

**Introductory Certificate in Patent Administration
Mock Examination**

January 2016

Mark Scheme

Notes to examiners

1. Marks are to be awarded when a candidate makes the same substantive point as the mark scheme.
2. Where a question contains several parts, the examiner may award marks for relevant points irrespective of whether the candidate has made the point in the same part of the question as the mark scheme.
3. Any unexpected legitimate answers should be addressed at standardisation and the mark scheme will be amended in light of any unexpected but legitimate answers.

Notes to mentors and students

4. This mark scheme has not been through a standardisation process (see 3 above). Any comments on the mark scheme will be welcome to pac@cipa.org.uk
5. The session identified after the question number indicates the relevant Unit that contained the information needed to answer this question, whether in the slides, the Course Booklet or the Grid of Requirements.
6. In addition to this **nine**-page mark scheme there are **four** appendices which provide the marking scheme for Questions 5, 10 and 11, which require completion of a form by way of an answer.

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Question 1 (5.11)

- 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**

Answer

- Every 5 years **1 mark**
- 25 years (*from filing. NB 'from filing' is not needed to gain the mark in this instance*). **1 mark**
- Total: 2 marks**

Question 2 (4.10)

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

Answer

If **no calculations** made then award one mark only for words to the effect of:
The last day of the month containing the second filing anniversary.
NB Both points must be made to gain the mark. **1 mark**

Otherwise

2 years from filing date: 23 Apr 2014 + 2 years = 23 Apr 2016. **1 mark**

End of the month: 30/04/16 (a Saturday) **1 mark**

Therefore next working day is 2/05/16 (*a Monday, which is not a closure date at the EPO – this is a European patent application. NB This explanation is not needed to gain the mark*). **1 mark**

Total: 3 marks

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Question 3 (2.4)

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

Answer

If **no calculations** made then award one mark only for words to the effect of:
Later of 2 months from filing date or 12 months from priority date.
NB Both points must be made to gain the mark.

1 mark

Otherwise

2 months from filing date: $7/12/15 + 2 \text{ months} = 7/2/16$

1 mark

This is a Sunday, so extended to the next working day: 8 Feb 2016

1 mark

12 months from priority date: $17/12/14 + 12 \text{ months} = 17/12/15$

1 mark

Therefore 8 February 2016 (the later of the two calculated dates)

1 mark

Total: 4 marks

Question 4 (3.5)

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

1 mark

Answer

Publication of the application (specification) and international search report.

1 mark

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Question 5 (2.3)

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

Answer

a) See form PF1 at **Appendix 1**.

10 Marks

Answer

b) See form PF7 at **Appendix 2**.

NB for the name and address box (p.2) as long as all details are included, the format in which the name is written is not material.

7 marks

Total: 17 marks

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Question 6 (2.4)

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

Answer

All the points below must be included in the answer to get full marks, however expressed.

An extension of time can be requested within 2 months from the deadline, i.e. by 14 Dec 2015 + 2 months = 14 Feb 2016

1 mark

This is a Sunday so the deadline moves on to the next working day: 15 Feb 2016

1 mark

A response must also be filed by this date (15 Feb 2016)

1 mark

Total: 3 marks

Question 7 (1.1)

Explain 'Duty of Care'.

3 marks

Answer

All the points below must be included in the answer to get full marks, however expressed.

That

- a person acts towards others and the public with
- the watchfulness, attention, caution and prudence that
- a reasonable person in the circumstances would.

1 mark for each point above or any other appropriate answers up to 3 marks in total.

3 marks

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Question 8 (5.11)

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

What is the deadline for requesting publication?

1 mark

Answer

12 months from filing

1 mark

Question 9 (4.8/9)

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

Answer

a) 26/10/2015 + 10 days = 05/11/2015

1 mark

05/11/2015 + 4 months = 05/03/2016

1 mark

A Saturday, so 07/03/2016

1 mark

b) Request a 2-month extension of time

1 mark

The request must be filed by the unextended deadline at the latest (i.e. by 7 Mar 2016)

1 mark

Cont...

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New deadline will be 6 months from the date of notification
26/10/2015 + 10 days + 6 months = 05/05/2016

1 mark

EPO closed for Ascension (and Liberation Day in NL), so 06/05/2016

1 mark

Total: 7 marks

Question 10 (3.5)

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.

Request that the IPO prepare and forward on a copy of the priority document.

8 marks

Answer

See the PCT form at **Appendix 3**.

Either the country code or country name can be used. Where the two letter country code is used it must be correct to gain the mark.

8 marks

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Question 11 (4.7)

You work for the patent attorney firm of Picky, Pedantic and 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

Answer

See form 1002 at **Appendix 4**.

6 marks

Question 12 (2.3)

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

1 mark

Answer

English and Welsh

1 mark

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Question 13 (2.3)

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

Answer

a) If only this given:
Next anniversary – 16 August 2016

1 mark

If only this given:
End of the month – 31 Aug 2016

1 mark

If both are given award 2 marks.

b) End of August 2016 + 6 months (grace period) is **end of** Feb 2017

1 mark

End of the month is 28 Feb 2017

1 mark

Total: 4 marks

Total: 60 marks



Patents Form 1

Patents Act 1977 (*Rule 12*)

Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

Request for grant of a patent

(An explanatory leaflet on how to fill in this form is available from the office)

Application number GB

1	Your reference: <i>(optional)</i>	P-GB-BK02			1 mark
2	Full name, address and postcode of the applicant or of each applicant (<i>underline all surnames</i>): The name(s) and address(es) provided here will be published as part of the application process (see warning note below)	Bike Knowledge Limited 10 Fleet Gardens Milton Keynes MK3 2HF UK			1 mark
	Patents ADP number (<i>if you know it</i>):				
3	Title of the invention:	Tyre			1 mark
4	Name of your agent (<i>if you have one</i>):	CGK Attorneys			
	“Address for service” to which all correspondence should be sent (<i>including postcode</i>). This may be in the European Economic area or Channel Islands: (see warning note below)	8 Regent Place London WC2B 4QT UK			1 mark
	Patents ADP number (<i>if you know it</i>):				
5	Priority declaration: Are you claiming priority from one or more earlier-filed patent applications? If so, please give details of the application(s):	Country	Application number <i>(if you know it)</i>	Date of filing <i>(day / month / year)</i>	1 mark
		GB	1514131.1	21 / 02 / 2015	
6	Divisionals etc: Is this application a divisional application, or being made following resolution of an entitlement dispute about an earlier application? If so, please give the application number and filing date of the earlier application:	Number of earlier UK application	Date of filing <i>(day / month / year)</i>		
7	Inventorship: (Inventors must be individuals not companies)	(Please tick the appropriate boxes)			
	Are all the applicants named above also inventors?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>		1 mark
	If yes, are there any other inventors?	YES <input type="checkbox"/>	NO <input type="checkbox"/>		
8	Are you paying the application fee with this form?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>		1 mark

9 Accompanying documents:
please enter the number of pages of
each item accompanying this form:

Continuation sheets of this form:

Description: 16

Claim(s): 3

Abstract: 1

Drawing(s): 5

If you are not filing a description, please
give details of the previous application
you are going to rely upon:

Country

Application number

Date of filing
(day / month / year)

1 mark

10 If you are also filing any of the following,
state how many against each item.

Priority documents: 1

Statement of inventorship and right
to grant of a patent (*Patents Form 7*):

Request for search (*Patents Form 9A*):

Request for substantive examination
(*Patents Form 10*):

Any other documents:(please specify)

1 mark

11 I/We request the grant of a patent on the basis of this application.

Signature(s):

Date:

12 Name, e-mail address, telephone,
fax and/or mobile number, if any,
of a contact point for the applicant:

Sam Evans
02012 654321

1 mark

Warning

After an application for a patent has been filed, the Comptroller will consider whether publication or communication of the invention should be prohibited or restricted under section 22 of the Patents Act 1977. You will be informed if it is necessary to prohibit or restrict your invention in this way. Furthermore, if you are resident in the United Kingdom and your application contains information which relates to military technology, or would be prejudicial to national security or the safety of the public, section 23 of the Patents Act 1977 prohibits you from applying for a patent abroad without first getting written permission from the Office unless an application has been filed at least 6 weeks beforehand in the United Kingdom for a patent for the same invention and either no direction prohibiting publication or communication has been given, or any such direction has been revoked. Until such time or until the revocation of any direction, for any such application the address for service referred to at part 4 above must be in the United Kingdom.

In all other cases, the name of the applicant will be published shortly after filing, together with the title of the invention. Later, when the whole application is published, most information and documents filed in relation to the application will become publicly available. **The name and address of the applicant will be published on our website and may appear in external search engine results.** You should provide a business or PO Box address if you do not want your home address published.

Although you may have an address for service in the Channel Islands, any agent instructed to act for you must reside or have a place of business in the European Economic Area or Isle of Man.

Notes

A leaflet on how to fill in this form is available from the Office. If you would like a copy of the leaflet it is available on our website at <http://www.ipo.gov.uk/fact01.pdf> or alternatively you could telephone 0300 300 2000 or send an email to information@ipo.gov.uk to request a copy.



Patents Form 7

Patents Act 1977 (*Rule 10*)

Concept House
Cardiff Road
Newport
South Wales
NP10 8QQ

Statement of inventorship and of right to grant of a patent

1.	Your reference	P-GB-BK02	1 mark
2.	Patent application number <i>(if you know it)</i>	GB 1622159.3	1 mark
3.	Full name of the or of each applicant	Bike Knowledge Limited	1 mark
4.	Title of the invention	Tyre	1 mark
5.	State how the applicant(s) derived the right from the inventor(s) to be granted a patent	By virtue of employment	1 mark
6.	How many, if any, additional Patents Forms 7 are attached to this form? <i>(see note (c))</i>		
7.	I/We believe that the person(s) named over the page <i>(and on any extra copies of this form)</i> is/are the inventor(s) of the invention which the above patent application relates to.		
	Signature	Date	
8.	Name, e-mail address, telephone, fax and/or mobile number, if any, of a contact point for the applicant.	Sam Evans 02012 654321	1 mark

Notes

- a) *If you need help to fill in this form or you have any questions, please contact the Office on 0300 300 2000.*
- b) *Write your answers in capital letters using black ink or you may type them.*
- c) *If there are more than three inventors, please write the names and addresses of the other inventors on the back of another Patents Form 7 and attach it to this form.*

d) Once you have filled in the form remember to sign and date it.

Enter the full names, addresses and postcodes of the Inventors in the boxes and underline the surnames

Mr David <u>Simpson</u> c/o Bike Knowledge Limited 10 Fleet Gardens Milton Keynes MK3 2HF UK	1 mark
Patents ADP number <i>(if you know it)</i>	

Patents ADP number <i>(if you know it)</i>

Reminder

Have you signed the form?

Patents ADP number <i>(if you know it)</i>

PCT**REQUEST**

The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.

For receiving Office use only

International Application No.

International Filing Date

Name of receiving Office and "PCT International Application"

Applicant's or agent's file reference
(if desired) (12 characters maximum) **Wood 2**

1 mark

Box No. I TITLE OF INVENTION

Improved Biscuit Machine

1 mark

Box No. II APPLICANT This person is also inventor

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

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

Telephone No.

Facsimile No.

Applicant's registration No. with the Office

E-mail authorization: Marking one of the check-boxes below authorizes the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send, notifications issued in respect of this international application to that e-mail address if those offices are willing to do so.

as advance copies followed by paper notifications; or exclusively in electronic form (no paper notifications will be sent).

E-mail address:

State (that is, country) of nationality:

GB

State (that is, country) of residence:

GB

This person is applicant for the purposes of:

 all designated States the States indicated in the Supplemental Box**Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)** Further applicants and/or (further) inventors are indicated on a continuation sheet.**Box No. IV AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE**

The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:

 agent common representative

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

WOOD, Jon
Wood, Forrest and Tree LLP
38 Branch Lane
Woodford Green
Essex
IG8 0XE, United Kingdom

Telephone No.

Facsimile No.

Agent's registration No. with the Office

E-mail authorization: Marking one of the check-boxes below authorizes the receiving Office, the International Searching Authority, the International Bureau and the International Preliminary Examining Authority to use the e-mail address indicated in this Box to send, notifications issued in respect of this international application to that e-mail address if those offices are willing to do so.

as advance copies followed by paper notifications; or exclusively in electronic form (no paper notifications will be sent).

E-mail address:

Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.

1 mark

Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)

If none of the following sub-boxes is used, this sheet should not be included in the request.

1 mark

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)*

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

This person is:

- applicant only
- applicant and inventor
- inventor only *(If this check-box is marked, do not fill in below.)*

Applicant's registration No. with the Office

State *(that is, country)* of nationality:

CH / Switzerland

State *(that is, country)* of residence:

GB / United Kingdom

This person is applicant for the purposes of:

- all designated States
- the States indicated in the Supplemental Box

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)*

This person is:

- applicant only
- applicant and inventor
- inventor only *(If this check-box is marked, do not fill in below.)*

Applicant's registration No. with the Office

State *(that is, country)* of nationality:

State *(that is, country)* of residence:

This person is applicant for the purposes of:

- all designated States
- the States indicated in the Supplemental Box

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)*

This person is:

- applicant only
- applicant and inventor
- inventor only *(If this check-box is marked, do not fill in below.)*

Applicant's registration No. with the Office

State *(that is, country)* of nationality:

State *(that is, country)* of residence:

This person is applicant for the purposes of:

- all designated States
- the States indicated in the Supplemental Box

Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)*

This person is:

- applicant only
- applicant and inventor
- inventor only *(If this check-box is marked, do not fill in below.)*

Applicant's registration No. with the Office

State *(that is, country)* of nationality:

State *(that is, country)* of residence:

This person is applicant for the purposes of:

- all designated States
- the States indicated in the Supplemental Box

Further applicants and/or (further) inventors are indicated on another continuation sheet.

Box No. V DESIGNATIONS

The filing of this request **constitutes under Rule 4.9(a) the designation** of all Contracting States bound by the PCT on the international filing date, for the grant of every kind of protection available and, where applicable, for the grant of both regional and national patents.

However,

- DE Germany **is not designated** for any kind of national protection
- JP Japan **is not designated** for any kind of national protection
- KR Republic of Korea **is not designated** for any kind of national protection

(The check-boxes above may only be used to exclude (irrevocably) the designations concerned if, at the time of filing or subsequently under Rule 26bis.1, the international application contains in Box No. VI a priority claim to an earlier national application filed in the particular State concerned, in order to avoid the ceasing of the effect, under the national law, of this earlier national application.)

Box No. VI PRIORITY CLAIM AND DOCUMENT

The priority of the following earlier application(s) is hereby claimed:

1 mark

Filing date of earlier application <i>(day/month/year)</i>	Number of earlier application	Where earlier application is:		
		national application: country or Member of WTO	regional application: regional Office	international application: receiving Office
item (1) 14 / 02 / 2015	1598606.0	GB		
item (2)				
item (3)				

Further priority claims are indicated in the Supplemental Box.

Furnishing the priority document(s):

The **receiving Office** is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) *(only if the earlier application(s) was filed with the receiving Office which, for the purposes of this international application, is the receiving Office)* identified above as:

- all items item (1) item (2) item (3) other, see Supplemental Box

The **International Bureau** is requested to obtain from a digital library a certified copy of the earlier application(s) identified above, using, where applicable, the access code(s) indicated below *(if the earlier application(s) is available to it from a digital library)*:

- item (1) item (2) item (3) other, see Supplemental Box
 access code _____ access code _____ access code _____

Restore the right of priority: the receiving Office is requested to restore the right of priority for the earlier application(s) identified above or in the Supplemental Box as item(s) (_____). *(See also the Notes to Box No. VI; further information **must** be provided to support a request to restore the right of priority.)*

Incorporation by reference: where an element of the international application referred to in Article 11(1)(iii)(d) or (e) or a part of the description, claims or drawings referred to in Rule 20.5(a) is not otherwise contained in this international application but is completely contained in an earlier application whose priority is claimed on the date on which one or more elements referred to in Article 11(1)(iii) were first received by the receiving Office, that element or part is, subject to confirmation under Rule 20.6, incorporated by reference in this international application for the purposes of Rule 20.6.

Box No. VII INTERNATIONAL SEARCHING AUTHORITY

Choice of International Searching Authority (ISA) *(if more than one International Searching Authority is competent to carry out the international search, indicate the Authority chosen; the two-letter code may be used):*

ISA/ _____

1 mark

Box No. IX CHECK LIST for PAPER filings – this sheet is only to be used when filing an international application on PAPER			
This international application contains the following:	Number of sheets	This international application is accompanied by the following item(s) (<i>mark the applicable check-boxes below and indicate in right column the number of each item</i>):	Number of items
(a) request form PCT/RO/101 (including any declarations and supplemental sheets)	4	1. <input type="checkbox"/> fee calculation sheet	:
(b) description (excluding any sequence listing part of the description, see (f), below)	12	2. <input type="checkbox"/> original separate power of attorney	:
(c) claims	3	3. <input type="checkbox"/> original general power of attorney	:
(d) abstract	1	4. <input type="checkbox"/> copy of general power of attorney; reference number:	:
(e) drawings (if any)	3	5. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s)	:
(f) sequence listing part of the description (if any)		6. <input type="checkbox"/> Translation of international application into (<i>language</i>):	:
Total number of sheets :	23	7. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material	:
		8. <input type="checkbox"/> copy in electronic form (Annex C/ST.25 text file) on physical data carrier(s) of the sequence listing, not forming part of the international application, which is furnished only for the purposes of international search under Rule 13ter (<i>type and number of physical data carriers</i>)	:
		9. <input type="checkbox"/> a statement confirming that “the information recorded in electronic form submitted under Rule 13ter is identical to the sequence listing as contained in the international application” as filed on paper.	:
		10. <input type="checkbox"/> copy of results of earlier search(es) (Rule 12bis.1(a))	:
		11. <input type="checkbox"/> other (<i>specify</i>):	:
Figure of the drawings which should accompany the abstract:	1	Language of filing of the international application:	English

1 mark

Box No. X SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE
Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the request).

WOOD, Jon

For receiving Office use only	
1. Date of actual receipt of the purported international application:	2. Drawings: <input type="checkbox"/> received: <input type="checkbox"/> not received:
3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:	
4. Date of timely receipt of the required corrections under PCT Article 11(2):	
5. International Searching Authority (if two or more are competent): ISA /	6. <input type="checkbox"/> Transmittal of search copy delayed until search fee is paid

For International Bureau use only

Date of receipt of the record copy by the International Bureau:



Erfindernennung
Designation of inventor
Désignation de l'inventeur

(falls Anmelder nicht oder nicht allein der Erfinder ist) /
 (where the applicant is not the inventor or is not the sole inventor) /
 (si le demandeur n'est pas l'inventeur ou l'unique inventeur)

Zeichen des Anmelders / Applicant's reference /
 Référence du demandeur
 (max. 15 Positionen / max. 15 spaces / 15 caractères au maximum)

1 mark

Anmeldenummer oder, falls noch nicht bekannt, Bezeichnung der Erfindung: /
 Application No. or, if not yet known, title of the invention: /
 N° de la demande ou, s'il n'est pas encore connu, titre de l'invention :

1 mark

In Sachen der oben bezeichneten europäischen Patentanmeldung nennt (nennen) der (die) Unterzeichnete(n)¹ / In respect of the above European patent application I (we), the undersigned¹ / En ce qui concerne la demande de brevet européen susmentionnée, le(s) soussigné(s)¹

1 mark

als Erfinder²: / do hereby designate as inventor(s)²: / désigne(nt) en tant qu'inventeur(s)²:

1 mark

Weitere Erfinder sind auf einem gesonderten Blatt angegeben. / Additional inventors are indicated on a supplementary sheet. /
 D'autres inventeurs sont mentionnés sur une feuille supplémentaire.

Der (Die) Anmelder hat (haben) das Recht auf das europäische Patent erlangt³ / The applicant(s) has (have) acquired the right to the European patent³ /
 Le(s) demandeur(s) a (ont) acquis le droit au brevet européen³

1 mark

gemäß Vertrag vom / by an agreement dated / en vertu du contrat passé le als Arbeitgeber / as employer(s) / en qualité d'employeur(s) durch Erbfolge / as successor(s) in title / par succession

Ort / Place / Lieu

Datum / Date

1 mark

Unterschrift(en) des (der) Anmelder(s) oder Vertreter(s): /
 Signature(s) of applicant(s) or representative(s): /
 Signature(s) du (des) demandeur(s) ou du (des) mandataire(s) :

Name des (der) Unterzeichneten bitte in Druckschrift wiederholen. Bei juristischen Personen bitte die Stellung des (der) Unterzeichneten innerhalb der Gesellschaft in Druckschrift angeben. / Please print name(s) under signature(s). In the case of legal persons, the position of the signatory within the company should also be printed. / Le ou les noms des signataires doivent être indiqués en caractères d'imprimerie. S'il s'agit d'une personne morale, la position occupée au sein de celle-ci par le ou les signataires doit également être indiquée en caractères d'imprimerie.

Fußnoten zur Vorderseite

- 1 Name(n) des (der) Unterzeichneten nach Maßgabe der Regel 41 (2) c) und d) EPÜ:

Bei natürlichen Personen ist der Familienname vor den Vornamen anzugeben.

Bei juristischen Personen und Gesellschaften, die juristischen Personen gemäß dem für sie maßgebenden Recht gleichgestellt sind, ist die amtliche Bezeichnung anzugeben.

- 2 Name(n), Vorname(n) und vollständige Anschrift(en) des Erfinders (der Erfinder) gemäß Regel 19 (1) EPÜ.

- 3 Ist der Anmelder nicht oder nicht allein der Erfinder, so hat die Erfindernennung eine Erklärung darüber zu enthalten, wie der Anmelder das Recht auf das europäische Patent erlangt hat (Artikel 81, Regel 19 (1) EPÜ).

Bei rechtsgeschäftlicher Übertragung genügt die Angabe „gemäß Vertrag vom ...“.

Bei Arbeitnehmererfindungen genügt der Hinweis, dass der oder die Erfinder Arbeitnehmer des Anmelders/der Anmelder ist bzw. sind.

Bei Erbfolge genügt die Angabe, dass der oder die Anmelder Erbe(n) des Erfinders/der Erfinder ist bzw. sind.

Footnotes to text overleaf

- 1 Name(s) of the undersigned in accordance with Rule 41(2)(c) and (d) EPC:

Names of natural persons shall be indicated by the person's family name, followed by his given names.

Names of legal persons, and of bodies equivalent to legal persons under the relevant law, shall be indicated by their official designations.

- 2 Family name(s), given name(s) and full address(es) of the inventor(s) in accordance with Rule 19(1) EPC.

- 3 If the applicant is not the inventor or is not the sole inventor, the designation shall contain a statement indicating the origin of the right to the European patent (Article 81, Rule 19(1) EPC).

In the case of assignment the words "by agreement dated ..." suffice.

In the case of inventions by employees a mention that the inventor(s) is/are employee(s) of the applicant(s) is sufficient.

In the case of succession a mention that the applicant(s) is/are heir(s) of the inventor(s) is sufficient.

Renvois concernant le texte figurant au recto

- 1 Nom(s) du (des) soussigné(s), conformément à la règle 41(2)c) et d) CBE :

Les personnes physiques doivent être désignées par leurs noms suivis de leurs prénoms. Les personnes morales et les sociétés assimilées aux personnes morales en vertu du droit dont elles relèvent doivent figurer sous leur désignation officielle.

- 2 Nom(s), prénom(s) et adresse(s) complète(s) de l'(des) inventeur(s), conformément à la règle 19(1) CBE.

- 3 Si le demandeur n'est pas l'inventeur, ou l'unique inventeur, la désignation de l'inventeur doit comporter une déclaration indiquant l'origine de l'acquisition du droit au brevet européen (article 81 et règle 19(1) CBE).

En cas de transfert contractuel, il suffit de mentionner « en vertu du contrat passé le ... ».

Pour les inventions de salariés, il suffit d'indiquer que le ou les inventeurs sont des employés du ou des demandeurs.

En cas de transfert successoral, il suffit d'indiquer que le ou les demandeurs sont les héritiers du ou des inventeurs.