

Continuing Professional Development Regulations for CIPA Paralegals 2021

Regulation 1 – Interpretation

In these Regulations, unless the context otherwise requires:

“The regulations” means the Continuing Professional Development Regulations for CIPA Paralegals 2021;

“Calendar year” means a period of one year commencing on 1 January in the year in question;

“CIPA” means the Chartered Institute of Patent Attorneys;

“CIPA Paralegal” means an individual whose name is entered as an active IP Paralegal member of the Chartered Institute of Patent Attorneys;

“CIPA Patent Administrator Course or ICIPA course” means the official course set by CIPA annually and incorporates any future titles for the course;

“CPD” means continuing professional development;

Regulation 2 – Requirements

2.1 A CIPA Paralegal member is advised to complete a minimum of eight hours of CPD during each calendar year of membership.

2.2 Time spent in CPD activities in excess of the minimum advised in Regulation 2.1 should not be carried forward into CPD hours considered completed in a later calendar year.

2.3 A CIPA Paralegal member may include an annual declaration of compliance with the CPD requirement of Regulation 2.1 at the time of renewing membership.

2.4 CIPA may specify the amount, nature, content and format of courses and other activities which may be undertaken by CIPA Paralegals in order to satisfy Regulation 2.1 and may issue periodic guidance to that effect.

2.5 CIPA may vary the minimum number of hours of CPD that should be completed in order to satisfy Regulation 2.1, giving reasonable and appropriate notice to current members of any change.

2.6 CPD activities which predominantly involve personal study and which may make up part of the overall CPD hours total referred to in Regulation 2.1 should be adequately supported by detailed records which can be provided on request.

Regulation 3 – Compliance

CPD is currently advisory and therefore compliance is not mandatory. However, CIPA reserve the right to introduce mandatory CPD at a later time and inform the membership of the compliance regulations.

Regulation 4 – Commencement

These Regulations shall apply from 1st April 2021.

Continuing Professional Development (CPD) Guidance Notes

All CIPA Paralegal members need to ensure that they maintain their skills and knowledge at the necessary level to be able to provide a professional service. The principle of Continuing Professional Development (CPD) is well established for qualified patent and trademark attorneys and other legal professionals.

As part of recognising the professional work of CIPA Paralegals, CIPA advises that in order to maintain membership and use the post-nominal letters “IP Paralegal”, members should keep up-to-date with, and be aware of recent changes in, law and practice in their area by completing a minimum number of relevant CPD hours each year.

These guidance notes are intended to help all CIPA Paralegal members complete the advised number of CPD hours and should be read in conjunction with the CPD regulations.

What is CPD?

CPD is usually work undertaken over and above normal work and professional commitments with a view to such work developing their skills, knowledge and professional standards in areas relevant to their area of practice as a CIPA Paralegal, and to keep up-to-date and maintain high standards. Examples of activities which will normally qualify as CPD are given below.

Do I have to undertake CPD?

Yes, whilst not compulsory CIPA consider CPD to be a natural part of a CIPA Paralegal’s professional activities and an aid to ongoing development. We advise Paralegals to use the CPD structure to ensure that their skills are kept up to date.

What are the suggested requirements for CPD compliance?

All qualifying CIPA Paralegals are advised to achieve a minimum of eight (8) hours CPD per calendar year.

Compliance may in future be monitored by requesting detailed support (such as individual CPD records) from a random sample of CIPA Paralegal members each year to substantiate the 8 hours figure.

CPD must be relevant to the work of CIPA Paralegals. There is no requirement for specific numbers of hours to be devoted to particular subjects. Instead, CIPA Paralegals should determine for themselves, bearing in mind their existing skills and the nature of their work, the most appropriate subjects where they should undertake CPD, taking account of their responsibilities and the expectations placed upon them.

To count towards the overall CPD hours total, each CPD activity should be at an appropriate level and contribute to a CIPA Paralegal's general professional skills and knowledge. Individuals are encouraged to plan their annual programme of CPD activities based on an objective assessment of their training and development needs in relation to the nature of their work.

Can I carry over excess CPD completed in any year?

No; time spent in CPD from one calendar year should not be added to the total for a subsequent year.

What activities count as CPD?

The following is not an exhaustive list, but illustrates IP-related activities which will **normally** qualify as CPD.

1. Attending or speaking at a CPD event (such as a seminar, lecture or study course) organised by CIPA, or an event organised by IP Inclusive, or by another relevant IP body such as CITMA, INTA, WIPO, or EUIPO.
2. Participating in a formally organised "in-house" educational meeting or discussion.⁺⁺
3. Participating in a CPD event referred to in 1 or 2 by indirect means such as a teleconference, videoconference, webinar or the like.
4. Preparing a lecture, seminar, book, article or law report where legal research is involved of the standard and extent required for publication in an established legal publication.
5. Speaking at and preparing for a client seminar.
6. Providing a tutorial for CIPA Paralegal trainees and examination candidates.
7. Activities that relate to relevant European and/or foreign law.
8. Personal study of books, articles, law reports, conference papers, recordings (e.g. webinars that are not interactive) and the like.
9. Serving on a committee or working group of CIPA, or another relevant IP body, expressly concerned with IP law and practice, or assisting the activities of such a committee.

Notes:

++ *In-house educational seminars and discussions on developing IP law and practice which meet certain requirements will automatically be considered as suitable for CPD purposes and do not need to be approved in advance.*

Are there any activities which should not count as CPD?

The following is not an exhaustive list, but illustrates activities which will **not normally** qualify as CPD.

1. Giving and preparing lectures and seminars for, or otherwise contacting, clients of the individual or firm, on basic IP matters where the primary purpose is to obtain or retain client business for the individual or firm.
2. Day-to-day training of assistants and trainees.
3. Membership of CIPA Council, or committees of CIPA not primarily concerned with developing IP law and practice.

Do I need to formally log all of my CPD?

There is no formal requirement to log all CPD activities undertaken. However, it is highly recommended that you keep relevant information for your own benefit.

Are there any special requirements for part-time workers?

CIPA Paralegals working on a part-time basis are advised to complete the same minimum number of CPD hours, i.e. eight (8) hours, as those in full-time employment.

What if I am not working for a significant period of time?

For CIPA Paralegals not working for a significant period of time in a calendar year, a pro-rata approach to CPD hours can be taken.

Are there any special requirements if I am based overseas?

CIPA Paralegals who are based abroad are still advised to complete CPD and may include relevant activities carried out abroad or to satisfy local CPD requirements.