

# PAPER F

## Competences tested:

Paper F assesses whether candidates can apply legal concepts and provisions of the EPC and the PCT. The competences tested in paper F concern declarative knowledge.

## Exam setup:

Part	Content	Duration (4h)
Part 1	Procedural requirements and steps in EPC & PCT proceedings	2 h
Part 2	Interpreting the claims and assessing the compliance of the claims & the invention with the EPC; Assessing the compliance of proposed amendments with the EPC	2 h

Paper F may comprise different types of questions, such as:

Multiple Choice	Multi-select	True or False	Drag and drop	Fill-in Answer	Highlight relevant text
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## Paper F is to be marked by:

Autoscoring only.

## Passing requirements:

Candidates obtain a PASS grade in Paper F if awarded a PASS grade in both parts of Paper F in one sitting. The passing threshold can be set between 50% and 75% of the total achievable marks by taking into account that the EQE establishes whether candidates are qualified to practise before the EPO.

## Syllabus:

<b>Paper F</b>
<b>The EPC</b>
<b>The Implementing Regulations to the EPC</b>
<b>The Rules relating to Fees</b>
<b>The Guidelines for Examination in the EPO</b>
<b>The PCT</b>
<b>The Regulations under the PCT</b>
<b>The PCT Applicant's Guide</b>
<b>The Guidelines for Search and Examination at the EPO as PCT Authority</b>
<b>The Paris Convention</b>

For more details, see:  
Art.1(5)(a) REE,  
Rules 6, 21 & 22 IPREE

# PAPER M1

## Competences tested:

Paper M1 assesses whether candidates can carry out tasks relating to the analysis and assessment of information and evaluate and act on instructions from a client. It further assesses whether candidates can understand an invention and/or data provided by the client, assess the invention in view of prior art and analyse whether the invention and the application or patent comply with the provisions of the EPC.

## Exam setup:

Part	Content	Duration (3h)
Part 1	One or more tasks according to competences listed above	90 min
Part 2	One or more tasks according to competences listed above	90 min

Paper M1 may comprise different types of questions, such as:

Multiple Choice	Multi-select	Tabular	Dropdown	Rating Choice / Rank order
Multi-point Scale Matrix	Drag and drop	Fill-in Answer	Open Questions / Free Text Answers	

## Paper M1 is to be marked by:

Autoscoring and/or two committee members for any free text question.

## Passing requirements:

Candidates obtain a PASS grade in Paper M1 if they have been awarded a PASS grade in both parts of M1 in one sitting. The passing threshold can be set between 50% and 75% of the total achievable marks by taking into account that the EQE establishes whether candidates are qualified to practise before the EPO.

## Syllabus:

### Paper M1

#### The EPC

#### The Implementing Regulations to the EPC

#### The Rules relating to Fees

#### ★ The lists of EPC contracting, extension & validation states, PCT contracting states & states that ratified the UPC

#### The Guidelines for Examination in the EPO

#### The PCT

#### The Regulations under the PCT

#### The PCT Applicant's Guide

#### The Guidelines for Search and Examination at the EPO as PCT Authority

#### The Paris Convention

#### ★ Code of Conduct for professional representatives

#### ★ Regulation on discipline for professional representatives.

★ new compared to F

For more details, see:  
Art.1(5)(b) REE,  
Rule 6, 21 & 23 IPREE

# PAPER M2

## Competences tested:

Paper M2 assesses whether candidates can apply procedural and substantive patent law of the EPC and the PCT in both day-to-day and exceptional situations arising in the practice of professional representatives in proceedings before the EPO. It further assesses whether candidates are familiar with all procedures established by the EPC and the PCT and with the procedural law referred to as forming part of the examination syllabus and in any further provisions laid down in the IPREE.

The procedures and procedural law established by the EPC and the PCT include the procedural laws of the EPC contracting states, extension states and validation states, as well as those applied by the IP offices of Japan, South Korea, China, and the United States. Candidates are expected to be able to identify and apply all procedural options available in a certain situation and to provide the client with suitable recommendations and the legal bases for them.

## Exam setup:

Part	Content	Duration (2.5-3h)
Part 1	Various types of questions (see blue boxes below)	max 90 min
Part 2	Open questions requiring a free-text answer	max 90 min

Paper M2 part 1 may comprise different types of questions, such as:

Multiple Choice	Multi-select	Tabular	Dropdown	Rating Choice / Rank order
Multi-point Scale Matrix	Drag and drop	Fill-in Answer		

## Paper M2 is to be marked by:

Autoscoring and/or two committee members for any free text question.

At least 50% of the obtainable marks in paper M2 will be for free-text answers.

## Passing requirements:

Candidates obtain a PASS grade in Paper M2 if they have been awarded a PASS grade in both parts of M2 in one sitting. The passing threshold can be set between 30% and 60% of the total achievable marks by taking into account that the EQE establishes whether candidates are qualified to practise before the EPO.

## Syllabus:

Paper M2	
The EPC	The PCT
The Implementing Regulations to the EPC	The Regulations under the PCT
★ The Protocol on Centralisation	The PCT Applicant's Guide
★ The Protocol on Recognition	The Guidelines for Search and Examination at the EPO as PCT Authority
The Rules relating to Fees	The Paris Convention
★ The arrangements for deposit accounts (OJ EPO)	National measures relating to the Unitary Patent, published by the EPO ★
The lists of EPC contracting, extension & validation states, PCT contracting states & states that ratified the UPC	The following regulations relating to the UPC (Art. 1-4, 24-34, 47-48, 66, 83 & 89 UPCA & RoP 5, 5A & 85-98 UPC) ★
★ National law relating to the EPC	Code of Conduct for professional representatives
The Guidelines for Examination in the EPO	Regulation on discipline for professional representatives.
★ The content of the Official Journal of the EPO*	
★ The Case Law Book**	

\*(N.B.: That includes, inter alia, both UP Regulations, UPP Rules, UPP RRF)

\*\* the latest edition of "Case Law of the Boards of Appeal of the European Patent Office"

★ new compared to M1

For more details, see:  
Art.1(5)(c) REE,  
Rule 6, 21 & 24 IPREE

# PAPER M3

## Competences tested:

Paper M3 assesses whether candidates can assess, draft and develop patent documentation and submissions, based on documents and instructions from the client. It consists of three parts, each requiring a free-text answer:

- (i) Part 1 of paper M3 requires at least the drafting of claims;
- (ii) Part 2 of paper M3 requires candidates to develop and present arguments showing why the invention and the application or patent comply with the requirements of the EPC or the PCT, and to amend claims if necessary; and
- (iii) Part 3 of paper M3 requires candidates to develop and present arguments showing why the invention and the application or patent do not comply with the requirements of the EPC or the PCT.

## Exam setup:

Part	Content	Duration (7.5h)
Part 1	„Draft“: Draft claims based on provided documentation; draft an independent and dependent claim(s) which offer the applicant the broadest possible protection under the EPC. Draft the introductory part of a patent application, including at least defining the subject matter, the technical problem and the solution.	2-3 h
Part 2	„Defend“: Develop and present arguments showing why the invention/application/patent comply with the requirements of the EPC/PCT, amend claims if necessary. Put forward suitable arguments and, where appropriate, propose any amendments, ensuring the broadest possible protection under the EPC/PCT, taking account of the relevant stage of proceedings.	2-3 h
Part 3	„Attack“: Develop and present arguments showing why the invention/application/patent does not comply with the requirements of the EPC or PCT. Challenge a European patent, European patent application or an international application.	2-3 h

All three parts of Paper M3 require candidates to give

Free Text Answers

*It is likely that parts of Paper M3 will be distributed over two or three days.*

## Paper M3 is to be marked by:

Paper M3 is marked by two committee members separately.

## Passing requirements:

Candidates obtain a PASS grade in Paper M3 if they have been awarded a PASS grade in all three parts of this examination paper in one sitting. The passing threshold can be set between 30% and 60% of the total achievable marks by taking into account that the EQE establishes whether candidates are qualified to practise before the EPO.

Syllabus: Paper M3	
The EPC	The PCT
The Implementing Regulations to the EPC	The Regulations under the PCT
The Protocol on Centralisation	The PCT Applicant's Guide
The Protocol on Recognition	The Guidelines for Search and Examination at the EPO as PCT Authority
The Rules relating to Fees	The Paris Convention
The arrangements for deposit accounts (OJ EPO)	National measures relating to the Unitary Patent, published by EPO
The lists of EPC contracting, extension & validation states, PCT contracting states & states that ratified the UPC	The following regulations relating to the UPC (Art. 1-4, 24-34, 47-48, 66, 83 & 89 UPCA & RoP 5, 5A & 85-98 UPC)
National law relating to the EPC	Code of Conduct for professional representatives
The Guidelines for Examination in the EPO	Regulation on discipline for professional representatives.
The content of the Official Journal of the EPO*	
The Case Law Book**	

\*(N.B.: That includes, inter alia, both UP Regulations, UPP Rules, UPP RRF)

\*\* the latest edition of "Case Law of the Boards of Appeal of the European Patent Office"

For more details, see:

Art.1(5)(d) REE,

Rule 6, 21 & 25 IPREE

# PAPER M4

## Competences tested:

In Paper M4, candidates are expected to provide a legal opinion to a client, and to reason, present and manage advanced procedural and substantive aspects of patent law.

Paper M4 further assesses whether candidates can apply the EPC, the PCT, the Paris Convention, legislation relating to the European patent with unitary effect and the procedural laws of the EPC contracting states, extension states and validation states, as well as laws applied by the IP offices of Japan, South Korea, China, and the United States. Candidates should be able to navigate complex situations, handle a patent portfolio, analyse the situation and provide the client with strategic advice. Candidates are expected to use the opinion they draft to explain the legal consequences of the situation described. They are also expected to demonstrate their ability to deal with a complex industrial-property law case involving fundamental issues of patentability, rights of inventors, inventions as property and third-party rights.

## Exam setup:

Content	Duration (2-2.5h)
A legal opinion responding to an enquiry from a client. To reason, present and manage advanced procedural & substantive aspects of patent law.	2 – 2.5 h

Paper M4 requires candidates to give

Free Text Answers

## Paper M4 is to be marked by:

Paper M4 is marked by two committee members separately.

## Passing requirements:

The passing threshold can be set between 30% and 60% of the total achievable marks by taking into account that the EQE establishes whether candidates are qualified to practise before the EPO.

## Syllabus:

Paper M4	
The EPC	The PCT
The Implementing Regulations to the EPC	The Regulations under the PCT
The Protocol on Centralisation	The PCT Applicant's Guide
The Protocol on Recognition	The Guidelines for Search and Examination at the EPO as PCT Authority
The Rules relating to Fees	The Paris Convention
The arrangements for deposit accounts (OJ EPO)	National measures relating to the Unitary Patent, published by EPO
The lists of EPC contracting, extension & validation states, PCT contracting states & states that ratified the UPC	The following regulations relating to the UPC (Art. 1-4, 24-34, 47-48, 66, 83 & 89 UPCA & RoP 5, 5A & 85-98 UPC)
National law relating to the EPC	Code of Conduct for professional representatives
The Guidelines for Examination in the EPO	Regulation on discipline for professional representatives.
The content of the Official Journal of the EPO*	
The Case Law Book**	

\*(N.B.: That includes, inter alia, both UP Regulations, UPP Rules, UPP RRF)

\*\* the latest edition of "Case Law of the Boards of Appeal of the European Patent Office"

For more details, see:  
Art.1(5)(e) REE,  
Rule 6, 21 & 26 IPREE