

CTSI Professional Qualification in Intellectual Property Law

Introduction into the CTSI Intellectual Property Law Certificate

Qualification Description

Counterfeiting and piracy issues provide a regular challenge to Trading Standards professionals and rights owners alike.

This professional competency has been developed by CTSI in conjunction with the Intellectual Property Office to equip professionals working in the field of Intellectual Property. (supported and developed with the Intellectual Property Office)

This course will focus on the four main elements of Intellectual Property: To provide knowledge, understanding and the practical application of:

The different types of Intellectual Property Rights:

- Trademarks
- Copyright
- Designs
- Patents

The depth of knowledge required for each form of right is specified below and varies between the criminal and civil aspects of each form of right.

The prescribed knowledge levels range from:

- a detailed knowledge
- a working knowledge
- a basic knowledge

The training will also consider the implications of other relevant legislation on IP issues.

Upon completion of the course, candidates will be able to differentiate between the different aspects of intellectual property; advise on civil aspects of IP ownership and infringement; appreciate the various methods of protecting IP and investigate alleged criminal offences.

What to Expect

The course will be taught in line with the learning outcomes. It is also expected that you will undertake your own learning, by ensuring you are familiar with all areas shown in the course syllabi.

The course will use different learning delivery methods. This course consists of five training days (three virtual and two practical days at a venue) and the following assessments - online multiple choice questions, professional interview and 3,000 word case study.

There is a requirement of approximately three months of independent learning prior to the contact days, which is supported by resources available via the online portal. This includes dedicated sections of detailed course notes.

Additionally, the trainer may choose to provide, via the on-line portal, videos or other learning materials, as they deem necessary; these additional learning materials will be provided throughout the duration of the course.

You are expected to complete all assessments/assignments, as notified to you, by your trainer. You will upload them for marking, by the designated deadlines.

Assessments

To gain the qualification, not only is it expected that you will attend all training (both distance learning and contact days), but you will also complete the following:

Multiple-Choice Exam: You will register for and complete the associated on-line multi-choice exam and demonstrate the knowledge requirements for this subject with 30 questions to be answered. Please note you will only receive a 'pass' or 'fail' and no mark will be given. You will have 1 hour to complete. Once started, this assessment must be completed.

Professional Interview exam: This exam supports the on-line examination. The exam will follow the contact day training when you answer specific questions asked by the examiner. Answers will be marked against set criteria. You may not take the professional interview examination until you have completed all contact days. You will have 30 minutes to complete.

3000 Word Case Study: You will complete a 3000-word case study once the subject area is agreed with the examiner to demonstrate the skills requirement for this subject. This case study will be submitted 3 months (12 weeks) later after your professional interview assessment. You will be provided the specific date in advance. Your case study proposal will be reviewed with you, after your professional interview assessment.

Classification of Marks

All examinations are marked out of 100% and with a pass mark of 60% across all areas.

All effort should be made to gain the highest mark possible throughout the examining process.

Governance, Regulations and Policies

For more detailed information on the governance of the QF, you will find this within the regulations. Below outlines the governance structure approved by CTSI Council.

All forms of assessment fall within strict regulations and you must ensure you understand and adhere to all regulation requirements. The regulations that cover all aspects of the qualification, can be found on our website:

[Link to regulations](#)

Please ensure you are familiar with all aspects within the regulations, taking notice of any area relating to examinations, case studies and deadlines.

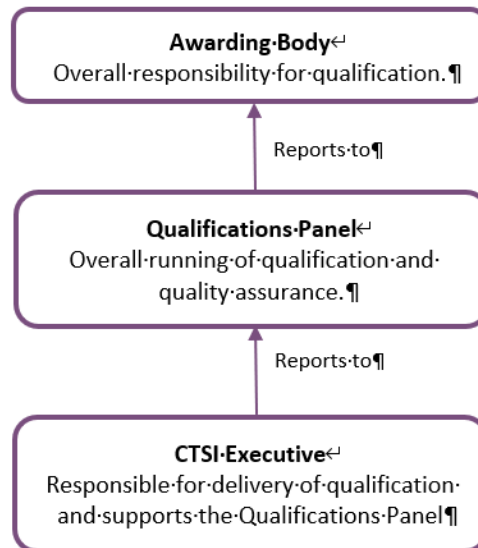
CTSI will publish announcements surrounding the professional qualification from time to time. These are found here:

[Link to announcements](#)

It is important that you are aware of any notifications provided by CTSI throughout the period you are undertaking this qualification.

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Unit Syllabi

NOTE: The legislation outlined in this syllabus is not an exhaustive list. Candidates will be required to answer questions in accordance with this syllabus.

The examiners may expect candidates to show knowledge of legislation, which is in existence but not in force, (i.e. Acts which have not finally been enacted, or Regulations which have not reached their commencement date) if it is directly and significantly relevant to the subject-matter of the examination.

Learning Outcomes:

The competence for this module is the demonstration of knowledge and understanding of:

1. The different types of Intellectual Property Rights.
2. The difference between the criminal and civil aspects of Intellectual Property law.
3. Criminal legislative mechanisms in depth available to Trading Standards Services as a means of enforcing Intellectual Property Rights.
4. The range of civil law mechanisms available to rights owners as a means of enforcing their own Intellectual Property Rights.
5. A critical appraisal of the effectiveness of relevant legislation.
6. The procedures and provisions that the industry uses to protect owners of Intellectual Property.

Indicative areas of study

The range of criminal offences and defences under the relevant legislation

The range, extent and limitations of enforcement powers under relevant legislation, including practical application of powers and use of the Proceeds of Crime Act 2002

Forfeiture provisions

Relevant case law

Passing off, civil remedies

The following terms have been used to indicate the level of knowledge required in each element:

Detailed: To an in-depth level, and with a fine degree of distinction between concepts

Working: With the ability to apply the learning to situations to resolve problems

Basic: Having an awareness of the organisations and concepts

Assessments will reflect the requisite level of knowledge in each given area of the syllabus.

Syllabus

Legislation

A detailed knowledge of:

Criminal legislative mechanisms, including evidential requirements, available to Trading Standards Services as a means of enforcing Intellectual Property rights:

The Copyright, Designs and Patents Act 1988

The Trade Marks Act 1994

The Registered Designs Act 1949

The Digital Markets Competition and Consumers Act 2024 and Business Protection from Misleading Marketing Regulations 2008 as they relate to Intellectual property

The power sections contained in the Consumer Rights Act 2015

A working knowledge of:

The range of civil law mechanisms available to rights owners as a means of enforcing their own Intellectual Property Rights

Passing Off

Patents

A basic knowledge of:

The Trade Marks Act 1994 – civil provisions – relevant provisions not covered above

The Copyright, Designs & Patents Act 1988 – relevant provisions not covered above

The role of Patent Agents and Trade Mark Agents

Patents

Business Confidentiality

Trade Secrets

Non-disclosure

Proceeds of Crime Act 2002 Schedules Eng Scot NI

England and Wales only

Criminal Law Act 1977 (conspiracy) and the common law offence of conspiracy to defraud

Fraud Act 2006

Forgery and Counterfeiting Act 1981 (False Instruments)

Accessories and Abettors Act 1861 (Aiding and Abetting)

Northern Ireland

Proceeds of Crime Act 2002 (Part 4 only)

The framework and environment

A working knowledge of:

The role of the following relevant organisations in that framework:

The Intellectual Property Office - including the IP Crime Group and IP Crime Strategy.

Local Authority Trading Standards Services

CTSI (the Chartered Trading Standards Institute)

HMRC (HM Revenue and Customs) (Customs Regulations & provisions.

UK BA (UK Borders Agency)

- Police, PIPCU

- Trade Mark and Patents Attorneys

- REACT

- The Anti-Counterfeiting Group (ACG)

- The Alliance for Intellectual Property

- Other relevant rights owner and industry bodies

Global and European Environment

A basic knowledge of:

The relevant European and Global bodies engaged in IP protection

- WIPO (World IP Organisation)

- The TRIPS Agreement (Trade Related aspects of IP Rights Agreement)

- EUIPO

- UKIPO

- WTO

- World Customs Organisation

The relevant conventions and European legislation influencing Intellectual Property protection in the UK

- Berne Convention

- The Madrid Protocol

- The Hague Convention

- The Paris Convention

Registration Processes

A basic knowledge of:

The UK and European Trade Mark registration process

The UK and European Design registration process