

Patent
Examination
Board

ICPA: Introductory Certificate in Patent Administration

Thursday 26 January 2023

10.00-12.30 UK Time (GMT)

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 12.30 you MUST immediately stop answering the questions. You then have **15 minutes** in which to upload your Answer document 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	5 sheets
Resource Pack	15 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 forms 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

What is a patent? Explain your answer.

3 marks

Question 2

What is the term of protection in the UK, assuming all relevant renewal fees are paid, for

a) a patent?

1 mark

b) a registered design?

1 mark

Total: 2 marks

Question 3

A priority (first filed) GB patent application was filed on 18 January 2022 with very rough hand-drawn figures and with no abstract.

a) By when must the formal drawings be filed? Show your calculations.

2 marks

b) By when must the abstract be filed? Show your calculations.

2 marks

Total: 4 marks

Question 4

A first GB patent application was filed on 29 September 2018, without claiming priority. A first examination report was issued in respect of this application on 14 March 2022.

What is the deadline for filing a divisional application? Show your calculations.

7 marks

Question 5

An examination report dated 3 October 2022 is issued on a GB patent application. The examination report sets a deadline for response of 5 December 2022.

a) What is the latest date for response, without needing to rely on the discretion of the UK IPO?

3 marks

b) What must be filed by the date calculated in part a)?

1 mark

Total: 4 marks

Question 6

You work as a paralegal at Peter Rabbyt Limited. One of the partners, Lorna Ingleby, sends you the following instructions.

Please prepare the form for filing an international patent application naming me as agent, details as follows:

Client: Foundling Technology Ltd, a UK company based at
The Stable Yard, Dingle Lane, London, SE3 5QQ, UK
(applicant for all States)

Our reference: FTL/PCT01

This application will claim priority from their earlier GB application, which was filed in English.

Title: BRIDLE CLIP RETAINER

We'll use the same specification documents for filing the international application.

The details of the priority application are:

Application no:	GB 2205432.1
Filing date:	28 January 2022
Description:	18 pages
Claims:	3 pages – 15 claims
Abstract:	1 page (accompanied by Figure 2)
Drawings:	5 pages – 8 figures
(PDAS) Digital library access code:	ABC1

Inventor: Sienna DOBBINS (a UK citizen) – address c/o Foundling Technology Ltd

Please request that we receive all notifications by email only. We won't file a certified copy of the priority document, but will make use of the PDAS code.

There's no need to fill in a fee sheet. Finance will do this. The fee sheet will be included on filing.

Many thanks, Lorna

Lorna Ingleby, CPA, EPA
Peter Rabbyt Limited,
45 Fleet Lane South
London, SE23 1ZZ, UK
Tel: 020 801 6565
Lingleby@prabbyt.com

Complete form PCT/RO/101.

10 marks

Question 7

You file an International patent application in Spanish, claiming priority from a Spanish patent application, for a Spanish applicant at the European Patent Office.

What will happen? Explain your answer.

3 marks

Question 8

A PCT application was filed on 6 May 2021 claiming priority from a GB application filed on 10 June 2020.

What is the latest date for filing an EP Regional Phase application? Show your calculations.

2 marks

Question 9

You filed a PCT application on 29 April 2022 claiming priority from a GB application filed on 30 April 2021. The International Search Report and Written Opinion, dated 6 October 2022, was received in your office on 11 October 2022. Your client wishes to request International Preliminary Examination.

By what date must the Demand be filed? Show your calculations.

5 marks

Question 10

Your client wishes to oppose European Patent No. 3459876, which was filed on 23 April 2020 and granted on 16 November 2022.

What steps must be taken and by what date? Show your calculations.

5 marks

Question 11

You received a Decision to refuse European Patent application No. 07654321.0 in your office on 13 January 2023. The communication is dated 6 January 2023. Your client wishes to appeal the decision, taking advantage of using the latest dates available.

What steps must be taken and by what date? Show your calculations.

8 marks

Question 12

A European Patent Application was filed on 4 January 2019. The 'Decision to Grant' (EP2006) was issued on 30 November 2022, advising that mention of the grant will be published in the European Patent Bulletin on 19 January 2023.

a) What is the final date for payment of the 2023 renewal fee? Show your calculations.
2 marks

b) To which office must the fee be paid? Explain your answer.
2 marks

Total 4 marks

Question 13

A Notice of Intention to Grant under Rule 71(3) EPC is dated 21 December 2022. The attorney with whom you work notices typographical errors in the allowed claims of the EDREX (Druckexemplar) and cannot approve the text.

What actions should be taken and by what date to ensure the application is not deemed withdrawn? Show your calculations.

4 marks

Question 14

A communication under Article 94(3) EPC (an examination report) is dated 29 August 2022. The communication is received in your office on 26 August 2022. The communication sets a four-month period from notification for filing a response.

a) **What is the non-extended deadline for filing a response? Show your calculations.**
4 marks

The applicant will not be able to file a response by this deadline.

b) **By when must a request for an extension of time be filed?**
1 mark

c) **What will be the extended deadline for filing a response once a request for extension is filed? Show your calculations.**
4 marks

Total: 9 marks

Question 15

You receive a communication under Rule 161 EPC from the EPO, dated 17 June 2022. The communication refers to a negative search opinion. The communication sets a period of six months for response. There are 15 claims in your application, and you will not increase the number of claims.

a) **What is the deadline for response? Show your calculations.**

4 marks

b) **If no response is filed by the deadline calculated in part a), what actions must be taken to keep the application pending, and by when must these actions be taken?**

2 marks

Total: 6 marks

Question 16

You receive a decision to grant a European patent application, informing you that mention of the grant of the European patent will be published on 17 May 2023.

What is the deadline for filing a European divisional application? Explain your answer.

2 marks

Question 17

A UK registered design was filed on 21 July 2018, and is now registered.

What is the next renewal date? Show your calculations.

2 marks