

Public Board of Directors Meeting

Held via Zoom

March 2, 2023

12 noon ET

Minutes

BOARD MEMBERS:

Tom Conway, Chair

Ruth McHugh

Jeff Astle

Amber Batool

Iris Almeida-Côté

Andrew Currier

Leonora Hoicka

Partial attendance: Karima Bawa

Regrets: Brigitte Chan

STAFF:

Juda Strawczynski, CEO and Registrar

Sean Walker, CFO

Jennifer Slabodkin, Director of Registration and Education, Deputy Registrar

Andres Diaz, Operations Manager

Dana Dragomir, Communications Officer

1. Introductory Matters/Call to Order/Approval of Agenda/Conflicts of Interest

The meeting was called to order at 12:02 ET.

The Chair acknowledged that the meeting was held with directors present across Canada in lands preserved by Canada's Indigenous peoples for thousands of years.

The Chair welcomed two new directors to its Board of Directors, Iris Almeida-Côté and Amber Batool, appointed by the Honourable François-Philippe Champagne, Minister of Innovation, Science and Industry. He noted that Ruth McHugh will take over as Chair after CPATA's AGM in May. He thanked licensees for submitting their professional liability insurance information by the end of 2022 and congratulated all Class 3 licensees who passed the 2022 qualifying examinations. The Chair invited everyone to attend CPATA's AGM on Thursday May 25 from 4 – 5 p.m. in-person or virtually.

No conflicts of interest were declared.

2. Consent Agenda

The Chair noted the items on the consent agenda. The year of the Governance Committee report will be corrected to '2023.'

On a consensus, the Chair declared the consent agenda approved.

3. CPATA Governance

3.1 Amending the Audit and Risk Committee Terms of Reference

Ruth McHugh, Chair of the Governance Committee, reported that the recommendation of the Governance Committee was to allow up to two Directors serve on the Audit and Risk Committee, balancing the Committee between Director and non-Director members, permitting enhanced Board input into the Committee's work, promoting alignment between the Board and Committee and avoiding the need to recruit for the Committee at this time.

Be it resolved that the Terms of Reference for the Audit and Risk Committee be amended to permit up to two Directors to serve on the Committee.

MOVED: Leonora Hoicka

SECONDED: Andrew Currier

Motion carried.

3.2 Amending the Governance Committee Terms of Reference

Ruth McHugh explained that the Terms of Reference were previously missing two key clarifications: that the Chair and members of the Governance Committee are appointed by the Board, and that the Committee Chair is a Director and is a voting member of the Committee.

Be it resolved that the Terms of Reference for the Governance Committee be amended to provide that the Committee Chair is a Director of the Board.

MOVED: Iris Almeida-Côté

SECONDED: Leonora Hoicka

Motion carried.

3.3 Amending the Discipline Committee Terms of Reference and Skills Matrix

Juda Strawczynski clarified that the changes to these Terms of Reference were mostly small housekeeping changes, including additions to the skill requirements for the position around bilingualism and IP knowledge, modifications to the Chair's ability to delegate and the creation of a Discipline Proceedings Coordinator role. He further explained that the Discipline Committee has an ongoing training regimen, in response to a question about the non-licensee committee members' understanding of the Manual of Patent Office Practice.

Be it resolved that the Terms of Reference and Skills Matrix for the Discipline Committee be amended as per the revised versions appearing in the Board Meeting Package.

MOVED: Amber Batool

SECONDED: Iris Almeida-Côté

Motion carried.

4. CPATA as a Modern Regulator

4.1 Patent Agent and Trademark Agent Technical Competency Profiles

Jennifer Slabodkin presented the new competency profiles as well as the process undertaken for their development. She addressed a question about the content of the to-be-developed professional foundations profile, specifically the inclusion of elements that transcend changes to legislation such as bargain theory, historical basis, foreign law and international treaties. The Board made a suggestion that

the working groups for the development of the foundations profile could include non-licensee professionals as well.

Be it resolved that that the Board adopt the Technical Competency Profiles for Patent Agents and Trademark Agents, as presented and recommended by the Registration Committee.

MOVED: Leonora Hoicka

SECONDED: Karima Bawa

Motion carried.

4.2 Unauthorized Practice Update

Juda Strawczynski gave an update on CPATA's preliminary experiences regarding unauthorized practice, stating that UAP is a tricky area to right-touch regulate, given legislative restrictions, shared responsibility with federal partners and the significant cost of action. He stated that CPATA's approach will continue to be to monitor unauthorized practice matters, learn from them as they arise, and continue to consider appropriate approaches that are based on protecting against dangers to the public.

Adjournment

On a motion made and carried unanimously, it was resolved to end the public meeting at 1:08 p.m. ET, and to move in-camera.

The meeting adjourned at 1:08 p.m. ET



Tom Conway

Chairman of the Board of Directors

Minutes approved on May 16, 2023.

