

## Introduction - Structure of the syllabus

This syllabus is set out as follows:

1. Information **about the qualification**.
2. The **aims of the qualification**.
3. A unit by unit description of the **qualification content** which contains the:
  - a) name and number of the unit and section of the syllabus;
  - b) content of each section of the syllabus;
  - c) learning outcomes for each section of the syllabus.

The learning outcomes set out what candidates will have to demonstrate **in an examination** to show that they have the required knowledge and/or skills.

4. Information about **the examination**.

### 1. About the qualification

This qualification includes the underlying principles, the essential legal background and the practice of Patent and Design Administration.

It encourages the development of knowledge, understanding and critical awareness of the structure, personnel and functions of a patent department, including the work of patent attorneys and support staff.

It encourages utilisation and expansion of candidates' existing knowledge, and supports them in their day to day role and career aspirations.

The assessment requires the development of skills in and understanding of the formalities role and is a gateway qualification for the advanced course.

### 2. Aims of the qualification

The aims of the qualification are to develop:

- the knowledge and skills necessary to deal with the filing and prosecution formalities of GB, EP and PCT patent applications;
- an awareness of design formalities;
- the ability to review correspondence to identify formalities deadlines and actions required;
- an understanding of the critical importance of meeting legal requirements and deadlines.

### 3. Qualification content

<b>Unit 1: Introduction</b>	The objective of this unit is for candidates to be able to explain the reasons for the patent system and the form of protection it gives to the patent owner, the patent administrator's role in supporting the patent process, the different stages and routes that a patent application may follow, and the concept of priority.		
	<b>Title</b>	<b>Subject Content</b>	<b>Learning Outcomes</b>
1.1	Introduction to the PAC	<ol style="list-style-type: none"> <li>1. Reasons for the patent system and the form of protection it gives to the patent owner.</li> <li>2. What a patent attorney does in order to secure a patent and a patent administrator's role in supporting the patent process.</li> <li>3. The duty of care.</li> <li>4. The importance of meeting time limits and following correct procedures.</li> <li>5. Content of a patent application.</li> <li>6. Different stages that a patent application goes through from filing to grant.</li> <li>7. Different routes which can be followed in order to gain patent protection.</li> <li>8. The concept of priority.</li> </ol>	<p>At the end of Unit 1.1 candidates will be able to:</p> <ol style="list-style-type: none"> <li>a) Plan how to study the course.</li> <li>b) Define the term 'patent'.</li> <li>c) Explain the importance of the patent system.</li> <li>d) Describe their role as a patent administrator.</li> <li>e) Explain the patent administrator's duty of care.</li> <li>f) Explain the procedural stages from priority through to grant and attaining a patent.</li> <li>g) Explain the required contents of a patent application.</li> </ol>

<p><b>Unit 2: GB Patents</b></p>	<p>The objective of this unit is for candidates to be able to describe the requirements for filing all types of GB application, and be able to apply them. In addition candidates will be able to describe the subsequent prosecution through to grant, identify official communications, and calculate relevant deadlines, including renewals.</p>		
	<p><b>Title</b></p>	<p><b>Subject Content</b></p>	<p><b>Learning Outcomes</b></p>
<p>2.1</p>	<p>GB Patents Part 1</p>	<ol style="list-style-type: none"> <li>1. The different types of filing available in the UK.</li> <li>2. Preparing all relevant forms.</li> <li>3. Surcharge for late payment of application fee.</li> <li>4. Excess claims and excess pages fees.</li> <li>5. Calculating relevant due dates in order to complete all types of filing.</li> </ol>	<p>At the end of Unit 2.1, in the context of GB patent applications, candidates will be able to:</p> <ol style="list-style-type: none"> <li>a) Summarise timelines of GB applications.</li> <li>b) Identify and prepare forms PF1 and PF7.</li> <li>c) State minimum requirements to obtain a filing date.</li> <li>d) Identify and calculate subsequent deadlines in order to complete filing formalities.</li> <li>e) Recognise UK IPO communications and calculate and record appropriate deadlines therefrom.</li> </ol>
<p>2.2</p>	<p>GB Patents Part 2</p>	<ol style="list-style-type: none"> <li>1. The steps in prosecution of a GB application from search to grant.</li> <li>2. Fee requirements.</li> <li>3. UK IPO communications.</li> <li>4. Calculating relevant deadlines.</li> <li>5. Renewal Procedure for GB patents.</li> </ol>	<p>At the end of Unit 2.2, in the context of GB patent applications, candidates will be able to:</p> <ol style="list-style-type: none"> <li>a) Identify and prepare form PF9A.</li> <li>b) Recognise search reports and calculate deadlines set by them.</li> <li>c) Identify publication notices and calculate deadlines deriving from them.</li> <li>d) File requests for examination using form PF10, including fees due.</li> <li>e) Recognise and record examination reports and deadlines set by them.</li> <li>f) Recognise UK IPO communications relating to acceptance and grant, calculate resulting deadlines, and explain fee requirements.</li> <li>g) Explain and apply the renewal payment procedure for GB patents.</li> </ol>

<b>Unit 3: PCT</b>	The objective of this unit is for candidates to be able to identify the timeline of a PCT application including the national and/or regional phase routes, prepare relevant forms, and calculate relevant due dates in order to complete all types of filing.		
	<b>Title</b>	<b>Subject Content</b>	<b>Learning Outcomes</b>
3.1	PCT Part 1	<ol style="list-style-type: none"> <li>1. Timeline of a PCT application up to 30/31 months.</li> <li>2. Preparing all relevant forms.</li> <li>3. Relevant due dates in order to complete all types of filing.</li> </ol>	<p>At the end of Unit 3.1, in the context of PCT applications candidates will be able to:</p> <ol style="list-style-type: none"> <li>a) State the advantages of PCT filing.</li> <li>b) Summarise timelines of PCT applications.</li> <li>c) Prepare forms for use during the International Phase of a PCT application including the RO/101 and the Demand for International Preliminary Examination.</li> <li>d) Identify minimum requirements to obtain a filing date.</li> <li>e) Identify and calculate subsequent deadlines.</li> <li>f) Recognise PCT communications and calculate and record appropriate deadlines therefrom.</li> </ol>
3.2	PCT Part 2	<ol style="list-style-type: none"> <li>1. Timeline of a PCT application including the National and Regional phase.</li> <li>2. Awareness of relevant forms and documentation.</li> <li>3. Calculating relevant due dates in order to complete all types of filing.</li> </ol>	<p>At the end of Unit 3.2, in the context of the national and/or regional phase routes, candidates will be able to:</p> <ol style="list-style-type: none"> <li>a) Summarise timelines for national and regional phase routes.</li> <li>b) Identify the phasing route, the differences and deadlines required.</li> <li>c) identify the routes to use for national and regional phase applications, and the differences between different countries and deadlines to be met;</li> <li>d) Identify the minimum requirements to obtain a GB national or European regional phase filing date, including fees and forms for both GB and selected foreign national phases.</li> <li>e) Locate any information you might need to handle a national or regional phase application.</li> <li>f) Recognise agent communications and calculate and record appropriate deadlines therefrom.</li> </ol>

			g) Be able to instruct overseas patent attorneys to handle national phase applications on your behalf.
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<b>Unit 4: European Patents</b>	The objective of this unit is for candidates to be able to meet the formalities requirements for all types of EP application, including prosecution through to Grant, Search and Examination, calculating relevant deadlines and applying the 10 day rule.		
	<b>Title</b>	<b>Subject Content</b>	<b>Learning Outcomes</b>
4.1	European Patents Part 1	<ol style="list-style-type: none"> <li>1. Requirements for filing all types of EP application.</li> <li>2. Subsequent prosecution through to grant.</li> <li>3. Official communications.</li> <li>4. Calculating relevant deadlines, including renewals.</li> </ol>	<p>At the end of Unit 4.1, in the context of European Patents, candidates will be able to:</p> <ol style="list-style-type: none"> <li>a) Describe relevant timelines.</li> <li>b) Carry out filing for Non-Convention, Convention, Regional Phase and Divisional applications.</li> <li>c) Explain filing requirements and ways to file.</li> <li>d) State post-filing deadlines.</li> </ol>
4.2	European Patents Part 2	<ol style="list-style-type: none"> <li>1. The steps in the processing of EP applications from search.</li> <li>2. Types of publication.</li> <li>3. Examination.</li> <li>4. Oral Proceedings.</li> <li>5. EPO communications.</li> <li>6. Calculating relevant deadlines, including the applicability of the 10 day rule.</li> <li>7. The steps required and relating to the Intention to Grant of a European patent application through the national validation process up to opposition proceedings.</li> <li>8. Recognising EPO communications.</li> <li>9. Calculating relevant deadlines and renewals.</li> </ol>	<p>At the end of Unit 4.2, in the context of European Patents, candidates will be able to:</p> <ol style="list-style-type: none"> <li>a) Recognise the Search report and calculate deadlines set by it.</li> <li>b) Identify the different types of Publication notice and calculate deadlines deriving from them.</li> <li>c) File requests for examination, including fees due.</li> <li>d) Recognise and record Examination reports and deadlines set; and state availability of extensions.</li> <li>e) Recognise the applicability of the 10 day rule and apply it.</li> <li>f) Recognise Oral Proceedings notices and record the required deadlines.</li> <li>g) Recognise Appeal notifications.</li> <li>h) Recognise and distinguish pre- and post-Grant communications and calculate deadlines set by those.</li> <li>i) Distinguish between EP and national post-Grant renewals.</li> <li>j) Explain the roles of external suppliers and third party agents, including external translators and foreign agents, in completing the National Validation process.</li> <li>k) Recognise Opposition Proceedings notices and record the required deadlines.</li> </ol>

<b>Unit 5: Designs</b>	The objective of this unit is for candidates to be able to identify the different types of Designs filing available in the UK and European Community. It will also cover preparation of relevant forms and calculating relevant due dates in order to complete both types of filing.		
	<b>Title</b>	<b>Subject Content</b>	<b>Learning Outcomes</b>
5.1	Designs	<ol style="list-style-type: none"> <li>1. Requirements for filing GB and European Community Design applications.</li> <li>2. Subsequent prosecution through to grant.</li> <li>3. Official communications.</li> <li>4. Calculating relevant deadlines, including renewals.</li> </ol>	<p>At the end of this Unit 5.1, in the context of GB and European Community designs, candidates will be able to:</p> <ol style="list-style-type: none"> <li>a) Summarise timelines of Design applications.</li> <li>b) Identify required forms for both types of filing and all available systems.</li> <li>c) Identify minimum requirements to obtain a filing date, including fees.</li> <li>d) Identify and calculate subsequent deadlines in order to complete filing formalities.</li> <li>e) Explain the renewal payment procedure for Design registrations.</li> </ol>

#### 4. The Examination

This syllabus is assessed via a closed book examination which is two hours in length with an additional 15 minutes reading time allowed before candidates may start writing.

The law that will be assessed is the law that is current at the time of the last teaching session of the course.

##### The question paper

The questions will test the syllabus subject content and learning outcomes.

Each question paper will comprise questions with a marks range from 1 to 15.

All the questions will be compulsory.

The question paper will be out of 80 marks.

All the units, but not necessarily all the learning outcomes, will be assessed in all question papers.

**Question type**

The questions will be either:

- i. form-based or
- ii. short answer questions such as data entry or date calculations or
- iii. longer answer questions where an explanation is required or
- iv. a short scenario with related questions. (The scenario materials will either be part of the question or provided as a separate scenario.)

Additionally, questions may be set which relate to the scenario presented in any form question.

If reasoning, explanation and/or calculations workings are required in an answer, the question will advise the candidate accordingly.

**Materials provided**

Calendars for the relevant years, and Patent Offices closure dates will be provided where needed.

Materials which the examiners wish candidates to have in order to answer a question will also be provided either as part of the question or separately.

**Examination outcomes**

There are 80 marks available in total.

Candidates will be awarded one of the following categories: Fail, Pass, Merit or Distinction.