



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 EQE 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 registered 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 January 2015, regarding qualified Professional Representatives, showed that 19 member states have fewer than five EQE-qualified PRs. These member states are: Albania (AL), Bulgaria (BG), Croatia (HR), Cyprus (CY), Czech Republic (CZ), Estonia (EE), Greece (GR), Iceland (IS), Latvia (LV), Lithuania (LT), FYR of Macedonia (MK), Malta (MT), Monaco (MC), Portugal (PT), Romania (RO), San Marino (SM), Serbia (RS), Slovak Republic (SK), and Slovenia (SI).

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

Furthermore, as of 1 January 2015, both Norway and Poland had achieved the objective of five (5) or more EQE-qualified Professional Representatives.

Therefore we currently cannot accept any further applications from residents of these four member states.

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 will run for the duration of the Co-operation Roadmap, or until the objective of five or more Professional Representatives in each member state has been achieved. The EPO will inform the NPOs one year in advance of when the final intake of new students will be.

For each year of the project, it is expected that a new class of 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 training service providers.

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

Roles and responsibilities

The European Patent Office (EPO) is responsible for the overall coordination of the Candidate Support Project (CSP).

National Offices of those member states wishing to participate in the project are requested to actively support the project by: promoting the project, encouraging candidates to enter the profession through publicity campaigns, ensuring the support of the professional representatives, and providing training logistics or premises at which training can take place.

The Coaches are assigned to a particular group of candidates, per year. They maintain regular contact with the students, providing the first point of contact regarding the training and preparation for the examinations. The Coaches are EQE-qualified PRs and are members of the *epi*.

The Supervisor of each candidate is a professional representative (entered on the list of qualified representatives before the EPO).

The support of the epi and especially the *epi* members supervising the students is essential for the successful outcome of the project. Students will need support for training on the job, allocated study time, and leave to enable participation in classroom training.

An EPO Project Manager will be responsible for policy matters, administration, and all aspects of implementation of the project.

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.

Approximately three such Coaching Days are planned per academic year.

How will the training for the EQE examinations be provided?

The training will have two phases, spanning three academic years:

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

When applying to join the CSP, applicants must specify as to which discipline, Electricity/Mechanics or Chemistry, they wish to follow in the second phase.

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 split over three sessions:
 - a 3-day kick-off session (in September 2015, in Munich),
 - a 5-day training course (in November 2015),
 - a final Cramming course / mock examination (in January 2016, in Munich);
- Year 2 (Papers A, B & D): classroom training/seminars provided by qualified tutors, based on 14 days training split over four sessions:
 - a 3-day Pre-Prep ABD course (in 2015),
 - a 4-day AB course (in 2015),
 - a 5-day D course (in 2016),
 - a final Cramming course / mock examination (in January 2016, in Munich);
- Year 3 (Paper C): classroom training/seminars provided by qualified tutors, based on 5 days training split over three sessions:
 - a 1-day Pre-Prep C course (in 2015),
 - a 3-day C course (in 2015),

- a final 1-day Cramming course / mock examination (in January 2016, in Munich).
- 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 given by the EPO or *epi* trainers;
- 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. The bursary is provided as a gift 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, hotels, and books in advance.
- Associated travel expenses (Economy class), visas, etc are paid directly to the students on 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 training in the language which the student intends to take the EQE examination papers. Following the signing of agreements between the EPO and the Institut français, the Goethe Institut, and the British Council for the provision of language training in the three EPO official languages, the students are requested to participate in language training provided by one of these three preferred suppliers, where possible. The individual students will be responsible for organising their required language training and for claiming the costs back from the EPO. The students must first receive financial approval from the EPO for a given course, prior to making any financial commitment.

Furthermore, the EPO and the *epi* will, where possible, assist the students in finding:

- an internship at the EPO, working with an Examiner in a relevant technical field;
- an internship with an established patent attorney firm in another member state.

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

The CSP provides approximately 30 days of classroom-based training over a three-year period, therefore each student should allow sufficient time to be away from work/home in order to participate in this training, including travel time associated with each seminar/course.

Each student should also plan sufficient time every week to cover the material to be studied (either following the EQE-online course, or exercises provided by the Coaches).

The CSP provides weekly one-to-one coaching with an EQE-qualified epi Coach, either by telephone or Skype¹. Each student should ensure that they make use of this support and again allocate sufficient time for this coaching.

The CSP offers the possibility to students to follow language training in the language in which they intend to sit their EQE examinations. Therefore a student should plan sufficient private time to attend this language training and for completing exercises, homework, and tests organised by the language training provider.

And finally, each EQE examination also requires the student to be away from work/home for several days, depending on the examinations to be sat.

What if a student fails a particular EQE examination?

The CSP will make every effort to ensure that every student can complete the training and successfully pass the respective EQE examination(s). If a student nevertheless fails to pass a particular examination, they are not automatically excluded from the project.

If a student fails the Pre-examination, they cannot continue with phase 2 of the training until they have passed, hopefully after re-sitting the Pre-examination the following year. If a student fails one of the examinations in the second year (Paper A or B or D), they will be allowed to continue with the third year of training to cover Paper C. The CSP will aim to provide any extra support which the student may need in order to successfully pass the failed paper. 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 as to whether or not the student may proceed to the next year.

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. This should ensure that the candidate has already committed to a long term career as a Professional Representative.

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 2016 will be open between 15 April and 2 June 2015.

Full details are published on the EPO website and in the Official Journal (OJ) of the EPO.

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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?

Registered EQE candidates must complete a CSP Application Form, and send this together with a motivation letter to the national patent office (NPO) in the member state in which they reside and work. Furthermore, they should supply a letter from their company supervisor, stating that they will support the candidate's participation in the CSP, and allow them to participate in the training events provided.

Applicants will 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 their respective national patent office (NPO). If, for any reason, a national patent office is not able to organise an Applicant Review Board, individuals may 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 2015, in preparation for the EQE Pre-examination 2016, applications should reach the respective national patent office by Friday 29 May 2015.

Applicants must ensure they have successfully registered for the EQE Pre-examination 2016. (EQE Registration & Enrolment: 15 April – 2 June 2015).

Applicants who have not registered cannot be considered.

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

If the applicant previously sat the EQE Pre-examination and PASSED the examination, they may now register to sit one or more of the main examinations.

However, they are no longer eligible to apply to be considered for participation in the CSP. If the applicant previously sat the EQE Pre-examination and FAILED the examination, they may register again to sit the Pre-examination, and they may apply to be considered for participation in the CSP.

May an applicant who previously sat one or more of the main examinations, apply for the CSP?

If the applicant previously sat one or more of the EQE main examinations (A, B, C, D) they are not eligible to apply to be considered for participation in the CSP.

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. Applicants must be aware that in order to sit the EQE examinations 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?

One of the crucial elements for the success of the project is the careful selection of registered EQE candidates who would most benefit from the project. Above all, the ability and motivation of a potential student has to be assessed.

The member state NPOs are invited to each create a "CSP Applicant Review Board". The members of the board should review the applicant's EQE expert knowledge, motivation, and individual needs. The board members will include staff from the NPO, the local *epi* PEC (Professional Education Committee²) representative, and may include a representative of the national Patent Attorney Association / Chamber of Commerce.

What is the role of the NPO Applicant Review Boards?

The respective 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.

The NPO must provide the EPO with a PDF of each application as a single PDF file. The NPO must also complete the Microsoft Excel spreadsheet with information covering all the applications. This spreadsheet is provided by the EPO, and should be fully completed, and in English.

How is the final group of CSP students selected?

The EQE Examination Secretariat will then check whether each applicant is eligible to take 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.

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

What are the obligations of the CSP students?

In return, the student will enter into an agreement with the EPO, obliging him/her to follow the training programme precisely, to perform the related tasks diligently, and to prepare in the best possible way for the EQE.

Students must inform the CSP Project Manager of any change of situation which may affect them successfully completing the project. Likewise, the CSP must be informed of any changes of address.

Students must inform the CSP of their result, and provide a copy of their answer paper, for each EQE examination sat by them.

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 EQE 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 organisation to which his details has been forwarded.

What is the current status of the CSP?

In the three years since the start of the CSP, the EPO has supported 69 students from seventeen member states. In 2014, the first two CSP Students qualified as European Professional representatives. This year, 30 CSP Students sat the Pre-examination, 18 sat at least Papers A, B, & D, and a further five sat their Paper C. Throughout the project the feedback from the students themselves has been very positive.

I am not eligible to apply to the CSP, what other support is available?

In order to support those EQE Candidates who are not eligible to apply to the CSP but are residents of one of the original 23 participating member states of the CSP, the EPO may provide extended support in the form of training materials. These comprise:

- the European Patent Convention;
- the Annotated EPC, by Dirk Visser;
- the Cross-Referenced PCT, by Cees Mulder.
- For those candidates registered for the EQE Pre-examination 2016, the EPO may provide free access to its EQE-online service (normal price €350).

Support is provided on a case-by-case basis and interested candidate should apply to their respective national office, via e-mail, requesting this extended support.

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.

Contact details

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What is the "subvention" of the enrolment and examinations fees for the EQE examinations?

In 2012 the EPO President 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).

This subvention is not dependent on participation of a given candidate in this co-operation project; however, it is financed from the EPO's co-operation budget.

Residents of these 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)) will be eligible to pay a reduced fee of €50 (equivalent to 75% of the normal fee of €200).

This subvention applies both to the annual enrolment fee of €200, and to the individual examination fee of €200 to €300 per examination paper. You may request a fee subsidy up to, and including, your **third resit**, per examination paper.

Information concerning fee subsidies including the conditions for eligibility can be found in the Announcement of the EQE 2016 (OJ 2/2015, A30).

Registered EQE candidates, who are eligible for the Fee subsidy, should make their requests using the Request Form provided by the EPO. Requests will only be considered if made using this Request Form.

This must be done prior to applying for EQE registration and enrolment.

Further details can be found on the EPO website at:

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