Legal Profession Admission Board

March 2023

Intellectual Property

Examiner's comments

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. Generally speaking, the highest marks were given for the Confidential Information question and the lowest marks were given for the Designs question.

Twenty-six (26) candidates sat the examination. Final marks were in the range 59% to 88%. Twelve (12) candidates were awarded a Pass Distinction grade, nine (9) candidates were awarded a Pass Merit grade and five (5) candidates were awarded a Pass grade. The final marks and grades were generally consistent with, albeit slightly higher 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.

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