

PROPOSED RULES
OF THE
INTERNATIONAL STANDARDS BOARD
FOR
QUALIFIED PATENT INFORMATION
PROFESSIONALS

(released on 21 April 2015 for public comment)



Qualified Patent Information Professional

www.qpip.org

**Rules of the International Standards Board for
Qualified Patent Information Professionals (ISBQPIP)**

These Rules of the International Standards Board for Qualified Patent Information Professionals (ISBQPIP), hereinafter the Rules, commencing on <insert date of notarisation of Articles plus 1 day > serve to implement the Articles of the International Standards Board for Qualified Patent Information Professionals (ISBQPIP) which came into effect on <insert date of notarisation of Articles>. The Articles are hereby incorporated by reference.

Rule 1 Appointment of Members to the Inaugural Supervisory Council

- 1.1** Pursuant to Article 4.2, five members of shall be appointed to form the inaugural Supervisory Council and the term of office shall be fixed according to the following schedule:
- 1.1a** one member will have a term of two (2) years commencing from the date on which the inaugural Supervisory Council is formed,
- 1.1b** two members will have a term of three (3) years commencing from the date on which the inaugural Supervisory Council is formed, and
- 1.1c** two members will have a term of four (4) years commencing from the date on which the inaugural Supervisory Council is formed.
- 1.2** Upon expiry of the term specified in 1.1a, 1.1b or 1.1c, the member may be elected in accordance with Rule 2.1 for the same position or another vacant position for a second term of three (3) years.
- 1.3** A Supervisory Council member who has served for two consecutive terms may only be reappointed after an interval of 1 year.
- 1.4** The Supervisory Council members may delegate any of their powers or functions to a committee or other delegate, provided the terms and conditions on which the delegation is made is unanimously approved by the Supervisory Council.
- 1.5** In the event of resignation before a term has ended, the member's successor will only be appointed for the remainder of the term and may then be elected for the same position or another vacant position in accordance with Rule 2.1.

Rule 2 Appointment of Members to Successive Supervisory Councils

- 2.1** Apart from the inaugural Supervisory Council, members of the Supervisory Council are elected from registered QPIPs by simple majority of votes by all Supervisory Council members and all committee members in office at the time of the vote unless the number of candidates equals the number of positions available.
- 2.2** The chairperson shall have a casting vote in the event no majority is reached.
- 2.3** Nominations for candidates may be made by registered QPIPs for any committees or places on the Supervisory Council.
- 2.4** A Supervisory Council member who has served for two consecutive terms may only be reappointed after an interval of 1 year.



- 2.5** The Supervisory Council members may delegate any of their powers or functions to a committee or other delegate, provided the terms and conditions on which the delegation is made is unanimously approved by the Supervisory Council.
- 2.6** In the event of resignation before a term has ended, the member's successor will only be appointed for the remainder of the term and may then be elected for the same position or another vacant position in accordance with Rule 2.1.

Rule 3 Committees

3.1 Accreditation Committee

- 3.1a** In accordance with Article 10.3, the Accreditation Committee shall review applications for accreditation of training or courses and recommend to the Supervisory Council accreditation of the proposed training or courses if the training or courses provide suitable content of sufficient level to prepare candidates for the certification examination;
- (i)** suitable content includes but is not limited to lectures, case studies, practical workshops conducted in person or by distance correspondence;
 - (ii)** sufficient level shall be met if the learning outcomes of the training or course would, in the opinion of the majority of the committee, enable a candidate to acquire some or all of the knowledge necessary to pass the certification examination and to practice as a registered QPIP.
- 3.1b** In deciding whether or not to recommend accreditation, the committee must consider whether the learning outcomes of the proposed training or course addresses some or all of the aspects of study referred to in Schedules 1 or 2 by taking into consideration any information provided in support of the accreditation application.
- 3.1c** An application for accreditation must be in accordance with the procedure provided at www.qpip.org and the following requirements:
- (i)** The applicant must submit detailed summary of course content including any pre-requisites required to undertake the course of study.
 - (ii)** The applicant must provide free course or training registration for one (1) committee member or a delegate thereof to evaluate the proposed course of study for accreditation.
- 3.1d** An application form and supporting documentation for accreditation can be submitted at any time during the course of the calendar year.
- 3.1e** The application form and supporting documentation must be accompanied by the payment of an administrative fee as stated at www.qpip.org
- 3.1f** Subject to Rule 3.1h, if the Supervisory Council, on the recommendation of the Accreditation Committee, accredits the proposed training or course, accreditation shall be for a period of three (3) years from the date the accreditation application is approved by the Supervisory Council.
- 3.1g** If the accredited training or course is changed for any reason during the period of accreditation as indicated in Rule 3.1f, the Accreditation Committee must be informed in writing three (3) months before the change is made.

- (i) If the Accreditation Committee is not informed in accordance with Rule 3.1g, the accreditation shall be revoked by the Supervisory Council for the remainder of the accreditation period.

3.1h The Supervisory Council may on the recommendation of the Accreditation Committee revoke accreditation if the Supervisory Council decides that the accredited training or course no longer achieves the learning outcomes that supported the accreditation.

3.2 Examination Committee

3.2a [placeholder for future provisions if necessary]

3.3 Qualifications and Continued Professional Development Committees

3.3a The committee shall actively monitor developments in the patent information industry to determine if the eligibility requirements for enrolment in the certification examination as specified in Rule 4 need to be revised.

3.3b [placeholder for future provisions if necessary]

3.4 Regulatory and Disciplinary Committee

3.4a In accordance with Article 10.6ai, the forms of punishment, unless specified elsewhere in the Rules, that may be imposed by the Regulatory and Disciplinary Committee for the interfering or damaging act or omission shall be determined by the committee on a case-by case basis and may include but are not limited to:

- (i) a ban from applying to or receiving from the ISBQPIP any benefit as provided by the Articles or Rules for a period of time as determined by the committee;
- (ii) suspension, revocation or denial of registration as a QPIP for a period of time as determined by the committee; or
- (iii) suspension, revocation or denial of registration as a QPIP indefinitely

3.4b The ISBQPIP may make publicly available the committee's decision to impose any one of the punishments specified in Rule 3.4a(i)-3.4a(iii) or specified elsewhere in the Rules by publishing the decision at www.qpip.org

3.4c In accordance with Article 10.6aii, the annual random audit shall be conducted in accordance with Rule 23 and the following requirements:

- (i) the audited QPIP shall be contacted by the committee or a delegate thereof to notify in writing that the registered QPIP's Continued Professional Development (CPD) activity during the previous calendar year is being audited and to request written evidence of CPD activity in sufficient detail as specified in Rule 23.4b and any other information as requested by the committee or required in accordance with the procedure provided at www.qpip.org.
- (ii) in the event the audited QPIP is unable or refuses, without reasonable excuse, to provide the committee with the requested written evidence of CPD activity within the time limit specified by the committee, the committee may impose a penalty as specified in Rule 3.4a; unless



- (a) a reasonable excuse not to comply with the committee's request has arisen because of an event beyond the control of the registered QPIP such as but not limited to illness that occurred within the previous thirty (30) calendar days of the date on which the audit notification is sent by the committee; and
 - (b) notwithstanding Rule 3.4c(ii)(a), it remains at all times the registered QPIP's responsibility to notify the committee if an exemption applies in accordance with Rule 23.5; and
 - (c) if an exemption applies in accordance with Rule 23.5, Rule 3.4c(ii)(a) cannot be invoked.
- 3.4d** In accordance with Article 10.6aiii, the committee shall receive and assess any requests from a registered QPIP for an exemption as specified in Rule 23.5.
- 3.4e** In accordance with Article 10.6aiv1, the complaint made against a registered QPIP about the person's professional conduct must be provided in writing to the committee in a manner as follows:
- (i) the complainant must be a natural person irrespective if the person is serving for the purposes of the complaint as a representative of a legal entity or not;
 - (ii) the identity including the full name, address and current contact information of the complainant must be provided;
 - (iii) detailed information including the substance of the allegation against the registered QPIP including a historical account that supports the allegation including dates, transactional or financial information and any other information pertinent to the complaint
- 3.4f** In accordance with Article 10.6iv3, the committee shall provide to the Supervisory Committee a reasoned statement in writing for its recommended course of action that:
- (i) sets out the reasons for its recommendation;
 - (ii) sets out the findings on any material questions of fact; and
 - (iii) refers to evidence or other material on which the findings of fact are based.

3.5 Advisory Committee (optional)

3.5a [placeholder for future provisions if necessary]

Rule 4 Enrolment Eligibility for Certification Examination

- 4.1** A candidate wishing to be enrolled for the Certification Examination must meet the requirements set out in Rules 4.2 to 4.6 at the time of application for enrolment as specified in Rule 5.1e.
- 4.2 Minimum work experience requirements:** At the time of applying for enrolment for the certification examination as indicated in Rule 5.1e, the candidate must have at least three (3) years of full time or the equivalent in part time work experience with at least 60% of that time spent:



- 4.2a** searching patent information as defined in Rule 4.2d; or
- 4.2b** a combination of searching patent information and mentoring as defined in Rule 4.2d; or
- 4.2c** a combination of searching patent information and outsourcing as defined in Rule 4.2d.

4.2d Definitions

“Searching” includes: understanding the search request, discussions with the person requesting the search, devising a search strategy, searching, evaluating search results, report writing/presenting results and post search discussion.

“Outsourcing” is defined as preparing search requests and instructions for the search service provider who will conduct the search and evaluating results from the outsourcing search service provider.

“Mentoring” is defined as providing training in patent searching to other colleagues whether co-employed or not, wherein the training may focus on a specific patent information database or tool, but the training cannot be conducted by vendor representatives. Mentoring also does not include managing patent searchers.

4.3 Types of searches to be completed: At the time of applying for enrolment for the certification examination as indicated in Rule 5.1, the candidate must have completed:

- 4.3a** twenty (20) searches per year within the period of time specified in Rule 4.2; and
- 4.3b** at least five (5) of the twenty (20) searches per year were patent infringement risk searches as defined in Rule 4.3f; and
- 4.3c** at least five (5) of the twenty (20) searches per year were novelty, validity or opposition searches as defined in Rule 4.3f; and
- 4.3d** the number of searches specified in Rule 4.3a can be averaged over the required number of years specified in Rule 4.2; and
- 4.3e** the searches specified in Rule 4.3a need not be conducted on behalf of any particular entity, but the searches must be conducted in the course of business (not for personal interest).

4.3f Definitions

A "freedom to operate search" is looking for and evaluating any intellectual property rights including but not limited to patents, trade marks, design registrations as well as an regulatory standards or industry standards or domestic law that would prevent the sale, manufacture or use of a product, process of system in a particular jurisdiction;



A “novelty search” is looking for and evaluating any printed or electronic document describing somewhere in the document all of the features of the claimed or proposed invention;

An "opposition search" is looking for and evaluating any printed or electronic document describing somewhere in the document some or all of features of the claimed invention, wherein the document was made publicly available before the filing date or priority date of the patent of concern (in the case of post-grant opposition) or the filing date or priority date of the accepted patent application of concern (in the case of pre-grant opposition);

A "patentability search" is looking for and evaluating any printed or electronic document describing somewhere in the document some or all of features of the claimed or proposed invention such that a novelty or inventive step/obviousness issue arises;

A “patent infringement risk search” is looking for and evaluating granted patents that are still in force, or pending patent applications in the jurisdiction of interest that claim one or more of the features of a proposed product or process;

A “patent landscape search” is looking for and evaluating any patent documents for the purpose of finding trends or to support business/research and development decisions.

A “validity search” is looking for and evaluating any printed or electronic document describing somewhere in the document some or all of features of the claimed invention, wherein the document was made publicly available before the filing date of the patent or a date from which priority is claimed.

4.4 Minimum technical qualification requirement: At the time of applying for enrolment for the certification examination as indicated in Rule 5.1, the candidate must have:

4.4a at least a scientific, engineering or technical Bachelor Degree of three (3) year or four (4) year program duration in a technical field as defined in any publicly available edition of the patent classification system that is administered by the World Intellectual Property Office, the European Patent Office, the United States Patent and Trademark Office, the Japan Patent Office or any other national patent office; or

4.4b at least a technical qualification in a technical field as defined by any edition of any patent classification system as defined in Rule 4.4a wherein the technical qualification was conferred by a university, technical university, technical high school, vocational college, higher technical college or institute, school of engineering, or any similar establishment and the qualification is deemed equivalent to a Bachelor Degree by the Netherlands Organisation for International Cooperation in Higher Education; or

4.4c at least ten (10) years of experience working in a technical field as defined by any edition of any patent classification system as defined in Rule 4.4a.

4.5 Required evidence in support of application for enrolment for the certification examination

4.5a The candidate must provide at the time indicated in Rule 5.1c the documentation and evidence as specified in Rules 4.5b, 4.5c, 4.5d and 4.5e, as applicable, in support of their application for enrolment in the certification examination.

4.5b All candidates must provide a written letter from their current employer in English on company letterhead, subject to Rules 4.5b(i)-(iii), stating the number of years of employment, the percentage of time spent during those years of employment on the activities specified in Rule 4.2a, 4.2b or 4.2c in the period of time specified in Rule 4.2 and the number of searches as specified in Rule 4.3.

(i) If a candidate has had more than one employer during the period of time specified in Rule 4.2, the candidate must obtain letters from each employer in order to substantiate the claimed work experience.

(ii) If a candidate was self-employed during the entire period of time specified in Rule 4.2, evidence of business registration as a search firm or patent information search consultant must be provided to substantiate the claimed work experience.

(iii) If a candidate work experience includes both employment and self-employment, then a letter from the employer(s) as well as evidence of business registration as a search firm or patent information search consultant must be provided to substantiate the claimed work experience for the time period stated in Rule 4.2.

4.5c All candidates must provide a complete curriculum vitae in English that includes at least a record of technical qualifications in accordance with Rule 4, the employment positions held in the past ten (10) years, any publications or conference presentations authored or co-authored in the past ten (10) years, any current memberships of professional user groups, societies or other related organizations and any positions held within those professional user groups, societies or other related organizations.

4.5d All candidates must provide a certified photocopy of each degree or technical qualification listed on the *curriculum vitae* that shows the name, signature and seal of the institution conferring the qualification, the full name of the recipient of the qualification and the date on which the qualification was conferred.

- (i) Certification of the photocopy referred to in Rule 4.5d can be by the establishment that has conferred the degree or technical qualification or by a notary public having a place of business in the country where candidate resides at the time of application for enrolment.
- (ii) If the degree or technical qualification listed on the *curriculum vitae* is in a language other than English, a certified translation thereof must be provided.

4.5e In the event Rule 4.4b applies, the candidate must provide written evidence in English from the Netherlands Organisation for International Cooperation in Higher Education (NOICHE) that the candidate's technical qualification is deemed equivalent to a Bachelor Degree by the Netherlands Organisation for International Cooperation in Higher Education.

4.5f Any additional documentation as requested by the Secretariat or a delegate thereof.

4.6 At the time of applying for enrolment for the certification examination as indicated in Rule 5.1e, the candidate shall pay the examination fee specified in Rule 6.

Rule 5 Application for Enrolment for Certification Examination

5.1 To be considered for enrolment for the certification examination, candidates shall complete the enrolment application form available at www.qpip.org and the supporting documentation as set out in Rule 5.1

5.1a Candidate shall state on the enrolment application form their salutation (Dr/Mr/Ms), surname, first name, mailing address, email address, telephone number, mobile number, country of birth, and citizenship(s).

5.1b The completed and signed form shall be accompanied by the documentation as required by Rule 4.5 in support of the application for enrolment.

5.1c The completed form and all of the supporting documentation must be submitted electronically in legible PDF format by attaching the documents to an email correspondence to be sent to the email address provided at www.qpip.org

5.1d The attached documentation referred to in Rule 5.1c should adhere to the following file name convention:

- (i)** <insert Surname> <insert First name> **enrolment form** <insert date of submission in YYYYMMDD format >.pdf
- (ii)** <insert Surname> <insert First name> **work experience** <insert date of submission in YYYYMMDD format >.pdf
- (iii)** <insert Surname> <insert First name> **curriculum vitae** <insert date of submission in YYYYMMDD format >.pdf
- (iv)** <insert Surname> <insert First name> **technical qualifications** <insert date of submission in YYYYMMDD format >.pdf



- (v) <insert Surname> <insert First name> **technical qualification equivalence declaration** <insert date of submission in YYYYMMDD format >.pdf (if applicable)
- (vi) <insert Surname> <insert First name> **additional documentation** <insert date of submission in YYYYMMDD format >.pdf if requested in accordance with Rule 4.5f.
- 5.1e** The electronic transmission of the completed form and all of the supporting documentation must be date stamped no later than 11:59 pm (Central European time) on the third Friday in September of the preceding year in which the certification examination will be held as indicated in Rule 6.
- 5.1f** In the event, the second Friday in October of the preceding year in which the certification examination will be held is a public holiday anywhere in the world, the deadline becomes the next business day in that country.
- 5.1g** Subject to Rule 6.5, the Secretariat or a delegate thereof shall provide to the candidate an electronic confirmation of receipt of the application and supporting document within two (2) business days of receipt.
- 5.1h** Subsequent to receiving the electronic confirmation of receipt, the candidate may be asked by the Secretariat or delegate thereof to provide further documentation in accordance with Rule 4.5f.
- 5.1i** A candidate will only be excused from meeting the requirement of Rule 5.1e, in the event of a computer failure or electronic transmission failure caused by the ISBQPIP's electronic infrastructure, a natural disaster, declared war, government regulation, disaster, fire, labour disputes, civil disorder within a 50 kilometre radius of the candidate's residence or place of business, or any other cause beyond the control of the candidate that would make it illegal or impossible to comply with the time requirement of Rule 5.1e. In all other circumstances, the candidate's late application will be disregarded and the candidate will not be eligible to sit for the next scheduled certification examination.
- 5.1j** In the event, a candidate's application is disregarded in accordance with Rule 5.1i, the candidate will need to submit a new enrolment form and supporting documentation as required by Rule 4.5, if the candidate wishes to be considered for enrolment for a future certification examination.
- 5.1k** All applications for enrolment in the certification examination shall be reviewed by the Qualifications and Continued Professional Development Committee to determine if the candidate is eligible to sit the certification examination.
- 5.1l** The candidate will be informed in writing of the outcome of the review of the enrolment application by the Qualifications and Continued Professional Development Committee by 30 November of the year in which the candidate applied for enrolment for the certification examination.
- 5.1m** The notification provided to the candidate in accordance with 5.1l shall include a statement as to whether the eligibility requirements have been met and if not, whether any remedial action can be taken by the candidate should

the candidate wish to apply for enrolment in certification examination in the future.

- 5.1n** In the event, a candidate fails to meet the eligibility criteria in accordance with Rule 4, the examination fee paid by the candidate is non-refundable and non-transferrable and the candidate will need to pay the examination fee again if the candidate submits another application for enrolment for the certification exam in the future.

Rule 6 **Examination fee**

- 6.1** The fee for sitting the certification examination shall be decided each year by the Supervisory Council and shall be published at www.qpip.org with effect from 1st of January until 31st December of each year.
- 6.2** The fee for sitting any one part of the certification examination for the candidate's first time shall be published at www.qpip.org with effect from 1st of January until 31st of December of each year.
- 6.3** In the event the candidate needs to re-sit the certification examination in full or in part, the corresponding fee for resitting the exam in full or in part shall be published at www.qpip.org with effect from 1st of January until 31st December of each year.
- 6.4** A candidate can re-sit the certification examination until all requirements are met to be registered as a Qualified Patent Information Professional (QPIP).
- 6.5** An application for enrolment for the certification examination shall only be deemed to have been received once the fee indicated in Rule 6.1, 6.2 or 6.3 has been paid.
- 6.6** The Secretariat or a delegate thereof may request additional information in regard to payment of the fee indicated in Rule 6.1, 6.2 or 6.3.

Rule 7 **Examination syllabus**

- 7.1** A syllabus to assist a candidate's preparation for the certification examination is provided in Schedule 1 regarding the expected searching knowledge and skills a candidate should possess before sitting for the certification examination.
- 7.2** A syllabus to assist a candidate's preparation for the certification examination is provided in Schedule 2 regarding the expected patent law and analysis knowledge and skills a candidate should possess before sitting for the certification examination.

Rule 8 **Certification Examination Papers**

- 8.1** The examination shall consist of two papers:
- 8.1a** a search paper consisting of
- (i) a first part pertaining to devising and conducting a novelty, validity or opposition search as defined in Rule 4.3f; and
 - (ii) a second part pertaining to devising and conducting a patent infringement risk search as defined in Rule 4.3f,
 - (iii) in the case of both Rule 8.1a(i) and 8.1a(ii), the enrolled candidate shall select from the different technical scenarios presented to best suit the candidate's technical qualifications as specified in Rule 4.4.



- 8.1b** a patent law and analysis paper consisting of
- (i) one or more questions on patent law of major patenting jurisdictions including but not limited to Europe, United States, China, Japan and Korea that is relevant to either searching or reviewing and categorizing patent and non-patent publications as being of interest within respect to a legal question arising from patent law; and
 - (ii) two (2) technology neutral fact scenarios in which the enrolled candidate shall review and categorize the patent and non-patent publications provided with the examination paper in order to provide one novelty, validity or opposition search report and one patent infringement risk search report.

8.2 Examination papers in addition to or instead of those indicated in Rule 8.1 may be introduced in the future to assess whether a candidate's competence meets the requirements concerning the aspects for which the introduced examination papers are designed to test.

8.3 The examination specified in Rule 8.1 shall be held once every two (2) years in accordance with Article 6.2 in the month of February.

Rule 9 **General Instructions for Candidates Enrolled to Sit the Certification Examination**

9.1 Candidates are expected to be familiar with the Rules in force.

9.2 Candidates shall accept the facts given in the examination paper and limit themselves to those facts. Whether and to what extent those facts are used shall be the responsibility of each candidate.

9.3 To receive the examination papers, the candidate shall present identification to the invigilator or delegate thereof such as an unexpired passport or unexpired driver's licence that includes a photograph of the candidate's face in colour and that bears the address and handwritten signature of the candidate;

9.4 The invigilator or delegate thereof shall inspect the photograph and expiry date of identification presented by the candidate and shall then ask the candidate to sign an attendance form in order to compare the signatures and verify the candidate's identity.

Rule 10 **Language of Certification Examination**

10.1 All examination questions shall be in English.

10.2 All invigilators must be fluent in written and spoken English.

10.3 Candidates shall submit their answers to all examination papers in English.

Rule 11 **Disabled candidates**

11.1 Disabled candidates are those who can prove that they suffer from a disability severely affecting their capacity to participate in the examination as set up for all other candidates.

11.1a Any such candidate shall provide to the Secretariat evidence issued in English by the competent National Health Service to attest to the extent of their disability.



- 11.1b** The evidence specified in Rule 11.1a shall accompany the application for enrolment for the certification examination as defined in Rule 5.
- 11.1c** Depending on the severity and degree of the disability, the Secretariat or delegate thereof may allow the candidate to participate in the examination under conditions which compensate as far as possible for the consequences of the candidate's disability in respect of the examination.
- 11.2** Additional time for writing the examination papers, personal assistance or other logistical or technical support may be accorded as appropriate depending on the circumstances of a particular case.

Rule 12 Invigilation

- 12.1** Subject to Rule 12.1b, invigilators shall be members of the ISBQPIP.
 - 12.1a** For the conduct of the examination at an examination centre, the Secretariat shall appoint a chief invigilator and a deputy invigilator from among the members of the ISBQPIP or the Secretariat.
 - 12.1b** The ISBQPIP may nominate other invigilators if necessary.

Rule 13 Conduct of the examination

- 13.1** If a candidate fails to comply with the instructions to candidates concerning the conduct of the examination or with instructions given on the basis thereof by the invigilators, the following measures may be taken by ISBQPIP in respect of that candidate:
 - 13.1a** Recommendation of deduction of marks
 - 13.1b** Instructions to the competent Examination Committee not to mark the answer paper concerned and not to award any marks, and/or
 - 13.1c** Disqualification from sitting the examination at the next available date.
- 13.2** A decision concerning the options in Rule 13.1 will be made by the Regulatory and Disciplinary Committee as soon as possible after the examination.
- 13.3** If a candidate disturbs other candidates during the examination, the chief invigilator shall be empowered to suspend the candidate at once from the paper during which this occurs. The chief invigilator shall then send to the ISBQPIP a comprehensive report including any evidence. The ISBQPIP shall take a decision on the matter as soon as possible.
- 13.4** Complaints concerning the conduct of the examination shall not be entertained by the ISBQPIP unless a written statement of the facts is submitted to the chief invigilator at the latest 30 minutes after the closing signal has been given on the final day of the examination.
- 13.5** Any decision taken by the ISBQPIP pursuant to Rule 13 shall be based upon all the available evidence, reasoned and issued in English in writing.

Rule 14 Fraudulent behavior

- 14.1** Fraudulent behaviour is any behaviour by a candidate with the aim of obtaining an undue advantage in applying for enrolment as a candidate to sit the certification examination, during the examination or after the examination including at the time of registration as a QPIP or at the time of renewing QPIP registration. Such



behaviour may consist, inter alia, in presenting false documents, making false or incomplete statements and/or using equipment during the examination which is not allowed.

- 14.2** The following measures may be taken by the ISBQPIP if fraudulent behaviour has been detected in applying for enrolment as a candidate to sit the certification examination or during the examination:
- 14.2a** refusal of enrolment for the forthcoming and subsequent examinations;
 - 14.2b** deduction of marks regarding the candidate's examination answer papers;
 - 14.2c** instructions to the appropriate Examination Committee member to mark the answer paper only in part;
 - 14.2d** instructions to the appropriate Examination Committee member not to mark the answer paper concerned and not to award any marks, and/or
 - 14.2e** disqualification from sitting the examination for one or more years.
- 14.3** A decision concerning the options in Rule 14.2 will be made by the Regulatory and Disciplinary Committee as soon as possible after the fraudulent behaviour has been detected.
- 14.4** The following measures may be taken by the ISBQPIP if fraudulent behaviour has been detected after the examination including at the time of registration as a QPIP or at the time of renewing QPIP registration:
- 14.4a** refusal to register the candidate as a QPIP for a period of time as determined by the Regulatory and Disciplinary Committee; or
 - 14.4b** suspension of registration as a QPIP for a period of time as determined by the Regulatory and Disciplinary Committee; or
 - 14.4c** revocation of registration as a QPIP indefinitely.
- 14.5** A decision concerning the options in Rule 14.4 will be made by the Regulatory and Disciplinary Committee as soon as possible after the fraudulent behaviour has been detected.
- 14.6** Any decision taken by the ISBQPIP pursuant to Rule 14 shall be based upon all the available evidence, reasoned and issued in English in writing.

Rule 15 **Marking of Certification Examination Papers**

- 15.1** When marking answer papers, the members of the Examination Committee shall bear in mind that candidates may have written their answers in a language other than their mother tongue. Errors of grammar or style shall therefore not be penalized.
- 15.2** **Marking sheets**
- 15.2a** Details of the marking shall be entered on marking sheets.
 - 15.2b** The Secretariat shall make available to the enrolled candidates example marking sheets at the time of releasing the grades as specified in Rule 16.2.
- 15.3** Two separate members of the examination committee will mark each paper and a mark will be agreed upon.

Rule 16 **Passing the Certification Examination**

- 16.1** Each answer paper shall be marked on a scale from zero to 100 by the Examination Committee.



- 16.1a** Where, on the merits of an answer paper, a mark of 50 or more is awarded, a PASS grade shall be awarded for that paper.
- 16.1b** A candidate shall be declared to have passed the examination if the candidate has been awarded a PASS grade for all of the examination papers.
- 16.1c** In the event, the candidate fails to obtain a PASS grade in one or more of the examination papers, the candidate shall re-sit the examination papers for which a PASS grade was not awarded.
- 16.1d** If Rule 16.1c applies, the candidate is only permitted to retain any PASS grades achieved until the next available certification examination. If the candidate fails to achieve a PASS grade when resitting the paper once more, the candidate will be required to re-sit all of the examination papers at the next available certification examination.
- 16.2** Grades for the examination papers shall be released to each enrolled candidate no later than 1 August in the year the exam was held.

Rule 17 Appeals concerning Certification Examination Grades

- 17.1** An appeal may be submitted to request review of the marks awarded for one or more of the candidate's examination papers.
- 17.2** An appeal must be submitted in English to the Secretariat within two (2) weeks after being informed of the candidate's grades and the appeal must be accompanied by:
 - (i) the appeal fee as specified in Rule 17.3; and
 - (ii) supporting documentation as specified in Rule 17.5.
- 17.3** The appeal fee shall be three (3) times the examination fee specified in Rule 6 and the appeal fee shall only be refunded if the appeal is successful.
- 17.4** The appeal will not be deemed submitted by the Secretariat until the appeal fee has been paid.
- 17.5** Supporting documentation may include rebuttal based on the sample marking sheet provided to the candidate.
- 17.6** The appeal shall only be considered in English by the Supervisory Council and one (1) member of the Examination Committee.
- 17.7** A written appeal decision in English shall be rendered by the Supervisory Council within twelve (12) months from the date the appeal is deemed by the Secretariat to have been submitted.
- 17.8** The decision of the Supervisory Council in accordance with Rule 17.7 is final and is not subject to further appeal.

Rule 18 Prior Experience Recognition (PER) for Experienced Patent Information Professionals

- 18.1** A person may apply for Prior Experience Recognition (PER) status instead of enrolling to sit the certification examination referred to in Rule 8 if the person meets the eligibility criteria for PER set out in Rule 18.5.

18.2 Invitation for submission of PER applications

Initially those persons who reside in either the United States of America or Europe (i.e. any European country that is a member state or extension state of the [European Patent Organisation](#) at the time of applying for PER status) will be invited to apply. The residency requirement will be met if at the time of filing the PER application the applicant is deemed a resident for income tax purposes and in the preceding calendar year lived in the United States or Europe for a minimum of 245 days.

Note: At the time of first enactment of these Rules, only residents of the United States or Europe will be invited by the ISBQPIP to apply, because the ISBQPIP will have limited capacity to receive applications from all over the world. It is planned that once the applications from the United States and Europe are processed, that an invitation will be announced for other countries.

18.3 Time window for application

The time window within which to apply for PER status will last no longer than 3 months from the date the ISBQPIP issues a public invitation to apply.

Note: There will be a number of public notices that will be published at least 3 months prior to the application window opening. The public notices will provide details of the application process and the required documentation to support an individual's PER application. The public notices may appear in print or online from different organisations that may include patent information user groups, conferences, patent information library centres (such as PatLib Centres in Europe or the US Patent and Trademark Resource Centres (PTRC)), patent information database vendors and patent offices.

18.4 PER application fee

- (1) An applicant for PER status will need to pay the PER application fee in order for the application to be considered.
- (2) The PER application shall not be deemed submitted by the Secretariat until the PER application fee has been paid and the documentation specified in Rule 9.1 has been received by the Secretariat.

Note: This administrative fee for considering and processing the PER application has yet to be set, but it is anticipated that the fee will be the same as the examination fee set out in Rule 6.1. The administrative fee will be non-refundable. If an individual's application for PER status is rejected, then the paid fee will either be forfeited or the individual may use the paid amount to take the QPIP certification exams for the first time.

18.5 PER Eligibility Requirements

- 18.5a** In order to be eligible for PER status, an applicant for PER must pay the application fee indicated in Rule 18.4(1) and shall meet the eligibility requirements as specified in Rules 18.5b-18.5g and 18.6.

18.5b Willingness to contribute

- (i) All applicants granted PER status shall serve at the request of the ISBQPIP on a committee of the ISBQPIP for a period of time in accordance with Article 10.
- (ii) A roster that includes the names of all those who have obtained PER status shall be used by the ISBQPIP to randomly select individuals to participate as needed.

18.5c Professional commitment to certification standard

- (1) All applicants granted PER status shall teach or otherwise exchange knowledge by teaching a course or attending one or more courses directed to each of the three core competencies of the certification examination at some point during the three years from the date the PER applicant is registered as a QPIP. The three core competencies of the QPIP certification examination in accordance with Rule 8 are:
 - (i) Knowledge of patent law and patent systems;
 - (ii) Searching – approaches for devising and conducting a novelty, validity or opposition search and approaches for devising and conducting a patent infringement risk search as defined in Rule 4.3f; and
 - (iii) Analysis - approaches for reviewing and categorizing patent publications identified by a patent infringement risk search and approaches for reviewing patent and non-patent publications identified by a novelty, validity or opposition search as defined in Rule 4.3f.

18.5d Years of experience

- (1) At the time of applying for PER status, the applicant must have at least 10 years of full time work experience or 15 years part time work experience with at least 60% of that time spent:
 - (i) searching patent information as defined in Rule 18.5e; or
 - (ii) a combination of searching patent information and mentoring as defined in Rule 18.5e; or
 - (iii) a combination of searching patent information and outsourcing as defined in Rule 18.5e.

18.5e Definitions

“Searching” includes: understanding the search request, discussions with the person requesting the search, devising a search strategy, searching, evaluating search results, report writing/presenting results and post search discussion.

“Outsourcing” is defined as preparing search requests and instructions for the search service provider who will conduct the search and evaluating results from the outsourcing search service provider.



“Mentoring” is defined as providing training in patent searching to other colleagues whether co-employed or not, wherein the training may focus on a specific patent information database or tool, but the training cannot be conducted by vendor representatives. Mentoring also does not include managing patent searchers.

18.5f Types of searches to be completed

- (1) In the five (5) years immediately preceding the date of application for PER status, the applicant must have completed:
 - (i) twenty (20) searches per year within the five (5) year period; and
 - (ii) at least five (5) of the twenty (20) searches per year were patent infringement risk searches as defined in Rule 18.5g; and
 - (iii) at least five (5) of the twenty (20) searches per year were novelty, validity or opposition searches as defined in Rule 18.5g; and
- (2) the number of searches specified in Rule 18.5f(1)(i) can be averaged over the five (5) year period; and
- (3) the searches specified in in Rule 18.5f(1)(i) need not be conducted on behalf of any particular entity, but the searches must be conducted in the course of business (not for personal interest).

18.5g Definitions

A "freedom to operate search" is looking for and evaluating any intellectual property rights including but not limited to patents, trade marks, design registrations as well as an regulatory standards or industry standards or domestic law that would prevent the sale, manufacture or use of a product, process of system in a particular jurisdiction;

A “novelty search” is looking for and evaluating any printed or electronic document describing somewhere in the document all of the features of the claimed or proposed invention;

An "opposition search” is looking for and evaluating any printed or electronic document describing somewhere in the document some or all of features of the claimed invention, wherein the document was made publicly available before the filing date or priority date of the patent of concern (in the case of post-grant opposition) or the filing date or priority date of the accepted patent application of concern (in the case of pre-grant opposition);

A "patentability search" is looking for and evaluating any printed or electronic document describing somewhere in the document some or all of features of the claimed or proposed invention such that a novelty or inventive step/obviousness issue arises;

A “patent infringement risk search” is looking for and evaluating granted patents that are still in force, or pending patent applications in the jurisdiction of interest that claim one or more of the features of a proposed product or process;

A “patent landscape search” is looking for and evaluating any patent documents for the purpose of finding trends or to support business/research and development decisions.

A “validity search” is looking for and evaluating any printed or electronic document describing somewhere in the document some or all of features of the claimed invention, wherein the document was made publicly available before the filing date of the patent or a date from which priority is claimed.

18.6 Minimum technical qualification requirement

18.6a At the time of applying for PER status, the candidate must have:

- (1) at least a scientific, engineering or technical Bachelor Degree of three (3) year or four (4) year program duration in a technical field as defined in any publicly available edition of the patent classification system that is administered by the World Intellectual Property Office, the European Patent Office, the DPMA (German Patent and Trademark Office), the United States Patent and Trademark Office, the Japan Patent Office or any other national patent office; or
- (2) at least a technical qualification in a technical field as defined by any edition of any patent classification system as defined in Rule (1) wherein the technical qualification was conferred by a university, technical university, technical high school, vocational college, higher technical college or institute, school of engineering, or any similar establishment and the qualification is deemed equivalent to a Bachelor Degree by the Netherlands Organisation for International Cooperation in Higher Education; or

18.6b at least ten (10) years of experience working in a technical field as defined by any edition of any patent classification system as defined in Rule 18.6a(1).

18.7 Continued Professional Development Activity Prior to PER Application

18.7a At the time of applying for PER status, the candidate must have completed a minimum of ten (10) Continued Professional Development (CPD) points as defined in Rule 23.6 which must be accumulated in the twelve (12) months prior to applying for PER status.

18.8 Required Evidence in support of Application for PER Status

18.8a At the time of applying for PER status, the applicant must provide the documentation and evidence as specified in Rules 18.8b to 18.8l, as applicable, in support of their application for PER.



- 18.8b** All PER applicants must provide a written letter from their current employer in English on company letterhead, stating the number of years of employment, in accordance with Rules 18.8b(i)-(iii).
- (i) If an applicant has had more than one employer during the period specified in Rule 18.5d(1), the applicant must obtain letters from each employer in order to substantiate the claimed work experience.
 - (ii) If an applicant was self-employed during the entire period of time specified in Rule 18.5d(1), evidence of business registration as a search firm or patent information search consultant must be provided to substantiate the claimed work experience.
 - (iii) If an applicant work experience includes both employment and self-employment, then a letter from the employer(s) as well as evidence of business registration as a search firm or patent information search consultant must be provided to substantiate the claimed work experience for the time period stated in Rule 18.5d(1).
- 18.8c** All PER applicants must provide a complete curriculum vitae in English that includes at least a record of technical qualifications in accordance with Rule 18.6, the employment positions held in the past fifteen (15) years, any publications or conference presentations authored or co-authored in the past fifteen (15) years, any current or previous memberships of professional user groups, societies or other related organizations and any positions held within those professional user groups, societies or other related organizations.
- 18.8d** All PER applicants must provide a certified photocopy of each degree or technical qualification listed on the *curriculum vitae* that shows the name, signature and seal of the institution conferring the qualification, the full name of the recipient of the qualification and the date on which the qualification was conferred.
- (i) Certification of the photocopy referred to in Rule 18.8d can be by the establishment that has conferred the degree or technical qualification or by a notary public having a place of business in the country where candidate resides at the time of application for PER status.
 - (ii) If the degree or technical qualification listed on the *curriculum vitae* is in a language other than English, a certified translation thereof must be provided.
- 18.8e** In the event Rule 18.6a(2) applies, the PER applicant must provide written evidence in English from the Netherlands Organisation for International Cooperation in Higher Education (NOICHE) that the candidate's technical qualification is deemed equivalent to a Bachelor Degree by the Netherlands Organisation for International Cooperation in Higher Education.

18.8f All PER applicants must provide evidence of a minimum of ten (10) Continued Professional Development (CPD) points as defined in Rule 23.6 which must be accumulated in the twelve (12) months prior to applying for PER status.

18.8g All PER applicants must provide a statutory declaration that will provide:

- (1) the percentage of time spent during the years of employment specified in Rule 18.5d(1) on the activities specified in Rule 18.5d(1)(i)-18.5d(1)(iii) and the number of searches as specified in Rule 18.5f; and
- (2) any details concerning patent information related conference attendance by the PER applicant, any mentoring provided by the PER applicant and any presentations or courses given by the PER applicant or published papers (co) authored by the PER applicant in the five years preceding the date of application for PER status; and
- (3) an oath that the applicant is willing to contribute in accordance with Rule 18.5b; and
- (4) an oath that the applicant will complete the requirements in the allotted time specified in Rule 18.5c; and
- (5) an overall declaration by the applicant that the applicant meets all of the requirements specified in Rule 18 as applicable.

18.8h The applicant must sign the declaration in the physical presence of a lawyer, patent attorney, trade mark attorney or notary public who is shown the applicant's identification such as an unexpired passport or unexpired driver's licence that includes a photograph of the applicant's face in colour and that bears the address and handwritten signature of the applicant;

18.8i The lawyer, patent attorney, trade mark attorney or notary public shall inspect the photograph and expiry date of identification presented by the applicant before stamping and countersigning the declaration.

18.8j A template for the statutory declaration will be made available in English at www.qpip.org and the declaration will need to be completed by all parties in English

18.8k If a country requires notarisation in the country's native language, then the applicant shall obtain a translation of the template specified in Rule 18.8j at the applicant's own expense and the translated declaration shall be completed and witnessed or notarised in the native language in addition to the declaration completed and witnessed or notarised in English.

18.8l Any additional documentation as requested by the Secretariat or a delegate thereof.

Rule 19 **Application for Prior Experience Recognition**

19.1 To apply for PER status, candidates shall complete the PER application form available at www.qpip.org and the supporting documentation as set out in Rule 19.1a to 19.1n.



- 19.1a** Applicant shall state on the PER application form their salutation (Dr/Mr/Ms), surname, first name, mailing address, email address, telephone number, mobile number, country of birth, and citizenship(s).
- 19.1b** The completed and signed form shall be accompanied by the documentation as required by Rule 18.7 in support of the application for PER status.
- 19.1c** The completed form and all of the supporting documentation must be submitted electronically in legible PDF format by attaching the documents to an email correspondence to be sent to the email address provided at www.qpip.org
- 19.1d** The attached documentation referred to in Rule 19.1c should adhere to the following file name convention:
- (i)** <insert Surname> <insert First name> **PER application form** <insert date of submission in YYYYMMDD format >.pdf
 - (ii)** <insert Surname> <insert First name> **work experience** <insert date of submission in YYYYMMDD format >.pdf
 - (iii)** <insert Surname> <insert First name> **curriculum vitae** <insert date of submission in YYYYMMDD format >.pdf
 - (iv)** <insert Surname> <insert First name> **technical qualifications** <insert date of submission in YYYYMMDD format >.pdf
 - (v)** <insert Surname> <insert First name> **technical qualification equivalence declaration** <insert date of submission in YYYYMMDD format >.pdf (if applicable);
 - (vi)** <insert Surname> <insert First name> **CPD evidence** <insert date of submission in YYYYMMDD format >.pdf
 - (vii)** <insert Surname> <insert First name> **statutory declaration** <insert date of submission in YYYYMMDD format >.pdf
 - (viii)** <insert Surname> <insert First name> **additional documentation** <insert date of submission in YYYYMMDD format >.pdf if requested in accordance with Rule 4.5f.
- 19.1e** The electronic transmission of the completed form and all of the supporting documentation must be date stamped no later than 11:59 pm (Central European time) on the date the three month window as specified in Rule 18.3 closes.
- 19.1f** In the event, the date on which the three month window as specified in Rule 18.3 closes is a public holiday, the deadline becomes the next business day.
- 19.1g** Subject to Rule 18.4(2), the Secretariat or a delegate thereof shall provide to the applicant an electronic confirmation of receipt of the application and supporting document within two (2) business days of receipt.
- 19.1h** Subsequent to receiving the electronic confirmation of receipt, the applicant may be asked by the Secretariat or delegate thereof to provide further documentation in accordance with Rule 18.8l.
- 19.1i** An applicant will only be excused from meeting the deadline date of Rule 18.3, in the event of a computer failure or electronic transmission failure



caused by the ISBQPIP's electronic infrastructure, a natural disaster, declared war, government regulation, disaster, fire, labour disputes, civil disorder within a 50 kilometre radius of the applicant's residence or place of business, or any other cause beyond the control of the applicant that would make it illegal or impossible to comply with the time requirement of Rule 18.3. In all other circumstances, the applicant's late application will be disregarded.

- 19.1j** In the event, an applicant's application is disregarded in accordance with Rule 19.1i, the applicant will need to submit a new PER application form and supporting documentation as required by Rules 19.1a to 19.1n, if the applicant wishes to be considered for PER status the next time an invitation to apply is issued by the ISBQPIP for the applicant's country of residence.
- 19.1k** All applications for PER shall be reviewed by the Qualifications and Continued Professional Development Committee to determine if the candidate is eligible PER.
- 19.1l** The candidate will be informed in writing of the outcome of the review of the PER application by the Qualifications and Continued Professional Development Committee within three (3) calendar months from the date the application for PER status was deemed submitted by the Secretariat in accordance with Rule 18.4(2).
- 19.1m** The notification provided to the candidate in accordance with 19.1l shall include a statement as to whether the eligibility requirements have been met and if not, whether any remedial action can be taken by the applicant should the applicant wish to apply for PER in the future.
- 19.1n** In the event, an application for PER is rejected, the PER application fee paid by the Applicant is non-refundable and non-transferrable but may be used to take the QPIP certification examination for the first time.

Rule 20 Appeals concerning PER Application Rejection

- 20.1** An appeal may be submitted to request reconsideration of the applicant's rejected PER application.
- 20.2** An appeal must be submitted in English to the Secretariat within two (2) weeks after being informed of the rejection of the application and the appeal must be accompanied by:
 - (i)** the appeal fee as specified in Rule 20.3; and
 - (ii)** supporting documentation as specified in Rule 20.5.
- 20.3** The appeal fee shall be six (6) times the PER application fee specified in Rule 18.4(1) and the appeal fee shall only be refunded if the appeal is successful.
- 20.4** The appeal will not be deemed submitted by the Secretariat until the appeal fee has been paid.
- 20.5** Supporting documentation may include additional information not previously provided to the Secretariat to substantiate the applicant's claimed compliance with the eligibility requirements of Rule 18.
- 20.6** The appeal shall only be considered in English by the Supervisory Council and one (1) member of Qualifications and Continued Professional Development Committee.

20.7 A written appeal decision in English shall be rendered by the Supervisory Council within twelve (12) months from the date the appeal is deemed by the Secretariat to have been submitted.

20.8 The decision of the Supervisory Council in accordance with Rule 20.7 is final and is not subject to further appeal.

Rule 21 **Registration as a QPIP**

21.1 In order to be registered as a Qualified Patent Information Professional (QPIP), a person must pay the registration fee indicated in Rule 21.2 and the person must have either:

21.1a successfully passed in accordance with Rule 16 the certification exam papers as defined in Rule 8 after having qualified to enrol for the certification exam in accordance with Rule 4; or

21.1b met all PER requirements as set out in Rule 18 in lieu of completing the certification exam as defined in Rule 8.

21.2 The registration fee shall be decided each year by the Supervisory Council and shall be published at www.qpip.org with effect from 1st of January until 31st December of each year.

21.3 ISBQPIP shall maintain a public register of the names of the registered Qualified Patent Information Professionals (QPIPs) together with a list of the registered QPIP's technical qualifications as specified in either Rule 4.4 or Rule 18.6.

21.4 For registration as a QPIP, candidates shall use the registration form available at www.qpip.org.

21.5 A completed registration form shall not be deemed to have been filed until after the registration fee has been paid.

21.6 The Secretariat or a delegate thereof may request additional information.

21.7 Subject to Rule 21.6, the registration form shall be processed within two (2) weeks of the date on which the form is deemed by the Secretariat to have been submitted.

21.8 The registered QPIP shall be notified in English by the Secretariat of the date of registration.

Rule 22 **Maintaining QPIP Registration**

22.1 In order to maintain registration as a QPIP, the registrant must pay the registration renewal fee indicated in Rule 22.2 and the person must accumulate a minimum of ten (10) Continued Professional Development (CPD) points as specified in Rule 23.1 in each 12 month period starting from the beginning of the calendar year including the year in which the registrant was first registered as a QPIP.

22.2 The registration renewal fee shall be decided each year by the Supervisory Council and shall be published at www.qpip.org with effect from 1st of January until 31st December of each year.

22.3 A registration renewal shall not take effect until after the registration renewal fee has been paid.

22.4 The registration renewal fee must be paid by 31 December of each calendar year once registered as a QPIP.



22.5 In the event the registration renewal is not paid by 31 December in accordance with Rule 22.4, the registration of the registered QPIP shall be suspended with one opportunity for reinstatement provided that the registration renewal fee is received by 31 March of the following year.

Rule 23 Continued Professional Development (CPD)

23.1 Once a person is registered by the ISBQPIP as a QPIP, the person becomes a member as defined in Article 5.3 and in order to maintain registration as a QPIP the registered QPIP member will be required as part of the requirements specified in Rule 22 to accumulate and keep a record of a minimum of ten (10) CPD points per calendar year in accordance with Rule 23.6.

23.2 If the minimum number of CPD points specified in Rule 23.1 is not accumulated within each calendar year as indicated in Rule 23.6 or insufficient information is recorded by the registered QPIP to substantiate the accumulation of CPD points as required by Rule 23.4b, the QPIP registration shall be immediately revoked subject to any exemptions as indicated in Rule 23.5 that may apply.

23.3 In the event registration as a QPIP is revoked in accordance with Rule 23.2, the candidate will be deemed eligible to enrol in the next available certification examination and the candidate will need to pay the examination fee indicated in Rule 6.1 and successfully complete the certification examination as set out in Rule 8.1 in order to become registered as a QPIP.

23.3a If the candidate chooses not to sit for the next available certification examination or does not successfully complete the next available certification exam, the candidate will need to apply in accordance with Rules 4.4, 4.5 and Rule 5 for enrolment in a future certification examination.

23.4 Audit of fulfilment of CPD calendar year requirements

23.4a Each year the Regulatory and Disciplinary Committee of the ISBQPIP shall conduct, in accordance with Article 10.6aⁱⁱ and Rules 3.4c and 22.1, a random audit of those listed on the QPIP Register during which those individuals notified of the audit will need to provide evidence to the Committee that the minimum ten (10) CPD points have been obtained during the previous calendar year.

23.4b A registered QPIP is responsible for maintaining accurate and detailed records of their CPD activity including but not limited to:

- (1) name of event or activity;
- (2) location of event or activity;
- (3) date of event or activity;
- (4) duration of event or activity; and
- (5) organiser of the event or activity.



23.5 Exemption from CPD

- 23.5a** In the event that a registered QPIP wishes to maintain his or her QPIP status, but is unable to meet the minimum ten (10) point CPD requirement within a particular calendar year due to an event that will require the person to cease his or her work duties for a period of six months or longer, the registered QPIP must request in writing an exemption from the Regulatory and Disciplinary Committee as soon as practicable and before the end of the calendar year in question.
- 23.5b** The Regulatory and Disciplinary Committee will review the request and the stated reason(s) arising from an event which may include but is not limited to voluntary or involuntary termination of employment of the registered QPIP, maternity leave, paternity leave, adoption, carer's leave, sabbatical, secondment or chronic illness.
- 23.5c** The Regulatory and Disciplinary Committee will decide on a case-by-case basis whether to grant the exemption request.
- 23.5d** During the exemption period, the minimum 10 CPD point requirement will be waived by the ISBQPIP and the person's QPIP registration will be maintained so long as registration renewal fees in accordance with Rule 22.4 are timely paid.
- 23.5e** A one-time period of up to three calendar years can be requested for exemption.
- 23.5f** If a registered QPIP requests an exemption for a period that is less than three years, then the remaining portion of the three year period is available for a future exemption request if needed.
- 23.5g** An exemption request must be for at least one calendar year. Semi-annual, quarterly, monthly, weekly exemptions or exemptions for a specified number of days totalling less than one calendar year will not be granted.
- 23.5h** If in a particular calendar year, the registered QPIP has obtained five points or more, but less than 10 points and becomes aware that he or she will not be able to obtain the remaining points for that calendar year, the Regulatory and Disciplinary Committee may waive the remaining CPD point requirement for the calendar year in question if the registered QPIP promptly requests in writing that the Regulatory and Disciplinary Committee grant such waiver and states the reason(s) for his or her inability to obtain the remaining CPD points.
- 23.5i** Reasons such as extensive workload or frequent travel will not be considered acceptable reasons for granting a waiver or granting an exemption.

23.6 Eligible CPD event/activity categories

- 23.6a** The minimum ten (10) CPD points need to be obtained each year from **at least two different groups of Groups I to IV as indicated in Rules 23.6c to Rule 23.6f respectively** and be spread across the course of the year (i.e. the minimum 10 points cannot be obtained solely for attendance at a single conference + satellite events related to that conference). It is possible for the registered QPIP or PER applicant to obtain points for two different activities relating to the same event, but **no more than 6 points can be obtained for any single event.** Each activity listed under Groups I to IV may be counted no more than three (3) times in a given calendar year.



23.6b The activities listed below for each group is provided as a guide and is **a non-exhaustive list** of all permissible activities. If in doubt as to whether an activity can be awarded points, it is recommended that the Qualifications and Continued Professional Development Committee of the ISBQPIP be contacted.

23.6c 4 points will be awarded for the following Group I events or activities:

- (1) Presenting a lecture, seminar or workshop at an external conference on a patent searching or patent analysis related subject.
- (2) Authoring or co-authoring a book, article or report relating to patent information that is published in an established industry journal such as *World Patent Information*.
- (3) Attending in person a conference (relating to patent information) lasting two full days or longer for the entire duration.
- (4) Teaching an internal or external training course relating to patent information retrieval or analysis or developments in patent law and their impact on patent information.
- (5) Preparing QPIP certification exam papers.
- (6) Marking QPIP exam papers.
- (7) Studying for a professional qualification relating to patents or information retrieval such as QPIP.
- (8) Completing a course recognised by the Accreditation Committee of the ISBQPIP as suitable for preparing to sit the QPIP examinations.

23.6d 3 points will be awarded for the following Group II events or activities:

- (1) Actively serving as a member of a program committee for an external conference of any duration.
- (2) Actively serving on the editorial committee of a patent information related publication.
- (3) Authoring or co-authoring a publication published in the public domain such as a blog or a company website.
- (4) Presenting as one of the speakers in an external training course relating to patent information.
- (5) Attending remotely or in person a one full day national or international patent information user group meeting in which patent information developments are discussed and not administrative work related to the user group.

23.6e 2 points will be awarded for the following Group III events or activities:

- (1) Attending remotely or in person a one day seminar relating to patent information.
- (2) Attending remotely or in person an internal training course or meeting relating to patent information or scientific, engineering or technical training lasting ½ day or longer.
- (3) Attending remotely or in person an internal presentation on patent information developments lasting up to ½ day.

- (4) Attending remotely or in person a half day national or international patent user group meeting in which patent information developments are discussed and not administrative work related to the user group.
- (5) Evaluation and preparing a report or presentation of new patent information tools for retrieval or analysis. The registered QPIP must keep a detailed record of the tools evaluated and when.

23.6f 1 point will be awarded for the following Group IV activities or events:

- (1) Reading books, journal articles, conference papers, conference proceedings or online forums such as law blogs relating to patent law, patent information retrieval or patent information analysis. The registered QPIP must keep a detailed record of what they read and when.
- (2) Acting as a peer review referee for a patent information related publication.
- (3) Attending remotely or in person a patent information vendor webinar.
- (4) Attending remotely or in person a patent information vendor day.
- (5) Attending remotely or in person a half day internal meeting with vendors.
- (6) Internal peer review of patent related search reports. The registered QPIP must keep a detailed record of when the peer review occurred.

Rule 24 Appeals concerning any decisions not elsewhere provided For

- 24.1** Unless stated otherwise, a person may on his or her behalf or behalf of an organization may appeal to the Supervisory Council any decision taken by any committee of the ISBQPIP as specified in Article 10 by contacting the Secretariat in in English and in writing and following the procedures provided to the candidate.
- 24.2** The appeal shall only be considered in English by the Supervisory Council and one (1) member of the committee whose decision is being appealed.
- 24.3** Any decision taken by the Supervisory Council in connection with an appeal submitted pursuant to Rule 24.1 shall be based upon all the available evidence, reasoned and issued in writing as soon as possible.

Rule 25 Finances and expenditures

- 25.1** The Treasurer of ISBQPIP shall maintain a proper accounting of all ISBQPIP funds which will give a true and accurate accounting of all transactions of the ISBQPIP.
- 25.2** The Treasurer shall prepare and submit an annual report to the Supervisory Council for approval, including the annual financial statements of the ISBQPIP, which shall be provided to the Supervisory Council within three (3) months after the end of each financial year as defined in Article 2.
- 25.3** Travel cost and other expenditures will be reimbursed by the Treasurer within reasonable limits and after approval by the Supervisory Council, as far as budget allows in accordance with Article 11.3.

Rule 26 Payment of fees

Any fees payable in accordance with the Articles or Rules shall be transferred to ISBQPIP using the payment option or bank account information available at www.qpip.org



Rule 27 Official Language of ISBQPIP

27.1 In accordance with Article 14, all correspondence, transactions and interaction with and within the ISBQPIP will occur in English.

Rule 28 Entry into force

28.1 These Rules entered into force on YYYYMMDD.