

Patent Examination Board

2024 Qualifying Examinations

PEB Governance Board's Response to the Candidate Survey

1. Introduction

The arrangements and administrative support for the 2024 Qualifying Examinations remained unchanged from the previous year. The structure of this response also remains the same as previous years. The outcomes of any changes made as a result of the previous year's action plan, and the action plan for this year are set out in Appendices One and Two.

As set out in last year's response, the PEB has been rethinking the Final Diploma (FD) syllabi and redesigning the assessments in response to IPReg's reaccreditation process, taking account of the recommendations of the Mercer Review and the views of both candidates and stakeholders. The first examinations for the revised syllabi and in the new format will take place in October 2026 and the PEB continues to work on refining and testing the proposed approach. As a result, some of the suggestions made in the survey may not be implemented immediately, but rather as part of this ongoing development.

1.1. Response to the Candidate Survey

The number of candidates who completed the survey dropped from 173 in 2023 to 147. Whilst this provides a reliable evidence base for the PEB in order to consider any improvements that should be made to these assessments, consideration should be given as to how the number of survey respondents can be increased.

The PEB is grateful to all those candidates who responded to the survey, and thanks them for their constructive feedback and helpful comments.

Whilst every comment submitted in the survey has been considered, this response addresses the major themes and issues that have arisen. As such, not every matter raised has been referred to in this report.

1.2. The overall picture

Following the trend of continual improvement since the introduction of online exams in 2020, the exams seemed to run more smoothly in 2024. 78% of candidates found the PEBX system easy to use, and 84% of respondents gave an overall rating of 'good' or 'very good' for the Zoom invigilation. There were fewer comments made in relation to technical problems, and fewer technical issues reported than in previous years; however, satisfaction with ProctorExam did dip slightly, with 65% of candidates rating this 'good' or 'very good'.

The upward trend of satisfaction with the exam content and marking continued as well; with the majority of candidates happy that the papers gave them the opportunity to demonstrate their knowledge; though candidates do feel the Final Diploma papers are too time pressured. 93% of candidates were confident in the fairness of the marking process, an increase of 10% on the previous year.

2. Invigilation

83% of candidates found the Zoom invigilation to have been 'good' or 'very good', which aligns with the results from 2023, with only 8% stating that the Zoom invigilation was 'poor'.

In the feedback comments candidates raised concerns with their messages to invigilators not being answered, noise disturbances, and inconsistencies in room access times.

Following the 2023 survey, the PEB reviewed the instructions to invigilators, and this has had a positive impact upon the experience of candidates; however, the PEB will reiterate invigilators' responsibilities when it comes to responding to Zoom messages from candidates, and being on mute so as to not disturb the examinations.

The comments provided by candidates showed there was an inconsistent approach in the timing of access to the Zoom room before the assessment started. In some cases, this was half an hour early, in others it was 15 minutes, and some candidates reported being let in very close to the start time. This lack of uniformity caused stress to a number of candidates. It is clear there is a balance to be found in allowing candidates access to the room with enough time to prepare, but not so long that it is stressful, whilst trying to keep a consistent approach. Guidance on this will be considered by the PEB and included in the instructions to invigilators.

3. Software

Whilst a number of candidates commented on the helpfulness of the trial and the detailed instructions, some concerns were raised with aspects of the technology used for the examinations. These included problems with uploading answers, being blocked from contacting the invigilators, issues getting the software running on the day, and there being no time reminders.

Although 90% of candidates agreed that the PEBX system was easy to use, and 88% found the trial system to have been good preparation, it is clear that there are still issues with the on screen warnings, which 57% of candidates said were not helpful, and a number of candidates commented did not work for them.

Satisfaction with ProctorExam was lower than in 2023, with 65% of candidates finding this system 'good' or 'very good', a drop of 12%. Satisfaction was lowest for the speed and the effectiveness of online help, and some candidates commented on the online reviews of the software, urging the PEB to look into alternative invigilation platforms.

The PEB will take these matters forward with the examination system contractors, and review the current online proctoring services used for assessments.

4. Academic integrity

A common thread in the feedback from candidates related to cheating, and the need to protect the academic integrity of the assessments. Suggestions to address this included moving to open book exams, returning to traditional in-person assessments, or using ProctorExam for all examinations.

Protecting the academic integrity of assessments is taken with the utmost seriousness by the PEB. Any suspected action that threatens this is considered in accordance with the Malpractice Policy, and the PEB receives reports on any matters considered under this Policy, as part of its ongoing monitoring of academic integrity. The PEB will discuss these concerns in order to ascertain whether any further action should be taken to protect academic standards.

5. Supporting information

The survey respondents were satisfied with the information provided to assist with their examination preparation, particularly the Essential Information for Candidates, and the

Technical Requirements. Whilst some candidates asked for the key information to be more concise, others asked for more information – thus extending the length of the document. Additionally, concerns were raised about challenges with finding the right information on the website, particularly if candidates are unclear of the correct terminology. PEB will review the materials provided to candidates and explore whether a quick reference guide could be included, which links through to a more detailed document or webpages, thus not excluding any information, but making it easier for candidates to engage with.

6. Exam content

Candidates in 2024 were generally more satisfied with the exam content and marking than in previous years, commenting positively on the improvements made to the examinations, as well as those still to come, and the reasonable adjustment provisions offered. A few concerns were raised about the assessment load, with the examinations being held in a short amount of time, which candidates reported to be “both mentally and physically exhausting”.

Several candidates commented on the time pressures for the Final Diploma examinations; across the four papers, the percentage of candidates who felt they had enough time to complete the assessment ranged between 28% and 57%. Additionally, concerns were raised about the assessments being closed book, and therefore requiring large amounts of memorisation. These will be considered by the PEB as part of the revisions to syllabi and assessments.

6.1. Foundation Certificate papers

As in previous years, satisfaction with the FC papers was generally high, with between 81% and 92% of candidates saying they were able to demonstrate their knowledge either to a moderate or great extent. Although overall satisfaction was slightly lower than in 2023, it was above 75% for every FC paper.

There were a couple of concerns raised by candidates in relation to being tested on some “quite niche” areas of the law, and being asked very specific questions on a very small part of the syllabus. Whilst this will be monitored, examination papers are thoroughly scrutinised as part of the approval process, with a number of examiners commenting on the topics covered and wording used, to ensure these are appropriate.

6.2. Final Diploma 1 paper

Whilst a number of respondents were positive about changes to the paper for 2024, stating it was “much better than any previous paper...a much fairer test of (my) knowledge and skill”, there were several comments in relation to the content of the exam being too narrow, with too rigid a mark scheme. As this has previously been raised as an issue, the PEB will ensure this is considered during the assessment setting process for the 2025 examinations, by the examiners tasked with writing and approving the paper.

6.3. Final Diploma 2 paper

Candidates positively commented on the inclusion of annotated figures in F2.

6.4. Final Diploma 3 paper

A few candidates raised concerns about different aspects of the examination paper, these included an incorrect date, the length of the patent, and the added matter requirements. Whilst each of these was only raised by one candidate, these will be borne in mind during the assessment setting process for the 2025 examinations.

6.5. Final Diploma 4 paper

A number of candidates raised concerns about the formatting of the FD4 paper; this included differing fonts, autoformat issues in the answer sheet, and a lack of line number annotation. This will be picked up as part of the assessment setting process for the 2025 examinations, as well as in the broader discussions about the revisions to FD4.

7. Conclusion

The PEB would like to thank all of the candidates who responded to the survey following the 2024 assessments, and for the thoughtful and constructive comments provided. These will be considered by PEB in advance of the 2025 examinations, and will feed into the PEB's review of syllabi and assessments, hopefully contributing to an improved experience for candidates in future examinations.

Appendix 1

2023 Action Plan

<u>Area (please specify)</u>	<u>Candidate feedback</u>	<u>Rationale for decision</u>	<u>Change implemented</u>	<u>Impact on candidate experience (updated following 2024 examinations)</u>
Annotation tools for FD2	Candidates expressed concerns about the time taken when using the annotation tools in FD2, particularly given the number of figures in the examination	To ensure that candidates do not lose time dealing with such issues	The PEB has reviewed the use of the annotation tool and discussed it with the relevant Principal Examiner. There will be no requirement to annotate as the figures will be pre-labelled for candidates	Candidates appreciated the pre-annotated figures and provided positive feedback on these
The PEBX system	Candidates experienced difficulties with different email addresses being used to login to the system	To try and ensure that there is no confusion about which email might be used by candidates to access the system	The PEB will email candidates before the examinations to check their email address that they will use to access the PEBX system	Whilst some candidates did have issues logging in (and so this email will be routinely sent before each examination period), there were significantly fewer comments and reported technical issues about access issues than in previous years
Support during examinations	Candidates experienced difficulties accessing support during the examinations	To ensure that candidates who experience problems during the examinations are not unduly disadvantaged	Candidates will be issued with detailed information concerning the support that is available to them	Detailed information circulated by the PEB which provided information on the assessments and the support available, though some candidates did comment on the length of the

				information provided
Invigilation	Candidates experience problems in the assessment	To ensure candidates are not unnecessarily interrupted during the assessment	The PEB will check and review the instructions to invigilators	Considerably fewer candidates raised concerns with invigilator interruptions

Appendix 2

2024 Action Plan

<u>Area (please specify)</u>	<u>Candidate feedback</u>	<u>Rationale for decision</u>	<u>Change implemented</u>	<u>Impact on candidate experience (to be updated following 2025 examinations)</u>
The PEBX system	On-screen warnings were not helpful or did not work	Candidates have to time keep themselves, and regularly pause working on their assessment to check how long is remaining	Candidates are advised to have a working clock in case of system issues, and reminders (both verbal and typed in Zoom) are provided; PEB will remind invigilators about this	
Invigilation	Some noise disturbance from invigilators, and lack of responses to messages, and inconsistencies in room access timings	Noise disturbances distracting to candidates; lack of responses to messages cause stress and anxiety when candidates are unsupported	Invigilators to be reminded about muting selves and responsibilities in responding to messages	
Proctor system	Low satisfaction with this system, particularly in relation to the speed and effectiveness of help	Candidates are unsupported, and this has been raised previously	PEB to review the use of this proctoring platform in the broader context of assessment delivery	
Academic integrity	Concerns raised about the feasibility of cheating during examinations	The protection of academic integrity is of critical importance	PEB to review these concerns the academic integrity of these assessments in the broader context of assessment delivery	
Room access timings	Inconsistent approach taken to admission to Zoom rooms	Causes stress to candidates as they can be let in 30 minutes early, or just before the exam	Candidates will be admitted into rooms 15 minutes before the start time, but should log	

		starts	on 30 minutes before the start time in case there are issues with PEBX; PEB will reiterate this to invigilators	
Examination paper issues	Concerns raised with formatting issues on papers and in answers sheets, and incorrect dates in papers	Causes stress to candidates during their examinations	Paper approval meetings to check for errors as well as any formatting issues; PEB will discuss the use of inclusive fonts in all assessments	
FD1 examination content	Too narrow a focus in the paper	Candidates have previously raised this as issue of unfairness	Raised with FD1 examiners who confirmed the content of the 2024 paper was reasonable, and routinely discuss the assessment focus as part of the quality assurance process	
Timings/duration and nature of assessments	Concerns raised that the examinations are crammed into a short window, and each not long enough in duration. Requests from candidates that assessments should be open book	Candidates have raised these previously and stated that more spaced out exams and longer durations, as well as open book assessments would reduce stress, and be a fairer way of assessing	It is not feasible to spread the assessments further, steps have already been taken to move these from a one week to a two week spread Other concerns will be picked up as part of the broader syllabi and assessment format review	
Supporting information	Candidates raised concerns with the information provided, which can be difficult to navigate	It is easy to overlook information or not be able to find it	PEB to introduce a Table of Contents for the Candidate Information document	