

Introduction

This was a relatively straightforward question paper, primarily requiring the recall of statutory provisions in Part A, and the application of basic design and copyright law to scenarios in Part B.

Questions

Part A

Question number	Comments on questions
Question 1	This was a straightforward question on eligibility to use the Hague system, which was generally answered well. Candidates needed to reference <i>habitual</i> residence (not just residence) and to be familiar with the term <i>domicile</i> as it is frequently used in international law.
Question 2	This was long question requiring recall of the basics of design law. It was very well answered by most candidates.
Question 3	This was quite a difficult question about the Berne convention. Few candidates obtained even half the marks available. Whilst the topic may come up infrequently in practice, it is specified by the syllabus.
Question 4	This was straightforward question on infringing acts under copyright law, with most candidates recalling the provision accurately.
Question 5	This was a straightforward scenario requiring the application of the rules on qualification for UDR. Almost all candidates answered it well. However, many candidates did not state that one route requires a body corporate to be formed under the laws of a qualifying country <i>and</i> (not ' <i>or</i> ') for it to carry out substantial business activity in the country.
Question 6	The question was a slightly unusual way of asking candidates to recall the statutory grounds under which invalidity proceedings can be brought. Most candidates scored reasonably well.

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Part B

Question number	Comments on question
Question 7	This scenario related to copyright, its ownership, dealings in works, and infringement. On average the sub-questions yielded the highest scores of the four Part B questions. For full marks in relation to the infringement section, candidates were required to analyse the infringements by (1) the manufacturer and (2) the seller of the works separately, and not to overlook one or the other.
Question 8	This scenario requiring the application of the basic principles of design rights. It was generally answered well by most candidates.
Question 9	This scenario related to registered and unregistered designs, and in particular novelty. It attracted the lowest scores of the Part B questions, although no one area stood out as an issue. Candidates are, however, reminded to mention that proof of <i>copying</i> is an essential requirement of infringement for unregistered design protection, and to apply the term of protection for UK UDR accurately.
Question 10	This was a high-scoring scenario question on portfolio options, infringement and assignment. No particular issues were evident.