

## **Introduction**

This year's paper involved the same "client" as last year, but no knowledge or experience of last year's paper or subject matter was required. Any information that was needed was provided in the client's letter.

The good candidates clearly read what the client said, did not get overwhelmed with the invention relating to the drying of wet goods, like last year, and read and understood the prior art. These candidates wrote well-constructed claims from which everything else flowed

Some candidates appeared to spend insufficient time working out the invention. Many included multiple unnecessary limitations in a main claim which would have been easy to work around and often bore little relation to the specific description.

A disappointingly large number of candidates claimed either Figure 3 or, more commonly, every feature in Figure 5. A picture claim to Figure 5 is certainly novel and inventive but is far too narrow and limited in scope to meet the client's commercial requirements.

Candidates whose claims and specification did not encompass both embodiments of the invention were not able to accrue enough marks to pass.

## **Questions**

### **The invention**

This year's invention was a development of the commercial problem faced by the same client as seen in last year's paper. However, last year's invention and prior art was included in the client's letter as prior art to this year's invention. No prior or additional information or knowledge was required.

Specifically, the inventive concept was a way of drying an umbrella faster than last year's invention, which constrained the umbrella canopy halting airflow around it, while or alternatively ensuring water did not drip on the floor or get people wet. This was achieved by permitting air flow. In one embodiment this could be achieved either by way of rotation or a fan. An alternative embodiment was the inclusion of a barrier which was not tightly wrapped around the wet goods, i.e. the barrier performed a different function to the prior art, and so enabled air flow around the wet goods and contained run-off water.

### **Main claim**

The paper provided two options for the invention of Claim 1 and a large number of candidates struggled to understand the features that provided the technical effects of the invention, namely an air gap for drying. This meant that marks were often missed in Claim 1.

When deciding on claim features, the Statements of Invention that would be associated with such claim features should be borne in mind to help candidates understand what features are needed (i.e. essential) and for what purpose in order to define the inventive concept(s).

Most candidates opted for introducing an airflow around the goods to be dried. This was clearly novel over the prior art but was present in Figure 3 through nothing but ambient air. As a result, candidates needed to consider how to ensure Claim 1 did not simply read on to Figure 3. Many did so by positively securing the wet goods, which the balancing act of Figure 3 did not provide.

The second option was to introduce a barrier (or means to hold one) to the apparatus of Figure 3, clearly circumventing the Figures and the prior art.

## **Dependent claims**

The client's letter provided ample and clear subject matter for dependent claims and the client was explicit that claims fees were to be avoided, giving candidates the space to draft a suitable number of dependent claims. Indeed, because of the amount of detail provided, the mark scheme was weighted towards the dependent claims to encourage thoughtful claiming and ordering of features. In general, an improvement was seen from previous years and dependent claims were usually sensibly constructed and ordered.

However, many candidates seemed to think that claims fees start from 16 onwards, as per Europe, rather than 25 allowed by the UK IPO. As a result, features that would have been useful to the client, and thus marks, were missed. For example, it was common to see a claim for an electric fan, and no more, leading to an inability to maximise simple marks.

## **Introduction and background**

Candidates should bear in mind the typical mark allocation when describing the prior art and the purpose of the section – one only needs to go into extensive detail if the prior art should be pertinent to understanding the invention and its differences.

Therefore, considered discussion of Figure 3 was expected, together with an explanation as to how and why the client's invention was inventive. After all, this is the main purpose of describing the state of the art.

## **Statements of invention**

Statements of invention were tackled better than in previous years, possibly because the features were straightforward and the client's letter provided a lot of the information required. Some of the features, such as the airflow being generated by a fan and the fan being electrically or manually driven, did not have significant explanation for their benefit, meaning candidates had to think if they could explain why they were included.

A disappointingly large number of candidates simply repeated the claim wording without making a proper statement of invention. As clearly shown in mark schemes for previous years, marks are awarded for stating both what a feature does and the associated advantage.

### **Specific description**

As with previous years, many candidates relied heavily on the drawings rather than actually describing the embodiments. A good description, and one which receives high marks, describes the embodiments in a manner which is supported by the drawings rather than requiring a heavy reliance on what is shown. In this regard, it is good practice, where the embodiments are a product or an apparatus, to describe at least what the embodiment generally relates to, what it is, what component parts are provided, how they are formed (shapes, features), how they are connected, what their functions are and what materials would be suitable. Many candidates simply described what the apparatus did and often did not include optional or alternative features.

### **Abstract**

Abstracts were generally well written and seen in almost all scripts. The four marks available are relatively static from year to year, so it is disappointing when candidates miss the simple things like use of reference numerals which would give easy marks.