

ICPA: Introductory Certificate in Patent Administration

Thursday 24 January 2019 14.00-16.15

This includes 15 minutes reading time

INSTRUCTIONS TO CANDIDATES

This examination pack comprises:

Candidate Cover Sheet	1 sheet
Instructions to Candidates	1 sheet
Question paper	5 sheets
Annex A	1 sheet
Annex B	1 sheet

Resource Pack 21 sheets
A white return envelope

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, forms, question paper, calendars or 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. Annotated question papers, annexes or calendars will not be marked. Answers must be submitted on the answer script paper and forms provided.
7. Write clearly, as examiners cannot award marks to answers that cannot be read.
8. You will find the **annexes** (referred to in Question 1) at the end of the question paper.
9. You will find a **Resource Pack** after the annexes. The Resource Pack has a contents page and contains calendars, office closure dates, and forms.
10. Select and complete the relevant form(s) when instructed by the question.
11. Where a question refers to 'today', assume today's date.
12. Instructions on what to do at the end of the examination are on the Candidate Cover Sheet. Put the Candidate Cover Sheet to one side until the end of the examination.

Question 1

Please read the memo attached as Annex A, and information contained in Annex B.

Complete the form as required.

14 marks

Question 2

Your client wishes to oppose a European patent, which will grant on 13 February 2019.

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

5 marks

Question 3

A UK patent application was filed on 4 July 2013 and granted on 4 September 2018.

a) **By what date were the first renewal fees due to be paid to the UK IPO without making use of the grace period? Show your calculations.**

3 marks

b) **For which years were renewal fees due by this date?**

1 mark

c) **On what date will the next renewal fee be due? Show your calculations.**

1 mark

Total: 5 marks

Question 4

A UK patent application was filed on 2 November 2018, claiming priority from a UK patent application filed on 23 November 2017.

By what date must you submit formal drawings to replace informal drawings previously filed? Show your calculations.

3 marks

Question 5

A first UK patent application was filed on 12 September 2014. The compliance date is 12 March 2019.

a) **To what date can the compliance date be extended as of right? Show your calculations.**

3 marks

b) **What action(s) must you take to request the as-of-right extension?**

1 mark

Total: 4 marks

Question 6

You filed a UK patent application on 9 December 2018, claiming priority from a US patent application filed on 17 December 2017. The application contains 27 claims.

- a) What is the deadline for filing a request for a search? Show your calculations.
4 marks
- b) If no amendments are made to the text as filed, how many excess claims fees are payable?
1 mark

Total: 5 marks

Question 7

You receive a communication under Article 94(3) EPC (an examination report) from the EPO on 15 January 2019. The communication is dated 7 January 2019. The communication sets a four-month period for response.

- a) By what date must a response be filed without requesting an extension of time? Show your calculations.
2 marks
- b) You obtain a two-month extension of time to the period for response. What is the new date by which the response must be filed? Show your calculations.
2 marks

Total: 4 marks

Question 8

A PCT application was filed on 14 February 2017. The PCT application claims a priority date of 19 February 2016. The European regional phase was entered on 14 August 2018.

What is the due date for paying the first renewal fee for the European application? Show your calculations.

3 marks

Question 9

A communication under Article 94(3) EPC (an examination report) was issued by the EPO setting a deadline for response. No response was filed by the deadline and no extension of time of this deadline was obtained. The EPO consequently issued a communication dated 24 January 2019 stating that the application is deemed withdrawn. You received the communication the same day.

- a) In order to continue examination of the application, what actions should now be taken?
2 marks
- b) By what date must these actions be taken? Show your calculations.
2 marks

Total: 4 marks

Question 10

You work with an attorney called Bob Large at a UK patents firm called Large & Partners LLP. Bob has sent you the following memo:

Morning

I have spoken with one of our UK clients, Fridge Group Ltd. They would like to file a new PCT application which claims priority from their existing UK patent application, GB 1825064.2, filed on 9 March 2018. Please prepare the PCT application for filing today using the UK IPO as receiving office.

Below are the details you will need for the PCT application:

Title: *Fridge Deodoriser*

Our reference: *FCL-1222-PCT*

Applicant: *Fridge Group Ltd* (a UK company of: Fridge House, Steel Industrial Estate, Cambridge, CB2 4LS)

Inventor details:

*BROWN; Samantha
1 Mill Hill Lane
Horley
Surrey
RH9 4BN*

The inventor is a British citizen.

Specification details:

Description – 15 pages

Claims – 3 pages, 15 claims in total

Abstract – 1 page, to be accompanied by Figure 1

Drawings – 2 pages, 3 figures in total

The UK priority application is available via the PDAS scheme under code AC02.

Please request that all communications are sent to us only by email, using our [docteting@largepartners.com](mailto:docketing@largepartners.com) address.

The finance department will pay the relevant fees after filing.

Thanks!

Bob

Partner
Large & Partners LLP
1 Slingsby Place
London
W2 8LS
Tel: +44 20 620 3901
Fax: +44 20 620 3900

11 marks

Question 11

A US design application is filed on 31 October 2018.

By what date must a design application claiming priority from the US application be filed in the UK? Show your calculations.

2 marks

Question 12

Your client, Joe Wade, is the sole inventor and applicant for his invention 'Correcting Fluid'. Joe resides in the UK and is a UK national.

What are the competent receiving offices at which Joe can file a PCT application?

3 marks

Question 13

A UK design application was filed on 6 October 2014 and granted on 19 January 2015. The design application claimed priority from a US design application filed on 8 May 2014.

On what date does the first renewal fee fall due in respect of the UK design? Show your calculations.

3 marks

Question 14

List the three minimum requirements to obtain a filing date at the UK IPO for a patent application.

3 marks

Question 15

A PCT application is filed at the UK IPO on 4 January 2019, claiming priority from a UK patent application filed on 4 January 2018. No fees are paid in respect of the PCT application on filing.

a) What fees are due in respect of the PCT application?

3 marks

b) By what date must these fees be paid? Show your calculations.

2 marks

Total: 5 marks

Question 16

What is the maximum duration of a patent?

1 mark

Question 17

A UK subsidiary of a Chinese company files a PCT application at the UK IPO with the specification in Chinese.

What will happen to the application? Explain your answer.

3 marks

Question 18

A first UK patent application was filed on 30 October 2017 without details of the inventors.

By what date must the designation of inventor form be filed? Show your calculations.

2 marks

Total Marks: 80 marks

Annex A: Question 1

INTERNAL MEMO

Our Ref: RBC/1/PP

Dear Administrator

European Patent Application No. 15012345.6
Really Big Co., Inc.

I will be attending Oral Proceedings on 29 January 2019. I want to file a divisional application the day before the Oral Proceedings. This will be the second divisional application based on the parent application.

Please prepare form 1001 naming me as representative, and date it accordingly. The file reference for the divisional will be RBC/1D1/PP. We will not be paying any fees or submitting the Designation of Inventor on filing. Please designate the same states as on the parent.

We will use the same specification as the parent, which comprises:

- 15 pp of description
- 4 pp of claims (16 claims)
- 1 p abstract
- 3 pp of drawings (4 figures)

A copy of the front page of the parent application as published is attached. This should provide all other information you need. Note that the applicant is a US company.

Best regards.

Peter Small, EPA, CPA.

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ANNEX B



(11) EP 3 123 456 A1

(12) EUROPEAN PATENT APPLICATION

(43) Date of publication: 30.03.2016 Bulletin 2016/13 (51) Int Cl.: G02B 7/08 (2006.01) G02B 27/64 (2006.01)
 (21) Application number: 15012345.6
 (22) Date of filing: 22.09.2015

<p>(84) Designated Contracting States: AL AT BE BG CH CY CZ DE DK EE ES FI FR GB GR HR HU IE IS IT LI LT LU LV MC MK MT NL NO PL PT RO RS SE SI SK SM TR Designated Extension States: BA ME Designated Validation States: MA</p> <p>(30) Priority: 23.09.2014 US 15/321456</p> <p>(71) Applicant: Really Big Co., Inc. 1 Long Road, Newtown CT 2053 (US)</p>	<p>(72) Inventors: • SMITH, Bob 1 Long Road, Newtown CT 2053 (US)</p> <p>(74) Representative: SMALL, Peter IP Experts LLP 12 Old Square, Holborn London WC1F 4RT (GB)</p>
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(54) SCREEN SAVER

(57) A screen saver for a smart phone comprises a repositionable film.

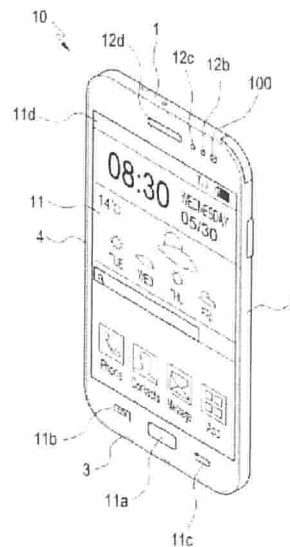


FIG.1

EP 3 123 456 A1