

The Institute of Trade Mark Attorneys (ITMA)

The Chartered Institute of Patent Attorneys (CIPA)

**Regulations for the Examinations For the Registration of
Patent Agents & Trade Mark Agents 1991 (as amended)**

Transitional Provisions

Whereas ITMA and CIPA have delegated to the Patent and Trade Mark Regulators (together the IP Regulator) the oversight of the regulation of the respective professions with effect from the 1 January 2010, and

Whereas the Institute of Trade Mark Attorneys has decided to adopt a new system for qualification as a Registered Trade Mark Attorney, and

Whereas Queen Mary University of London in cooperation with CIPA has developed a course ‘Advanced Training for P6’

The Regulations for the Examinations For the Registration of Patent Agents & Trade Mark Agents 1991 (as amended) shall continue to apply to the qualifying examinations, subject to the following transitional provisions which are adopted with effect from the 1 June 2010 and shall be read in conjunction with the 1991 Regulations (as amended)

The Qualifying Examinations (Regulations Paragraphs 3 to 5)

- 1.** The Board will not hold Trade Mark Foundation Paper Examinations T1, T2 and T5 after 2010.
- 2.** The Board will not hold Trade Mark Finals Paper Examinations T3, T4 and T6 after 2012.
- 3.** The Board will hold an examination, P7 Trade Marks for Patent Attorneys, in 2010 and subsequent years.

4. References to the Register of Patent Attorney Rules 1990 and to the Trade Marks Attorney Rules 1990 shall henceforth be references to the Patent Attorney and Trade Mark Attorney Qualification and Registration Regulations of the IP Regulator.

Eligibility (Regulations Paragraphs 6 to 10)

5. Subject always to the criteria in Paragraphs 6 to 10 of the Regulations, in addition a person shall only be eligible to sit T1, T2 or T5 in 2010 or T3, T4 and T6 in 2010 and 2011 if he has applied to sit any of the Trade Mark Papers T1, T2 and T5 in 2009 or earlier or if he has been granted an exemption or deemed pass for one of those papers before 1 November 2009 or was a student member of ITMA or CIPA on 1 November 2009. In 2012 a person shall only be eligible to sit T3, T4 or T6 if he has sat that paper in a previous year and shall be allowed to sit no more than two of those papers.
6. The Joint Examination Board may in its absolute discretion decide to waive all or part of the requirement in Paragraph 5 above in respect of a person it appears to the Board that refusal to allow that person to sit a relevant examination would result in undue hardship. There shall be no Appeal from the Board's decision on eligibility under this paragraph.

Exemptions and Deemed Passes (Regulations Paragraphs 12 to 14)

7. Courses previously qualifying for exemptions in respect of T1, T2 and T5 will qualify for exemption in respect of P7.

Appeals (Regulations Paragraphs 32 and 33)

8. Any Appeal shall be made to the IP Regulator who shall deal with the matter itself or, in its own discretion, pass the matter to the Trade Mark Regulator or the Patent Regulator if deemed more appropriate. References to the Comptroller in the JEB Appeals and Complaints notice and other notices shall henceforth be deemed to be references to the IP Regulator.

Common Foundation Papers for Qualifying Examinations for Patent Attorneys under the Patent Attorney and Trade Mark Attorney Qualification and Registration Regulations (Regulations Paragraph 4)

- 9.** For the Qualifying Examinations for Patent Attorneys, a pass in Paper P7 shall be deemed equivalent to a pass in Papers T1 and T5.

Patents Advanced Paper P6

- 10.** A candidate who has obtained insufficient marks to pass Patents Advanced Paper P6 by virtue of paragraph 27 shall be deemed to have passed that paper (“the compensable paper”) if:
- (a) his mark in the compensable paper is 45% or more and
 - (b) he has been awarded a pass in the immediately preceding Queen Mary University of London course “Advanced Training for P6” and have obtained a total of 100 or more formed by aggregating:
 - (i) his percentage mark in the Course Examination Element (Part 2 Assessment) of that course and
 - (ii) his percentage mark in the compensable paper.

- 11.** The duration of Paper P6 shall be 5 hours.

Trade Marks Advanced Paper T4

- 12.** The duration of Paper T4 shall be 4 hours.

Joint Examination Board

1 June 2010