

CPATA Governance & Nominating Committee

Skills Matrix

2021- 10-05

Introduction

CPATA regulates the patent and trademark profession in accordance with the Act, Regulations, By-laws, Registrar's Policies, and the Regulatory Objectives, Standards and Principles. It is an independent and risk-focused public interest regulator.

Given that it is a new regulator, it is committed to gathering information that will allow it to understand the environment that influences the practices of licensees.

CPATA is committed to selecting Board and committee members based on a set of identified skills and attributes, to ensure the Board and committees have the knowledge and attributes to carry out the work effectively, are diverse in all respects, and who strive to attain the vision of CPATA for a modern regulator as outlined in [Board Policy No 2, CPATA's Regulatory Objectives, Standards and Principles](#).

CPATA committees assist the Board to meet its governance and fiduciary obligations. Unless a specific authority is granted, a committee has no independent authority.

Role of Governance & Nominating Committee

The Governance and Nominating Committee¹ examines corporate governance practices, including Board practices and performance, and makes recommendations with respect to the Board. These responsibilities include:

1. Nominating - Assessing the requirements for membership on the Board and advising the Minister's Office of the College's needs, managing the process for nominating candidates for Board and committee membership.
2. Effectiveness - Assessing and making recommendations regarding Board effectiveness and leading the processes for orientation, evaluation and continuing education of Directors, committee Chairs and the Chair of the Board.
3. Elections – assisting with the election process as prescribed by the By-laws.
4. Governance - Reviewing and monitoring governance practices of the Board and management with a view to enhancing the College's performance.

Committee Composition

The Committee must possess the required skills, knowledge, attributes, and experience to enable it to fulfil its responsibilities.

All Committee members must complete mandatory privacy training prior to commencement of service, and engage in such ongoing training and education activities, during their term on the Committee as determined to be appropriate by the Committee Chair and the CEO.

The Committee Chair may require additional specific training.

¹ Established by Board By-law s. 45. See By-laws 31 ff

Specific Knowledge, Skills, Attributes and Experience

The Skills Matrix below is used to:

- i. identify the specific knowledge, skills, attributes, and experience² required of Committee members and as a whole;
- ii. facilitate appointments that will fill gaps in the required knowledge, skills, attributes, and experience; and
- iii. assist with identifying training and education needs on an ongoing basis.

As a whole, the Committee's members must possess/demonstrate the following:

Local, national, and international backgrounds and experiences that reflect the diverse education and knowledge of registrants and the public served by the College.

Regional diversity, to reflect the reality that IP practice, and the public's knowledge and expectations of IP practice varies throughout the country.

Diverse experiences, backgrounds and specialties that inform dialogue and decision-making, ensuring decisions meet intended objectives, are practical and, ultimately, protect the public.

Diverse leadership experience in the public, private, and not-for-profit sectors, to promote knowledge and the sharing of best practices.

The College is committed to the foundational principles of equity, diversity, and inclusion in the composition of committees and expects committee members to possess a high level of cultural competence.

Knowledge	Skills	Experience	Attributes
CPATA Act, Regulations and By-laws	Effective oral communications	Professional regulation	Adaptable - recognizing plans change
The College's Regulatory Objectives, Standards and Principles	Effective written communications including writing decisions with reasons	Board and governance/nomination committee membership and leadership in a variety of sectors	Collaboration ³
Good governance principles	Collegial and effective decision making	Fiduciary duties, good governance principles, and the stewardship responsibilities	Objectivity -Decisions based on evidence/good information, to fulfil the College's mandate

² Knowledge' includes understanding how CPATA operates in substance and principle, risk principles, the prosecution of patent and trademark applications, the use of patents and trademarks as business tools, litigation involving patents and trademarks, and the need for a clear and reliable IP legal framework; 'Skills' include an ability to use the technology employed by the College, to communicate effectively both orally and in writing, and to discern and analyze ethical issues; 'Experience' includes professional committee or Board work, and engaging in effective debate and decision-making in an in-person and on-line environment; 'Attributes' include having a strong ethical foundation, being organized and meeting deadlines, collaborative decision-making, active listening skills, and behaving in a fair, respectful, culturally competent and courteous manner at all times.

³ Meaningful engagement and discourse will be stronger than what is created in isolation

Some knowledge of Risk management	Attention to detail	Patent and Trademark Agent services and innovation	Act ethically and with integrity and speak the truth
The Federal Government's IP Strategy and Innovation Agenda	Organization & time management	Regulator and/or public interest focused community service	Strong work ethic
Equity, diversity, inclusion ⁴	Cultural competence ⁵	With creating safe gathering spaces that welcome and support all who wish to connect, learn, share, belong, and grow	Professionalism & civility
CPATA's Strategic Plan and the Board's vision for the College	Recruiting	Board and committee evaluation and self-assessment	Takes full responsibility for decisions made
CPATA's Board and Committee needs as identified through Board and Committee evaluations and self-assessments	Critiquing performance and providing constructive feedback	Government relations	Follow through on commitments.
The evolution of the patent and trademark profession in Canada			

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⁴ 'Equity, diversity, inclusion' are closely tied to cultural competence, and include having the knowledge, experience and skills to actively work to protect against and prevent individual and systemic discrimination, to cultivate appropriate attitudes toward cultural differences, and to ensure that the College's processes are open and accessible to all

⁵ 'Cultural competence' refers to an ability to understand, communicate with and effectively interact with people across different cultures; acknowledge the harmful effects of discriminatory thinking and behavior on human interaction; and acquire and perform the skills necessary to lessen the effect of these influences in order to serve the pursuit of justice. (Rose Voyvodic, "Lawyers Meet the Social Context: Understanding Cultural Competence" (2006) 84:3 The Canadian Bar Review 564 at 564)