

Patent Examination Board (PEB)

2025 Qualifying Examinations

PEB Governance Board's Response to the Candidate Survey

1. Introduction

The arrangements and administrative support for the 2025 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 has been set out in previous responses, the PEB has been re-thinking the Final Diploma (FD) syllabi and re-designing 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. However, in light of the launch of the IPReg Education and Training Review, the decision has been taken by the PEB Governance Board to pause any major changes to the examinations until the Review concludes. Nevertheless, the PEB will continue to seek to make continual improvements and enhancements to the Qualifying Examinations. Given this broader context, 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 147 in 2024 to 112. 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

Candidate satisfaction with assessments has continued to increase, since the introduction of online exams in 2020 and as a result of the improvements made by the PEB in response to feedback. 95% of respondents were satisfied with PEBX, ProctorExam and Zoom invigilation and 82% of candidates welcomed being able to take their assessments online at home or in the workplace, though a few would still prefer to return to face-to-face examinations.

The upward trend of satisfaction with the examination content and marking continued as well; with the vast majority of candidates happy that the question papers gave them the opportunity to demonstrate their knowledge from a moderate to a great extent. That notwithstanding, candidates continue to feel that the Final Diploma examinations are too time pressured to do the papers justice, and would also like longer breaks partway through these assessments. However, screen breaks are already built into the examination timings. However, the breaks cannot be enforced and very few - if any - candidates take them. Instead they use the time to work on their answers.

Unfortunately, there were several question paper errors in 2025, despite the rigorous checking process that all assessments undergo before each examination period. As such, a number of candidates raised concerns with both the question paper testing process, as well as how these issues were managed 'live' during the assessments.

2. Invigilation

Whilst the number of candidates satisfied with Zoom invigilation had dropped slightly to 76%, fewer respondents deemed the invigilation to be 'poor'. In the feedback comments, candidates raised concerns with invigilators communicating with each other being seen by all candidates, and inconsistent approaches to invigilation which were at odds with the restrictions communicated to candidates prior to the examinations. One candidate also commented on an unstable webcam used by one invigilator which shook and caused distractions throughout the assessment. Unfortunately, the PEB was not made aware of this incident and so could not address it with the invigilator. One candidate praised their invigilators for inviting them into a breakout room as they hadn't seen a message in the chat, and asked that this be the suggested approach taken across the board. This was, in fact, the approach set out in the 2025 Invigilator Instructions.

Following the 2023 and 2024 surveys, the PEB reviewed the instructions to invigilators, and this has had a positive impact upon the experience of candidates and addressed a number of the concerns raised in the last two years.

The comments provided by candidates showed there was an inconsistent approach taken to Zoom invigilation. Some candidates were not told that their names should be changed to their candidate numbers, and no guidance was provided by the invigilators on how to do this, which led to stress at the start of the exam.

A number of candidates also stated that there were limited checks on permitted and unpermitted items – this will be explored further in the later section on academic integrity.

From 2026 onward, Zoom invigilation will no longer be used and all candidates will be proctored by ProctorExam software.

3. Software

Candidate satisfaction with examination systems continues to increase, with 94% of respondents finding PEBX easy to use, and 85% of respondents agreeing with the ease of use of ProctorExam. However, the support provided within both systems was still a concern. In PEBX, 48% of candidates were dissatisfied with the onscreen warnings; though this is an improvement on last year, it represents almost half of those who took the exams, and so is a cause for concern. Respondents commented on not being able to see the on-screen warnings or chat notifications, or the warnings appearing for too short a time. In ProctorExam, all candidates were satisfied with the speed of online help, but 25% felt the help itself was not effective.

Some PEBX candidates also commented on user traffic creating a time lag at the start of the examination. The PEB would point out that 10 minutes is allowed for downloading and printing at the start of the examination. No candidate failed to upload within the allocated 10 minutes.

One respondent raised concerns with the upload facility which did not work for them, though a number of candidates asked why it was not possible to answer directly into PEBX or to be

able to submit Word documents, rather than PDFs. Candidates are in fact instructed (on the front of the question paper) to upload Word documents. The sole exceptions are hand-annotated and scanned claims or diagrams in FD3 or FD4.

It was also noted that there was no confirmation message post-submission advising a candidate on whether their answers had been successfully uploaded. However, the Technical Requirements instruct candidates to use the “View” button in PEBX to check what they have uploaded.

Introducing two trial dates for PEBX was welcomed by candidates, as it provided two opportunities to test the system, or more flexibility for those who had immovable prior commitments.

The PEB is currently reviewing the online proctoring services and examination systems used for examinations, and as appropriate will take concerns forward as part of this.

4. Academic integrity

A common thread in the feedback from candidates related to malpractice, and the need to protect the academic integrity of the assessments. Specific concerns raised related to the lack of a lockdown browser or screensharing software, and invigilators not checking IDs or requesting a scan of the room. In fact, Invigilators are instructed to check IDs, but as far as possible without disturbing candidates. If invigilators report concerns about any checks, the PEB carries out further checks on the recordings. Zoom invigilators did carry out the ID checks, albeit discreetly so as not to disturb candidates. Whilst candidates acknowledged that they were trusted to follow the Code of Conduct, they commented on the approach being at odds with the restrictions communicated to candidates beforehand, as well as noting that “Zoom invigilation is not acceptable for a professional exam of this importance”. As noted above, from 2026 onward, Zoom invigilation will no longer be used and all candidates will be proctored by ProctorExam software.

However, almost all candidates would like to continue taking their exams at a private address or at work, rather than in a traditional exam hall.

Protecting the academic integrity of assessments is taken with the utmost seriousness by the PEB. Any suspected action that threatens this is investigated 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 is conducting a broad review of assessment format and delivery, and will consider these concerns as part of this, 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, which 80% and 70% of candidates found useful and very useful respectively. Whilst the candidates welcomed the level of detail in the documents, several asked for a more concise version to be available, a single document that could be available in advance as a quick point of reference on the day of the examination. Concerns were also raised about the accessibility of this supporting information, both in terms of where this is

located on the website, but also what is included in which document. Candidates suggested the documents could be simplified and also emailed out before the assessment period.

PEB has reviewed the Essential Information and the Technical Requirements for 2026. Both documents are shorter in length. The PEB will continue to circulate as much supporting information as possible by email. Unfortunately, this is not always possible.

6. Examination content

For the Foundation Certificate, satisfaction levels with the examination content were generally high, as in previous years. However, satisfaction dropped in 2025 with FC2 and FC4 – though it should be noted that there were a very small number of survey respondents who had taken the FC papers.

Satisfaction with the Final Diploma papers has continued to increase, with between 76% and 85% of respondents satisfied that they had a reasonable opportunity to demonstrate their knowledge and understanding. Candidates commented positively on the improvements that had been made to the examinations, such as FD4 being less overloaded and less technical.

As has been raised in previous surveys, 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 “incredibly exhausting”. Some comments suggested that the longer papers could be broken into two parts with a break in between (similar to the new EQE exams) to “make the exam period far less cruel”. The PEB would point out that all examinations are scheduled to include five minutes per hour screen break time, in accordance with HSE guidance. However, the number of candidates who use screen break time for its specified purpose is minimal. The assessments have previously been moved from a week’s duration to two weeks, and whilst it is not feasible to spread the assessments further, concerns about the format of the assessments and splitting these into two parts with a break in between will be picked up as part of the broader syllabi and assessment format review.

A number of candidates commented on the time pressures for the examinations. For FC2 and FC5, half of the candidates felt there was not enough time to complete the papers, though there were a very small number of respondents. Across the four FD papers, the percentage of candidates who felt they had enough time to complete the assessment ranged between 37% and 63%; this is higher than in previous years but still a cause for concern. The key issues raised were some unclear questions, an unexpected change of format or approach for some examinations which candidates had been unable to practise, and a feeling that some papers were more a test of how quickly you could type rather than a test of your ability. These will be considered by the PEB as part of the revisions to syllabi and assessments.

A number of candidates expressed dissatisfaction with errors in the examination papers and how these were managed by the invigilators and PEB. Whilst there is a rigorous checking process in place for all assessments as part of their approval process (including testers actually working questions papers within the examination time), it is disappointing and frustrating that these errors were not spotted before the examinations. The PEB apologises profusely for these examination paper mistakes.

Respondents commented on the disruption and confusion caused by the errors, the “disrespect” shown to candidates when considering the hours of preparation they have done and the potential impact on their careers, as well as to the firms supporting candidates with these examinations, the inadequacy of a few minutes added time as recompense, and the

poor notification process followed during the assessments. Several candidates said that the invigilators only updated candidates on the error(s) in the chat function, which could easily have been missed; though it was noted that any verbal updates could also have been missed if a candidate was taking a comfort break, and therefore more needed to be done to ensure all candidates were made aware in a timely manner. Respondents flagged that a few extra minutes added at the end of affected examinations was not appropriate, as announcements were made far too late and candidates had already had to take their own action to answer the questions as best they could. The PEB can confirm that measures were put in place to ensure that no candidate was disadvantaged by a question paper error.

The PEB will consider the examination quality assurance and approval process, to ensure the risk of errors in future papers is minimised. Additionally, consideration will be given to the process by which candidates are informed of errors, as well as appropriate mitigating action.

6.1. Foundation Certificate question papers

As in previous years, satisfaction with the FC papers was generally high, with between 71% and 92% of candidates saying they were able to demonstrate their knowledge either to a moderate or great extent on FC1, FC2, FC3 and FC5. However, satisfaction with FC4 dropped to 56%.

There were a couple of concerns raised by candidates in relation to being tested on some “nicher” areas of the law compared to previous years, some questions not on the syllabus, and some of the questions being unclear as to what was being asked or poorly worded. Whilst this will be monitored, question 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. In the case of the FC question that was outside the syllabus, the PEB took steps to ensure that no candidate was disadvantaged.

6.2. FD1 question paper

A number of candidates commented on FD1 being different to previous years, and whilst some respondents welcomed these changes, others felt they were designed to “trick” candidates, who also hadn’t been able to practise the different format. In fact, neither the PEB nor the examiners set out to “trick” candidates. Several comments made reference to the fact it was difficult to know what was required of candidates – some questions were open ended or ambiguous, and others referenced the fact FD1 feels like you have to “guess what the Examiner is thinking”. These concerns have been shared with examiners prior to the setting of the 2026 examinations.

6.3. FD3 question paper

A few candidates raised concerns with the formatting of the paper, stating the tracking claims in the automatic numbering system was challenging and caused the “bubbles that the Examiners complain about”. One respondent asked if at least one example Word answer document could be added to the PEB past paper website that could be used for practising. These will be borne in mind during the assessment setting process for the 2025 examinations.

6.4. FD4 question paper

Whilst a number of candidates commented on this year’s FD4 being more manageable, the majority of respondents felt it was too long a paper, which resulted in an “endurance” test, and suggested the advice section – which is also tested in FD1, could be removed. Candidates also stated the paper felt designed to trip people up, and not reflective of the realities of

practice. 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 2025 assessments, and for the thoughtful and constructive comments provided. These have been considered by PEB in advance of the 2026 examinations, and will feed into the PEB's review of assessment and assessment platforms, hopefully contributing to an improved experience for candidates in future examinations.

Appendix 1

2024 Action Plan

Area (please specify)	Candidate feedback	Rationale for decision	Change implemented	Impact on candidate experience (updated following 2025 examinations)
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	The candidate experience improved this year, with only two concerns raised about time reminders
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	No concerns were raised about noise disturbance from invigilators or room access timings; there were significantly fewer concerns raised about messages from invigilators – most of these related to the fact that the chat had to be opened or that everyone's comments were visible, rather than a lack of response from the invigilators. Zoom invigilation will not be used for 2026 onwards
ProctorExam	Low satisfaction with this system, particularly in relation to the speed and	Candidates are unsupported, and this has been raised previously	PEB to review the use of this proctoring platform in the broader context of	Use of ProctorExam has been reviewed. Satisfaction with ProctorExam was higher than in

	effectiveness of help		assessment delivery	previous years. Whilst improvements could still be made to the effectiveness of online help, no candidate was dissatisfied with the speed of online help
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	Whilst the number of concerns about invigilation and the feasibility of cheating have reduced, concerns continue to be raised about the effectiveness of checks and the suitability of Zoom invigilation. It will be replaced with ProctorExam for 2026 onwards.
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 starts	Candidates will be admitted into rooms 15 minutes before the start time, but should log on 30 minutes before the start time in case there are issues with PEBX; PEB will reiterate this to invigilators	A consistent approach was applied this year which led to no concerns being raised by candidates. Zoom will be replaced with ProctorExam for 2026 onwards.
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	Whilst formatting issues were resolved this year, unfortunately there were a number of question errors; addressing this forms part of the 2025 Action Plan

			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	The paper was written and scrutinised by numerous examiners, who confirmed its appropriateness. That notwithstanding, concerns continue to be raised about FD1, so this will be taken forward as part of the 2025 Action Plan.
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	Whilst candidate satisfaction with the exam duration had improved for several examinations, it remained the same or dropped slightly for others. This action has been rolled forward as part of the broader review of assessment.
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	Significantly fewer candidates raised concerns with the supporting information, though two suggested quick, themed reference guides would be helpful and two asked that the document be emailed to all candidates rather than just hosted on the website. Both documents

				have been reduced in content for 2026.
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Appendix 2

2025 Action Plan

Area (please specify)	Candidate feedback	Rationale for decision	Change implemented	Impact on candidate experience (to be updated following 2026 examinations)
Candidate survey engagement	The number of candidates engaging with the post-examination feedback continues to fall in number	Whilst the PEB has close relationships with representatives of the Informals, holds a biannual PEB-Candidate Consultative Committee and welcomes feedback throughout the year, it is crucial the survey feedback is more representative of all candidates' experiences	PEB to consider ways to increase candidate engagement with the survey. However, fewer survey responses is perhaps a result both of falling candidate numbers and of less dissatisfaction with the examinations.	
Invigilation	Disturbance from invigilators messaging each other in the room chat, and a lack of guidance on the use of candidate numbers	Chat messages distracting to candidates; lack of guidance causes stress and anxiety at the start of the examination	Use of Zoom will be replaced with ProctorExam for 2026 onwards.	
Supporting information	The information is not accessible and very lengthy, so it is hard to find the correct details	Leads to a poor candidate experience prior to their examinations	All information documents are reviewed annually. Whilst they are lengthy, they incorporate most of the (numerous) queries that candidates have raised since online	

			examinations were introduced in 2020. PEB has reviewed the materials provided to candidates for 2026 and reduced the length of key documents.	
Academic integrity and assessment platforms	Concerns raised about the feasibility of cheating during examinations due to the nature of the platforms and their corresponding invigilation arrangements	The protection of academic integrity is of critical importance	PEB has reviewed these concerns the academic integrity of these assessments in the broader context of assessment delivery. Use of Zoom will be replaced with ProctorExam for 2026 onwards.	
Duration of assessments	Concerns raised that the examinations are long enough in duration and/or should have a longer break partway through	Candidates have raised this previously and stated that longer durations, as well as lengthier breaks would reduce stress, and be a fairer way of assessing	These concerns will be picked up as part of the broader assessment format review	
Examination paper issues	Concerns raised with errors in papers and the way these were handled by invigilators	Causes stress to candidates during their examinations	Question paper editing meetings take place where errors should be identified; the importance of scrutinising papers has been reinforced with all examiners. PEB will consider how question paper errors can be better communicated to candidates	

Examination content	Concerns were raised across the FC and FD papers, including formatting issues, the syllabus covered, the style of the paper having changed, and ambiguous questions that are difficult to answer	Can cause stress to candidates and a feeling of unfairness	Candidate feedback has been shared with examiners in advance of the approval process for the 2026 assessments	
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