



EQE Candidate Support Project (CSP)

Frequently Asked Questions - National Offices

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What is the EQE Candidate Support Project (CSP)?

This is a European Patent Office (EPO) "Co-operation Roadmap" project. The goal is to support prospective candidates from those member states having five or fewer EQE-qualified Professional Representatives (PRs) in their preparations for the European Qualifying Examination (EQE).

The project provides prospective EQE candidates not only with access to existing EQE training seminars and teaching materials, but also dedicated coaching, and some financial support.

What is the distribution of Professional Representatives within EPC member states?

At present there is a geographical disparity of Professional Representatives (PRs) in the member states which introduces an imbalance in the Europe-wide provision of professional patent attorney services. In the member states of the European Patent Organisation, the number of representatives having passed the EQE varies greatly. It is common that in those member states which have joined in the past decade, most or all of the European patent attorneys received their recognition on the basis of the so-called "grandfather" clause (Art. 134(3) EPC).

What are Grandfathers?

Art. 134 EPC states:

[Representation of natural or legal persons in proceedings established by this Convention may only be undertaken by professional representatives whose names appear on a list maintained for this purpose by the European Patent Office.]

:

- (3) During a period of one year from the date on which the accession of a State to this Convention takes effect, entry on that list may also be requested by any natural person who
 - (a) is a national of a Contracting State,
 - (b) has his place of business or employment in the State having acceded to the Convention and
 - (c) is entitled to represent natural or legal persons in patent matters before the central industrial property office of that State. Where such entitlement is not conditional upon the requirement of special professional qualifications, the person shall have regularly so acted in that State for at least five years.

How were the participating member states selected?

A comparison of the statistics of July 2013, regarding qualified Professional Representatives, showed that 23 member states had fewer than five qualified PRs. These member states are: Albania (AL), Bulgaria (BG), Croatia (HR), Cyprus (CY), Czech Republic (CZ), Estonia (EE), FYR of Macedonia (MK), Iceland (IS), Greece (GR), Hungary (HU), Latvia (LV), Lithuania (LT), Malta (MT), Monaco (MC), Norway (NO), Poland (PL), Portugal (PT), Romania (RO), San Marino (SM), Serbia (RS), Slovak Republic (SK), Slovenia (SI), and Turkey (TR).

Please note: Ten CSP students have been accepted from each of the member states: Hungary, Poland and Turkey.

Furthermore, as of 1 January 2017, the Czech Republic, Hungary, Norway, Poland, Portugal and Turkey have achieved the objective of five (5) or more EQE-qualified Professional Representatives.

Therefore the CSP is considered to have been successfully concluded for these six member states (CZ, HU, NO, PL, PT and TR).

What are the objectives of the project?

- Achieve a significant number of EQE-qualified Professional Representatives (PRs) in all member states;
- Promote the role of national patent offices (NPOs) in developing and supporting the national Professional Representative infrastructure;
- Promote the European Patent Attorney profession;
- Increase the proportion of successful EQE candidates without lowering the quality of the qualification.

How will the project objectives be achieved?

- Through providing enhanced preparation and training for the EQE;
- By providing a training and scholarship programme;
- Via a coaching programme with regular contact between students and coaches.

What is the duration of the project?

The project is expected to run for the duration of the Co-operation Roadmap, or until the objective of more than five Professional Representatives in each participating member state has been achieved. The EPO will inform the NPOs in advance of the end of project. For each year of the project, it is expected that a new class of no more than 24 students will begin their three-year participation in the project. The training begins in early September, in preparation for the EQE Pre-examination the following year.

How will the project be implemented?

The project will comprise the selection, training, and supervision of the selected students. The EPO will manage the project, in close co-operation with the national patent offices (NPOs), the European Patent Institute (*epi*), and selected training providers such as CEIPI and DeltaPatents.

The ultimate responsibility for taking decisions regarding the implementation, funding, resources and schedules, rests with the EPO.

Is the training tailor-made for this project?

The CSP aims to provide the participating students with the most applicable training and materials currently available, and integrate these into the project.

Special "Coaching Days" are organised at appropriate points throughout the training year, in order to provide an opportunity for the students to meet their Coaches face-to-face. The Students work both in groups, and as a class, to discuss relevant topics.

Two to three dedicated Coaching Days are planned per academic year.

How will the training for the EQE examinations be provided?

The training will be provided in two phases, spanning three academic years:

1. First phase will prepare the students for the pre-examination (first year);
2. Second phase, over two years, will prepare the students for the main examination, covering Papers A, B and D in the second year, and Paper C in the third year.

Throughout the two phases, the progress of the CSP students will be carefully monitored, allowing individual advice and support to be given as soon as possible.

What support will each CSP student receive?

The EQE Candidate Support Project (CSP) provides the following support to the participating students as preparation for their EQE examinations:

- Year 1 (Pre-examination): classroom training/seminars provided by qualified tutors, based on 10 days training:
 - a 3-day introductory session (September 2017),
 - a 5-day training course (November 2017),
 - a Cramming course / mock examination (in January 2018);
- Year 2 (Papers A, B & D): classroom training/seminars provided by qualified tutors, based on more than 10 days training :
 - a re-introduction session (September 2017),
 - a 3 to 5-day AB course (in 2017),
 - a 5-day D course (in 2017),
 - two Cramming courses / mock examination (in January 2018) ;
- Year 3 (Paper C): classroom training/seminars provided by qualified tutors, based on 5 days training:
 - a re-introduction session (September 2017),
 - a 3-day C course (in 2017),
 - a 2-day Cramming course / mock examination (in January 2018).

- All necessary textbooks and other training material;

- Access to the European Patent Academy's blended learning programme (EQE-online) comprising knowledge exchange amongst the students, virtual classroom training, assignments and homework with feedback;

- A personal *epi* Coach who will be available to answer individual questions, and help with assignments. Each Coach will be an EQE-qualified Professional Representative. Each student will be in contact with their Coach for approximately one hour per week, from the start of the training up to the week of the examination;

- A bursary of EUR 150,- per month during the period they participate in the respective training (September- February incl.). The bursary is provided to the student to cover additional costs incurred while studying for the EQE, such as local travel while attending training, and meals not included in seminar programmes.

- The EPO will, where possible, pay for all training and books in advance. Associated travel expenses (Economy class), visas, hotels etc. are paid directly to the students after the trip, upon receipt of a Reimbursement Request, including the respective receipts, flight tickets, and boarding cards.

- If requested by a student, the EPO is prepared to pay 100% for language courses, for training in the language in which the student intends to take the EQE papers. As far as practical and possible the following institution should be used: the Institut Français, the Goethe Institut, and the British Council. Each student is responsible for organising his/her own language training and for claiming the costs back from the EPO. The students must first receive full approval from the EPO for their proposed training course, prior to making any financial commitment with any institution.

How much personal time should a student expect to allocate to the CSP training?

The CSP requires a high degree of dedication and absorbs a considerable amount of a student`s free time for at least three years.

The Project provides weekly one-to-one coaching with an EQE-qualified epi Coach, either by telephone or Skype¹. From September to March students will need to dedicate time each week to cover the material to be studied and exercises given (either following the EQE-online course, or exercises provided by the Coaches), as well as staying in contact with their coaches to discuss open issues.

Additionally, there are approximately 10 days classroom-based training days a year (see above) plus examination days in February / March, that require a student to be away from home.

Some students may also need to dedicate time to improving their language skills.

What if a student fails a particular EQE examination?

The CSP will make every effort to ensure that each student can complete the training and successfully pass the respective EQE examinations. However, it is the nature of exams that not every one passes first time. If a student fails to pass a particular examination, he is not automatically excluded from the project.

All students must pass Phase 1 (Pre-examination) in order to start Phase 2. Any student failing the first time around must re-sit the following year.

If a student fails one of the examinations in the second year (Paper A or B or D), he will be allowed to continue with the third year of training for Paper C. Failing two papers (out of A, B and D) would involve a review by the CSP, which would decide on a case-by-case basis whether a student may proceed straight to the final year or if he should concentrate on resitting exams that he has not yet passed.

All resit students will be provided with online and material support in the form of text books. However the CSP bursary and on-site training courses are only available to first time sitters of any exam.

What are the eligibility criteria for students?

EQE candidates permanently residing and working in one of the EPO member states are eligible to apply to join the project. Candidates will enter the project in the year before they intend to sit the Pre-examination. This means that at the date of the Pre-examination they must have completed a full-time training period and have worked full-time, for a period of two years, as defined in Article 11 (7) of the REE **and have registered their candidacy as required by Rule 28 IPREE**. This should ensure that the candidate has already committed to a long term career as a Professional Representative.

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What are the prerequisites for participating in the CSP?

The prerequisite for participation in the CSP is that the candidate **has successfully enrolled and registered to sit the EQE Pre-examination the following year.**

The registration for the EQE Pre-examination 2018 will be open between 03 April and 02 June 2017. Full details are published on the EPO website and in the Official Journal (OJ) of the EPO.

How are the EQE candidates informed of the CSP and what it offers?

Details of the CSP and how to apply will be published in all participating member states, as well as on the EPO and *epi* websites.

How does a prospective EQE candidate apply to participate in the CSP?

Prospective EQE candidates must complete a CSP Application Form, and send this together with proof of permanent residency and a motivation letter to the national patent office (NPO) in the member state in which they reside and work. Each candidate is also required to submit a letter of support from his employer.

Applicants may be invited to participate in a 5-10 minute telephone interview with a member of the Professional Education Committee (PEC) of the European Patent Institute (*epi*).

May EQE Candidates apply directly to the EPO?

An EQE Candidate should apply directly to his national patent office (NPO).

Only exceptionally e.g. if a NPO is not able to organise an Applicant Review Board, may individuals apply directly to the EPO.

Please note that all applications submitted directly to the EPO will be forwarded to the NPO in the respective member state, for information.

What is the deadline for applications to participate in the CSP?

For participation in the project starting in 2017, in preparation for the EQE Pre-examination 2018, applications should reach the respective NPO by Friday 12 May 2017. These will be assessed and forwarded to the EPO by 26 May 2017.

May an applicant who previously sat the Pre-examination, still apply for the CSP?

The CSP only accepts applicants who have not yet passed the EQE pre-examination.

Thus the project is open to first time sitters as well as those who have sat but failed to pass the EQE Pre-examination.

May an applicant working for a national patent office in one of the participating member states apply for the CSP?

Applications to participate in the CSP will be accepted from national patent office (NPO) staff, if they are eligible to sit the Pre-examination i.e. they must fulfil the requirements of Article 11 of the "Regulation on the European qualifying examination for professional representatives (REE)" (see Supplement to OJ 2/2014). Furthermore, NPO applicants should consider whether Rule 16 (2) of the "Implementing provisions to the Regulation on the European qualifying examination (IPREE)", referring to the possible reduction of up to one year in the periods of professional activity defined in Article 11(2)(a) of the REE, applies to them.

How are the CSP students selected?

After the deadline for applying to the CSP has passed the member state NPO will form a "CSP Applicant Review Board" to assess the knowledge, motivation and requirements of each applicant. The Board may include staff from the NPO, the local *epi* PEC (Professional Education Committee²) representative and a representative of the national Patent Attorney Association / Chamber of Commerce.

What is the role of the NPO Applicant Review Board?

The CSP Applicant Review Board will review the applications and produce a list with an initial review of the applications. This list, together with all the original applications, is then sent to the EPO.

How is the final group of CSP students selected?

After receipt of the list of applicants at the EPO, the EQE Secretariat will check that each applicant fulfils the requirements to sit the Pre-examination, as defined in the REE. The EPO will then make the final selection of participating students, based on the individual CSP Applicant Review Board recommendations, the EQE Examination Secretariat approval, and the criteria laid down in the Co-operation Roadmap, such as the maximum number of participants per member state, and current number of EQE-qualified Professional Representatives. The EPO will contact each student directly, informing him or of the result of his CSP application.

What are the obligations of the CSP students?

In return for a place in the CSP each student commits to follow the training programme, to perform the related tasks diligently, and to prepare in the best possible way for the EQE. Students must inform the EPO CSP Project Manager as soon as possible of any change of situation which may affect them in their studies or their involvement in the project. Similarly the EPO must be informed of any changes of address. Students must inform the CSP of their result.

² For further information: <http://www.patentepi.com/en/education-and-training/professional-education-committee-pec/>

Further elements of the agreement with the CSP students:

1. The student is encouraged to work for at least three years as a professional representative in his home country after having passed the EQE. This aims to stabilise the quota of EQE-qualified PRs.
2. As a qualified professional representative, he/she will prepare and supervise at least one other prospective candidate from his home country for the EQE.
3. In case the performance of a student is not satisfactory, or a student does not follow the programme as requested, the EPO has the right to exclude him/her from the project.
4. The student agrees that the EPO may pass on name and contact details to the respective NPO, the *epi*, and any third-party training provider. On request, the EPO will supply the student with a list of organisations to which his details have been forwarded.

What is the current status of the CSP?

The project began in October 2012 with 16 students. By 1 January 2017 the CSP has a total of 91 students from 17 different countries, at different stages of training, including 16 who have already passed all EQE papers and qualified as European patent attorneys.

Data protection

All personal data will be processed fairly and lawfully for the specific and predefined purpose of conducting and monitoring the CSP. Relevant data may be exchanged with other EPO departments and external CSP partners (NPOs, CSP training providers, *epi*, language training providers, hotels) only in connection with CSP matters. The data will not be transmitted to any other third parties. Students may at any time request access to their personal data and if necessary have it corrected.

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What is the Fee subsidy for the enrolment and examinations fees for the EQE examinations?

In 2012 the EPO decided to support prospective EQE candidates residing in the 19 member states of the EPO which currently receive the highest level of financial support under the co-operation policy (CA 85/11 and CA 24/14).

The fee subsidy is independent of CSP participation; however, it is financed from the EPO's co-operation budget.

Residents of 19 member states: (Albania (AL), Bulgaria (BG), Croatia (HR), Cyprus (CY), Czech Republic (CZ), Estonia (EE), FYR of Macedonia (MK), Greece (GR), Hungary (HU), Latvia (LV), Lithuania (LT), Malta (MT), Poland (PL), Portugal (PT), Romania (RO), Serbia (RS), Slovak Republic (SK), Slovenia (SI), Turkey (TR)) are eligible for a 75% reduction in the enrolment and examination fee.

The fee subsidy is available upon application, up to and including the **third resit of any** examination paper.

For further information please refer to the Announcement of the EQE 2018 (OJ 2/2017) and the EPO website where a request Form is also available. Please note that a request for fee subsidy must be submitted prior to completing the EQE application

<http://www.epo.org/learning-events/eqe/eqe-training/fee-subsidy.html>