

**PEB Qualifying Examinations Final Diploma
Unit 2: Drafting of Specifications
For first examination in the October 2025 session**

Unit Title: FD2 Drafting of Specifications

1 Aims of the PEB Final Diploma

The aim of the PEB Final Diploma is to assess whether a candidate has built on knowledge gained at the Foundation level and reached the minimum level of competency at which the candidate will be safe to practice and be admitted to the Register as a patent attorney.

The four Final Diploma examinations are designed to ensure that candidates meet the requirements of IPReg as to the knowledge, understanding, skills, values and attitudes that a patent attorney should possess. These attributes are those set out in the versions of the Admission and Authorisation requirements in the IPReg Standard Operating Procedure that are in force at the time of the assessment.

In order to achieve the aims of the qualification candidates will have to pass each of the following examinations which meet IPReg's core requirements and so are mandatory to qualification as an attorney:

FD1 (P2) Advanced IP Law and Practice

FD2 (P3) Drafting of Specifications*

FD3 (P4) Amendment of Specifications*

FD4 (P6) Infringement and Validity

* Information on the EQE examinations that IPReg recognises for exemption purposes can be found at <https://ipreg.org.uk/>.

2 About this Unit

In order to pass the FD2 examination, candidates will need to demonstrate:

- full understanding of the law, practice and substantive technical requirements of patent specifications in the UK; and
- the ability to draft patent specifications in line with the needs of lay clients for filing at the UK IPO.

3 Qualification Level

The level descriptors shown in the table on page 2 below are those used for Level 7 in the Regulated Qualifications Framework (RQF) and the European Qualifications Framework (EQF). Levels 4-8 are intended to be consistent with the five levels within the Framework for Higher Education Qualifications in England, Wales and Northern Ireland (FHEQ).

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RQF Level 7	Knowledge descriptor (the holder ...)	Skills descriptor (the holder can ...)
	<ol style="list-style-type: none"> 1 Reformulates and uses practical, conceptual or technological knowledge and understanding of a subject or field of work to create ways forward in contexts where there are many interacting factors. 2 Critically analyses, interprets and evaluates complex information, concepts and theories to produce modified conceptions. 3 Understands the wider contexts in which the area of study or work is located. Understands current developments in the area of study or work. 4 Understands different theoretical and methodological perspectives and how they affect the area of study or work. 	<ol style="list-style-type: none"> a. Use specialised skills to conceptualise and address problematic situations that involve many interacting factors. b. Determine and use appropriate methodologies and approaches. c. Design and undertake research, development or strategic activities to inform or produce change in the area of work or study. d. Critically evaluate actions, methods and results and their short- and long-term implications.

The table on page 3 below shows the FHEQ Level 7 Descriptor.

- The shaded areas in the table are those elements of the Level 7 Descriptor that the candidate who has passed all four Final Diploma examinations would not have evidenced. However, they could potentially have evidenced them in a training programme undertaken as part of relevant employment.
- The unshaded areas in the table are those elements of the Level 7 Descriptor that the candidate who has passed all four Final Diploma examinations would have achieved.

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FHEQ Level 7	<p>Students will have demonstrated:</p> <ul style="list-style-type: none"> • a systematic understanding of knowledge, and a critical awareness of current problems and/or new insights, much of which is at, or informed by, the forefront of their academic discipline, field of study or area of professional practice • a comprehensive understanding of techniques applicable to their own research or advanced scholarship • originality in the application of knowledge, together with a practical understanding of how established techniques of research and enquiry are used to create and interpret knowledge in the discipline • conceptual understanding that enables the student: <ul style="list-style-type: none"> ○ to evaluate critically current research and advanced scholarship in the discipline ○ to evaluate methodologies and develop critiques of them and, where appropriate, to propose new hypotheses.
	<p>Typically, holders of the qualification will be able to:</p> <ul style="list-style-type: none"> • deal with complex issues - both systematically and creatively, make sound judgements in the absence of complete data, and communicate their conclusions clearly to specialist and non-specialist audiences • demonstrate self-direction and originality in tackling and solving problems, and act autonomously in planning and implementing tasks at a professional or equivalent level • continue to advance their knowledge and understanding, and to develop new skills to a high level.
	<p>And holders will have:</p> <ul style="list-style-type: none"> • the qualities and transferable skills necessary for employment requiring: <ul style="list-style-type: none"> ○ the exercise of initiative and personal responsibility ○ decision making in complex and unpredictable situations ○ the independent learning ability required for continuing professional development.

4 Prior knowledge, skills or understanding

The Final Diploma is the final stage of professional training prior to admission as a patent attorney in accordance with the Rules for the Examination and Admission of Individuals to the Registers of Patent and Trade Mark Attorneys 2011 (“Examination and Admission Rules”) which are currently found at <https://ipreg.org.uk/pro/regulations/rules-for-examination-and-admission-of-individuals-2011>

In order to be eligible to undertake any of the PEB Final Examinations candidates must have passed either:

- the Foundation Certificate examination FC1 (set by the PEB); or

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- the Foundation level Qualifying Examination(s) provided by any other examination agency approved by IPReg listed in Rules for Examination and Admission of Individuals 2011 (link above).

5 Notional Learning Time

Under the QAA's Credit Framework, 1 credit is equivalent to 10 hours of study/notional learning hours. The table below shows the credits and the notional learning hours that candidates are expected to undertake before sitting the FD2 examination.

The notional learning hours are based on the amount of study that an average candidate would be expected to undertake before successfully completing the examination. There may, however, be variations in the time spent by each candidate.

Notional learning hours includes all time expected to be spent by a student in pursuit of the qualification. This may include:

- on-the-job training
- work in professional practice;
- independent/self study and reading
- attendance at training courses
- coursework, revision and assessment (formative and summative).

Unit	Title	Credits/notional learning hours
FD2	Drafting of Specifications	15 credits/150 notional learning hours

It is recommended that candidates:

- participate in supervised training that includes practical experience of drafting, for example drafting at least five applications in the course of one year;
- devote a minimum of 1,000 notional learning hours, **over at least two years**, to preparing for the four Final Diploma examinations.

Candidates should view preparing for the Final Diploma as a whole: study for one examination will support preparation for the other examinations.

The Final Diploma examinations assess candidates' professional competence: experience gained in day-to-day professional practice (including effective feedback from the supervisor) provides numerous learning opportunities and forms an essential part of preparation for the examinations.

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6 Syllabus Content

Learning Outcomes The successful candidate will:	Assessment Criteria The successful candidate can: For a UK patent application	Knowledge and understanding
1. apply knowledge and understanding of patent law and practice	a. apply the law and practice governing patentable inventions to a given situation b. determine the prior art c. apply prior art to the lay client's idea to determine what might be patentable	Patents Act 1977: PA 1 – Patentable inventions PA 2 – Novelty PA 3 – Inventive step PA 4 – Industrial application PA 125 – Extent of invention
2. critically analyse and evaluate information from a range of sources	a. incorporate the wishes and priorities of the lay client into the patent specification where possible b. analyse an invention for essential and inessential features	IPReg's Core Regulatory Framework Chapter 1 Overarching Principles Chapter 2 Code of Conduct

Syllabus provisional pending consultation

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Learning Outcomes The successful candidate will:	Assessment Criteria The successful candidate can:	Knowledge and understanding
3. independently synthesise information and ideas to create a response to a problem	a. draft an independent claim(s) which is of sufficient breadth to cover the lay client's interest, contains all the essential features, and which is distinguished from the prior art b. draft a set of dependent claims with an appropriate hierarchy and which provide suitable fall back positions if independent claim(s) fail(s) during prosecution c. draft a title and an appropriate description of the field of the invention and the prior art d. draft statements of invention appropriate to the claims explaining how they distinguish from the prior art e. draft a specific description of the embodiment(s) of the lay client's invention to provide support for the claims f. draft an abstract for use as part of a UK patent application	Patents Act 1977: PA 14 Making of application Patent Rules 2007: PR 12 Application for the grant of patents under sections 14 and 15 PR 15 The abstract PR 16 Single inventive concept

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Learning Outcomes The successful candidate will:	Assessment Criteria The successful candidate can:	Knowledge and understanding
4. proficiently communicate the results of the analysis	a. apply the technical requirements of patent specifications b. set out the problem(s) to be addressed c. produce claims that are clear, logically structured and appropriately cover the relevant features d. present a specific description that is clear and detailed e. include relevant details in an abstract	Manual of Patent Practice Section 14 IPO Code of Practice Section 1

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7 Form of Assessment

This unit is assessed by a 4-hour closed-book examination.

The examination tasks will assess all the learning outcomes. Candidates should attempt all tasks.

The maximum available mark is 100.

Candidates are awarded either a Pass or a Fail result.

The pass mark is set for each examination based on the difficulty of the examination using the Minimum Pass Descriptor.

7.1 The Examination

The examination will require candidates to use information provided in a set of documents to prepare a complete patent specification for filing at the UK Intellectual Property Office with a view to obtaining a UK patent. The documents may include a communication from the client and client drawings.

7.2 Minimum Pass Descriptor

Once the mark for the script has been determined, the script should be reviewed against the Minimum Pass Descriptor to determine whether it demonstrates sufficient knowledge, understanding and skills to be awarded a Pass in the examination. The elements of the pass descriptor are generic and must be applied in the context of the unit syllabus content.

Minimum Pass Descriptor

The minimally competent script will:

- a. evidence adequate ability to apply legal reasoning to practical situations;
- b. present appropriate solutions to problems;
- c. demonstrate the ability to assimilate data and information provided to extract most of the major issues;
- d. usually differentiate between different forms of evidence and information;
- e. discern the primary points but not always the overall picture;
- f. show adequate familiarity with appropriate and accurate legal and technical language;
- g. provide written work that generally advises and informs the client, with proposals that are largely practicable and achievable;
- h. present most key information;
- i. provide argument that is comprehensible, structured and reasoned;
- j. contain written material which mostly suits requirements (e.g. letter, brief, recommendation, statement of facts).

A candidate who achieves the level of minimal competence:

- a. will have met all the major learning outcomes of the assessment as evidenced by a general knowledge and application of fundamental aspects of law and practice within the script but not necessarily within every answer;

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- b. demonstrates a satisfactory performance overall, weaknesses are limited to areas such as patchy coverage of relevant material, minor inaccuracies and irrelevancies;
- c. will not have produced fundamentally contradictory statements, or other statements, that would undermine advice provided or a client's rights or breaches IPReg Regulatory Framework;
- d. will not have produced unethical advice, proposals or statements.

7.3 Results

Candidates are advised in a results letter of their Pass/Fail result and the percentage mark achieved.

7.4 Law and Technical Content

Each year the PEB publishes the Law Changes update on the PEB website <https://www.cipa.org.uk/patent-examination-board/>.

The PEB Qualifying Examinations are based this year on legal texts and case law which were in force on **1 April preceding the examination**.

Candidates will not be penalised for basing their answers on any amendments to the law enacted after 1 April, or any case law published after 1 April, and before the date of the examination. However, candidates must be consistent in their application of any recent changes in the law and are advised to mention in their answer if they are relying on provisions of law enacted or published after 1 April in the year of the examination.

When answering questions in the Final Examination papers, candidates should not need to use technical knowledge which extends beyond that provided in the question paper i.e. the examination scenario is to be taken in context and external knowledge is not to be used.

8 Suggested Resources

8.1 PEB website <https://www.cipa.org.uk/patent-examination-board/>

The following resource materials are available on the PEB website:

PEB Policies and Procedures

Syllabi for next session (FD1, FD2, FD3 and FD4)

Examination Information

Past Examination Materials

Sample Assessment Materials

Examination Guidance (FD1, FD2, FD3 and FD4)

8.2 Reading

The Acts and Rules referred to in this unit syllabus are essential reading.

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The CIPA Journal is a useful source.

Suggested reading: Other books and resources can be used to support your study. This list is not exhaustive.

The CIPA Study guide for FD2 (2023) Iain Russell, pub CIPA [CIPA Study Guide to FD2: Drafting of Specifications - CIPA](#)

Manual of Patent Practice (2016) UK IPO [Updates - Manual of Patent Practice - Guidance - GOV.UK \(www.gov.uk\)](#)

The Patents Rules 2007 and Patents (Fees) Rules 2007 ([The Patents Rules 2007 and Patents \(Fees\) Rules 2007 - GOV.UK \(www.gov.uk\)](#))

The Patents Training Manual (2022) Gwilym Roberts and Debbie Slater, pub CIPA [Patents Training Manual - CIPA](#)

A Practical Guide to Drafting Patents (2023) Gwilym Roberts, pub CIPA [A Practical Guide to Drafting Patents - CIPA](#)

Fundamentals of Patent Drafting (2006) Paul Cole, pub CIPA [Fundamentals of Patent Drafting - CIPA](#)

CIPA Guide to the Patents Acts (2022) Ed. Paul Cole, pub. Sweet and Maxwell (The Black Book) [CIPA Guide to the Patents Acts - Hardback and Paperback | Intellectual Property | Sweet & Maxwell \(sweetandmaxwell.co.uk\)](#)

Study Guide to the Patents Acts (2023) Doug Esly, pub. CIPA <https://www.cipa.org.uk/product/study-guides-to-the-patents-acts/>

8.3 Training

The PEB is an examination-only agency and does not provide training for the Final Diploma examinations. It is expected that FD2 candidates will be employed as a trainee patent attorney and that their employer will provide a formal training programme. Candidates should seek guidance on preparing for the examinations from the person who has responsibility for training in their organisation.

In listing organisations that offer training in the field of IP, the PEB is not providing endorsements or making recommendations. Candidates should seek guidance from their training lead as to whether attending external training would be appropriate.

The Chartered Institute of Patent Attorneys (CIPA) <https://www.cipa.org.uk/events/> offers support for trainees through the “Informals”, an informal association of younger, unqualified members of the profession. All student members of CIPA automatically become part of the Informals. The Informals provide a UK-wide support network for trainees, organising lectures and tutorials directed towards the examinations;

FICPI <https://ficpi.org/>

JDD Consultants <https://jddcourses.co.uk/>