

The Patent Regulation Board and the Trade Mark Regulation Board

Consultation on the Examination and Admission Rules 2010 (Rules for the Examination and Admission of Individuals to the Registers of Patent and Trade Mark Attorneys [2010])

The Intellectual Property Regulation Board (IPReg) invites comments from any interested person on its proposed new rules concerning the requirements for examination and admission of individuals to the Registers of Patent and Trade Mark Attorneys.

Background

These new rules supersede all previous rules concerning the examination and admission of individuals to the Registers of Patent and Trade Mark Attorneys apart from those arrangements in effect before the date on which the Board had regulatory oversight of these matters under the terms of the Legal Services Act 2007. The Rules provide a more detailed framework for those provisions in the Patent & Trade Mark Attorney Qualification and Registration Regulations 2009 which deal with Qualifying Examinations and Examination Agencies. A current list of the latter organisations (including the Joint Examination Board of CIPA and ITMA) is set out in Schedule 1. The new rules also deal with academic requirements for entry into the qualification process for admission to the Register (Schedule 2). They also specify that the required pre-registration patent and trade mark attorney experience must be current.

Consultation – procedure and time-table

The Board is aware of the urgent need to provide certainty for students, applicants for registration and for those involved with the administration of Qualifying Examinations for admission to the Registers. The Board considers that the new Rules merely elaborate provisions which are already in place rather than establish new principles. Nevertheless, in view of the need to safeguard broad access to the systems for qualification and admission to the Registers, the Board has decided that a consultation period of three months is appropriate.

Any person wishing to make any comment on the proposed rules or any particular provision within the rules is invited to do so by email to Ann Wright, the Chief Executive, at: Ann.Wright@ipreg.co.uk

The consultation will close on 31st December 2010. The Board will then consider the responses in formulating a final version for approval by the Legal Services Board.