

FD3 – Amendment of Specifications
FINAL Mark Scheme 2022

<p>Claims Marks are awarded for the claim set as a whole including main, dependent and any divisional claims</p>	35 Marks
<p>Claim 1:</p>	25 marks
<p><u>Main Amendment:</u> Unit has a body with channel(s) below/between the (at least one) flexible wiping arrangement, such that water is expelled rearwards (NB. Function necessary for full marks). Reduced maximum mark for unnecessary or dubious limitations, e.g.:</p> <ul style="list-style-type: none"> - >1 flexible wiper/ row of bristles - Specifying same angle <p><u>Other amendments</u></p> <ul style="list-style-type: none"> - Dealing with clarity issues (wheel, inclusion of bicycle ...) - Broaden appropriately, e.g. to single stay (≥ 1); Broaden to flexible wiping arrangement(s); “comprising”; 	<p>19</p> <p>max 16 max 14</p> <p>2 4</p>
<p>Dependent claims</p>	Up to 10 marks
<p>Deal with antecedent and clarity issues in claims 3-5 Add dependent claims to useful features, e.g.:</p> <ul style="list-style-type: none"> - Bristles - Angle of bristles - Shape of bristles - 3 or 4 rows; number = number of channels - Two struts/stays - Rotation stop - L-shaped reflector - claim to bicycle 	<p>2</p> <p>max 8</p>

**FD3 – Amendment of Specifications
FINAL Mark Scheme 2022**

Letter to IPO:	31 marks
- Amendments made and support, including for broadening/adding: claim 1 (4); subclaims (4);	8
- Clarity objection dealt with.	3
- Novelty and IS: NB. Arguments must tally with new claim 1	
- Novelty of claim 1: D1 – e.g. channel(s) in the body D2 – e.g. channel(s), no stays	6
- Inventive step of claim 1:	total 11
o using structured approach (PS or Pozzoli); nearest prior art D1; CGK includes mudguards (2)	
o discussion of inventive idea and of prior art, e.g.	
▪ body with channels and added bristles/wipers not suggested by D1 (4)	
▪ D2 arguably has no channels, is old and is based on mudguard so would not use as starting-point or combine if reducing weight (3)	
▪ D1 + D2 would not arrive at the invention (2)	
- Additional Novelty/IS of sub-claims	1
- Clarity of presentation	2
Notes for client report:	34 marks
- Discuss why claim 1 needs amendment, validity of Examiner’s objections.	4
- Choice of amendment of claim 1:	total 16:
- Client letter implies inventive design is solid and robust and reliably deflects water. Possible alternatives. Whether claim 1 covers proposed push-pull design. Rows / banks of bristles vs fingers and squeegee?	7
- Wording for clarity (antecedents; non-inclusion of bicycle parts); remove “large”	4
- Broadening/scope: Whether needs >1 group of bristles/wipers (and whether “between” works when only one; cf. “below”); whether angle needs to be specified; Removed limitation to two stays (maybe querying whether this is useful in practice).	5
- New dependent claims, likelihood of success of response, fall-back positions	4
- Not possible to introduce rear light instead of reflector	1
- Not possible to introduce a claim specifically to the push-pull, but it is covered by claim 1; might be the subject of a new application	2
- Discussion of whether device can be used with front wheel	1
- Possible divisional to L-shaped reflector	4
- Miscellaneous: cost of divisional; Timing of response; status of prior-art documents,...	2