2022 Qualifying Examination Report

June 20, 2023

Contents

Overview

The following report provides an overview of the 2022 Qualifying Examination administrations.

	Trademark Agent Qualifying Examination	Patent Agent Qualifying Examination
Exam Dates	October 19, 2022 – Part A October 20, 2022 – Part B	November 21, 2022 – Paper A November 22, 2022 – Paper B November 23, 2022 – Paper C November 25, 2022 – Paper D
# French Writers	5	1
# of Total Writers	70	113

2020 was the last year the Canadian Intellectual Property Office administered the qualifying examinations before CPATA's coming into force in June 2021. The 2020 examinations were administered online during the COVID-19 pandemic via email. Candidates were required to sign agreements confirming they would conform to examination security and integrity requirements.

2021 was the first year CPATA administered the examinations after coming into force in June of that year. For the 2021 administration, six (6) examination forms needed to be developed, translated and programmed into an online examination platform in approximately four (4) months. The 2021 exams were administered and proctored online.

2022 was the second year CPATA administered the examinations. Significant improvements were made to exam platform functionality, protocols for exam-related incidents while candidates were writing, and overall logistics.

Two (2) significant improvements to content development were made:

Increased Standardization of Test Content: Based on the results of a legacy mapping project (which analyzed content and cognitive levels across multiple years), exam developers were instructed to follow guidance on specific content and cognitive level allocations. This was intended to improve content and cognitive level consistency across forms. The exam developers generally followed the guidance on content allocations or provided a rationale for not following this guidance. Overall, this exercise helped to reduce some variability and to uncover some of the key challenges to address in future examinations.

Marking guides adjustments: A psychometric consultant provided recommendations for the development of marking guides, including providing a model answer, breaking down marks (where feasible), mapping questions (or mark sets) to a performance criterion and cognitive level, and avoiding mark deductions (where feasible). We identified some development opportunities (primarily related to mark clarity) to be addressed in the redesigned examinations, which will start in 2024.

Candidate Support and Resources

- Candidate examination guides, previous exams, and system requirements for the online exam platform were posted on the website.
- Candidates were encouraged to test their systems prior to the exams and exam provider live agents were available for support.
- Candidates were informed of IPIC exam preparation courses.
- Bilingual Candidate orientation sessions were presented prior to the exam administrations. These sessions provided information regarding types of questions, marks breakdown, reference materials, exam platform requirements, exam day instructions, results and scoring, and live demonstrations of the exam platform including navigation and functionality were presented.
- Candidates were provided an opportunity to test the exam platform using exam questions from the 2021 administration
- Candidates were provided an opportunity to test the live proctoring service and exam platform
- Candidates were permitted to print and pre-highlight/pre-tab reference materials before the exam started (i.e., the Acts, Regulations, Rules etc.).
- Screensharing functionality was used to allow live proctors to invigilate the PAQE while allowing candidates to open the exam materials in a separate pdf window on their computer. This was particularly important to mitigate the likelihood of candidates losing time due to excessive scrolling or exam platform navigation and was due to the extensive length of the background materials.
- The PAQE background materials were circulated to the candidates via email immediately before the exam started so that candidates could print and reference them during the exam.

Accommodation Requests

- Accommodation requests were made on medical, religious, and personal grounds.
- On the exam platform, candidates could increase the size of the font as needed without a special accommodation request.
- Candidates could wear foam ear plugs during the exam as long as they were individually packaged, and the package was opened in front of the live proctor prior to starting the exam.

Bilingual Administration

- The exam information and registration forms were provided in both official languages.
- The candidate orientation was presented in English and French.
- The exam platform was provided in English and French. The language displayed was selected by the candidate at the time of registration.
- Candidates could request French-speaking proctors.

Results & Scoring

To pass the TMAQE, a candidate must obtain at least 65% of the marks for each part of the exam.

Twenty-five (25) candidates were successful in the TMAQE, including the re-correction process.

Candidates who receive the minimum passing mark of 65% on either Part A or Part B are able to carry forward the successful part to 2023 ONLY. Therefore, both Parts A and B were marked in 2022 for all candidates.

Candidates who are not successful with both Parts A and B in 2022 and 2023 will be required to start the new qualifying examination process in 2024. There will be NO carry forward of incomplete examination results once the new exam process starts in 2024.

During Part A of the TMAQE, the exam platform displayed some information for a different question underneath the final question. When this was brought to a proctor's attention, the Director of Registration was notified. All proctors were instructed to advise candidates to disregard the incorrect information displayed on the last question. An analysis of the results for that question confirmed that the issue did not result in any candidate failing the exam.

Twenty-eight (28) candidates were successful in the PAQE after the initial marking, and 1 additional candidate was successful after the re-correction.

During the re-correction process, it was determined that the weight of question A4 on Paper D of the PAQE should be reduced from 8 to 4.5 marks, resulting in a decrease in the total number of marks available on Paper D from 100 to 96.5. Question A4 was re-marked, a new final score was calculated out of 96.5 and then was converted back to a final score out of 100. As a result of this change, the final scores for Paper D, and overall, increased slightly.

Re-Corrections

The objects of the registration process are to protect and promote the public interest and preserve the integrity of the patent and trademark profession, in a manner consistent with the College's Regulatory Objectives, Standards and Principles. This includes applying policies in a principled manner, proportionately, fairly, and efficiently with decisions clearly explained, including their public interest rationale, and making fair decisions supported by appropriate evidence.

CPATA's Decision Making Principles require that decisions by the Registrar and Regulatory Committees be informed by appropriate knowledge and expertise to provide a complete analysis of the matters at issue.
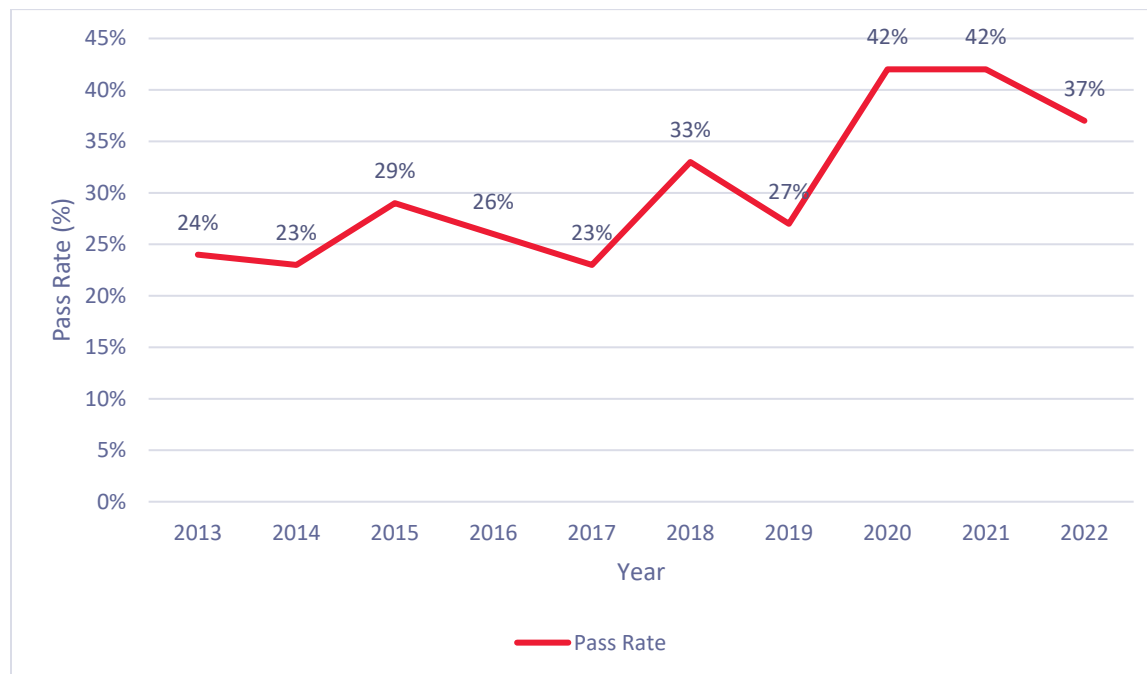
Therefore, we were transparent and explained the process and rationale for all re-correction decisions that did not result in a successful result for the candidate.

- No candidates passed the TMAQE as a result of a re-correction request.
  - 15 candidates remained unsuccessful as a result of the re-correction
  - 3 of the exams that were re-corrected resulted in a pass for that part (1 Part A; 2 Part B)
- 1 candidate received a global pass as a result of the re-correction review for the PAQE
  - 25 candidates remained unsuccessful as a result of the review
  - 4 of the papers reviewed resulted in a pass for that paper (3 Paper B, 1 Paper D)

Appendix A – TMAQE Statistics

	2022	2021	2020
# of candidates registered	**70**	74	115
# of candidates withdrawn/no show Part A		7	13
Part B	**2**	8	14
# Attempted Part A	**69**	66	102
# Attempted Part B	**68**	65	101
# French Writers	**5**	5	11
# English Writers	**65**	61	91
# Candidates - First Attempt	**57% (39/68)**	65% (43/66)	50% (51/102)
# of Candidates that Passed	**25**	28	43
Passed on first attempt	**88% (22/25)**	82% (23/28)	51% (22/43)
Passed after 2-4 attempts	**12% (3/25)**	18% (5/28)	47% (20/43)
Passed after 5+ attempts	**n/a**	n/a	2% (1/43)
Global Pass Rate	**37%**	42%	42%

Pass Rates by Year

Year	Exams Written	Exams Passed	Pass Rate
2013	67	16	24%
2014	65	15	23%
2015	72	21	29%

cpata
cabamc

COLLEGE OF PATENT
AGENTS & TRADEMARK AGENTS

COLLÈGE DES AGENTS DE BREVETS ET
DES AGENTS DE MARQUES DE COMMERCE

2016	91	23	26%
2017	121	28	23%
2018	98	32	33%
2019	96	26	27%
2020	102	43	42%
2021	66	28	42%
2022	**70**	**25**	**37%**
Average (2013-2022)	85	26	31%

Average Marks (%) by Year
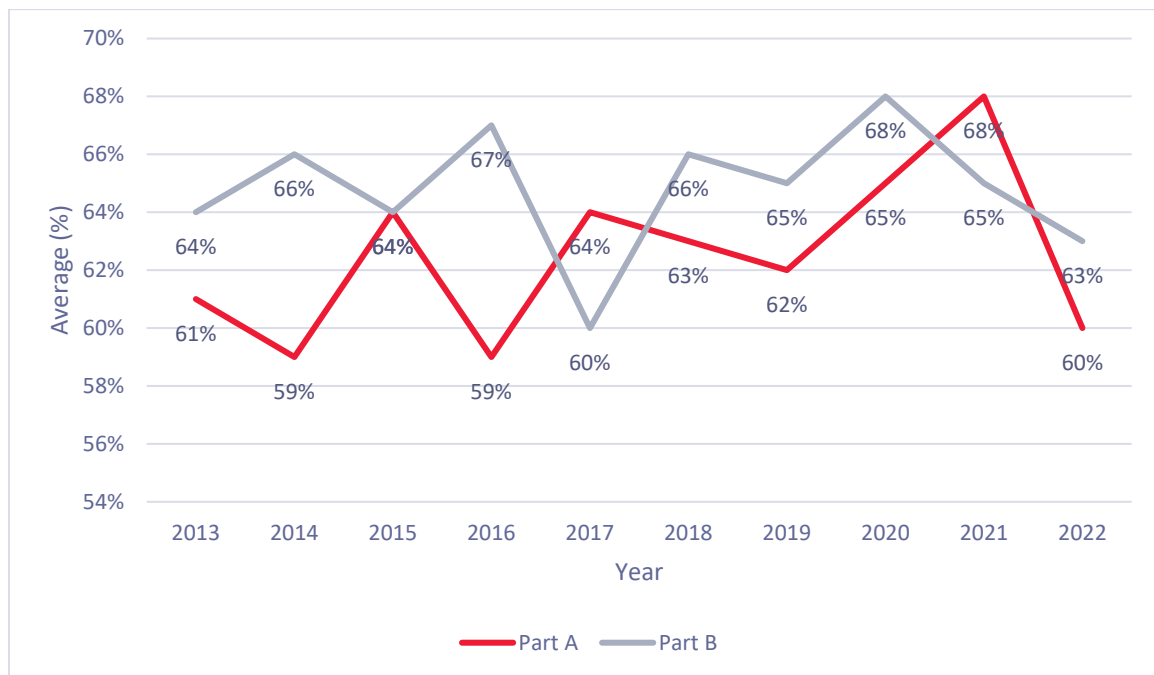
Year	Part A	Part B
2013	61%	64%
2014	59%	66%
2015	64%	64%
2016	59%	67%
2017	64%	60%
2018	63%	66%
2019	62%	65%
2020	65%	68%
2021	68%	65%
2022	**60%**	**63%**
Average (2013-2022)	63%	65%

	Part A 2022	Part A 2021	Part A 2020
# of Exams Corrected	**69**	66	102
Average Mark	**60%**	68%	65%
97+ (2020 = 96+)	**29**	47	63
82–96	**21**	13	21
68–81	**13**	6	8
54–67	**4**	0	9
40–53	**3**	0	1
<40	**0**	0	0
Highest	**78%**	83%	85%
Lowest	**35%**	46%	30%
	Part B 2022	Part B 2021	Part B 2020
# of Exams Corrected	**68**	53	63
Average Mark	**63%**	65%	68%
97+	**35**	28	43
92–96	**6**	8	7
81–91	**9**	12	11
70–80	**11**	3	2
<70	**7**	3	0
Highest	**85%**	80%	87%
Lowest	**29%**	41%	48%

Re-corrections:

	2022	2021	2020
# Passed Parts A and B at Initial Correction	**25/68**	24/66	38/102
# of Requests for Review Part A Part B	**15** **9** **6**	18 3 15	19 5 14
# of Additional Candidates Passing as a result of review	**0**	4	5
Final # of Candidates who passed	**25**	28	43

Re-Correction Variance Analysis

Part A
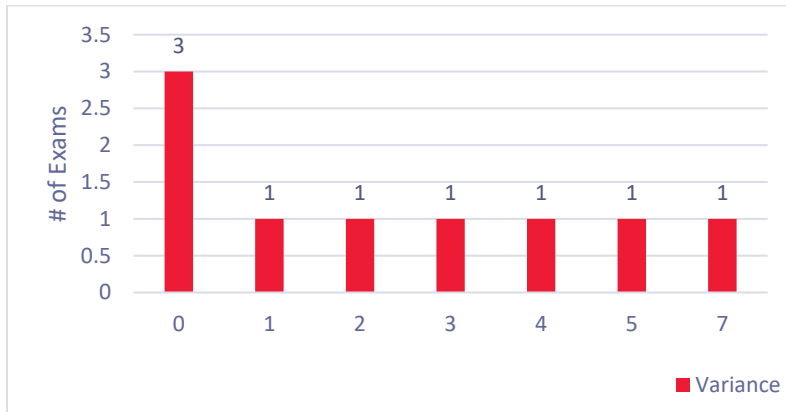
Variance	# of exams
0	3
1	1
2	1
3	1
4	1
5	1
7	1

Part B:
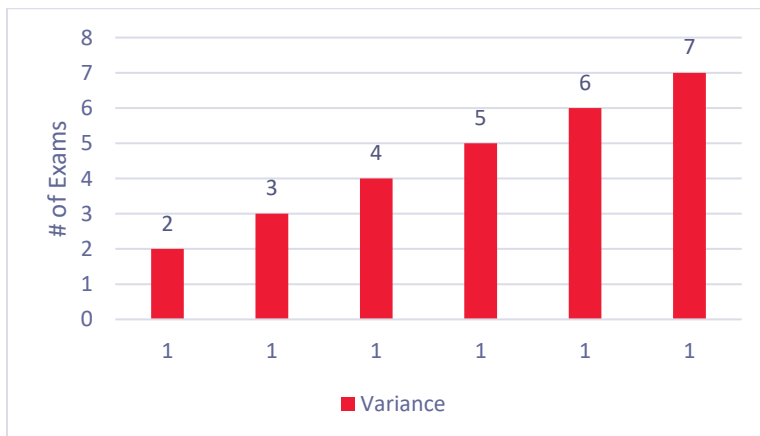
Variance	# of Exams
2	1
3	1
4	1
5	1
6	1
7	1

Appendix B – PAQE Statistics

	2022	2021	2020
# Candidates who wrote exam papers	113	124	116
# papers written	323	380	328
# French writers # English writers	1 112	2 122	2 114
# Candidates who received an overall pass as a result of writing and passing at least 1 paper	28	27	36
# of candidates writing all outstanding papers (could achieve an overall pass of the exam)	106	116	98
Global pass rate	27% (29/106)	23% (27/116)	37% (36/98)
First-time writers	26% (29)	43% (53)	35% (41)

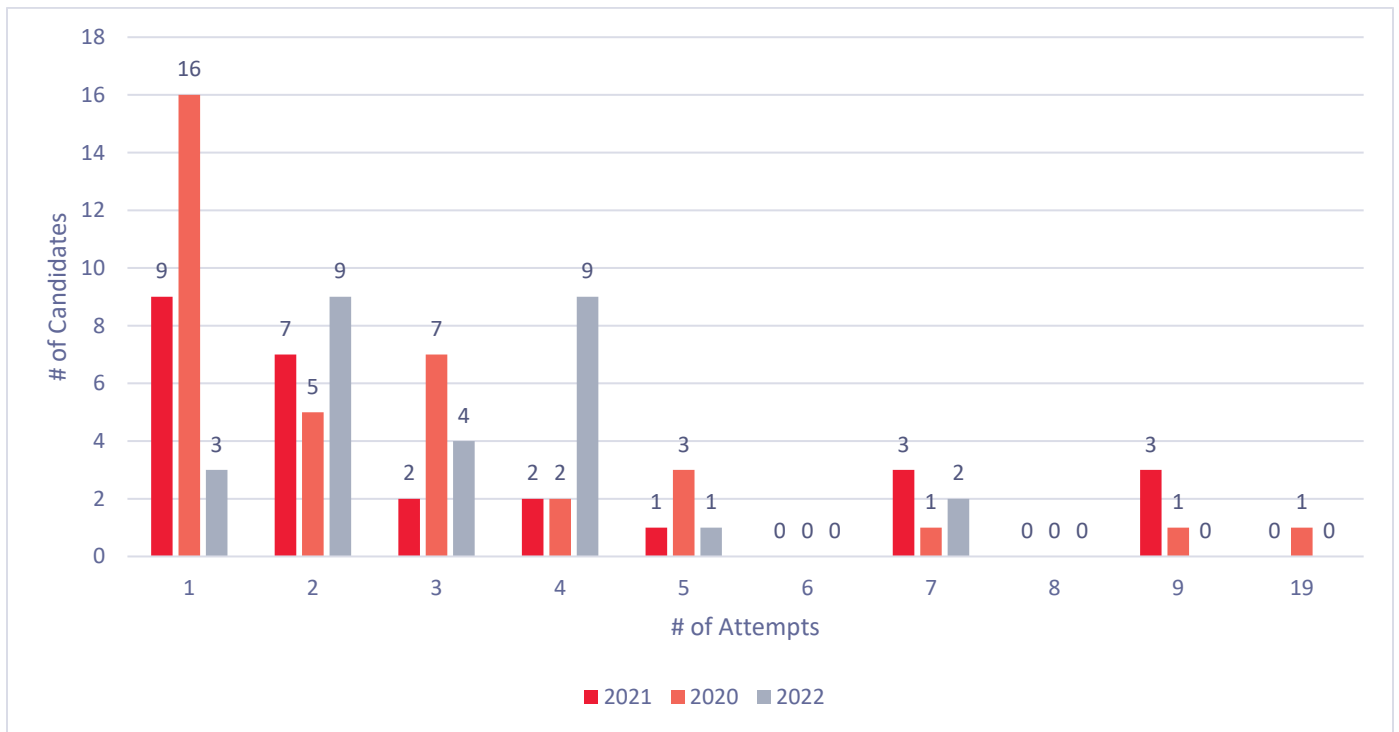|	2022	2021	2020
# Candidates passed the exam	29	27	36
Passed all papers on first attempt	10% (3/29)	33% (9/27)	44% (16/36)
Candidates achieved an overall pass after 2-5 attempts	83% (24/29)	44% (12/27)	47% (17/36)
Candidates achieved an overall pass after 6 or more attempts	7% (2/29) (2 @7)	22% (6/27) (3 @7 and 3 @9)	8% (3/36) (7, 9 and 19)

cpata
cabamc

COLLEGE OF PATENT
AGENTS & TRADEMARK AGENTS

COLLÈGE DES AGENTS DE BREVETS ET
DES AGENTS DE MARQUES DE COMMERCE

Overall and First Try Pass Rate
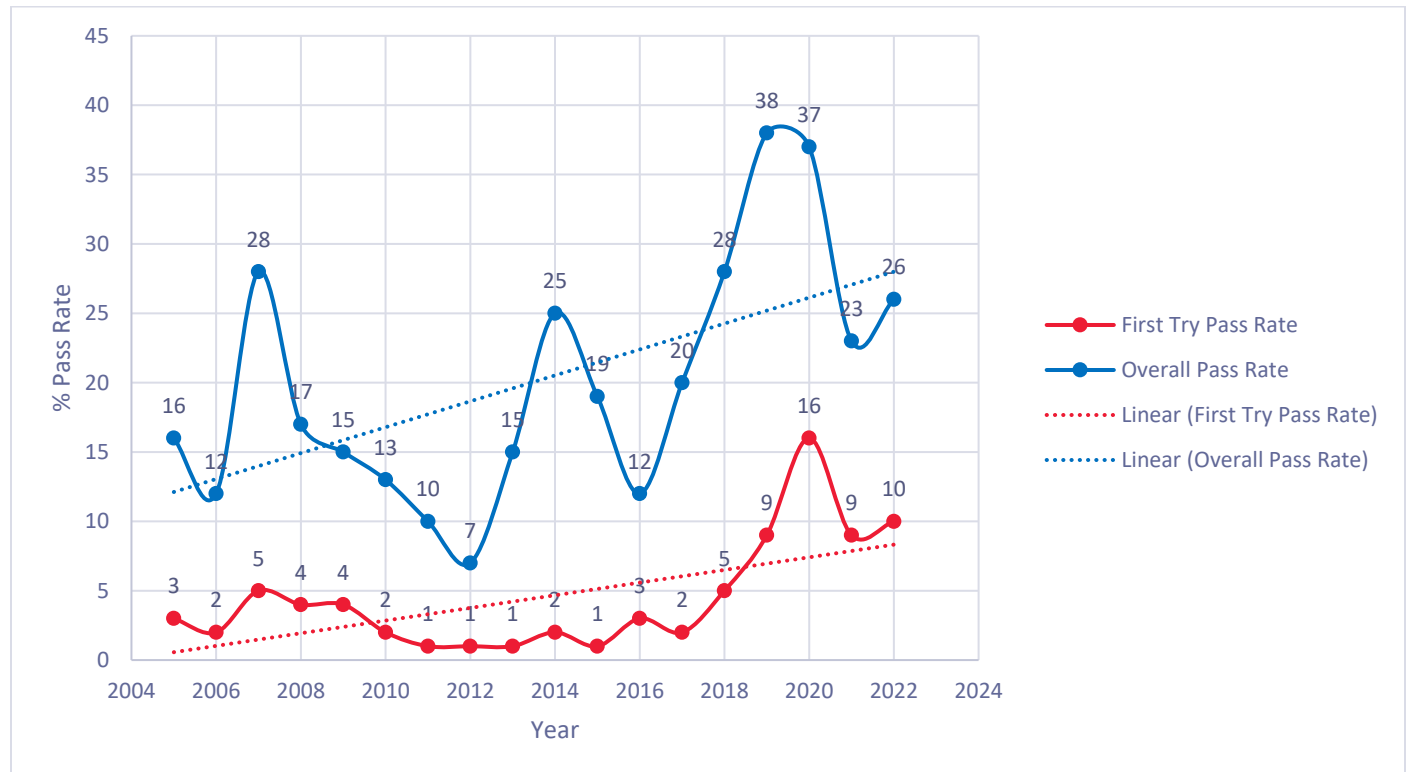
Year	First Try Pass Rate %	Overall Pass Rate %
2005	3	16
2006	2	12
2007	5	28
2008	4	17
2009	4	15
2010	2	13
2011	1	10
2012	1	7
2013	1	15
2014	2	25
2015	1	19
2016	3	12
2017	2	20
2018	5	28
2019	9	38
2020	16	37
2021	8	23
2022	**10**	**26**
Average (2005-2022)	4.4	20

cpata
cabamc

COLLEGE OF PATENT
AGENTS & TRADEMARK AGENTS

COLLÈGE DES AGENTS DE BREVETS ET
DES AGENTS DE MARQUES DE COMMERCE

of Attempts for Candidates Achieving Overall Pass

	# of Successful Candidates		
# of Attempts	**2022**	2021	2020
1	**3**	9	16
2	**9**	7	5
3	**4**	2	7
4	**9**	2	2
5	**1**	1	3
6	**0**	0	0
7	**2**	3	1
8	**0**	0	0
9	**0**	3	1
19	**0**	0	1

Statistics by Exam Paper:

	Paper A			Paper B			Paper C			Paper D		
	2022	**2021**	**2020**	**2022**	**2021**	**2020**	**2022**	**2021**	**2020**	**2022**	**2021**	**2020**
# of papers	**86**	94	81	**97**	102	84	**53**	70	68	**87**	114	95
average mark	**41.6%**	47.5%	51%	**50.6%**	43.7%	55%	**69%**	58.3%	64%	**46.9%**	49.7%	48%
marks 60 +	**20**	16	24	**28**	10	29	**40**	37	48	**16**	38	15
50 to 59	**8**	24	20	**32**	29	32	**8**	19	10	**30**	26	37
40 to 49	**15**	29	13	**22**	33	14	**5**	12	7	**19**	18	21
under 40	**44**	25	24	**16**	30	9	**1**	3	3	**22**	33	22
Highest	**90.5%**	84%	93%	**73%**	70%	80%	**96%**	89%	93%	**70%**	80.5%	73%
Lowest	**4.5%**	7%	2%	**9%**	2.5%	19.5%	**32%**	0%	23%	**10%**	9%	12.5%

Pass Rates by Exam Paper:

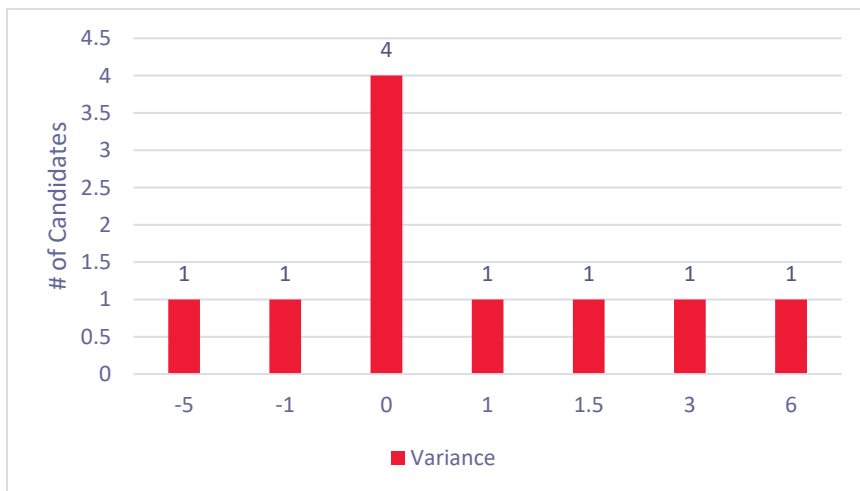|	Paper A	Paper B	Paper C	Paper D
Overall Pass Rate	26% (22/86)	38% (37/97)	74% (39/53)	26% (23/87)
First-time Pass Rate	36% (8/22)	22% (8/37)	59% (23/39)	30% (7/23)

Average Grades by Year:
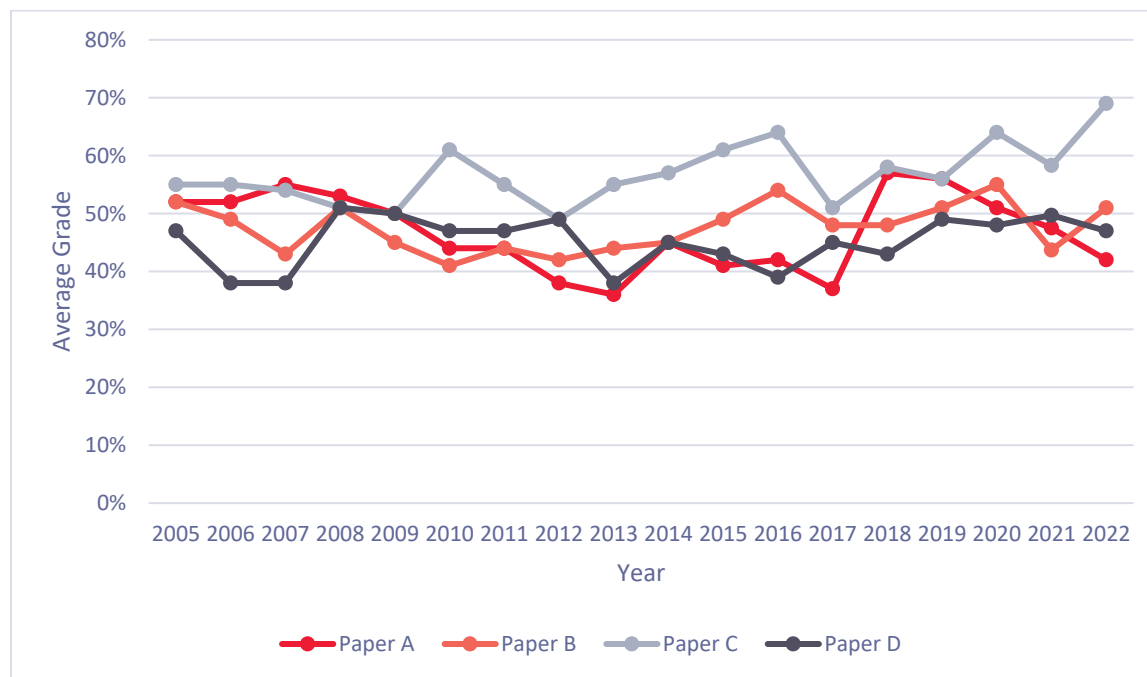
Year	Paper A	Paper B	Paper C	Paper D
2005	52%	52%	55%	47%
2006	52%	49%	55%	38%
2007	55%	43%	54%	38%
2008	53%	51%	51%	51%
2009	50%	45%	50%	50%
2010	44%	41%	61%	47%
2011	44%	44%	55%	47%
2012	38%	42%	49%	49%
2013	36%	44%	55%	38%
2014	45%	45%	57%	45%
2015	41%	49%	61%	43%
2016	42%	54%	64%	39%
2017	37%	48%	51%	45%
2018	57%	48%	58%	43%
2019	56%	51%	56%	49%
2020	51%	55%	64%	48%
2021	47.5%	43.7%	58.3%	49.7%
2022	**41.6%**	**50.6%**	**69%**	**46.9%**
Average (2005–2022)	47%	48%	57%	45%

Requests for Re-Correction:

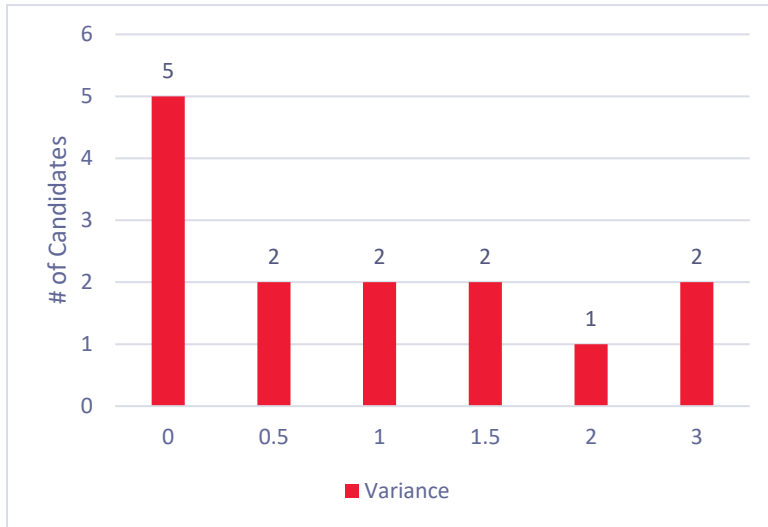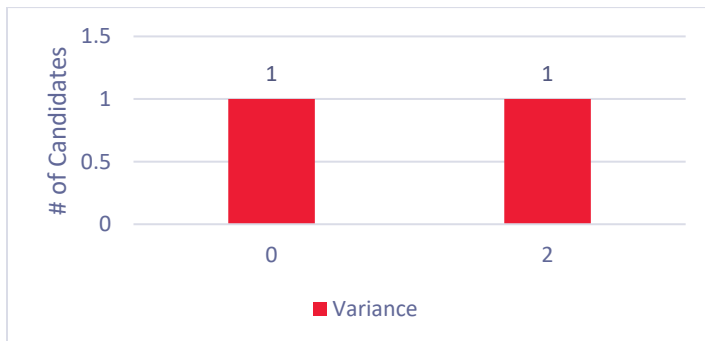|	**2022**	2021	2020
# of Candidates who requested a re-correction	**26 (23%)**	33 (26.6%)	36 (38%)
Re-Correction Requests Considered: Paper A	**10 (12%)**	13 (13%)	18 (22%)
Re-Correction Requests Considered: Paper B	**13 (13%)**	16 (16%)	17 (20%)
Re-Correction Requests Considered: Paper C	**2 (4%)**	4 (6%)	9 (13%)
Re-Correction Requests Considered: Paper D	**13 (15%)**	11 (10%)	20 (21%)

Re-Correction Variance Analyses:

Paper A:

Variance	# of Candidates
−5	1
−1	1
0	4
1	1
1.5	1
3	1
6	1

cpata
cabamc

COLLEGE OF PATENT
AGENTS & TRADEMARK AGENTS

COLLÈGE DES AGENTS DE BREVETS ET
DES AGENTS DE MARQUES DE COMMERCE

Paper B:

Variance	# of Candidates
0	5
0.5	2
1	2
1.5	2
2	1
3	2

Paper C:

Variance	# of Candidates
0	1
2	1

Paper D:
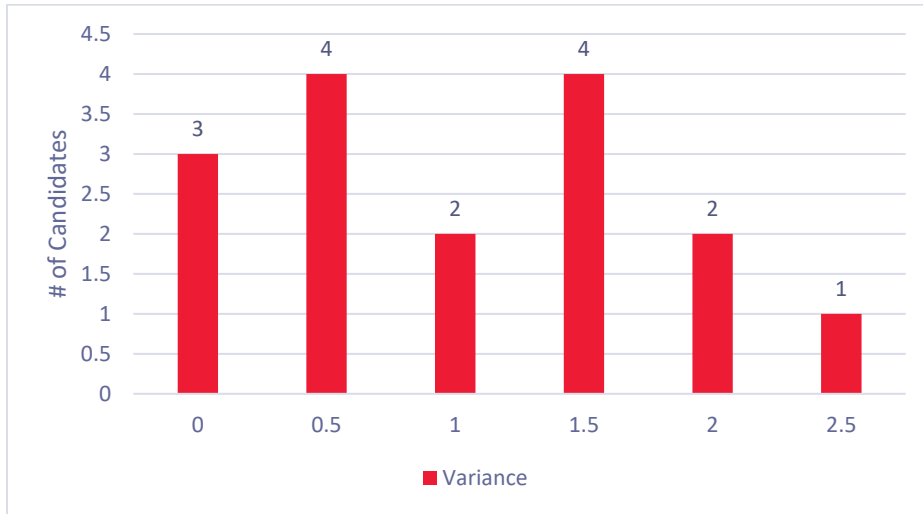
Variance	# of Candidates
0	3
0.5	4
1	2
1.5	4
2	2
2.5	1