

Examiner's
use only

Question 1: Please refer to the mark scheme

MARKS AWARDED 13/14

Question 2

- The opposition fee ✓ needs to be paid
 - A notice of opposition ✓ needs to be filed
 - Arguments need to be filed in support of the opposition ✓
- The above needs to be done 9 months from the date of grant. ✓
- 13 Feb 2019 + 9 months = ✓ 13 Nov 19
- no extensions are available

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MARKS AWARDED 5/5

Question 3

- a) the first newal fee is due 4 years from filing or 3 months from the date of grant
- 4 Sept 18 ✓ + 3m ✓ = 4 Dec 18
- first ren fee = 4 December 2018 = a Tuesday so patent office is open.
- Renewal fees are only due once the application is granted
- b) 5th and 6th year renewal fees will be due.
- c) 4 July 13 + 6 years to this year =
- 4 July 2019 – can be paid up to last day of the month, so = 31 July 2019

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MARKS AWARDED 4/5

Question 4

Formal drawings need to be filed 15 months from the earliest priority date.

23 Nov 17 + 12 months = 23[✓] Nov 18

+ 3 months = 23 Feb[✓] 18

= a Friday so patent office is open

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MARKS AWARDED 2/3**Question 5**

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

12-3-19[✓] + 2 months = 12-5[✓]-19

12-5-19 is a Sunday, so the date will roll over to the next open/working day

= Monday 13 May 2019. [✓]

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B) A request for extension must be submitted to the UKIPO – this can be done up to the day before the new 2 month deadline

MARKS AWARDED 3/4**Question 6**

a) Request for search needs to be filed 6 months from the filing date –

9 Dec 18 + 6 months = 9 June 2019 = a Sunday so rolls to next working day

= deadline for filing a request for search = Monday 10 June 2019

b) Excess claims fees become payable after 25 –

So 2[✓] excess claims fees will be payable

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MARKS AWARDED 1/5**Question 7**

a) The 10 day rule applies & the response term is 4 months –

7 Jan 19 + 10 days = 17 Jan [✓] 19

+ 4 months = 17 May [✓] 19 = a Friday so patent office is open.

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b) 17 May 19 + 2 months = 17 July 19

New deadline for response is 17 July 19 which is a Wednesday so patent office is open

MARKS AWARDED 2/4

Question 8

The first renewal fee for a Euro/PCT is 2 years from the International filing date

14 Feb 17 ✓ + 2 years = 14 Feb ✓ 2019

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The renewal fee can be paid up to the end of the month so deadline is Thursday 28 Feb. ✓

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The renewal fee can also be paid up to 6 months after due date with surcharge – so with that added – final deadline is 31 August 2019 = Saturday so rolls on to next day open which is Monday 2 September 2019

MARKS AWARDED 3/3

Question 9

a) • the omitted act needs to be ✓ completed – so a response to the examination report needs to be filed

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• The further processing fee needs to be paid ✓

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• A request for further processing needs to be filed with the response to the examination report.

b) The deadline for the above is 2 months, and includes the 10 days.

24 Jan 19 + 10 days = 3 Feb 19 ✓

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+ 2 months = 3 April ✓ 2019

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3 Apr 19 = Wednesday so patent office is open

MARKS AWARDED 4/4

Question 10: Please refer to the mark scheme

MARKS AWARDED 10/11

Question 11

A design being filed in the UK claiming priority from a US application must be filed 6 months.

31 October 2018 + 6 months ✓ = 30 April 2019 ✓

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MARKS AWARDED 2/2

Question 12

- UKIPO – UK Intellectual Property Office ✓
- EPO – European Patent Office ✓
- IB – International Bureau ✓

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MARKS AWARDED 3/3

Question 13

The first renewal fee is due 5 years from the filing date.

6 October 2014 + 5 years ✓ = 6 October 2019. ✓

6 Oct 19 = Sunday, so patent office is closed, rolls to next working day =

Monday 7 ✓ October 2019

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MARKS AWARDED 3/3

Question 14

- Indication that a patent is sought ✓
- Description ✓
- Applicant details ✓

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MARKS AWARDED 3/3

Question 15

- a) the fees due are – transmittal fee ✓
 – filing fee ✓
 – search fee ✓

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- b) the above fees must be paid one month after filing.

4 Jan 19 + 1 month ✓ = 4 Feb ✓ 19 = a Monday so patent office is open

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MARKS AWARDED 5/5

Question 16

20 years from the filing date ✓

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MARKS AWARDED 1/1

Question 17

As the specification was filed in Chinese, a communication will be issued to file a translation into English. Once the specification has been translated + submitted by the deadline set, it can then be searched

The translation must be filed 2 months from filing:

MARKS AWARDED 0/3

Question 18

Designation of Inventor must be filed 16 ✓ months from the filing date –

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30 Oct 17 + 12 months = 30 Oct 18

+ 4 months = 28 Feb 19

16 month deadline for filing designation of inventor (PF7) = 28 Feb 19. ✓

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MARKS AWARDED 2/2