

1. Information to be inserted into EPO Forms 1001 and 1002:

6. Applicant's/representative's ref. Z9876EP

7. Applicant PISCATORIA LIMITED

8. Address 10 Broad Street
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GB [United Kingdom also acceptable]

10. Residence GB [United Kingdom also acceptable]

11. Nationality GB [British or United Kingdom also acceptable]

15. Representative WALTON, Izaak, John

16. Address of place of business:
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24. Title: Angelrute
Fishing Rod
Canne à Pêche

25. Priority: GB0856565.6 filed 1st May 2008

29. Number of claims 15

30. Abstract Figure: 1

33. No extension states

39. One additional copy of cited docs

43. Refunds to deposit a/c 28051000

47.

1. 11 pages description
2. 2 pages claims
3. 4 sheets drawings, 6 figures
5. 1 page abstract

49. Filing at UKIPO (4 copies of receipt).

Inventor:

HARTLEY, James, Robert; employee inventor, address per employer]

2. Anybody. (1 mark)
3. a) Deemed received 27/01/2009 + 10 days (1 mark)
= 06/02/2009 (1 mark)
+ 4 months = 06/06/2009 (1 mark)
A Saturday, so can file next day EPO is open, = Monday 08/06/2009 (1 mark)
- b) File written request for extension of time (1 mark)
within unextended response term (1 mark)
4 month term can be extended to become [up to] 6 months, as of right, so [max]
extended date is 06/08/2009 [a Thursday] (1 mark)
4. Deemed received 31/03/2009 + 10 days (1 mark)
= 10/04/2009 (1 mark)
Further processing must be requested within 2 months of that date (1 mark)
= 10/06/2009 [a Wednesday] (1 mark)
5. a) Entry into the regional phase is 31 months from priority; (1 mark)
that is 10 May 2009 (1 mark)
which is a Sunday. Time extended to Monday 11 May 2009 (1 mark)
- b) Fees payable and c) dates:
- b) Filing fee (0.5 marks)
c) 31 months from priority (0.5 marks)
[= 11 May 2009].
(no search fee as PCT search done by EPO)
- b) Designation fee (0.5 marks)
b) Extension fees, if any (0.5 marks)
b) Examination fee (0.5 marks)
c) 6 months from publication of search report (0.5 marks)
= 13 May 2009 (0.5 marks)
or 31 months from priority (0.5 marks)
whichever later, so = 13 May 2009 [a Wednesday] (1 mark)
- b) Renewal fee [for 3rd year] (0.5 marks)
c) 2 years from PCT filing (at end of month) (0.5 marks)
= 30 April 2009, so payable without surcharge on RP entry (1 mark)

- b) 5 Claims fees (1 mark)
 c) 1 month from notification of r.162 communication (1 mark)

(12 marks total for this question)

6. a) 3 months from the issuance of the written opinion (1 mark)
 or 22 months from priority (1 mark)
 3 months from WO is 25 May 2009 (1 mark)
 22 months from priority is 28 June 2009 (1 mark)
 which governs as the later date
 but is a Sunday. Time extended to Monday 29 June 2009. (1 mark)
- b) There is no extension available. (1 mark)

7. For the Examiner to identify prior art that is relevant to the invention (1 mark)
 for novelty (1 mark)
 and/or for inventive step. (1 mark)

8. [Section 15(1) PA77]
 the documents must:

- indicate that a patent is sought (1 mark)
- identify the person applying for a patent or (0.5 marks)
 contain information sufficient to enable that person to be contacted by the Patent
 Office; (0.5 marks)
- contain:
 something which is or appears to be a description of the invention for which a
 patent is sought; (1 mark)
 or a reference, complying with the relevant requirements of rules, (0.5 marks)
 to an earlier relevant application made by the applicant or a predecessor in title of
 his. (0.5 marks)

9. a) 16 months from the earliest priority date (1 mark)
- b) 2 months (0.5 marks)
 File a request for extension on PF52 (0.5 marks)
 within original unextended term (0.5 marks)
 Pay fee (0.5 marks)

10. a) 24/03/2009 + 2 months = 24/05/2009 (1 mark)
 which is a Sunday (1 mark)
 and 25 May is a closed day (bank holiday) so deadline is 26 May 2009 (1 mark)

b) Yes. The time limit is set by the Comptroller and so a 2 month extension is available as of right. (1 mark)

The deadline is requested in writing before the end of the extended period i.e. before 24 July 2009. (1 mark)

The new deadline is 24 July 2009. (1 mark)

[Further extensions are available if the Comptroller sees fit.]

11. Only the first invention mentioned in the claims is searched. (1 mark)

An official letter issues, inviting payment of search fees for each further invention. (1 mark)

For each invention to be searched, file a further search request on a separate PF9A [or PF9, where applicable], (1 mark)

on each form identifying the further claims to be searched. (1 mark)

12. Patents, designs, trade marks (1 mark each)

[Plant breeders' rights not covered in syllabus]

13. 0.5 marks each for stating shape, colours, lines, materials

0.5 marks each for not stating smell, artistic merit.

14. A sign (1 mark)

capable of distinguishing the goods or services of one undertaking from those of another undertaking. (1 mark)

15.

		Vatable	Non-vatable	
Prof Time	4*250=	£1,000.00		
Typing & Copying	200	£200.00		
Subtotal		£1,200.00	£1,200.00	(1 mark)
VAT@15%			£180.00	(1 mark)
UKIPO Fees			£150.00	
TOTAL			£1,530.00	(1 mark)

16. No. (1 mark)

17a) Piscatoria Limited [0.5]and James Robert Hartley [0.5]

(1 mark)

- 17b) Piscatoria Limited: iii) [1] (1 mark)
James Robert Hartley: i) [1], iv) [1] (2 marks)

18. a) The applicant must be able to demonstrate that the time limit was missed “in spite of all due care required by the circumstances having been taken”. (1 mark)

b) Any reasonable answers accepted, e.g.:
Staff: experience, training, supervision, defined responsibilities, cover.
Systems and processes: error checking, backup, established and documented routines, “best practice”. (3 marks)

19. a) Must be filed whilst parent is pending (1 mark)
= by day before publication of mention of grant = by 14/04/09 (1 mark)

b) [Directly] at the EPO (1 mark)

Cannot be filed at the central industrial property offices of the member states (1 mark)

c) 25/06/2004 [full mark for saying “parent filing date” instead] (1 mark)

20. a) Next anniversary of parent filing date is 25/06/2009, so renewal due by 30/06/2009 [a Tuesday; EPO open]. (1 mark)

But can be paid without surcharge up to 4 months from date of receipt of divisional application documents if later (1 mark)
= 07/08/2009 [a Friday; EPO open]. (1 mark)

b) 2006-2008 (2 marks)