



## **Future shape of education and training for the IP profession**

At the end of 2013, the Intellectual Property Regulation Board (IPReg) put together draft Competency Frameworks for patents and trade marks for consideration and comment by the relevant professions in the UK, and launched a formal consultation on simplifying and modernising the examination system for qualifying as a UK patent attorney.

### ***Comment on IPReg draft Competency Frameworks – Patents and Trade Marks***

The draft Competency Frameworks were published by the IPReg to encourage their use by the IP profession, with a view to providing a framework for training and development within the UK profession. So far, there has been no formal consultation on Competency Frameworks, nor have any plans been put forward by IPReg to make these draft Competency Frameworks (as published) compulsory.

In response (see policy paper PP05/14 - 19 May 2014), the IP Federation strongly supports IPReg's move to provide a clear statement of skills and competency requirements for the training and qualification, and continued development, of patent and trade mark attorneys within the UK profession. Drawing from a unique in-house business IP perspective, the IP Federation recommends broadly having six core competency areas: - (a) technical skills, (b) building relationships, (c) trusted independent adviser, (d) people and team skills, (e) project management, and (f) personal skills.

### ***IPReg Formal Consultation – Examination System for Qualification as a UK Patent Attorney***

Launched in November 2013 for response in March 2014, this IPReg consultation was for simplifying and modernising the examination system for qualifying as a UK patent attorney.

The consultation proposed to remove stand-alone Foundation level examinations in favour of accredited Foundation courses as the only route into the profession and to withdraw P3 (Drafting) and P4 (Amendment) UK examinations, requiring instead that candidates pass the European Qualifying Examination (EQE) drafting and amendment papers or the EQE as a whole before entry on to the register.

The IP Federation response (policy paper PP03/14 - 17 March 2014) makes clear that the proposal to abandon the Foundation level examinations is misguided. The IP Federation objects to the proposal to abolish papers P3 and P4. Implementation of either of these proposals, in our view, may have a serious impact on diversity within the UK patent attorney profession; and in the case of the proposed abolition of P3 and P4, we have a specific concern that IPReg would be removing crucial elements of its ability to fulfil its own regulatory objectives. The IP Federation response encourages IPReg to withdraw these proposals, and instead review the qualification system within the UK in a holistic manner, defining the purposes of the UK qualification to enable potential future changes to be made that are consistent with the needs of the public, the needs of the profession, and indeed IPReg's own objectives as defined by the Legal Services Board.

In our response, we further urge IPReg to reconsider the proposed minimum time service before qualification and the proposed STEM degree requirement.

### ***Outcome of the Consultation***

At the time of writing, IPReg have not yet published their response to stakeholders' submissions. This is eagerly awaited.

**Conclusion**

Following the launch of the consultation, the IP Federation have worked actively with IPReg and CIPA to raise awareness in this area (via webinar), so as to encourage the wider much-needed debate on education and training within the profession. Ultimately, our common aspiration is to establish a new blueprint for qualification as a patent attorney which is truly fit for purpose for business and for future generations to come. With this in mind, our policy paper (PP03/14) has been submitted and widely disseminated, and it is hoped that all the issues identified by us will be taken into account and addressed by IPReg.

Dr Bobby Mukherjee, 14 November 2014