



CIPA ADVANCED PATENT PARALEGAL COURSE MODULE ASSESSMENTS 2025 ASSESSORS' REPORT

For the 2025 CIPA Advanced Patent Paralegal Course (APPC), Modules 1, 2 and 3 comprised assessments in relation to UK, PCT and EPC patent law and practice respectively.

At the outset, it is acknowledged that, as this was the first time this course has been run, there were no prior assessments to provide current candidates with some guidance on what was required and the assessors have taken this into account when reviewing candidates' submissions.

In general, the majority of candidates answered well and have passed the course. A small number failed one of the modules and therefore will need to resit the failed module at the next session. An even smaller number failed two or more modules which will require those candidates to resit the course in full to gain the qualification.

This report should be read in conjunction with the answer documents provided separately.

Assessment methodology

Each assessment comprised several questions setting out a number of tasks. The assessments were open book, and candidates were free to consult any freely available information sources and to discuss the assessments with fellow candidates, colleagues and mentors. As such, the intention was to reflect "real world" situations. Many of the assessments were based on real-life scenarios.

Assessors were looking for evidence of candidates understanding a scenario, identifying relevant issues and setting out how they would approach the task. In some cases, there may have been multiple approaches or solutions with no single right answer, although in some instances candidates were expected to identify the main issues and discuss the implications for practice.

In order to pass the assessment, candidates needed to demonstrate, at least partially, achievement of a majority of the assessed tasks.

To assist the assessors in arriving at a decision as to whether a candidate had demonstrated achievement of the tasks, marks were allocated to levels of achievement for each task. This was generally a mark of "5" where an achievement was fully demonstrated, "3" where it was partially demonstrated and "1" or where there was little or no demonstration of achievement. In one task, assessors were able to allocate a range of values. These marks were then totalled and candidates who achieved a mark above a predetermined value (which was different for each module) would have clearly demonstrated achievement of a majority of tasks and granted a pass. Candidates who achieved very low marks had clearly not achieved the required level of achievement for a pass. The submissions for candidates with a total mark less than the predetermined value were further reviewed to determine whether their submissions did (or did not) demonstrate achievement, or partial achievement, of the tasks. Candidates who could demonstrate this achievement were awarded a pass.

Candidates are provided with this total mark in their results. However, it must be stressed that a pass or fail is not determined by the mark i.e. there is not a pass mark. Rather it is whether candidates have demonstrated or partially demonstrated achievement of the tasks that determines whether a candidate is given a pass or a fail.



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General comments

Most candidates attempted all of the questions in the assessments and are to be commended for this.

It is important that candidates read the question and answer what is asked. Some candidates adopted a scatter-gun approach and included information that was not required and outside the scope of the question. The assessors acknowledge that in light of the lack of any previous examples of assessments it is natural that candidates are tempted to put in a lot of information. However, there is a risk that a submission with a lot of irrelevant information may obscure the specific details of the answer that are relevant to the question.

In that regard, bullet points or simple sentences may be preferred.

Whilst simple copy-and-paste of text is acceptable, this can give rise to the same issues as assessors may not be able to clearly determine what the candidate understands. If you are doing this, the answer should discuss why this information is being included. It is important that candidates make sure that they include details of their sources of information. This is particularly so when cut-and-paste is used to avoid the risk of an assessment of plagiarism.

This also reflects the “real-life” aims of this course. Candidates should think; “How would we explain this to a client or a colleague?”

Candidates should ensure that answers are provided to the specific questions and not in general. For example, if a question is split in to (a), (b), (c) etc. ensure that information is given in answer to (c) even if it has already been discussed in (a).

Whilst in real-life candidates would be expected to their work reviewed by an attorney, answering a question simply by saying they would refer to an attorney would generally not be awarded marks.

In the main, questions should not require candidates to make assumptions. If a candidate feels that assumptions need to be made, then the reasons for the assumptions should be set out and discussed.

Some of the reflections were very cursory. Reflections should address the candidate's starting point, what they have learnt and where they see themselves going with what they have learnt. Reflections should also encompass the whole module, not just the content of the assessment.

Furthermore, comments relating to the examination process itself are not suited to the reflective submission. Constructive feedback is always appreciated, but it should be provided separately through the appropriate channels.



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Module 1

This was generally answered well. In question 1 assessors were looking for an understanding that, in order to apply for restoration, the failure to pay the renewal fee was unintentional. The question then required a discussion of the role of the paralegal not only in the process of restoration but also in making sure that unintentional lapsing of a patent did not occur in the first place.

In relation to question 2, candidates could use two forms to apply for the two different opinions or use a single form for both. Candidates were not harshly marked where there were minor errors or typos in the forms. Candidates were expected to outline the steps/deadlines for the restoration process. Some candidates suggested filing a Form 49, which was not required.

Module 2

This was perhaps less well answered by some candidates, perhaps reflecting the lack of experience in the use of the PCT by some candidates.

Question 1 was generally answered well although a significant number of candidates failed to understand that the national phase could not be entered for Uruguay, due to the fact that it only acceded to the PCT at the beginning of 2025.

This question comprised three tasks: one for each country so those that missed the issue with Uruguay could not achieve full achievement of the task. This is a question where there was a clear temptation to submit all information without tailoring the information to the question.

In question 2, we were looking for an appreciation that there would be two applicants for the PCT and that one was a German firm. On this basis, the EPO could be used as a competent receiving office, and a preferred answer was one in which the PCT was filed at the EPO with joint applicants and with Patents & Stuff being the representative firm. However, as long as candidates identified options and discussed pros and cons, candidates were deemed to have demonstrated at least partial achievement. A few candidates who decided it should be filed as the USPTO and submitted a form generally did not fare as well as the form was usually not filled in correctly.

There appeared to be some confusion with some candidates as to the representative details. It is understood that there was an initial issue with PebblePad that meant that it was unclear that candidates should use the Patent & Stuff details for this assessment. Assessors therefore accepted forms which used their own firm details, left parts blank or used "made up" details.

Module 3

Question 1 was based on a real scenario. Most candidates identified that Firm B was the appointed representative. However, a significant number of candidates appeared not to understand that an automatic debit request debited the fees at the last date due so that fees would have been paid by Firm A. Most candidates were able to outline that there were not



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two applications and, as such, withdrawal was not an option to consider due to the risk involved.

Question 2 was generally answered well with most candidates outlining the steps and had identified that the Spanish company would be considered a micro entity.

In question 3, assessors were looking for an understanding that the parent application would have been deemed to be withdrawn and that Further Processing was required to “revive” the parent to ensure that the divisional application was validly filed.

Question 4 caused a bit of confusion, but most candidates did identify that the Chinese publication formed the basis for excess pages fees and that the amended claims could be filed later in response to the rule 161 communication. One or two candidates discussed the case as if it was a direct EP application rather than a Euro-PCT. Some candidates did not correctly outline the process for where there had been an outage and that the deadline would move to the next day.