

Notice on the National Qualification Examination for Patent Agents 2008
No. 132
(Courtesy English Translation)

Pursuant to the provisions of the Law on Patent of the People's Republic of China, the Regulations on Patent Commissioning and rules and regulations of relevant departments, matters in relation to the National Qualification Examination for Patent Agents 2008 are hereby announced as follows:

I. Application

(1) Eligibility requirements

Chinese citizens who support the Constitution of the People's Republic of China and meet the following criteria are eligible to apply for the National Qualification Examination for Patent Agents:

1. aged 18 or over and have full capacity for civil conduct;
2. possessing graduate qualifications in the field of science or engineering from tertiary education institutions, or equivalent qualifications;
3. conversant with the patent laws and relevant legal knowledge;
4. having two years' working experience in applied science or the legal field.

Possessing graduate qualifications in the field of science or engineering from tertiary education institutions means having obtained nationally recognised qualifications at above tertiary level in the field of science or engineering, with graduation certificates.

(2) Place and date of application

Application period is from 12 May to 10 June 2008. Applicants should submit their applications within the application period at the places of application designated by the intellectual property offices of the provinces, autonomous regions and municipalities where the Examination will be held (specific places of application and the application form are set out in the Annex which only simplified Chinese version is provided).

Application forms can be downloaded from the website of the State Intellectual Property Office (SIPO) at <http://www.sipo.gov.cn>.

(3) Documents to be submitted upon application

1. Application form for the National Qualification Examination for Patent Agents 2008
2. Valid identification documents of the applicant (resident identity cards, military officer identity cards, passports, permanent resident identity cards) (original and copies)
3. Certificates of academic qualifications (original and copies);
4. Documentary proof of working experience (original);
5. Three 1-inch recent photos of the applicant (without headgear);
6. Application fee.

II. Examination

(1) Examination dates and venues

The National Qualification Examination for Patent Agents 2008 will be held concurrently across the country in 12 cities with designated examination centres on 1 and 2 November 2008. The 12 cities are Beijing, Huhehot, Shenyang, Shanghai, Hefei, Jinan, Wuhan, Guangzhou, Chengdu, Guiyang, Xi'an and Lanzhou.

Applicants may choose an examination centre, submit their application and sit for the Examination having regard to their own circumstances.

(2) Subjects, duration and format of the Examination

The National Qualification Examination for Patent Agents 2008 held at different examination centres across the country will adopt the same set of papers, the scope of which is based on the Outline for the National Qualification Examination for Patent Agents 2008. The content of the Outline for the National Qualification Examination for Patent Agents 2007 and the Outline for the National Qualification Examination for Patent Agents 2008 are the same.

The Examination covers three subjects which are scheduled as follows:

Knowledge on patent laws: 9:00 a.m. to 11:00 a.m. on 1 November

Relevant legal knowledge: 2:00 p.m. to 4:00 p.m. on 1 November

Work practices of patent agents: 9:00 a.m. to 1:00 p.m. on 2 November

All examinations will be closed book examinations. The examinations on the two subjects of knowledge on patent laws and relevant legal knowledge will be in the form of multiple-choice questions, with full marks set at 150 and 100 respectively. As for the examination on the subject of work practices of patent agents, essay-type questions will be adopted, with full marks set at 150.

(3) Release of examination papers and answers

After the Examination, SIPO will release the examination papers on the subjects of knowledge on patent laws and relevant legal knowledge with draft model answers and invite comments from the public within a specified period. Deliberations on the public opinions received will be conducted. After issuing the Patent Agent Qualification Certificates, SIPO will release the examination paper on the subject of work practices of patent agents with model answers.

III. Admission and issue of certificates

(1) Proportion of candidates admitted subject to actual demand

The Patent Agent Examination Board will determine the admission rate after thorough deliberations by taking into account the actual demand for patent agent service and the principle of admitting candidates with the best performance in terms of total examination scores and scores for the single subject of work practices of patent agents. Members of the Patent Agent Examination Board include representatives from SIPO, relevant Ministries and Commissions under the State Council, All-China Patent Agents Association, patent agencies, etc.

(2) Issue of certificates

The result slips of the National Qualification Examination for Patent Agents 2008, as well as the notices of admission and Patent Agent Qualification Certificate for the successful candidates will be centrally prepared by the Office of the Patent Agent Examination Board and distributed separately by the leading groups on the Examination of the respective intellectual property offices of the provinces, autonomous regions and municipalities where examination centres are set up.

IV. Duties of examination centres

Intellectual property offices of the provinces, autonomous regions and municipalities where examination centres are set up should form Leading Groups on the Qualification Examination for Patent Agents to undertake specific tasks like processing applications, verifying applicants' eligibility, setting up examination venues, organising training courses, conducting the examinations, etc. strictly in accordance with SIPO's Implementation Measures on the Qualification Examination for Patent Agents and relevant requirements.

Leading Groups on the Qualification Examination for Patent Agents of respective intellectual property offices of the provinces, autonomous regions and municipalities where examination centres are set up should report the endorsed application data to the Office of the Patent Agent Examination Board by 10 July 2008, submit the required application fees to SIPO by 30 July for collective submission to the state treasury, and report the progress in preparing the examination venues to the Office of the Patent Agent Examination Board by 15 September.

V. Revision and training for the Examination

(1) Examination outline

Applicants may base their revision and preparation on "The Guidebook on the National Qualification Examination for Patent Agents 2008". The content of "The Guidebook on National Qualification Examination for Patent Agents 2008" and "The Guidebook on National Qualification Examination for Patent Agents 2007" are the same. Applicants who have "The Guidebook on National Qualification Examination for Patent Agents 2007" do not have to make a new purchase.

(2) Pre-examination training courses

Various parties including the China Intellectual Property Training Centre, local intellectual property offices and the All-China Patent Agents Association will continue to play an active role in arranging for pre-examination training courses for the National Qualification Examination for Patent Agents 2008. Course organisers will decide on the course schedules, contents, tutors and tuition fees on their own.

SIPO does not organise any pre-examination training courses. Organisers should not organise and offer any training courses or carry out any publicity activity in relation to these courses in the name of SIPO.

If circumstances arise that organisers of pre-examination training courses have a genuine need to invite SIPO staff as tutors for their courses, they should submit their requests to the Office of the Examination Board before 1 June 2008. SIPO will make arrangements centrally having regard to circumstances.

VI. Residents of the Hong Kong Special Administrative Region and Macao Special Administrative Region to take part in the Examination

Residents of the Hong Kong Special Administrative Region and Macao Special Administrative Region intending to take part in the National Qualification Examination for Patent Agents 2008 should observe, other than the following requirements, the requirements stipulated in Notice No. 101 of the State Intellectual Property Office promulgated on 26 April 2004:

- (1) the application period is from 12 May 2008 to 10 June 2008;
- (2) Hong Kong and Macao applicants who have been allowed to take the examination should report to the examination centre in Guangzhou on or before 31 October 2008, and pay the application fee to obtain their examination passes.

Attachment: 1. Application form for the National Qualification Examination for Patent Agents
2. The contact persons, telephones and addresses of the various designated examination centres

5 February 2008