

PEB Report on the 2021 Qualifying Examination Session

This report to candidates covers general and administrative matters. Feedback on the individual units can be found in the Principal Examiner Reports which can be found on the PEB website here: <https://www.cipa.org.uk/patent-examination-board/support/past-examination-materials/past-examination-materials-qualifying-examinations/>.

PEBX

The majority of candidates did not have problems with PEBX. Candidate feedback through the Candidate Survey was very positive about PEBX.

The audible warnings were provided in response to candidate requests. However, if there is a break in internet connection, then the audible warning might not happen at the correct time. The audible warnings will be reviewed for the 2022 Qualifying Examinations session.

Candidates are instructed (on Question Paper frontsheets) not to change the “font style, font size, font colour, line spacing or any other preset formatting in the Answer document.” However, a number of candidates did change the font size and style. They were not penalised, but this is not helpful to examiners who are carrying out the marking. (If a candidate has a visual impairment that means they need a larger font and/or different coloured font, they should apply to PEB for a Reasonable Adjustment and it will be considered.)

Late uploading by candidates was a major issue in 2020, but not in 2021 – perhaps because candidates were aware that there was a cut-off time. Only one or two candidates missed the upload deadline.

ProctorExam

Most candidates followed the guidance on setting up ProctorExam very carefully. A few rushed through the checks and did not scan their room properly.

Approximately 5% of candidates experienced technical problems with ProctorExam. Most problem’s seemed to relate to the mobile phone cameras.

The PEBX and ProctorExam Trials

Running the trials was expensive for PEB i.e. they were paid for through the candidate examination fees. It was therefore very disappointing when candidates did not take part in the trial, and then pushed for a second opportunity to have a trial.

PEB Reviewers reviewed all recordings and provided feedback to PEB. (Recordings will be destroyed when the Enquiries about Results process has been completed.)

Before the examinations, candidates were asked to dress appropriately/ professionally i.e. as though they were in a traditional exam hall. Unfortunately, a number of candidates did not follow the PEB advice.

Malpractice

Disruptive behaviour, including the use of offensive language, is a breach of the Malpractice Policy. Unfortunately, in the stress of the exam, some candidates would appear to have

forgotten that they agreed to follow this Policy before they could access the Question Paper. PEB expects candidates to act in a way which is consistent with what the IPReg Code of Conduct sets out for members of the profession, namely that they should not do anything that “might compromise ... the dignity and good standing of the regulated person or of the patent or trade mark professions” (Rule 5.2).

Serious malpractice was not an issue in 2021. However, the Reviewers of the ProctorExam recordings reported a number of technical breaches of the Malpractice Policy including:

- books not having been removed from the room where the exam took place
- notepads on the desk – **printer paper** and Post-it notes **are** allowed, not notepads. The list of permitted and non-permitted items was published in the Essential Information for Candidates;
- USB sticks plugged in to the computer
- candidates writing lengthy notes on their notepads before the start of the examination
- Designated Contacts handing out printed copies of the Question Paper to candidates before the 10.00 am start time.

Special Consideration and Technical Problems

Special Consideration can only be approved for technical problems that are external and beyond the control of the candidate, for example when a WIFI connection breakdown is due to failure by the internet provider. A very small number of candidates were in this situation and received Special Consideration.

2021 Enquiries about Results

In response to specific requests from the “Informals”, the Enquiries about Results procedure has been changed for this session.

Before requesting for a Results Enquiry, candidates are strongly advised to read the new procedure. This can be found on the PEB website under “Results and Post Results Procedures” <https://www.cipa.org.uk/patent-examination-board/procedures/results-and-post-results-procedures/>.

The deadline for Enquiries about Results is 15 working days from receipt of results.

2022 Examinations

The PEB Governance Board has not yet decided what form of invigilation/ proctoring will be used in the 2022 Qualifying Examinations. Further information will be released in due course.

Patent Examination Board

March 2022