

Introductory Certificate in Patent Administration

Mock Examination

January 2016

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 (for information only for this mock examination)
This question paper	5 sheets
Annex A	1 sheet
Annex B	1 sheet
Annex C	1 sheet
Annex D	1 sheet
Annex E	1 sheet
Resource Pack	61 sheets (see 2016 ICPA Final Question Paper)
A white return envelope	(for the live examination only)

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. You should attempt **all** the questions in this question paper.
3. Start each question (but not each part of each question) on a new sheet of paper.
4. Do not state your name anywhere in the answers.
5. Write clearly, as examiners cannot award marks to answers that cannot be read.
6. You will find the **annexes** (referred to in questions 5, 6, 9, 10 and 11) at the end of the question paper.
7. You will find a **Resource Pack** after the annexes. The Resource Pack has a contents page and contains calendars, office closure dates, and forms.
8. You will **not** be required to complete all the forms in the Resource Pack. You may use the reading time to review and select the form(s) when instructed by the question.
9. Where a question refers to 'today', assume today's date.
10. Hand your answers and completed forms to your invigilator/mentor at the end of the examination.

Question 1

a) How often must a Registered Community Design be renewed to keep it in force?
1 mark

b) What is the maximum duration of a Registered Community Design?
1 mark

Total: 2 marks

Question 2

A European patent application was filed on 23 April 2014, claiming priority from a UK patent application filed on 24 April 2013.

By when must the first renewal fee be paid (ignoring any grace period)? Show your calculations.

3 marks

Question 3

You filed a UK patent application on 7 December 2015 claiming priority from a UK application filed on 17 December 2014.

What is the deadline for filing a request for a search? Show your calculations.

4 marks

Question 4

For an International (PCT) patent application, what is an A1 publication?

1 mark

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Question 5

You work for Sam Evans, an attorney with the firm CGK Attorneys. Your office is at 8 Regent Place, London, WC2B 4QT, UK. Sam has sent you the memo in **Annex A**.

- a) **Prepare the necessary form following the instructions in the memo.**

10 marks

The application filed in a) was given the application number GB1622159.3. You have now heard that the inventor is Mr David Simpson. Bike Knowledge Limited derived the right to the invention from Mr Simpson by virtue of employment.

- b) **Prepare the required form for providing the details of the inventor to the UK IPO. Use Bike Knowledge Limited's address for that of the inventor.**

7 marks

Total: 17 marks

Question 6

The UK IPO issued the official letter in **Annex B**. No response was filed by 14 December 2015. On 11 January 2016 the client provides instructions for a response.

To continue with this application, what must be done and by when? Show your calculations.

3 marks

Question 7

Explain 'Duty of Care'.

3 marks

Question 8

On filing an application for a Registered Design in the UK, publication was deferred.

What is the deadline for requesting publication?

1 mark

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Question 9

Your firm receives the official communication in **Annex C**.

- a) **Calculate the latest date for reply without extensions. Show your calculations.**
3 marks

The attorney will not be ready to respond by the date given in the answer to part a).

- b) **In order to extend the deadline, what steps should be taken and by when? What is the new deadline? Show your calculations.**
4 marks

Total: 7 marks

Question 10

You work as a Patent Administrator in the firm Wood, Forrest and Tree LLP.

Your boss, Mr Jon Wood, has asked you to complete the necessary form for filing an application at the UK IPO as receiving office according to the instructions and details in the client's letter in Annex D.

NB:

Do not file any declarations.

Use the reference *Wood 2*. Figure 1 is to be published with the abstract.

No fee calculation sheet is required.

8 marks

Question 11

You work for the patent attorney firm of Picky, Pedantic & Smart LLP.

You have been given an instruction which you will find at **Annex E**.

Using the information provided, prepare a Designation of Inventor form for filing at the EPO.

6 marks

Question 12

What is/are the official language(s) of the UK IPO?

1 mark

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Question 13

A UK patent application was filed on 16 August 2010 and granted on 4 April 2014.

a) **When is the next renewal fee due as of today's date?**

2 marks

b) **What is the latest date the renewal fee must be paid to avoid the patent lapsing?
Show your calculations.**

2 marks

Total: 4 marks

Total: 60 marks

**Annex A
for Question 5**

Memo from Sam

I had a meeting yesterday with one of our clients, Bike Knowledge Limited (of 10 Fleet Gardens, Milton Keynes, MK3 2HF, UK). They are attending a trade fair next week, and have come up with developments in their earlier invention (for which we filed a patent application at the UK Intellectual Property Office with the title "Tyre" on 21 February last year). They agreed to my suggestion of filing another application at the UK IPO, claiming priority from their current application. The application number of the current application is GB1514131.1.

The client is checking who to name as inventor, so we'll file the application without naming the inventor for now. The new specification has 16 pages of description, 3 pages of claims and 5 pages of drawings. The 1 page abstract is also included. As we were expecting this, we already have the copy of the priority document, which we'll file together with the application.

Please prepare the form for filing this new application, without requesting a search, and not paying the application fee at this stage. The title is the same as the previous title. Our reference number is P-GB-BK02.

Sam Evans
T: 02012 654321



Widget Engineering Ltd
c/o P Attorneys
1 Patent Loop
London

Patents Directorate

Concept House
Cardiff Road, Newport
South Wales, NP10 8QQ

Direct Line: 01633 813545
E-Mail: david.bush@ipo.gov.uk
Switchboard: 0300 300 2000
Fax: 01633 817777
Minicom: 0300 0200 015

Your Reference: Att-ref1
Application No: GB1412345.2

14 October 2015

Dear Sirs

Patents Act 1977: Examination Report under Section 18(3)

Latest date for reply:

14 December 2015

I have re-examined your application in response to your agent's letter of 16 December 2014 and enclose a copy of my further examination report. Please note that published patent documents mentioned in my report may be obtained for free on the internet and are usually freely available from <http://worldwide.espacenet.com>.

By the above date you should either file amendments to meet the objections in the enclosed report or make observations on them. If you do not, the application may be refused.

Online e-filing

You may file such amendments or observations electronically if you wish, using the online patent filing services detailed in <https://www.gov.uk/government/publications/how-to-file-documents-with-the-intellectual-property-office>.

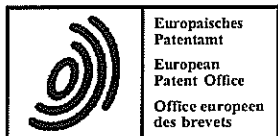
Yours faithfully

Mr David Bush

Mr David Bush
Examiner

Use of E-mail: Please note that e-mail should be used for correspondence only.
Disclaimer: Please note the documents we send you may be subject to copyright.

ANNEX C for Question 9



European Patent Office
Postbus 5818
2280 HV Rijswijk
NETHERLANDS
Tel: +31 70 340 2040
Fax: +31 70 340 3016

London Patent Services Ltd.
125 Holborn
London EC1N 2QS
United Kingdom

Formalities Officer
Name: xxxx
Tel: +31 70 340 - xxxx
or call
+31 (0)70 340 45 00

Substantive Examiner
Name: xxxx
Tel: +31 70 340 - xxxx

Application No. 12 123456.7	Ref. P12345/AB	Date 26.10.2015
Applicant Aardvark Enterprises Ltd.		

Communication pursuant to Article 94(3) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(2) EPC.

You are invited to file your observations and, insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication; this period being computed in accordance with Rules 126(2) and 131(2) and (4) EPC. One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (R. 50(1) EPC).

If filing amendments, you must identify them and indicate the basis for them in the application as filed. Failure to meet either requirement may lead to a communication from the Examining Division requesting that you correct this deficiency (R. 137(4) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Art. 94(4) EPC).

**Annex D
for Question 10**

Mr. J. Wood
Wood, Forrest and Tree LLP
38 Branch Lane
Woodford Green
Essex
IG8 OXE
UK

18 December 2015

Dear Mr. Wood,

Re: Improved biscuit machine

You will remember that ten months ago you filed a UK priority application for me relating to my improved biscuit machine. It was designed to produce 12m² of Garibaldi biscuits per second. In the last ten months, I have improved the machine so that it now coats the Garibaldi biscuits with chocolate and even packages them.

With that in mind, I would like to file a PCT application with the title 'Improved Biscuit Machine' based on my new improved disclosure (of course, claiming priority from my original filing).

I enclose:

- 1 page abstract
- 12 pages description
- 3 pages of 23 claims
- 3 pages of 9 drawings

Of course, you will already know these details, but my original priority application (GB 1598606.0) was filed on 14 February 2015.

As you know, I am the sole inventor, but the applicant will be my company, as indicated below. While I am Swiss, I live in the UK.

Thanks in advance for your assistance (and the agreed upon 10% reduction in fees). Should you be interested, I can alternatively offer you a lifetime supply of Garibaldi biscuits. I know how much you enjoyed them on your last visit.

Yours sincerely,

Barry Bourbon
Biscuitus
34 Fondant Street
Cadbury
Exeter, Devon
EX5 1YY, United Kingdom

Annex E
for Question 11

Universal Engineering Limited
10 Park View
Winchester
SO23 1AB

Charles Fitzwilliam
Picky, Pedantic and Smart LLP
7 Stable Yard Buildings
Chancery Lane
London
EC4B 0QQ

Re: European Patent Application: EP15124891.3
Title: Device for the infrared radiation of scalp hair
Applicant: Universal Engineering Limited
Inventor: Arthur Daley
Your Ref. No.: UEL-014-EP

Dear Charles

For this European application, the inventor is Arthur Daley. Please use the company's address as his point of contact. Universal Engineering Limited acquired the rights to this application by virtue of an assignment dated 14 December 2014.

Please let us know if you require any further information at this time.

Kindly acknowledge receipt of this letter and its enclosures by return.

Yours sincerely

Louise Fareham