

THE JOINT EXAMINATION BOARD

95 Chancery Lane
London
WC2A 1DT

Tel: 020 7440 9375

Fax: 020 7430 9254

Email: sharon@jointexaminationboard.org.uk

Website: www.jointexaminationboard.org.uk

Amendment to the Examination Regulations

The examination regulations are being amended with immediate effect by the publication of the Transitional Provisions dated 1 June 2010. The amendment deals with a number of matters which have been discussed at length over the past year or more and raised in the CIPA and ITMA journals.

New Trade Mark Qualification Process

The new regime for qualifying as a Trade Mark Attorney comes into effect later this year and requires that students attend courses at Queen Mary University of London and Nottingham Law School. Details can be found on the ITMA web site. The joint Examination Board is not responsible for administering those courses. Students who have started the qualification process under the 'old' examination system are being given a limited opportunity to complete those examinations. To determine whether a person had already started to qualify under the old system, the Board have set a cut-off date of 1 November 2009, for a person to have been a student member of CIPA or ITMA or to have passed or gained exemption from T1, T2 or T5. It is appreciated that this date is retroactive in its effect, but earlier dates have been proposed and published on several occasions previously by ITMA and so the provisions should come as no surprise to students and their supervisors.

Trade Mark Foundation papers will be held for the last time in 2010 and Finals papers for the last time in 2011 with a possibility for candidates to re-sit no more than two Trade Mark Finals papers in 2012. These provisions are intended to enable the Board to effect an orderly run-down of the Trade Mark examination system, to encourage students to move across to the new qualification system, and to be fair to students. Students who have passed one or more Trade Mark Foundation and Finals papers will be able to apply for exemptions from some of the modules of the new system. ITMA have already published some exemptions for the new courses and is establishing a process for ad hoc applications for exemption.

Applications for Exemption or Special Consideration under the JEB Regulations

The Board will not normally consider applications for exemption from T1, T2 or T5 from candidates who are not eligible to sit those examinations in 2010.

Candidates who are not eligible to sit examinations by virtue of Paragraph 5 of the Transitional Provisions but wish to be considered under Paragraph 6 should apply to the Board, setting out their case in detail, as soon as possible. There is no fee payable for applications under Paragraph 6.

Trade Mark Finals Paper T3

In 2010, the duration of this paper will be four hours (instead of three). The length and difficulty of the question will be commensurate with previous years. The intention is to give candidates more time to produce their answer.

Patent Foundation Paper P7 – Trade Marks for Patent Attorneys

Paper P7 will be set for the first time in 2010 and will replace papers T1 and T5. ‘Patent Candidates’ who already have one of T1 and T5 can sit the missing paper and/or P7 in 2010. Candidates who have neither paper T1 nor T5 are advised to sit P7, but could sit T1 and T5 if they wish provided that they qualify under Paragraph 5 of the Transitional Provisions.

A training manual for P7 is available from CIPA and a specimen P7 paper and answers will be published shortly.

Patent Finals Paper P6

In 2010 the duration of the paper will be extended to 5 hours. To avoid disruption, candidates will not be able to leave the examination room in the final 45 minutes. The length and difficulty of the question will be commensurate with previous years. The intention is to give candidates more time to produce their answer.

Provision is also made for a ‘compensated pass’ by taking into account performance on the Queen Mary University Course for P6.

Helene Whelbourn
Chair
Joint Examination Board