

Paper Ref	Sheet	Raw Mark Awarded	Percentage Mark Awarded
ICPA	1 of 18	72	90%

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Question 1:

Any applications intended to claim priority from an earlier filed application should be placed on file within 12 months from the filing date of the earlier filed application. However, it is possible to add the priority claim to the application by 16 months from the earliest priority date.

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Question 2:

- By filing a United Kingdom (GB) national application filed at the UKIPO 1
- By filing an international (PCT) application and entering the national phase in the United Kingdom 1
- By filing a European patent at the EPO and validating it in the United Kingdom 1

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Question 3:

a) As the client has instructed for the filing of this priority-claiming application after the expiry of the convention period, they would need to file a request for restoration of priority and give valid reasoning as to why the application could not be filed by the original convention deadline. i.e. unintentional

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b) There is a 12-month period from the filing date of the first-filed application to file any convention applications.

Filing date = 28 December 2020 + 12 months = 28 December 2021

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Question 4:

a) The deadline for requesting a search on the divisional patent application is the later of 2 months from the divisional filing date or the prescribed period from the parent application. The prescribed period of the parent application would be 12 months from the filing date (as there is no priority claim).

Divisional filing date = 11 January 2022 + 2 months = Friday 11 March 2022

Parent filing date = 14 October 2021 + 12 months = Friday 14 October 2022

As Friday 14 October 2022 is the later of the two calculated dates, this is the deadline.

b) The PF7 should have been filed at the UKIPO at the time of filing the divisional application and therefore should have been filed on Tuesday 11 January 2022.

MARKS AWARDED: 5/8

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Question 5:

The formal drawings should be filed within 15 months of the filing date (as there is no priority present).

Filing date = 12 May 2021 + 15 months = Friday 12 August 2022

Therefore the deadline to file the formal drawings is Friday 12 August 2022.

MARKS AWARDED: 2/2

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Question 6:

- Indication that an international (PCT) application is sought
- Applicant's contact details sufficient enough for the Official Office to contact them
- A description
- A set of claims

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Question 7:

a) The international phase ends at 30 months from the earliest priority date.

Priority date = 28 July 2019 + 30 months = Friday 28 January 2022

Therefore the international phase ends on Friday 28 January 2022.

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b) The deadline to enter the European regional phase is 31 months from the earliest priority date.

Priority date = 28 July 2019 + 31 months = Monday 28 February 2022

Therefore the deadline to enter the European regional phase is Monday 28 February 2022.

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c) The first renewal is payable based on the 2nd anniversary of the international filing date, up until the end of the month. Further annuities are also calculated based on the international filing date.

International filing date = 17 May 2020 + 2 years = 17 May 2022

17 May 2022 + end of month = Tuesday 31 May 2022

Therefore the deadline to pay the first renewal fee is Tuesday 31 May 2022.

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Question 8:

The deadline to file a Notice of Opposition is 9 months from the grant date of the European patent.

Grant date = 10 May 2021 + 9 months = Thursday 10 February 2022

Therefore the deadline to file the Notice of Opposition is Thursday 10 February 2022.

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Question 9:

a) The GB1 application needs to be in order by the compliance date. The compliance date is calculated as the later of 4 years and 6 months from the earliest priority or 12 months from the mailing date of the first examination report.

Priority date = 11 September 2017 + 4 years and 6 months = Friday 11 March 2022

Mailing date of exam report = 20 October 2021 + 12 months = Thursday 20 October 2022

As Thursday 20 October 2022 is the later of the two calculated dates, this is the deadline.

b) There is a 2-month extension of time available as of right in respect of the compliance period. In order to request this extension of time a form PF52 should be filed and pay the extension fee.

Deadline = 20 October 2022 + 2 months = Tuesday 20 December 2022

Therefore the extended compliance deadline will be Tuesday 20 December 2022.

MARKS AWARDED: 8/8

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Question 10:

Examination must be requested within 6 months from the publication of the search report.

Publication of search report = 9 September 2021 + 6 months = Wednesday 9 March 2022

Therefore the deadline to request examination is Wednesday 9 March 2022.

MARKS AWARDED: 2/2

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Question 11:

a) The standard response deadline of a Rule 71(3) communication is 4 months from the notification date of the communication. As the deadline is calculated based on the notification date, the 10-day rule applies. There is a further 2-month extension of time available on request.

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Notification date = 24 November 2021 + 10 days = 4 December 2021

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4 December 2021 + 6 months = Saturday 4 June 2022

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As 4 June 2022 falls on a weekend and there is an office closure on Whit Monday, this deadline will roll to the next working day and therefore the deadline will be Tuesday 7 June 2022.

b) If this communication is not responded to, the EPO will issue a Notice of Loss of Rights. It is possible to request further processing within 2 months of the mailing date of the Loss of Rights (and the 10 day rule applies). They must request further processing in writing, complete the omitted act, i.e. respond to the Rule 71(3) communication and pay the further processing fee, which in this instance will be 50% of the grant and printing fees payable.

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no (but mark given)

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Question 12:

The deadline to file the grounds of appeal is 4 months from the notification date of the Decision to Refuse. As this deadline is calculated based on the notification date, the 10-day rule applies.

Notification date = 20 December 2021 + 10 days = 30 December 2021

30 December 2021 + 4 months = Saturday 30 April 2022

As 30 April 2022 falls on a weekend, this deadline will move to the next working day which is Monday 2 May 2022.

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Question 13:

a) Renewal fees are payable annually for a European patent from the 3rd year (2nd anniversary) from the filing date, payable up until the end of the month.

Filing date = 5 June 2018 + 2 years = 5 June 2020 = First renewal

Therefore the next renewal due in 2022 is due on:

5 June 2022 + end of month = Thursday 30 June 2022

Therefore the deadline to pay the next renewal fee is Thursday 30 June 2022.

b) Once a European patent has granted, renewal fees become payable to each of the national offices in which it has been validated in. Therefore in this case, as the renewal fees are payable after the grant date of the European patent, the renewal fees are payable each to the official offices for the United Kingdom, France and Germany.

MARKS AWARDED: 4/4

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Question 14:

- Pay the application fee
- A representation of the design
- Applicant's name and address

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Question 15:

The maximum term of protection for UK registered design is 25 years from the filing date.

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Question 16:

a) Renewal fees are payable annually from the 5th year (4th anniversary) of the filing date, payable up until the end of the month. Subsequent renewals are payable on the anniversary of the filing date, up until the end of the month. Renewals are only payable on granted patents.

Filing date = 31 August 2017 + 4 years = 31 August 2021 = First renewal

As the next renewal will be paid in 2022, the next renewal date is

31 August 2022 (already at the end of the month)

There is a one month grace period available without a surcharge.

31 August 2022 + 1 month = 30 September 2022 (end of month)

Therefore the next date to pay the renewal without incurring a surcharge is Friday 30 September 2022.

b) There is a 6-month grace period available with a surcharge.

Renewal date = 31 August 2022 + 6 months = 28 February 2023 (end of month)

Therefore the final extended deadline to pay the renewal including a surcharge is Tuesday 28 February 2023.

MARKS AWARDED: 5/5

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Question 17:

See form

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Question 18:

a) Excess claims fees are payable for each claim over 25. As there are 27 claims in the application, there are excess claims fees payable for 2 claims ($27-25=2$).

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b) Excess pages fees are payable for each description page over 35. As there are 40 pages of description pages, there are excess page fees payable for 5 pages. ($40-35=5$)

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Patents Form 1

Patents Act 1977 (Rule 12)

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: *(optional)* CNC 55 - GB

2. Full name, address and postcode of the applicant or of each applicant *(underline all surnames)*:
The name(s) and address(es) provided here will be published online as part of the application process (see warning note below)

Cheap 'n' Cheerful Limited
Unit K, Woodland Trading Estate
Glasgow
G23 7ER, United Kingdom

Patents ADP number *(if you know it)*:

3. Title of the invention: Webcam Magnifier

4. Name of your agent *(if you have one)*: Shalanda Gibbs

“Address for service” to which all correspondence should be sent *(including postcode)*. This may be in the United Kingdom, Gibraltar or Channel Islands: *(see warning note below)*

Eureka IP services LLP
80, The Square,
Glasgow
G1 9RB, United Kingdom

Patents ADP number *(if you know it)*:

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>
GB	2172941.5	12/02/2021

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>
<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>

7. Inventorship: (Inventors must be individuals not companies) (Please tick the appropriate boxes)

Are all the applicants named above also inventors? Yes No

If yes, are there any other inventors? Yes No

8. Are you paying the application fee with this form? Yes No

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

Continuation sheets of this form:

Description:

Claim(s):

Abstract:

Drawing(s):

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)
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Priority documents:

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)

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

Signature(s):

Date:

12. Name, email address, telephone and/
or mobile number, if any, of a contact
point for the applicant:

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 online shortly after we receive your application, 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 online. **The name and address of the applicant will be published on our website and are likely to appear in external search engine results.** You should provide a business or PO Box address if you do not want your home address published online.

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

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 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/893060/Form-1-guidance.pdf or alternatively you could telephone 0300 300 2000 or send an email to information@ipo.gov.uk to request a copy.

Data Privacy: <https://www.gov.uk/government/organisations/intellectual-property-office/about/personal-information-charter>

REV DEC 20

PF1

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NP10 8QQ



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PF1



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Please note you only need to complete this form if paying the Application Fee for Patents Form 1

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Account number	80531766
Account name	Intellectual Property Office
SWIFT code	BARCGB22
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Patents Form 9A

Patents Act 1977 (Rule 27)

Request for search

(See the notes on the back of this form)

1. Your reference: CNC 55 - GB
(optional)

2. Patent application number (e.g. GB7654321.0):

3. Full name of the applicant or of each applicant: Cheap 'n' Cheerful Limited

4. Is this request for (please tick one box):

a) A search under Section 17(1) for an international application which has been searched in the international phase?

b) A search under Section 17 (1) for any other application?

c) A supplementary search under Section 17(8)?
(See note (b) for help choosing which search you require)

d) A search of a further invention under Section 17(6)?

If your answer is (d), identify which invention you would like to be searched by referring to the claims to be searched *(See note (c))*:

(we will automatically send you a paper copy of any cited non-patent documents, see note (d))

5. Are you paying the application fee with this form? YES No
(See note (e))

6. Number of claims in your application: 4
Only relevant for options (a) and (b) above. See note (f)

7. *(please see note (g))* Signature Date 27 January 2022

8. Your name and full address: Shalanda Gibbs
Eureka IP services LLP
80, The Square,
Glasgow
G1 9RB, United Kingdom

9. Name, email address, telephone and/or mobile number, if any, of a contact point for the applicant:

Shalanda Gibbs,
sgibbs@eureka.ips.com

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Notes

- a) *Please type or write your answers using black ink. If you need help to fill in this form or you have any questions, please contact the Office on 0300 300 2000.*
- b) *Identifying the type of search you require:*
- Option a) *choose this option if your application is a PCT application.*
- Option b) *choose this option if your application is a UK national application, and this is the first search you have requested for your application.*
- Option c) *this option is used if you have already had a search done, but the claims have since been amended or corrected so that the defined invention has changed, and was not covered by the original search. An examiner will tell you if you need to request a supplementary search.*
- Option d) *sometimes an examiner will tell you that your claims relate to more than one invention. In such circumstances the examiner will only search the first invention of the claims. If you wish other inventions to be searched you should use this option, filing a separate form with this option ticked for each invention you wish to be searched. You should also indicate on the form(s) the claims relating to the invention to be searched. You will need to pay a fee for each further invention to be searched.*
- c) *If you do not identify an invention, the second invention specified in the search report previously made under Section 17(5) will be searched.*
- d) *We will supply one copy of each non-patent document such as journal articles cited in the search report or during the substantive examination process. Patent documents cited during the application process are usually accessible for free on the internet (particularly from <http://worldwide.espacenet.com/>) and you will not be issued with a copy of them. For copyright reasons, all copies of citations supplied by the Office must be used for the sole purpose of processing the patent application.*
- e) *Before your application is searched you must pay an application fee, as well as the search fee required with this form. If you have not already paid the application fee you can do so when filing this form. Note that the application fee is higher when paid after the date you filed your application. For details of the fees and ways to pay them, please contact the Office.*
- f) *If you have selected option (a) or (b) in part 4 of this form, please indicate the current number of claims in your application. The search fee increases if your application includes more than 25 claims. Such an increase does not apply to searches under option (c) or (d). For details of the fee payable with this form and ways to pay, please contact the Office.*
- g) *In order to promote efficient and high quality patent processing internationally, we are cooperating with other patent offices to share the results of searches and examinations. We are obliged to provide some information before publication to the European Patent Office. We may also provide the results of the search and any examination that has been carried out to other patent offices, even if this is prior to publication of your application. Any sharing prior to publication of your application will be carried out on a confidential basis and the results will not become publicly available through the other patent office before publication takes place in the UK.*
- h) *Once you have filled in this form remember to sign and date it.*

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To check the correct fee for this form, search on GOV.UK for 'patent forms and fees'

Search fee	<input type="text" value="£ 180"/>
Application fee (only if not paid with Patent Form 1)	<input type="text" value="£ 90"/>
Excess claims fee	<input type="text"/>
Total fee paying	<input type="text" value="£ 270"/>
Your own reference (Optional)	<input type="text" value="CNC 55 - GB"/>

Your contact details should we have a query

Name	<input type="text" value="Shalanda Gibbs"/>
Email	<input type="text" value="sgibbs@eurekaips.com"/>
Phone	<input type="text"/>

How would you like to pay?

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Reference – use your IPO deposit account number if you have one or an application number or your name if you don't.

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SWIFT code	BARCGB22
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