

Patent Examination Board

Final Diploma

External Examiner's Report

Name of External Examiner	Fernando Barrio
External Examiner's institution	Queen Mary University of London
Programme(s) being examined	Final Diploma
Award meeting(s) attended	Awarding Meeting 5 March 2026

1. Programme Structure

Please comment upon:

- any particular strengths and weaknesses of the Final Diploma programme;
- the balance and content of the programme(s) followed by candidates;
- the coherence of programmes, and the appropriateness of syllabus content in relation to the Final Diploma aims;
- the suitability of methods and the adequacy of training as reflected by the standards achieved by the candidates.

The structure of the programme remains robust and coherent, and it is clear that ongoing work is being undertaken to review and refine its components. There is a continued effort to ensure that the different papers evolve in line with both professional expectations and developments in practice.

The balance and content of the programme are generally appropriate for a qualification at this level. Candidates engage with a broad and relevant body of knowledge, and the relationship between the different papers supports a coherent overall framework. As noted in previous years, the treatment of international aspects within some papers has been identified as an area for further development, and it is encouraging to observe that this continues to be actively addressed.

The consistency of pass rates across the papers, together with the overall distribution of marks, suggests that the methods of assessment and the training underpinning candidate preparation remain effective. Taken together, these elements indicate that the programme continues to provide an appropriate and stable pathway to achieving the standards expected of the Final Diploma.

2. Standard of candidate performance

- 2.1 Is the standard of candidate achievement at Pass level and above comparable with that of equivalent Level 7 programmes and/or qualifications in similar subject areas in UK higher education institutions with which you are familiar?

YES

- 2.2 Are there any other points on candidate performance that you wish to raise?

Candidate performance overall appears consistent with previous years. As discussed during the Awarding Meeting, there remains a concentration of candidates around the marginal range in some papers, which is not unusual for a qualification of this level and nature. The application of the Minimum Pass Descriptor to these scripts provides an important safeguard in ensuring that decisions are aligned with the expected standard.

Candidate feedback indicates that, in some instances, perceived ambiguity in questions and the presence of errors in certain papers affected the examination experience. However, there is no evidence that these issues resulted in systematic disadvantage once the mitigation measures and awarding processes were applied.

3. Assessment Process

3.1 In your view, are the processes for assessment, examination and the determination of results sound and fairly conducted?

YES

3.2 Please also comment for PEB on:

- strengths and weaknesses in the assessment process;
- the appropriateness of the assessment method (i.e. examinations) to the learning outcomes for the programme;
- the mark schemes;
- the quality and achievements of the candidates.

The assessment process remains robust, well-structured, and aligned with the expectations of a Level 7 professional qualification. The use of detailed mark schemes, standardisation procedures, and double marking provides a strong framework for ensuring reliability and consistency in marking.

It is important to recognise that, in papers requiring narrative, analytical, or interpretative responses, some variation in marking is inevitable. This reflects the nature of professional judgement rather than a weakness in the process. The standardisation and reconciliation stages are effective in managing this variability and ensuring consistency across examiners.

The incidents relating to errors identified in certain examination papers during the October 2025 session were appropriately managed. Once identified, the PEB acted promptly to notify candidates, provide clarifications, and introduce mitigation measures, including additional time and subsequent review of mark schemes and borderline scripts. These actions were consistent with maintaining fairness and ensuring that no candidate was disadvantaged.

These matters were formally considered within the governance framework and discussed at the Awarding Meeting. This ensured that mitigation was applied consistently and that the integrity of the assessment process was preserved. While the occurrence of such errors is a matter of concern and has rightly prompted further review of quality assurance processes, the response demonstrates that appropriate safeguards are in place and are effectively applied.

More broadly, the continued discussion regarding the suitability of traditional examination formats for certain components of the qualification remains relevant. While the current system is sound, there is merit in considering whether some elements could be complemented by more practice-oriented forms of assessment that better reflect real professional tasks.

3.3 Was the Final Diploma Minimum Pass Descriptor applied when marginal scripts were considered at Awarding?

YES

The Minimum Pass Descriptor was clearly applied in the consideration of marginal scripts. The discussion at the Awarding Meeting demonstrated that these scripts were reviewed carefully and consistently, with decisions grounded in the agreed criteria.

- 3.4 Was the standard of assessment for the Final Diploma consistent with that of UK higher education establishments, where applicable, at QAA Level 7?

YES

4. Other Quality Issues

If the answer is 'no' for any of the following questions, please give details in the comment box at the end of this section.

Examination papers		Delete as applicable
4.1	Were you satisfied with the arrangements for consulting you on the structure and content of the question paper(s)?	Yes
4.2	Were your comments on the question paper(s) properly taken into account?	Yes
Marking and Standardisation		
4.3	Were you satisfied with the arrangements for your moderation of question papers?	Yes
4.4	Did you have sufficient information on the mark scheme(s)?	Yes
4.5	Did you feel that you could fairly assess the quality and consistency of the marking?	Yes
4.6	Was the quality of the marking satisfactory?	Yes
4.7	Were you satisfied with the arrangements for standardisation of examiner marking (where required)?	Yes
The Awarding Meeting		
4.8	Were you satisfied with the arrangements for, and conduct of, the Award meeting?	Yes
4.9	Were you satisfied with the decisions and recommendations of the Award meeting?	Yes

4.10	Was assessment consistent with the requirements of the IPReg Accreditation Handbook, so far as you could tell?	Yes
Please detail any concerns regarding 4.1 – 4.10. The only matter to note relates to the occurrence of errors in certain examination papers. While these were appropriately addressed during the examination and awarding processes, they highlight the importance of continued strengthening of quality assurance procedures in the setting of assessment materials. It is clear that this has already been recognised at Governance Board level and is being taken forward.		

5. Issues of Procedure

If applicable, how did procedures/arrangements compare this year with previous years? Were suggestions that you made last year acted upon? (If not applicable, please go to question 7.)

Procedures and arrangements remain consistent with previous years and continue to operate effectively. The structure of the Awarding Meeting, including the systematic review of statistical data, marginal scripts, and special considerations, reflects a well-established and robust process.

Issues raised in previous reports, particularly regarding the evolution and updating of the programme and its components, are being actively addressed. The continued attention to these areas demonstrates responsiveness and a commitment to ongoing improvement.

6. General Comments

6.1 In your view, are the standards set at unit level for the Final Diploma appropriate for qualifications at this level in this subject?

YES

6.2 Are there any other points that you wish to raise? In particular, PEB would welcome your comments on any aspects of exemplary practice in the area for which you act as external examiner.

The Final Diploma continues to operate as a rigorous and professionally relevant qualification. The assessment process is robust, and the standards achieved by candidates are appropriate for entry into professional practice.

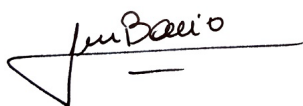
The handling of the examination paper issues provides evidence of a mature governance structure capable of responding effectively to unexpected problems while maintaining fairness and standards. The commitment to reviewing root causes and strengthening processes is particularly important in this regard.

At a broader level, there remains scope to consider the potential integration of alternative assessment formats that better reflect professional practice, particularly in areas involving drafting or applied legal reasoning. This would not replace the existing examination structure but could complement it in a way that enhances both validity and authenticity.

6.3 If appropriate, please provide a short statement or bullet points of any particular strengths or distinctive or innovative features in relation to standards and assessment.

- Strong and well-established assessment framework with robust standardisation and double marking
- Clear alignment with Level 7 expectations and professional competence
- Effective use of the Minimum Pass Descriptor in borderline cases
- Transparent and structured awarding process
- Responsive governance framework capable of addressing issues while maintaining fairness
- Ongoing commitment to programme review and improvement

Signed:

A handwritten signature in black ink, appearing to read 'Jim Baei', with a horizontal line underneath.

Date: 26-03-2026