VETASSESS

Information sheet

Patents Examiner

ANZSCO: 224914

Group B

About this document

- The following Information Sheet is for your reference only and should be used as a guide to assist with your Skills Assessment application to VETASSESS. This information is subject to change.
- Please note that a Skills Assessment of the qualification involves assessment of both the qualification level and content. Qualifications are assessed according to the guidelines published by the Australian Government Department of Education.
- The employment assessment involves determining the skill level and relevance of the tasks undertaken.
- Integrity checks may be conducted to verify the qualification and employment claims made in an application.

Job description

Investigates and reports on patent applications to assess their compliance with the requirements of the Patents Act.

Patents Examiner is a Group B occupation

Applicants can fulfil the assessment criteria for this occupation in four different ways.

*If employment is prior to the completion of the qualification at the required level, an applicant must have at least one year of highly relevant employment at an appropriate skill level within the last five years. The remaining five years of pre-qualifying period may be within the last ten years.

A positive assessment of both qualification level and employment duration is required for a positive Skills Assessment outcome.

GROUP B	Criteria for a suitable Skills Assessment			
	Minimum comparable Bachelor or higher degree AQF level	With highly relevant major field of study	Additional highly relevant qualifications	Highly relevant employment duration
1	AQF +	+	N/A +	1 YEAR minimum
2	AQF +	No highly relevant major +	AQF Minimum AQF Diploma level with highly relevant major +	2 YEARS minimum
3	AQF +	No highly relevant major +	No additional highly relevant qualifications +	3 YEARS minimum
Pre-qualification methodology can apply to Group B occupations				
	Highly relevant employment duration	With or without highly relevant major field of study	Additional highly relevant qualifications	Comparable Bachelor degree AQF level
4	5 YEARS minimum + 1 YEAR minimum Within last 5 years +	N/A +	N/A +	AQF

Description of Pathways

The information below describes the available pathways for a Skills Assessment under **Group B**. Please note that in order to achieve a suitable Skills Assessment Outcome, a positive assessment for both qualifications and employment is required.

Pathway 1

This pathway requires a qualification assessed as comparable to the education level of an Australian Qualifications Framework (AQF) Bachelor degree or higher degree and in a field highly relevant to the nominated occupation.

Bachelor degree or higher degree includes AQF Master Degree or AQF Doctoral Degree.

In addition, it is essential for applicants to meet the following employment criteria:

- at least **one** year of post-qualification employment at an appropriate skill level, undertaken in the last five years,
- working 20 hours or more per week, and
- highly relevant to the nominated occupation.

Pathway 2

This pathway requires a qualification assessed as comparable to the education level of an Australian Qualifications Framework (AQF) Bachelor degree or higher degree and in a field not highly relevant to the nominated occupation.

Bachelor degree or higher degree includes AQF Master Degree or AQF Doctoral Degree.

An additional qualification in a highly relevant field of study at a minimum AQF Diploma level is required. Additional qualifications in a highly relevant field of study include those comparable to the AQF Diploma or AQF Advanced Diploma or AQF Associate Degree or AQF Graduate Diploma.

In addition, it is essential for applicants to meet the following employment criteria:

- at least **two** years of post-qualification employment at an appropriate skill level, undertaken in the last five years,
- working 20 hours or more per week, and
- highly relevant to the nominated occupation.

For example, an applicant for the occupation Quality Assurance Manager completed a non-relevant AQF Bachelor qualification in April 2024 and later completed an AQF Diploma in Quality Management in May 2026. The applicant commenced employment with the organisation in May 2024 and remains employed there.

Under Pathway 2, the applicant satisfies the minimum educational requirement for a Group B occupation through the AQF Bachelor qualification. Accordingly, employment is counted from the completion date of the Bachelor qualification, meaning employment from May 2024 onwards may be considered toward both the required Qualifying Period (QP) and any remaining eligible period for the points test.

As the later Diploma qualification is highly relevant to the occupation, the applicant may access the reduced employment requirement applicable under Pathway 2. In this case, only two years of QP are required, and that employment may be counted from the post-Bachelor period rather than from the Diploma qualification completion date.

Pathway 3

This pathway requires a qualification assessed as comparable to the education level of an Australian Qualifications Framework (AQF) Bachelor degree or higher degree and in a field not highly relevant to the nominated occupation.

Bachelor degree or higher degree includes AQF Master Degree or AQF Doctoral Degree.

In addition, it is essential for applicants to meet the following employment criteria:

- at least **three** years of post-qualification employment at an appropriate skill level, undertaken in the last five years,
- working 20 hours or more per week, and
- highly relevant to the nominated occupation.

Pathway 4

This pathway requires a qualification assessed as comparable to the education level of an Australian Qualifications Framework (AQF) Bachelor degree or higher degree with or without a highly relevant major field of study to the nominated occupation.

Bachelor degree or higher degree includes AQF Master Degree or AQF Doctoral Degree.

In addition, it is essential for applicants to meet the following employment criteria:

- at least **six** years of employment at an appropriate skill level that includes at least **one** year of highly relevant employment within the last five years before applying,
- working 20 hours or more per week, and
- highly relevant to the nominated occupation.

Qualification

Patents Examiners usually have a background in science, engineering or law with a good understanding of scientific advances. They hold qualifications in one of the following main fields of study.

Technical qualifications include:

- Mechanical Engineering
- Biomedical Engineering
- Chemical Engineering
- Biotechnology Pharmacology
- Electronics
- Telecommunications
- Computer Science
- Physics
- Law

This occupation requires a qualification assessed as comparable to the education level of an Australian Qualifications Framework (AQF) Bachelor degree or higher degree and in a field highly relevant to the nominated occupation.

Employment Criteria

Highly relevant tasks include, but are not limited to:

- Examines patent applications to assess compliance with the Australian Patents Act
- Assesses whether patent applications provide an adequate technical description of the invention
- Assesses whether the patent rights sought are justified and match the invention's technical description
- Ensures patent applications do not infringe on previous patents
- Searches on-line databases to discover similar patents held in Australia and overseas
- Grants patent rights for inventions based on new technology
- Reports findings to patent applicants or their legal representatives
- May supervise clerical or other office staff

It is essential for applicants to meet the following employment criteria:

- at least one year of post-qualification employment at an appropriate skill level,
- undertaken in the last five years,
- working 20 hours or more per week, and
- highly relevant to the nominated occupation.

If the qualification is not in a highly relevant field, then the applicant must have:

- three years of post-qualification employment experience at an appropriate skill level,
- undertaken in the last five years,
- working 20 hours or more per week, and
- highly relevant to the nominated occupation.

This is reduced to two years if there is an additional qualification at least at AQF Diploma level in a highly relevant field.

If employment has occurred before completion of qualification, then five years of highly relevant employment experience are required in addition to at least one year of highly relevant employment at an appropriate skill level in the last five years.

Please note in order to achieve a successful Skills Assessment Outcome, a positive assessment for both qualifications and employment is required.