

INFORMATION ABOUT THE EQE

[see EPO website <https://www.epo.org/learning-events/eqe/about.html> and <https://www.epo.org/law-practice/legal-texts/official-journal/2019/etc/se2/2019-se2.pdf>]

The European Qualifying Examination (EQE) is designed to establish whether a candidate is qualified to practise as a professional representative before the European Patent Office (EPO).

Syllabus

"Candidates need to be particularly conversant with European patent law, the Patent Cooperation Treaty (PCT), the Paris Convention, EPO board of appeal case law and certain national laws in so far as they apply to European patent applications and European patents. The content of the examination only relates to legal texts which were in force on 31 October of the year preceding the examination". (EPO website)

Papers

The EQE is held once a year and comprises five written papers:

- Pre-examination (4 hours): assesses candidates' ability to answer legal questions and questions relating to the drafting of claims. It comprises 20 multiple choice questions: ten on legal aspects and ten on claim formulation.
- Paper A (4 hours): tests the candidate's ability to draft claims and the introductory part of a European patent application on the basis of information normally available to a professional representative for this task.
- Paper B (3½ hours): requires candidates to prepare a reply to an official letter in which prior art has been cited.
- Paper C (5½ hours): involves drafting a notice of opposition to a European patent.
- Paper D (5½ hours): assesses candidates' ability to answer legal questions and to draft legal assessments of specific situations.

The examination papers are drawn up in the three official languages of the EPO (English, French and German). Candidates may be permitted to submit their answers in another official language of a contracting state.

The exam is open-book: *"Candidates may bring to the examination any books and documents they consider useful for answering the examination papers".*

Up to EQE 2016, Paper A and Paper B could be taken either in the chemistry or electricity/mechanics technical fields. Since EQE 2017 this is no longer the case: a single Paper A and a single Paper B is now set.

Passing the EQE

To pass the EQE, it is obligatory to pass all examination papers.

Candidates must first pass the pre-examination before they may enrol for the main examination (papers A, B, C and D). To pass the pre-examination, a candidate must obtain 70 marks or more (out of 100).

For the main examination, the 'pass' mark is set at 50 or more (out of 100) for each paper.

But there is a compensatory system in which a mark of at least 45% but fewer than 50% is classed as a 'compensable fail'. Where a candidate has a 'pass' grade in at least two papers, has not been awarded a 'fail' (a mark below 45%) in a paper, has 'compensable fails' in one or two papers, and has total aggregate marks of at least 200 for all four papers, he/she is deemed to have passed the examination.

Dates of the 2021 exams

- Monday 1st March 2021: the Pre-examination.
- Tuesday 2nd March 2020: Paper D.
- Wednesday 3rd March 2020 Paper A (am) and Paper B (pm).
- Thursday 4th March 2018: Paper C.

The 2021 exam will be held online

[On 23 July 2020 the EPO announced](#) that (because of Covid-10) the 2021 exams will be conducted online - with details to be worked out.

Admission and final dates for enrolment

- Enrolment to the Pre-examination will only be open for candidates who have registered at the latest by 15 January of the year in which they intend to enrol for the pre-examination. Registered candidates may enrol between 3 February and 11 May 2020 via [myEQE](#).
- For the main examination, candidates may enrol from 1 April until 17 August 2020 via [myEQE](#)

Revised Rule 28 IPREE

This rule imposes a requirement on trainees to register for the EQE within 2 months of commencing "their professional activities or employment as defined in Article 11(2) REE" <https://www.epo.org/learning-events/eqe/registration.html>