

Introduction

Candidates are to be congratulated on their performance in the exam, in particular the candidate gaining 100%, and those achieving 79 out of 80 marks. In those cases, the one mark missed was through a very minor error. Most had obviously worked hard to understand and implement their knowledge of formalities and most used the calendars provided to recognise where dates fell on weekends or holidays in order to calculate the final date.

It was disappointing that some candidates made spelling errors in the representative name and addresses on the forms. Care should be taken when completing such critical details and marks were not awarded if there were mistakes. It should be noted that some boxes on the forms give clear instructions as to what details should be entered, and marks were not awarded if candidates failed to enter data as specified. Candidates are advised to be familiar with these forms and the data required. Note that the data corresponds to online filing requirements.

Generally, candidates completed the calculations clearly. Candidates are reminded that where the question asks for calculations to be shown, full marks can only be awarded where these are present in the answer.

On EP1200 form, on page 8, "Table for section 6", the "total number of pages" box had been pre-populated with "1". This was reviewed and candidates were not penalised where this appeared to have caused confusion.

When awarding Pass, Merit and Distinction, the Examiners followed the approach outlined in the document entitled "Introductory Patent Administrators' Certificate – Setting the examination pass mark". It is suggested that candidates and mentors should familiarise themselves with these criteria.

Questions

Question number	Comments on questions
Question 1	This was a basic question on the priority period for patents and designs. No mark was awarded if the starting point was missed, i.e. simply stating "1 year" and "6 months" was insufficient. It was necessary to state "from filing/priority date". A number of candidates omitted this element.
Question 2	This was a basic UK formalities question to test knowledge of the minimum requirements to obtain a filing date and was generally well answered.

<p>Question 3</p>	<p>This was a GB formalities question that was generally well answered by those candidates who were familiar with filing by reference.</p> <p>Marks were awarded for showing all calculations. A further mark was available for indicating which of the calculated dates was the later. Use of the calendar provided would have shown that 15th February 2020 was a Saturday, and therefore the due date would be carried forward to the next working day.</p>
<p>Question 4</p>	<p>This was another GB formalities question that was generally well answered.</p> <p>In Part a) candidates were required to demonstrate knowledge that an abstract must be filed by the later of 12 months from the priority date and 2 months from the filing date. Marks were awarded for showing all calculations. A further mark was available for indicating which of the calculated dates was the later.</p> <p>In Part b) Candidates were required to demonstrate knowledge that an extension of 2 months can be requested by filing a form and paying a fee by the extended 2 month deadline.</p>
<p>Question 5</p>	<p>Again, this GB formalities question was generally well answered.</p> <p>Candidates were required to demonstrate knowledge that the compliance date is the later of 4.5 years from filing and 12 months from the date of the first examination report.</p> <p>Marks were awarded for showing all calculations. A further mark was available for indicating which of the calculated dates was the later.</p>
<p>Question 6</p>	<p>This was a form-based question for entry into the GB National phase and EP Regional phase.</p> <p>In Part a) the GB form NP1 was generally well completed. However, many candidates made spelling mistakes in the applicant address and name of agent and in such instances full marks were not awarded.</p> <p>In Part b) the EP Regional phase form caused some difficulties. Box 1 "Address for correspondence" was completed by some with the address of the applicant. This is incorrect.</p> <p>Box 2 "Representative": marks were not awarded where Alex Booke's name was given, as the question specifically stated that the firm should be named as an association. This is the box that could contain the association number 2000, although it was not necessary to include this to gain the mark.</p>

	<p>Filing amendments to the claims required checking the correct boxes in 6.1 (page 3).</p> <p>It was necessary to check box 14 for refunds.</p> <p>Candidates were required to show knowledge of the 31 month deadline for entry into the EP regional phase in order to calculate the date for the form.</p> <p>Pre-population of the total number of pages box did not appear to cause candidates particular problems.</p>
<p>Question 7</p>	<p>This basic EP formalities question was generally well answered. Candidates were required to demonstrate knowledge that the deadline for filing the designation of inventor is 16 months from the earliest priority date – here the filing date. The calculations were well completed.</p>
<p>Question 8</p>	<p>An EP examination report was presented in a scenario rather than presenting a copy of a communication. The question was generally well-answered.</p> <p>The issue date was given so that candidates were aware of the date from which the calculations should be made.</p> <p>In Part a) the 10-day rule was correctly applied by most candidates.</p> <p>Part b) required candidates to demonstrate the knowledge that a request for extension of time must be requested by the non-extended deadline.</p> <p>In Part c) it was necessary to apply the 10-day rule and add 6 months to that date. Full marks for the calculations could not be awarded where candidates simply added 2 months to the earlier calculated date. (Although it was not the case for this question, for some dates simply adding 2 months to the unextended deadline would give an incorrect due date.)</p>
<p>Question 9</p>	<p>This was an EP Renewals question requiring candidates to select the correct base date – filing or priority date – and calculate the first renewal fee. This was generally well answered.</p> <p>This question also required candidates to recognise that for EP applications renewals are due by the last day of the month.</p>

<p>Question 10</p>	<p>This basic PCT formalities question appeared to cause some confusion. Candidates were required to demonstrate knowledge that the deadline for entering the EP regional phase is 31 months from priority date. In Part a) marks were awarded for showing the calculations. Use of the calendar provided would have shown that 21st March 2020 is a Saturday, and therefore the due date would be carried forward to the next working day.</p> <p>Part b) required knowledge that the deadline for filing the translation of the specification into an EPO official language is the regional phase filing date, as calculated in Part a).</p>
<p>Question 11</p>	<p>This was another EP basic formalities question requiring candidates to demonstrate the knowledge that the deadline for requesting examination is 6 months from the A3 publication, which also sets the deadline for paying examination and designation fees.</p> <p>Part a) required the candidates to select the correct start date. Calculations were generally well completed.</p>
<p>Question 12</p>	<p>This GB formalities question caused candidates some confusion. For Part a) some candidates were aware that in order to obtain an additional search it is necessary to file a request and pay a further search fee. It was not necessary to specify the use of the PF9A form, but most who gained the mark showed knowledge of this.</p> <p>Part b) required the knowledge that a request must be filed 3 months before the end of the compliance period.</p>
<p>Question 13</p>	<p>This was a basic PCT formalities question requiring candidates to demonstrate the knowledge that a request for examination must be filed by the later of 22 months from earliest priority and 3 months from the date of the International Search Report.</p>
<p>Question 14</p>	<p>This was a PCT formalities question regarding recording a change of name of applicant. Candidates were required to demonstrate knowledge that the deadline is by the end of the international phase, which is 30 months. There is no option of 31 months. Surprisingly, very few candidates gained full marks for this question.</p>
<p>Question 15</p>	<p>This designs question was generally well answered. Candidates were required to demonstrate knowledge that the deadline for requesting publication and paying the fees is 12 months from the filing date.</p>

Question 16	<p>This GB designs question tested knowledge of the calculation of renewals, and was generally well answered.</p> <p>Most candidates correctly stated that renewals are due 5 years from filing. Some candidates mistakenly thought that UK design renewals can be paid at the end of the month. This is not the case in the UK. Marks were not awarded for calculations carried to the end of the month.</p>
Question 17	<p>This was a GB formalities question to test knowledge that examination must be requested 6 months from the date of publication.</p> <p>The calculations in Part a) were generally well completed.</p> <p>Some candidates incorrectly identified the form used for this.</p>
Question 18	<p>This was an EP divisional application question. Most candidates correctly identified that the divisional application must be filed by the day before grant/while the parent application is still pending.</p>