

ICPA: Introductory Certificate in Patent Administration

Mock Examination

2017/18 Course

Time: as agreed with your mentor

**Time allowed – TWO hours
plus 15 minutes reading time**

INSTRUCTIONS TO CANDIDATES

This examination pack comprises:

Candidate Cover Sheet	1 sheet (Live examination only)
Instructions to Candidates	1 sheet
The question paper	5 sheets
Annex A	1 sheet
Annex B	1 sheet
Annex C	1 sheet
Annex D	1 sheet
Resource Pack	20 sheets

1. You have 15 minutes reading time before the start of the examination. During this time you **must not write** on the answer script paper or forms, but you **may annotate** the question paper, calendars and annexes.
2. The invigilator will tell you when you can start writing your answers.
3. You should attempt **all** the questions in this question paper.
4. Start each question (but not each part of each question) on a new sheet of paper.
5. Do not state your name anywhere in the answers.
6. Write clearly, as examiners cannot award marks to answers that cannot be read.
7. You will find the **annexes** (referred to in questions 2 and 6) at the end of the question paper.
8. You will find a **Resource Pack** after the annexes. The Resource Pack has a contents page and contains calendars, office closure dates, and forms.
9. Select and complete the relevant form(s) when instructed by the question.
10. If a question refers to 'today', assume today's date.

Question 1

Patent protection in the UK can be obtained by filing an international patent application, and later entering the UK national phase.

State two other ways in which patent protection can be obtained in the UK.

2 marks

Question 2

You have received the memo in Annex A and the letter in Annex B from your colleague. Please complete the necessary forms for signing.

16 marks

Question 3

You filed a UK Patent Application on 20 Nov 2017, claiming priority from an earlier filed US application dated 24 Nov 2016. The filing included informal drawings and no abstract. Showing your calculations, to avoid paying any additional fees, state the deadline to submit:

a) Formal drawings

3 marks

b) The abstract

6 marks

Total: 9 marks

Question 4

You work for an Attorney called Steve Clarke at a UK patents firm called Clarke Partners LLP. Steve has sent you the following email:

Hello

I have just come back from a meeting with one of our clients, Car Racing Ltd, who have verbally provided us with some new instructions. They would like to file a new PCT application which claims priority from their existing GB patent application (GB 1725064.2, filed 02 February 2017). Please can you prepare the PCT application for filing using the UK IPO as receiving office? We will need to submit the filing today.

I have attached a copy of the specification and below are the details for the PCT application:

Title: *Car Locking Mechanism*
Our reference: *CRL-0027WO*
Applicant: *Car Racing Ltd, Car Racing House, Manor Royal, RH10 6PQ, United Kingdom*

Cont...

Inventor details: *Nicholas Wasson*
1 Castle Drive
Surrey
RH1 3NP

The inventor is a British citizen and is the inventor for all designated states.

Specification details:

Description – 20 pages
Claims – 4 pages, 20 claims in total
Abstract – 1 page, to be accompanied by Figure 2
Drawings – 3 pages, 7 figures in total

The GB priority application is available via the PDAS scheme. Please request that the IB obtain a copy of the document electronically using PDAS access code IE06.

This client focuses on taking an environmentally friendly approach, so please also request that all communications be sent to us by email only to our docketing@clarkepartners.com address.

Once filed, we will pass to the finance/records department to pay the relevant fees.

Thanks!

Steve
Partner
Clarke Partners LLP
1 Whitehall Lane
London
WC2V 7AS
Tel: +44 20 620 3901
Fax: +44 20 620 3900

11 marks

Question 5

For an International (PCT) application:

What is an A3 publication?

1 mark

Question 6

Your firm receives instructions to enter the European regional phase of WO 2017/654321. Please prepare form 1200 for filing at the EPO in accordance with the instructions/information given in Annexes C and D.

10 marks**Question 7**

The EPO issues a communication under Rule 71(3) dated 22 December 2017 received in your office on 27 December 2017. What is the deadline for replying, without using Further Processing? Show your calculations.

3 marks**Question 8**

What are the minimum requirements to obtain a filing date for a GB patent application?

3 marks**Question 9**

A GB patent application was filed on 16 January 2017 without claiming priority, without an indication of inventors.

a) Which form should be filed with the details of the inventors?

1 mark

b) By when must this form be filed? Show your calculations.

3 marks**Total: 4 marks****Question 10**

A PCT application was filed on 10 August 2016, claiming priority from a UK patent application filed on 10 August 2015. What is the latest date for filing a UK national phase application? Show your calculations.

3 marks**Question 11**

What is the maximum duration of a registered Community Design if all renewal fees are paid when due?

1 mark

Question 12

A UK design was filed on 07 October 2013 and granted on 20 January 2014. The design claimed priority from a US design application filed on 07 May 2013.

- a) **When does the first renewal fee fall due for this application? Show your calculations.**

3 marks

- b) **If late payment fees are to be avoided, what is the latest date by which the renewal fee can be paid?**

2 marks

Total: 5 marks

Question 13

An examination report was issued by the European patent Office on 25 April 2017 setting a four month period for a response. A two month extension was obtained but owing to an oversight a response was not filed.

You have received a loss of rights communication dated 08 January 2018 informing you that the application is deemed withdrawn. Your client wishes to maintain the application.

What actions must be taken and by what date? Show your calculations.

5 marks

Question 14

A European patent application was filed on 18 April 2016.

- a) **When is the first maintenance fee due? Show your calculations.**

3 marks

- b) **What is the latest date for paying the maintenance fee by making use of the grace period? Show your calculations.**

2 marks

- c) **What must also be done if paying the maintenance fee in the grace period?**

1 mark

Total: 6 marks

Question 15

How often are renewal fees due in respect of a UK registered design?

1 mark

Total Marks: 80 marks

Annex A: Question 2

**Picky, Pedantic & Smart LLP
13 Chancery Lane, London, WC2A 9DG
Tel: +44 207 456 7890**

25 January 2018

Our Ref: RBC 1GB

Dear Administrator

I have just received the attached instructions from our client The Really Big Corporation of America to file a new UK application today.

Please prepare Forms PF1 and PF7 for filing (the accounts department will prepare the accompanying fee sheet for the application fee, to be filed with the Application). I will review and sign the forms later today, when I have received the finalised specification from the client.

I will be the agent for this application.

Many thanks.

Petra Picky, CPA, EPA

Annex B: Question 2

**The Really Big Corporation of America
1100 Innovation Park
Austin, Texas 10019
United States of America
Tel: +1 737 291 0477**

25 January 2018

**Petra Picky
Picky, Pedantic & Smart LLP
13 Chancery Lane, London, WC2A 9DG
Tel: +44 207 456 7890**

Dear Petra

New UK Patent Application "Device for improving an object"
(Our Ref: FBCA/a1/gb; Yr. Ref: (please advise))

I hope that you are well.

I will be sending you description (12 pages), claims (14 claims, 3 pages), abstract (1 page) and drawings (7 figures, 5 pages) shortly. We are just proofreading the text, but there will be no change in the page count. I am giving you a heads-up, as we want to file today (irrespective of the convention term).

The applicant will be The Really Big Corporation of America. I am the inventor, a company employee, so c/o the applicant's address. I have assigned the invention to The Really Big Corporation of America.

The UK application is to claim priority from US 15/321456 filed 20 July 2017. A certified copy of US 15/321456 will follow in due course.

We will request search and substantive examination closer to their respective due dates.

Please call if you have any questions.

Best regards.

Frank Frink
Chief Technology Officer
ffrink@RBC-USA.com

Annex C: Question 6

Smart IP LLP
10 Chancery Lane, London, WC2A 9DG
Tel: +44 207 456 6789
Fax: +44 207 456 6781

25 January 2018

Our Ref: RBC 1GB

Dear Administrator

I have just received the attached instructions from our client, Ideas of America, to enter the European regional phase of WO 2017/654321.

We will enter the regional phase on the basis of the application as published, which comprises description (12 pages), claims (14 claims, 3 pages), abstract (1 page) and drawings (7 figures, 5 pages).

The USPTO acted as ISA and IPEA. I would like an additional set of citations from the Supplementary search report.

Please designate all contracting states, Montenegro and the validation state, Morocco.

Please prepare Form 1200 for filing today. Fees are to be debited automatically from our deposit account 2001.9999, with any refunds to the same account.

I will be the named representative for this case.

Many thanks.

Shaoni Patel, CPA, EPA

Annex D: Question 6

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization
International Bureau



(43) International Publication Date
13 January 2017 (13.01.2017)

(10) International Publication Number
WO 2017/654321 A1

(51) International Patent Classification: H04N 21/231 (2011.01) H104N 21/2747 (2011.01)	(81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BN, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DJ, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, W, ID, IL, IN, IR, IS, JP, KE, KG, KN, KP, KR, KW, KZ, LA, LC, LK, LR, LS, LU, LY, MA, MD, ME, MG, MK, MN, MW, WC, MY, MZ, NA, NG, NI, NO, NZ, OM, PA, PE, PG, PH, PL, PT, QA, RO, RS, RU, RW, SA, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW
(21) International Application Number: PCT/US2016/099999	
(22) International Filing Date: 27 June 2016 (27.06.2016)	
(25) Filing Language: English	
(26) Publication Language: English	
(30) Priority Data: 62/123456 27 June 2015 (27.06.2015) US	(84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LR, LS, MW, MZ, NA, RW, SD, SL, ST, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, RU, TJ, TM) European (AL, AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MK, MT, NL, NO, PL, PT, RO, RS, SE, SI, SK, SM, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, KM, ML, MR, NE, SN, TD, TG)
(71) Applicant: Ideas of America 1100 Innovation Park Austin, Texas 10019 [/US]	
(72) Inventor: FRINK, Frank; 1100 Innovation Park, Austin, Texas 10019 (US).	Published: with international search report
(74) Agent: FRINK, Frank, 1100 Innovation Park, Austin, Texas 10019 (US)	
(54) Title: Device for improving objects	(57) Abstract: In one embodiment, a device improves objects as described in the description