fill critical knowledge gaps and strengthen its role as a thought leader on IP issues.

TACTIC 4.2.1: Improve IPIC's record-keeping procedures for membership data and committee outputs.

TACTIC 4.2.2: In tandem with Objective 3.1, identify opportunities to collaborate with other organizations (e.g., the Centre for International Governance Innovation, chambers of commerce) to undertake joint research that will support IPIC's advocacy work.



"Our greatest strength is our members—we need to show them the value of belonging to IPIC."

IPIC Strategic Planning Session

OBJECTIVE 4.3: Modernize IPIC's governance approach.

Despite IPIC's long history, the organization has not undertaken a review of its governance model in the context of emerging trends in governance. As part of its stewardship of member resources, IPIC is committed to initiating a review of its governance model, with a view to ensuring that the organization operates consistently with current standards and best practices.

IPIC also relies on the extensive efforts of its members to support its activities, most of which are carried out through a series of committees. IPIC is committed to reviewing the committee structure and the support that's provided to committees, to ensure that members' time is being well used where it is most needed.

TACTIC 4.3.1: Conduct an audit of IPIC's committee structure to identify improvements and efficiencies.

TACTIC 4.3.2: Initiate a review of IPIC's governance model.

TACTIC 4.3.3: Develop a Diversity Policy to demonstrate how IPIC's core values are integrated into its governance and membership activities.

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