

ICPA: Introductory Certificate in Patent Administration

Mock Examination 2022–2023 Course

Thursday, 15 December 2022 10 am to 12.30 pm

Examination time: 2 hours 30 minutes plus 15 minutes upload time

The 2 hours 30 minutes is allocated as follows:

- 10 minutes** – Downloading and printing the Question Paper and Resource pack;
- 15 minutes** – Reading time;
- 2 hours** – Answering the questions;
- 5 minutes** – Screen break.

At the end of 2 hours 30 minutes, you MUST immediately stop answering the questions. You then have **15 minutes** in which to upload your Answer document and form(s) to the PEBX system.

You MUST upload your Answer document and form(s) to the PEBX system by 12.45. After 12.45, you will not be able to upload them and your examination will be void.

INSTRUCTIONS TO CANDIDATES

This examination pack comprises:

Instructions to Candidates	1 sheet
Question paper	6 sheets
Resource Pack	14 sheets

1. You have 15 minutes reading time at the start of the examination. During this time, you **must not type in the Answer document or write** on the forms, question paper, calendars or annexes.
2. You should attempt **all** the questions in this question paper.
3. The total number of marks available for this paper is 80.
4. Answers must be submitted in the Answer document and on the form(s) provided.
5. Do not attempt to change the font style, font size, font colour, line spacing or any other preset formatting in the Answer document.
6. Start each question on a new page. To begin a new page, press the Control key and the Enter key simultaneously.
7. When you begin a new question, type in the question number at the top of the page.
8. A **Resource Pack** is provided. The Resource Pack has a contents page and contains calendars, office closure dates, and forms.
9. Select and complete the relevant form(s) when instructed by the question.
10. Write your answers on the form(s) using black pen.
11. Where a question refers to 'today', assume today's date.
12. Do not state your name anywhere in your answers.

This question paper consists of **6 sheets** in total, including this sheet.

AT THE END OF THE EXAMINATION

13. Upload your Answer document to the PEBX system. You should upload it as a Word document. PEBX will automatically convert it to PDF.
14. Save the PDF(s) of your scanned form(s) to PEBX.

Question 1

When does the period in which priority can be claimed from a first-filed patent application end?

1 mark

Question 2

List 3 routes through which a GB patent can be sought.

3 marks

Question 3

You filed a first (priority-founding) GB patent application for your client on 28 December 2020. On 20 January 2022, your client tells you that they would like to file a convention (priority-claiming) application at the UK IPO.

a) **What would you need to show for this priority to be accepted? Explain your answer.**

2 marks

b) **By when would the convention (priority-claiming) application need to be filed? Show your calculations.**

2 marks

Total: 4 marks

Question 4

You filed a first GB patent application on 14 October 2021. On 11 January 2022 you filed a divisional patent application from that first GB patent application.

a) **What is the deadline for requesting a search on the divisional patent application? Show your calculations.**

5 marks

b) **What is the deadline for filing a PF7 on the divisional patent application? Show your calculations.**

3 marks

Total: 8 marks

Question 5

A GB patent application was filed, without claiming priority, on 12 May 2021. The application was filed with informal drawings.

By when will formal drawings need to be filed? Show your calculations.

2 marks

Question 6

List four requirements to obtain a filing date for an international patent application that does not claim priority.

4 marks

Question 7

A PCT application was filed on 17 May 2020. The application claims priority from a US application filed on 28 July 2019.

a) When does the international phase end for this PCT application? Show your calculations.

2 marks

b) What is the latest (unextended) date for entering the European regional phase for this PCT application? Show your calculations.

2 marks

c) What is the due date for the first renewal fee at the European Patent Office for the European regional phase application? Show your calculations.

3 marks

Total: 7 marks

Question 8

A client of your firm wishes to oppose a granted European patent application. The European Patent Office issued a communication dated 2 May 2021 informing the applicant that the patent would grant on 10 May 2021.

What is the deadline for filing a notice of opposition? Show your calculations.

2 marks

Question 9

A GB patent application, GB1, was filed on 25 October 2017. The application claims priority from an earlier GB application filed on 11 September 2017. A first examination report was issued in respect of GB1 on 20 October 2021.

- a) **By when must the later patent application (GB1) be put in order for grant? Show your calculations.**

5 marks

The deadline calculated in a) can be extended without needing to rely on the discretion of the UK IPO.

- b) **Outline the procedure for extending the deadline, and give the extended deadline. Show your calculations.**

3 marks

Total: 8 marks

Question 10

A European patent application is published without the search report on 18 August 2021. The search report is issued dated 26 August 2021. The search report is published on 9 September 2021.

By when must examination of the European patent application be requested? Show your calculations.

2 marks

Question 11

A Rule 71(3) communication (an intention to grant communication) is issued on a European patent application. The communication is dated 24 November 2021. You receive the communication in your office on 25 November 2021.

- a) **By when must a response be filed, including any available extensions of time? Show your calculations.**

4 marks

- b) **If a response is not filed by the date given in a), what actions can be taken to continue with the application, and by when?**

3 marks

Total: 7 marks

Question 12

A decision to refuse a European patent application is dated 20 December 2021. You receive the decision the same day. You file a notice of appeal in due time.

What is the deadline for filing the grounds of appeal? Show your calculations.

5 marks

Question 13

A European patent application was filed on 5 June 2018, claiming priority from a GB application filed on 5 July 2017. Mention of grant of the European patent will publish in the European Patent Bulletin on 8 February 2022. The patent is to be validated in the UK, France and Germany.

a) By when must the next renewal fee(s) be paid? Show your calculations.

2 marks

b) Where must the next renewal fee(s) be paid? Explain your answer.

2 marks

Total: 4 marks

Question 14

What are the minimum filing requirements to obtain a filing date for a UK registered design application?

3 marks

Question 15

What is the maximum term of protection for a registered design in the UK (assuming all renewal fees are paid on time)?

1 mark

Question 16

A GB patent application was filed on 31 August 2017, and was granted on 4 March 2020. The priority date is 1 September 2016.

a) By when must the next renewal fee be paid without incurring a surcharge? Show your calculations.

3 marks

b) What is the latest date by which the next renewal fee can be paid with surcharge? Show your calculations.

2 marks

Total: 5 marks

Question 17

You receive a memo from Shalanda, an attorney at your firm. Shalanda writes,

Good morning. Our client, Cheap'n'Cheerful Limited, would like us to file a priority-claiming GB patent application on the latest date possible. The new application is entitled "Webcam magnifier", and will claim priority from their earlier application filed on 12 February 2021. As a reminder, the application number for that earlier application is GB 2172941.5.

The new application has:
15 pages of description,
4 claims on a single page,
a 1-page abstract and
3 figures on 2 pages of drawings.

Our reference is CNC55-GB.

We'll file a search request too, and will pay the application fee and search fee at the time of filing. Please pay all the fees using the PF9A. The application fee is £90 and the search fee is £180. We will pay these fees from our IPO deposit account number 150008.

The client's details are:
Cheap'n'Cheerful Limited
Unit K, Woodland Trading Estate
Glasgow
G23 7ER

Please can you prepare the forms for filing, listing me as agent, and providing my details wherever needed. Many thanks!

Shalanda Gibbs, Eureka IP Services LLP
sgibbs@eurekaips.com
80, The Square, Glasgow, G1 9RB, UK

Prepare the forms required.

12 marks

Question 18

A GB patent application comprises 40 pages of description, 27 claims over 5 pages, a 1-page abstract and 10 pages of drawings.

a) **When requesting search, for how many excess claims are fees payable?**
1 mark

b) **When requesting examination, for how many excess pages are fees payable?**
1 mark

Total: 2 marks

Total: 80 marks