Legal Profession Admission Board

October 2024

Intellectual Property

Examiner's comments

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General observations:

As in past examinations, all topics in the course were covered in the examination questions (except Trade Marks, which was the focus of the assignment). Patents and Copyrights were given more weight than Designs and Confidential Information because they were covered more extensively during the lectures.

It was the expectation of the examiner that candidates would be familiar with the relevant statutes and leading authorities for each topic. In answering the questions, candidates generally displayed a sound understanding of the principles of intellectual property law and the practical application of those principles. Nearly all of the students answered all of the questions. The difference between higher and lower marks was generally reflective of the scope and extent to which issues were identified and analysed as well as time management issues (i.e., not leaving enough time to fully answer all the questions). Generally speaking, the highest marks were given for the Design question and the other questions averaged similar marks.

Sixteen (16) candidates sat the examination. Final marks were in the range of 52% to 78%. Four (4) candidates were awarded a Pass Distinction grade, seven (7) candidates were awarded a Pass Merit grade and five (5) candidates were awarded a Pass grade. No candidates received a fail grade. The final marks and grades were generally consistent with, albeit slightly lower than, past examinations.

As the examination was a confidential examination, these comments cannot identify the specific issues in the questions.

Questions:

The examination comprised four questions. Candidates were required to attempt all of the questions. Question 1 was a multi-issue problem question on Patents worth 25 marks. Question 2 was a multi-issue problem question on Copyrights worth 25 marks. Question 3 was a multi-issue problem question on Designs worth 15 marks. Question 4 was a multi-issue problem question on Confidential Information worth 15 marks.