

Examiner's
use only

Question 1: Please refer to the mark scheme

MARKS AWARDED 13/14

Question 2

A Notice of opposition ✓ must be filed within 9 months of the date of grant

13.02.2019 + 9 months = 13 ✓.11.2019 which is a Wednesday so deadline is
13.11.2019 ✓

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MARKS AWARDED 3/5

Question 3

A) As grant date was later than 4 years and nine months from filing, first
renewal fee would be due 3 months after grant date for multiple years.

04.0.9.2018 + ✓ 3 months = 04. ✓12.2018

Until end of month so by 31.12.2018 ✓ (Monday)

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B) Renewal fees would be due for 5th + 6th years by this date. ✓

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C) Next renewal fee due by end of month in which next anniversary of filing
falls.

04.07.2013 + 6 yrs = 04.07.2019 ✓ (Thursday)

so due date for paying renewal fee for 7th year is 04.07.2019 to the end of
the month = 31.07.2019 ✓ (Wednesday)

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MARKS AWARDED 5/5

Question 4

Formal drawings should be submitted by 15 months from the priority date in
this case ✓

23.11.2017 + 15 ✓ months = 23.02.2019 which is a Saturday so deadline is next
working day = Monday, 25.02.2019 ✓

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MARKS AWARDED 3/3

Question 5

- A) The compliance date can be extended by 2 ✓ months as of right retrospectively.

12.03.2019 + 3 months = 12.06.2019 (Wednesday)

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- B) Request extension in writing from the UK IPO before the end of the extended period, i.e. by 12.06.2019

MARKS AWARDED 1/4**Question 6**

- A) The deadline for filing a search is 12 months from the earliest priority date or 2 months from filing, whichever is later.

17.12.2017 + 12 months = 17.12.2018 ✓

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09.12.2018 + 2 months = 09.02.2019 ✓

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Deadline is 2 months from filing date as this is ✓ later = 09.02.2019 which is a Saturday so next working day is Monday, 11.02.2019 ✓

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- B) Excess claims fees are due on claims over 25 so 2 excess claims fee due for 26th and 27th claims. ✓

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MARKS AWARDED 5/5**Question 7**

- A) A response must be filed within 4 months of the communication of examination report so 10-day rule applies.

07.01.2019 + 10 days = 17.01.2019 ✓

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17.01.2019 + 4 months = 17.05.2019 (Friday) ✓

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- B) Again 10-day rule applies so:

07.01.2019 + 10 days = 17.01.2019 ✓

17.01.2019 + 6 months = 17.07.2019 (Wednesday) ✓

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MARKS AWARDED 4/4

Question 8

The first renewal fee is due on the 2nd anniversary of the PCT filing date. ✓

14.02.2017 + 2 years ✓ = 14.02.2019

Renewal fee is payable by the end of the month so due date is 28.02.2019
(Thursday) ✓

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MARKS AWARDED 3/3**Question 9**

A) Further processing must be requested by paying the further processing fixed ✓ fee and completing the omitted action, i.e. filing a response to the examination report. ✓

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B) Further processing must be requested within 2 months of the Notification of Loss of Rights so 10-day rule applies. ✓

24.01.2019 + 10 days = 03.02.2019 ✓

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03.02.2019 + 2 months = 03.04.2019 (Wednesday)

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MARKS AWARDED 4/4**Question 10: Please refer to the mark scheme****MARKS AWARDED 11/11****Question 11**

A UK design application must be filed within 6 months of the earliest priority date.

31.10.2018 ✓ + 6 months = 30.04.2019 ✓ (Tuesday)

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MARKS AWARDED 2/2

Question 12

The competent receiving offices in this case are:

- UK IPO ✓
- EPO ✓
- IB (International Bureau) as member of a contracting state ✓

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MARKS AWARDED 3/3**Question 13**

The first renewal fee is due 5 years from filing on the anniversary of the filing date ✓

06.10.2014 + 5 years ✓ = 06.10.2019 which is a Sunday so renewal fee due date is next working day = Monday, 07.10.2019 ✓

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MARKS AWARDED 3/3**Question 14**

Three minimum requirements are:

- Indication that a patent is sought, ideally by using Patent Form 1 ✓
- Applicant details sufficient for the UK IPO to contact them ✓
- A description preferably in English or Welsh or a reference to an earlier description. (Drawings need to be filed if applicable but they don't need to be formal) ✓

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MARKS AWARDED 3/3**Question 15**

A) International Filing Fee ✓, Transmittal ✓ Fee and Search Fee are due in respect of the PCT application. ✓

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B) Fees can be paid up to 1 month from filing.

04.01.2019 ✓ + 1 month = 04.02.2019 ✓ (Monday)

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MARKS AWARDED 5/5

Question 16

The maximum duration of a patent is 20 years from the filing date. ✓

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MARKS AWARDED 1/1

Question 17

The UK IPO is not a competent receiving office as the specification is in Chinese so the ✓ application will be forwarded to the International Bureau (IB) ✓ which will then act as the receiving office. The UK IPO filing date ✓ will be maintained.

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MARKS AWARDED 3/3

Question 18

The designation of inventor form (PF7) must be filed within 16 months of the filing date in this case.

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30.10.2017 + 16 ✓ months = 28.02.2019 ✓, Thursday

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MARKS AWARDED 2/2