

# Platform Formalities Officers - Examination 2017

**Tuesday 30 May 2017**

Exam starts: 2.00 pm / Exam ends: 5.00 pm

1. The Examination 2017 comprises 20 multiple choice questions and 4 open cases
2. You should attempt all questions
3. Please write clearly, as it is difficult to award marks to illegible answers
4. The Examination consists of 28 pages
5. In addition you are provided with
  - Answer sheets(5 pages)
  - Calendars 2016, 2017, 2018, 2019 and 2020
  - Official holidays 2016 EPO - Official holidays 2017 OCNL, WIPO, EPO, BOIP and EUIPO
  - BOIP schedule of Fees (2 pages)
  - EUIPO schedule of Fees (2 pages)
  - EPO schedule of Fees (3 pages)
  - PCT applicant's Guide (4 pages)
6. Please ensure your Examination Number is written on each page of your answer sheets and any forms submitted. **Please do NOT write your name on the answer sheets**
7. When you have finished your exam, we would request you to place all answer sheets including the coloured paper (name, number and signature) in the envelope and to seal the envelop.

## **Marking**

Multiple choice questions:	3 marks per multiple choice question (20 questions)
Case 1:	8 marks
Case 2:	11 marks
Case 3:	6 marks
Case 4:	15 marks

## Answer sheet - 1

### Multiple choice questions:

Mark the correct answer with an X in box **A, B, C** or **D**

	A	B	C	D	
Question 1.					
Question 2.					
Question 3.					
Question 4.					
Question 5.					
Question 6.					
Question 7.					
Question 8.					
Question 9.					
Question 10.					
Question 11.					
Question 12.					
Question 13.					
Question 14.					
Question 15.					
Question 16.					
Question 17.					
Question 18.					
Question 19.					
Question 20.					



Answer sheet - 2

Case 1:

Lined area for writing the answer to Case 1.



## Answer sheet - 4

### Case 3:



## BOIP schedule of Fees

1 / 2 pages

	Digital	Paper
<b>Filing charges</b>		
Basic fee for individual trademark, up to 3 classes	€ 240	€ 276
Basic fee for collective trademark up to 3 classes	€ 373	€ 428
Supplementary fee for each class after the third	€ 37	€ 42
Supplementary fee for fast registration, up to 3 classes	€ 193	€ 221
Supplementary fee for fast registration, for each class after the third	€ 30	€ 34
Supplementary fee for description of distinctive features	€ 39	€ 44
Registration of declaration of right of priority		€ 15
<b>Availability search (without simultaneous application)</b>		
Search, up to 3 classes		€ 150
Supplementary fee for each class after the third		€ 20
<b>Renewal</b>		
Basic fee for individual trademark, up to 3 classes	€ 260	
Basic fee for collective trademark, up to 3 classes	€ 474	
Supplementary fee for each class after the third	€ 46	
Supplementary fee for a renewal and/or payment in the grace period	€ 129	
<b>Modifications</b>		
<i>Assignment or other transfers, license, securities or seizures</i>		
first mark		€ 54
second to fifth mark		€ 27
any subsequent mark		free of charge
<i>Limitation to the list of goods and services</i>		€ 44
<i>Change of representative, including his/her appointment after application has been registered</i>		
first mark		€ 22
second to fifth mark having the same holder		€ 11
any subsequent mark having the same holders		free of charge
second to fifth mark having different holders		€ 11
any subsequent mark having different holders		€ 2
<i>Modification of name and/or address of applicant, representative, mark or licence holder</i>		free of charge
<i>Correcting typing errors after registration</i>		
first mark		€ 18
any subsequent mark		€ 9
<b>Opposition</b>		
Opposition, taxes per opposition lodged		€ 1000
Supplementary fee per invoked right above the third		€ 100
Suspension upon request and extension before start of proceedings (first year)		free of charge
Suspension upon request and extension after first year, every 4 months		€ 150

## BOIP schedule of Fees

2 / 2 pages

act / Fees | BOIP - Benelux Office for Intellectual Property

<i>Translation of arguments</i>		
first four pages*		free of charge
for each page* or a part of it after the fourth		€ 55
<i>Translation of the decision, for each page* or a part of it</i>		€ 45
<b>Other</b>		
<i>Information</i>		
less than 1 hour		€ 23
more than 1 hour, per hour		€ 55
<i>Subscription to subsequent marks</i>		
basic fee, up to 3 classes		€ 50
supplementary fee for each class after the third		€ 8
<i>Datoliet (electronic supply of trademark data)</i>		
per mark	€ 0,48	
per renewal	€ 0,25	
alterations, per year irrespective of actual number	€ 2428	
<i>Copies</i>		
not certified, per registration		€ 4
not certified, extra copies per page		€ 5
certified, per registration		€ 15
certified, extra copies per page		€ 17
deed of application, per application		€ 4
Proof of priority		€ 15
Translation of a published application or registration from English into Dutch or French	per word € 0,20	
<b>Submission of an international registration or EU trademark</b>		
International trademark, submission of renewal	€ 80	
EU trademark, submission of application		€ 80
Expenses of sending, if those exceed the amount of 25 euros		effective expenses

\* One page: not exceeding 30 lines of 80 characters each.



# EUIPO schedule of Fees

1 / 2 pages



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## Fees directly payable to EUIPO

Quick search		
Fee code	Fee description	Amount
D-001	Registration fee (Article 36(4) of Regulation (EC) No 6/2002; Article 6(1)(a) of Regulation (EC) No 2245/2002)	230 €
<b>Additional registration fee in respect of each additional design included in a multiple application (Article 37(2) of Regulation (EC) No 6/2002; Article 6(1)(c) of Regulation (EC) No 2245/2002):</b>		
D-002	Fee for each design from the second to the 10th design	115 €
D-003	Fee for each design from the 11th design onwards	50 €
	Individual Designation fee for an international registration (Article 106c of Regulation (EC) No 6/2002; Article 7(2) of the Geneva Act — (per design)	62 €
D-011	Publication fee (Article 36(4) of Regulation (EC) No 6/2002; Article 6(1)(b) of Regulation (EC) No 2245/2002)	120 €
<b>Additional publication fee in respect of each additional design included in a multiple application (Article 37(2) of Regulation (EC) No 6/2002; Article 6(1)(d) of Regulation (EC) No 2245/2002):</b>		
D-012	Fee for each design from the 2nd to the 10th design	60 €
D-013	Fee for each design from the 11th design onwards	30 €
D-021	Fee for deferment of publication (Article 36(4) of Regulation (EC) No 6/2002; Article 6(1)(b) of Regulation (EC) No 2245/2002)	40 €
<b>Additional fee for deferment of publication in respect of each additional design included in a multiple application subject to deferment of publication (Article 37(2) of Regulation (EC) No 6/2002; Article 6(1)(d) of Regulation (EC) No 2245/2002):</b>		
D-022	Fee for each design from the 2nd to the 10th design	20 €
D-023	Fee for each design from the 11th design onwards	10 €
D-004	Fee for the late payment of the registration fee (Article 107(2)(a) of Regulation (EC) No 6/2002; Article 10(3) of Regulation (EC) No 2245/2002)	60 €
D-014	Fee for the late payment of the publication fee (Article 107(2)(b) of Regulation (EC) No 6/2002; Article 10(3) and Article 15(4) of Regulation (EC) No 2245/2002)	30 €
D-024	Fee for the late payment of the fee for deferment of publication (Article 107(2)(c) of Regulation (EC) No 6/2002; Article 10(3) of Regulation (EC) No 2245/2002)	10 €
D-030	Fee for the late payment of additional fees for multiple applications as referred to in 2, 4 and 6 of this annex (Article 107(2)(d) of Regulation (EC) No 6/2002; Article 10(3) and Article 15(4) of Regulation (EC) No 2245/2002)	25 % of the additional fees
<b>Renewal fee (Article 13(1) of Regulation (EC) No 6/2002; Article 22(2)(a) of Regulation (EC) No 2245/2002) per design, included or not in a multiple registration:</b>		
D-041	Fee for the first period of renewal	90 €
D-042	Fee for the second period of renewal	120 €
D-043	Fee for the third period of renewal	150 €
D-044	Fee for the fourth period of renewal	180 €
D-045	Fee for the late payment of the renewal fee or the late submission of the request for renewal (Article 13(3) of Regulation (EC) No 6/2002; Article 22(2)(b) of Regulation (EC) No 2245/2002)	25 % of the additional fees
<b>Individual renewal fee for an international registration (Article 13(1) and 106c of Regulation (EC) No 6/2002; Article 22(2)(a) of Regulation (EC) No 2245/2002 per design:</b>		
	Fee for the first period of renewal — (per design)	31 €
	Fee for the second period of renewal — (per design)	31 €
	Fee for the third period of renewal — (per design)	31 €
	Fee for the fourth period of renewal — (per design)	31 €
D-050	Fee for the application for a declaration of invalidity (Article 52(2) of Regulation (EC) No 6/2002; Article 28(2) of Regulation (EC) No 2245/2002)	350 €

# EUIPO schedule of Fees

2 / 2 pages

Fee code	Fee description	Amount
D-052	Appeal fee (Article 57 of Regulation (EC) No 6/2002; Article 35(3) of Regulation (EC) No 2245/2002)	800 €
D-054	Fee for restitutio in integrum (Article 67(3) of Regulation (EC) No 6/2002)	200 €
D-060	Fee for the recording of the transfer of an application for a Community design (Articles 34(2) and 107(2)(f) of Regulation (EC) No 6/2002; Article 23(7) of Regulation (EC) No 2245/2002)	200 € per design
D-061	Fee for the registration of the transfer of a registered Community design (Article 107(2)(f) of Regulation (EC) No 6/2002; Article 23(3) of Regulation (EC) No 2245/2002)	200 € per design
D-062	Fee for the registration of a licence or another right in respect of a registered Community design (Article 107(2)(g) of Regulation (EC) No 6/2002; Article 23(3) and Article 24(1) of Regulation (EC) No 2245/2002) or an application for a Community design (Articles 34(2) and 107(2)(g) of Regulation (EC) No 6/2002; Article 23(3); Article 24(1) and Article 24(4) of Regulation (EC) No 2245/2002): (a) grant of a licence; (b) transfer of a licence; (c) creation of a right in rem; (d) transfer of a right in rem; (e) levy of execution	200 € per design
D-063	Fee for the cancellation of the registration of a licence or other right (Article 107(2)(h) of Regulation (EC) No 6/2002; Article 26(3) of Regulation (EC) No 2245/2002)	200 € per design
<b>Fee for the issue of a copy of the application for a registered Community design (Article 107(2)(n) of Regulation (EC) No 6/2002; Article 74(5) of Regulation (EC) No 2245/2002), a copy of the certificate of registration (Article 107(2)(e) of Regulation (EC) No 6/2002; Article 17(2) of Regulation (EC) No 2245/2002), or an extract from the register (Article 107(2)(i) of Regulation (EC) No 6/2002; Article 69(6) of Regulation (EC) No 2245/2002):</b>		
D-070	Uncertified copy or extract	10 €
D-071	Certified copy or extract	30 €
D-072	Fee for the inspection of the files (Article 107(2)(j) of Regulation (EC) No 6/2002; Article 74(1) of Regulation (EC) No 2245/2002)	30 €
<b>Fee for the issue of copies of file documents (Article 107(2)(k) of Regulation (EC) No 6/2002; Article 74(5) of Regulation (EC) No 2245/2002):</b>		
D-073	Uncertified copy	10 €
D-074	Certified copy	30 €
	Plus per page, exceeding 10	1 €
D-075	Fee for the communication of information in a file (Article 107(2)(l) of Regulation (EC) No 6/2002; Article 75 of Regulation (EC) No 2245/2002)	10 €
	Plus per page, exceeding 10	1 €
D-080	Fee for the review of the determination of the procedural costs to be refunded (Article 107(2)(m) of Regulation (EC) No 6/2002; Article 79(4) of Regulation (EC) No 2245/2002)	100 €

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## EPO schedule of Fees

1 / 3 pages



## Online Fee Payment - Schedule of Fees

## Search criteria

Fee group: ALL FEES  
 Code:  
 Description:  
 Valid at: 11.05.2017  
 Currency: EUR

Code	Description	Amount EUR
001	Filing fee - EP direct - not online	210,00 +
001	Filing fee - EP direct - online	120,00 +
002	Fee for a European search - Supplementary search for applications filed before 01.07.2005	885,00 +
002	Fee for a European search - Applications filed on/after 01.07.2005	1.300,00 +
003	Fee for an international search	1.875,00 +
004	Fee for an international-type search - first filings	1.205,00 +
004	Fee for an international-type search - all other cases	1.890,00 +
005	Designation fee - For each State designated (max. 7x) for applications filed before 01.04.2009	100,00 +
005	Designation fee - For all contracting States designated for applications filed on/after 01.04.2009	585,00 +
006	Examination fee - For applications filed before 01.07.2005 and for international applications filed on/after 01.07.2005 without supplementary Europ	1.825,00 +
006	Examination fee - For applications filed on/after 01.07.2005	1.635,00 +
007	Fee for grant and printing (not more than 35 pages) or fee for grant including fee for publication	925,00 +
008	Additional printing fee for 36th and each subsequent page	15,00 +
009	Fee for publishing a new specification of the European patent	75,00 +
010	Opposition fee	785,00 +
011	Fee for appeal	1.880,00 +
013	Fee for re-establishment, reinstatement, restoration (EPC, PCT)	640,00 +
014	Conversion fee	75,00 +
015	Claims fee - For the 16th to the 50th claim	235,00 +
015	Claims fee - For the 51st and each subsequent claim	585,00 +
016	Claims fee in accordance with R. 71(4) - For the 16th to the 50th claim	235,00 +
016	Claims fee in accordance with R. 71(4) - For the 51st and each subsequent claim	585,00 +
017	Fee for the request of a decision on the fixing of costs by the opposition division (Rule 88(3) EPC)	75,00 +
018	Fee for the conservation of evidence	75,00 +
019	Transmittal fee for an international application	130,00 +
020	Filing fee - entry EP-phase - not online	210,00 +
020	Filing fee - entry EP-phase - online	120,00 +
021	Fee for preliminary examination of int. application	1.930,00 +
022	Registering of transfer	100,00 +
023	Registering of licences and other rights	100,00 +
024	Cancellation of entry licences and other rights	100,00 +
025	Certified copy of patent certificate	50,00 +
026	Extract from the Europ. Patent Register	40,00 +
027	Inspection of files (paper copies max. 100 pgs, electr. storage medium)	50,00 +

## EPO schedule of Fees

2 / 3 pages

029	Certified copy of application, priority document	50,00 +
030	Communication of information from an application	40,00 +
031	Issue of receipts by fax	55,00 +
033	Renewal fee for the 3rd year	470,00 +
034	Renewal fee for the 4th year	585,00 +
035	Renewal fee for the 5th year	820,00 +
036	Renewal fee for the 6th year	1.050,00 +
037	Renewal fee for the 7th year	1.165,00 +
038	Renewal fee for the 8th year	1.280,00 +
039	Renewal fee for the 9th year	1.395,00 +
040	Renewal fee for the 10th year (constant from 10th year on)	1.575,00 +
041	Renewal fee for the 11th year	1.575,00 +
042	Renewal fee for the 12th year	1.575,00 +
043	Renewal fee for the 13th year	1.575,00 +
044	Renewal fee for the 14th year	1.575,00 +
045	Renewal fee for the 15th year	1.575,00 +
046	Renewal fee for the 16th year	1.575,00 +
047	Renewal fee for the 17th year	1.575,00 +
048	Renewal fee for the 18th year	1.575,00 +
049	Renewal fee for the 19th year	1.575,00 +
050	Renewal fee for the 20th year	1.575,00 +
055	Add. copy of docs cited in search report	40,00 +
056	Surcharge fee for printing (R. 82(3), R. 95(3))	120,00 +
059	Additional charge per page for transmission by fax - in Europe	4,75 +
059	Additional charge per page for transmission by fax - outside Europe	6,25 +
060	Fee for a technical opinion	3.900,00 +
061	Max. surcharge under Art. 7(3) RFees	150,00 +
062	Protest fee - for international applications	875,00 +
063	Late payment fee (R. 16bis.2 PCT), maximum amount	609,50 +
064	Late payment fee (R. 58bis.2 PCT)	366,00 +
066	Fee for late furnishing of sequence listings (R. 13ter.1, 13ter.2 PCT)	230,00 +
067	Fee for late furnishing of sequence listing (R. 30(3) EPC)	230,00 +
069	Review fee for a supplementary international search - Review fee for a supplementary international search	875,00 +
080	Certification of other documents	50,00 +
093	Add. fee for renewal fee 3rd year	235,00 +
094	Add. fee for renewal fee 4th year	292,50 +
095	Add. fee for renewal fee 5th year	410,00 +
096	Add. fee for renewal fee 6th year	525,00 +
097	Add. fee for renewal fee 7th year	582,50 +
098	Add. fee for renewal fee 8th year	640,00 +
099	Add. fee for renewal fee 9th year	697,50 +
100	Add. fee for renewal fee 10th year	787,50 +
101	Add. fee for renewal fee 11th year	787,50 +
102	Add. fee for renewal fee 12th year	787,50 +
103	Add. fee for renewal fee 13th year	787,50 +
104	Add. fee for renewal fee 14th year	787,50 +
105	Add. fee for renewal fee 15th year	787,50 +
106	Add. fee for renewal fee 16th year	787,50 +
107	Add. fee for renewal fee 17th year	787,50 +
108	Add. fee for renewal fee 18th year	787,50 +
109	Add. fee for renewal fee 19th year	787,50 +
110	Add. fee for renewal fee 20th year	787,50 +
111	Fee for petition for review	2.910,00 +
121	Fee for further processing (late performance of acts R. 71(3))	255,00 +

## EPO schedule of Fees

3 / 3 pages

122	Fee for further processing (non fee related cases)	255,00 +
123	Fee for further processing (late payment of a fee - 50% of the relevant fee )	0,00 +
131	Limitation fee	1.165,00 +
141	Revocation fee	525,00 +
222	PCT charge per sheet in excess of 30	14,00 +
224	Handling fee	183,00 +
225	International filing fee	1.219,00 +
316	PCT - Web-form filing reduction	92,00 -
318	PCT - PDF reduction	183,00 -
319	PCT - XML reduction	275,00 -
400	Surcharge for extension fees	51,00 +
401	Extension fee for Slovenia (SI) (EPC Contracting State as from 1.12.2002)	102,00 +
402	Extension fee for Lithuania (LT) (EPC Contracting State as from 1.12.2004)	102,00 +
403	Extension fee for Latvia (LV) (EPC Contracting State as from 1.7.2005)	102,00 +
404	Extension fee for Albania (AL) (EPC Contracting State as from 1.5.2010)	102,00 +
405	Extension fee for Romania (RO) (EPC Contracting State as from 1.3.2003)	102,00 +
406	Extension fee for former Yugoslav Republic of Macedonia (MK) (EPC Contracting State as from 1.1.2009)	102,00 +
407	Extension fee for Croatia (HR) (EPC Contracting State as from 1. 1. 2008)	102,00 +
408	Extension fee for Bosnia and Herzegovina (BA) - Extension fee for Bosnia and Herzegovina	102,00 +
409	Extension fee for Serbia (RS) ( filing date as of 04.06.2006-30.09.2010)	102,00 +
410	Extension fee for Montenegro (ME)	102,00 +
420	Validation fee for Morocco (MA)	240,00 +
421	Validation fee for the Republic of Moldova (MD)	200,00 +
450	Surcharge on the validation fee for Morocco (MA)	120,00 +
451	Surcharge on the validation fee for the Republic of Moldova (MD)	100,00 +
501	Additional filing fee for the 36th and each subsequent page	15,00 +
520	Additional filing fee for the 36th and each subsequent page - entry into EP phase	15,00 +
552	Add. fee for divisional 2nd generation	210,00 +
553	Add. fee for divisional 3rd generation	425,00 +
554	Add. fee for divisional 4th generation	635,00 +
555	Add. fee for divisional 5th or subsequent generation	850,00 +

## Calendar 2016

### JANUARY

Su	Mo	Tu	We	Th	Fr	Sa
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3	4	5	6	7	8	9
10	11	12	13	14	15	16
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31						

### FEBRUARY

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### MARCH

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### APRIL

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### MAY

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### JUNE

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### JULY

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### AUGUST

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### SEPTEMBER

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### OCTOBER

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### NOVEMBER

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### DECEMBER

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18	19	20	21	22	23	24
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## Calendar 2017

### JANUARY

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
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29	30	31				

### FEBRUARY

Su	Mo	Tu	We	Th	Fr	Sa
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12	13	14	15	16	17	18
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26	27	28				

### MARCH

Su	Mo	Tu	We	Th	Fr	Sa
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### APRIL

Su	Mo	Tu	We	Th	Fr	Sa
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### MAY

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21	22	23	24	25	26	27
28	29	30	31			

### JUNE

Su	Mo	Tu	We	Th	Fr	Sa
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18	19	20	21	22	23	24
25	26	27	28	29	30	

### JULY

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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

### AUGUST

Su	Mo	Tu	We	Th	Fr	Sa
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6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

### SEPTEMBER

Su	Mo	Tu	We	Th	Fr	Sa
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### OCTOBER

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### NOVEMBER

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### DECEMBER

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## Calendar 2018

### JANUARY

Su	Mo	Tu	We	Th	Fr	Sa
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7	8	9	10	11	12	13
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### FEBRUARY

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### MARCH

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### APRIL

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### MAY

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### JUNE

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### JULY

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### AUGUST

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### SEPTEMBER

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### OCTOBER

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### NOVEMBER

Su	Mo	Tu	We	Th	Fr	Sa
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### DECEMBER

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## Calendar 2019

### JANUARY

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### FEBRUARY

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### MARCH

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### APRIL

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### MAY

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### JUNE

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### JULY

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### AUGUST

Su	Mo	Tu	We	Th	Fr	Sa
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### SEPTEMBER

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### OCTOBER

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### NOVEMBER

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### DECEMBER

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## Calendar 2020

### JANUARY

Su	Mo	Tu	We	Th	Fr	Sa
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5	6	7	8	9	10	11
12	13	14	15	16	17	18
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### FEBRUARY

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### MARCH

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### APRIL

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### MAY

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### JUNE

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### JULY

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### AUGUST

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### SEPTEMBER

Su	Mo	Tu	We	Th	Fr	Sa
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### OCTOBER

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### NOVEMBER

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### DECEMBER

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20	21	22	23	24	25	26
27	28	29	30	31		

## Official Holidays 2016 EPO 1 / 1 page

### EPO Munich

Friday	1 January 2016	New Year's Day
Wednesday	6 January 2016	Epiphany
Friday	25 March 2016	Good Friday
Monday	28 March 2016	Easter Monday
Thursday	5 May 2016	Ascension Day
Monday	16 May 2016	Whit Monday
Thursday	26 May 2016	Corpus Christi
Monday	15 August 2016	Assumption Day
Monday	3 October 2016	Day of German Unity
Tuesday	1 November 2016	All Saint's Day
Monday	26 December 2016	Boxing Day

### The Hague

Friday	1 January 2016	New Year's Day
Friday	25 March 2016	Good Friday
Monday	28 March 2016	Easter Monday
Wednesday	27 April 2016	National Holiday
Thursday	5 May 2016	Ascension Day
Monday	16 May 2016	Whit Monday
Monday	26 December 2016	Boxing Day

### Berlin

Friday	1 January 2016	New Year's Day
Friday	25 March 2016	Good Friday
Monday	28 March 2016	Easter Monday
Thursday	5 May 2016	Ascension Day
Monday	16 May 2016	Whit Monday
Monday	3 October 2016	Day of German Unity
Monday	26 December 2016	Boxing Day

### Vienna

Friday	1 January 2016	New Year's Day
Wednesday	6 January 2016	Epiphany
Monday	28 March 2016	Easter Monday
Thursday	5 May 2016	Ascension Day
Monday	16 May 2016	Whit Monday
Thursday	26 May 2016	Corpus Christi
Monday	15 August 2016	Assumption Day
Wednesday	26 October 2016	National Holiday
Tuesday	1 November 2016	All Saint's Day
Thursday	8 December 2016	Immaculate Conception
Monday	26 December 2016	Boxing Day

## Official Holidays 2017

1 / 4 pages

### OCNL

Monday	17 April 2017	Easter Monday
Thursday	27 April 2017	King's Day
Friday	5 May 2017	Liberation Day/ Ascension Day
Thursday	25 May 2017	Ascension Day
Monday	5 June	Whit Monday
Monday	25 December 2017	Christmas
Tuesday	26 December 2017	Christmas

### WIPO

Monday	2 January 2017	
Friday	14 April 2017	Good Friday
Monday	17 April 2017	Easter Monday
Thursday	25 May 2017	Ascension Day
Monday	5 June 2017	Whit Monday
Thursday	7 September 2017	Jeune Genevois
Monday	25 December 2017	Christmas Day
Friday	29 December 2017	Bridging Days

### EPO

#### EPO Munich

Friday	6 January 2017	Epiphany
Friday	14 April 2017	Good Friday
Monday	17 April 2017	Easter Monday
Monday	1 May 2017	Labour Day
Thursday	25 May 2017	Ascension Day
Monday	5 June 2017	Whit Monday
Thursday	15 June 2017	Corpus Christi
Tuesday	15 August 2017	Assumption Day
Tuesday	3 October 2017	Day of German Unity
Wednesday	1 November 2017	All Saints' Day
Monday	25 December 2017	Christmas Day
Tuesday	26 December 2017	Boxing Day
Wednesday	27 December 2017	Bridging Days
Thursday	28 December 2017	Bridging Days
Friday	29 December 2017	Bridging Days

#### The Hague

Friday	14 April 2017	Good Friday
Monday	17 April 2017	Easter Monday
Thursday	27 April 2017	National Holiday
Monday	1 May 2017	Labour Day
Friday	5 May 2017	Liberation Day

## Official Holidays 2017

2 / 4 pages

Thursday	25 May 2017	Ascension Day
Monday	5 June 2017	Whit Monday
Monday	25 December 2017	Christmas Day
Tuesday	26 December 2017	Boxing Day
Wednesday	27 December 2017	Bridging Days
Thursday	28 December 2017	Bridging Days
Friday	29 December 2017	Bridging Days

### Berlin

Friday	14 April 2017	Good Friday
Monday	17 April 2017	Easter Monday
Thursday	27 April 2017	National Holiday
Monday	1 May 2017	Labour Day
Thursday	25 May 2017	Ascension Day
Monday	5 June 2017	Whit Monday
Tuesday	3 October 2017	Day of German Unity
Monday	25 December 2017	Christmas Day
Tuesday	26 December 2017	Boxing Day
Wednesday	27 December 2017	Bridging Days
Thursday	28 December 2017	Bridging Days
Friday	29 December 2017	Bridging Days

### Vienna

Friday	6 January 2017	Epiphany
Monday	17 April 2017	Easter Monday
Monday	1 May 2017	Labour Day
Thursday	25 May 2017	Ascension Day
Monday	5 June 2017	Whit Monday
Thursday	15 June 2017	Corpus Christi
Tuesday	15 August 2017	Assumption Day
Thursday	26 October 2017	National Holiday
Wednesday	1 November 2017	All Saints' Day
Wednesday	8 November 2017	Immaculate Conception
Monday	25 December 2017	Christmas Day
Tuesday	26 December 2017	Boxing Day
Wednesday	27 December 2017	Bridging Days
Thursday	28 December 2017	Bridging Days
Friday	29 December 2017	Bridging Days

## Official Holidays 2017

3 / 4 pages

### BOIP - Benelux Office for Intellectual Property

#### 2017

Monday	17 April 2017	Easter Monday
Thursday	25 May 2017	Ascension Day
Friday	26 May 2017	Good Friday
Monday	5 June 2017	Whit Monday
Monday	25 December 2017	Christmas
Tuesday	26 December 2017	Christmas

Days in 2017 on which the Office is deemed to be closed in connection with determining compliance with terms and deadlines.

Monday	2 January 2017	
Thursday	27 April 2017	King's Day in the Netherlands
Friday	5 May 2017	Liberation Day in the Netherlands
Friday	23 June 2017	National Day of Luxemburg
Friday	21 July 2017	National Day of Belgium
Tuesday	15 August 2017	Assumption of Mary
Wednesday	1 November 2017	All Saints
Thursday	2 November 2017	All Souls Day
Wednesday	15 November 2017	King's Day Belgium

## Official Holidays 2017

4 / 4 pages

### EUIPO

Monday	2 January 2017	
Friday	6 January 2017	Epiphany
Friday	14 April 2017	Good Friday
Monday	17 April 2017	Easter Monday
Thursday	27 April 2017	Santa Faz
Monday	1 May 2017	Labour Day
Tuesday	9 May 2017	Anniversary of Schumann's Declaration
Friday	23 June 2017	Day before San Juan
Tuesday	15 August 2017	Assumption of Mary
Monday	9 October 2017	Day of the Community of Valencia
Wednesday	1 November 2017	All Saints' Day
Friday	8 December 2017	Feast of the Immaculate Conception
Monday	25 December 2017	Christmas
Tuesday	26 December 2017	Christmas
Wednesday	27 December 2017	Christmas
Thursday	28 December 2017	Christmas
Friday	29 December 2017	Christmas

## PCT applicants guide C ES

1 / 2 pages

PCT Applicant's Guide – International Phase – Annex C

**C  
ES**

## Receiving Offices

### SPANISH PATENT AND TRADEMARK OFFICE

**C  
ES**

Competent receiving Office for nationals and residents of:	Spain
Language in which international applications may be filed:	Spanish <sup>1</sup>
Language in which the request may be filed:	Spanish
Number of copies on paper required by the receiving Office:	1
Does the receiving Office accept the filing of international applications in electronic form? <sup>2</sup>	Yes <sup>3</sup>
Does the receiving Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)?	Yes, the Office applies the “due care” criterion to such requests
Competent International Searching Authority:	European Patent Office or Spanish Patent and Trademark Office
Competent International Preliminary Examining Authority:	European Patent Office or Spanish Patent and Trademark Office

[Continued on next page]

<sup>1</sup> Depending on the applicant's choice of competent International Searching Authority, a translation into a corresponding language (see Annex D) may have to be furnished by the applicant (PCT Rule 12.3).

<sup>2</sup> Where the international application is filed in electronic form in accordance with and to the extent provided for in Part 7 and Annex F of the Administrative Instructions, the total amount of the international filing fee is reduced (see “Fees payable to the receiving Office”).

<sup>3</sup> For the relevant notification by the Office, refer to *PCT Gazette* No. 3/2004, pages 1732 *et seq.*

(20 April 2017)



## PCT applicants guide C ES

2 / 2 pages

## PCT Applicant's Guide – International Phase – Annex C

C  
ES

# Receiving Offices

## SPANISH PATENT AND TRADEMARK OFFICE

C  
ES*[Continued]*

Fees payable to the receiving Office:	Currency: Euro (EUR)	
Transmittal fee:	EUR	74.25
International filing fee:	EUR	1,219
Fee per sheet in excess of 30:	EUR	14
Reductions (under Schedule of Fees, item 4):		
Electronic filing (the request in character coded format):	EUR	183
Electronic filing (the request, description, claims and abstract in character coded format):	EUR	275
Search fee:	See Annex D(EP) or (ES)	
Fee for priority document:	EUR	29.69
Fee for requesting restoration of the right of priority (PCT Rule 26bis.3(d)):		Online On paper
	EUR	89.55 105.35
Is an agent required by the receiving Office?	No, if the applicant resides in Spain or in another country of the European Union Yes, if he resides in a country other than a country of the European Union	
Who can act as agent?	Any patent attorney whose name appears on a list maintained by the Office	
Waiver of power of attorney:		
Has the Office waived the requirement that a separate power of attorney be submitted?	Yes <sup>4</sup>	
Particular instances in which a separate power of attorney is required:	In case of reasonable doubt regarding the agent's entitlement to act; and upon appointment of, or for any paper submitted by, an agent or a common representative who was not indicated in the request form at the time of filing.	
Has the Office waived the requirement that a copy of a general power of attorney be submitted?	Yes <sup>4</sup>	
Particular instances in which a copy of a general power of attorney is required:	In case of reasonable doubt regarding the agent's entitlement to act; and upon appointment of, or for any paper submitted by, an agent or a common representative who was not indicated in the request form at the time of filing.	

<sup>4</sup> Waivers of powers of attorney do not apply (PCT Rule 90.4(e) and 90.5(d)) where the agent or common representative submits any notice of withdrawal during the international phase (PCT Rule 90bis.1 to 90bis.4; see also International Phase, paragraph 11.048).

(20 April 2017)

## PCT applicants guide C DE

1 / 2 pages

PCT Applicant's Guide – International Phase – Annex C

Page 1

**C**  
**DE**
**Receiving Offices**  
**GERMAN PATENT AND**  
**TRADE MARK OFFICE**
**C**  
**DE**

Competent receiving Office for nationals and residents of:	Germany
Language in which international applications may be filed:	German
Language in which the request may be filed:	German
Number of copies on paper required by the receiving Office:	1
Does the receiving Office accept the filing of international applications in electronic form? <sup>1</sup>	Yes <sup>2</sup>
Does the receiving Office accept requests for restoration of the right of priority (PCT Rule 26bis.3)?	No
Competent International Searching Authority:	European Patent Office
Competent International Preliminary Examining Authority:	European Patent Office
Fees payable to the receiving Office:	Currency: Euro (EUR)
Transmittal fee:	EUR 90
International filing fee:	EUR 1,219
Fee per sheet in excess of 30:	EUR 14
Reductions (under Schedule of Fees, item 4):	
Electronic filing (the request in character coded format):	EUR 183
Electronic filing (the request, description, claims and abstract in character coded format):	EUR 275
Search fee:	See Annex D(EP)
Fee for priority document:	EUR 20
Is an agent required by the receiving Office?	No, if the applicant resides in Germany Yes, if he is a non-resident

[Continued on next page]

<sup>1</sup> Where the international application is filed in electronic form in accordance with and to the extent provided for in Part 7 and Annex F of the Administrative Instructions, the total amount of the international filing fee is reduced (see "Fees payable to the receiving Office").

<sup>2</sup> For the relevant notification by the Office, refer to *PCT Gazette* No. 40/2006, pages 19076 *et seq.*

(14 January 2016)

## PCT applicants guide C DE

2 / 2 pages

Page 2

PCT Applicant's Guide – International Phase – Annex C

C  
DE

## Receiving Offices

### GERMAN PATENT AND TRADE MARK OFFICE

C  
DE*[Continued]*

Who can act as agent?

In case an agent is required (because the applicant is a non-resident), any patent attorney or attorney-at-law<sup>3</sup> resident in Germany or a national of a member State of the European Union or of a State party to the Agreement on the European Economic Area authorized to pursue certain professional activities (see Act on the Qualifying Examination for Admission to Practise as a Patent Attorney and Act on the Activities of European Lawyers in Germany); any legal person entitled to practise before the Office (where an applicant wishes to appoint a law firm of representatives, the name of that law firm is to be indicated in Box IV of the Request form); otherwise, the above-mentioned persons and any natural person resident in Germany<sup>4</sup>

Waiver of power of attorney:

Has the Office waived the requirement that a separate power of attorney be submitted?

Particular instances in which a separate power of attorney is required:

Yes<sup>5</sup>If the agent is *not*:

- a patent attorney or an attorney-at-law<sup>3</sup> resident in Germany,
- a national of a member State of the European Union or of a State party to the Agreement on the European Economic Area authorized to pursue certain professional activities (see Act on the Qualifying Examination for Admission to Practise as a Patent Attorney and Act on the Activities of European Lawyers in Germany)

In case of reasonable doubts regarding the agent's entitlement to act

In case of a common representative

Has the Office waived the requirement that a copy of a general power of attorney be submitted?

Particular instances in which a copy of a general power of attorney is required:

Yes<sup>5</sup>If the agent is *not*:

- a patent attorney or an attorney-at-law<sup>3</sup> resident in Germany,
- a national of a member State of the European Union or of a State party to the Agreement on the European Economic Area authorized to pursue certain professional activities (see Act on the Qualifying Examination for Admission to Practise as a Patent Attorney and Act on the Professional Activities of European Lawyers in Germany)

In case of reasonable doubts regarding the agent's entitlement to act

<sup>3</sup> The list of patent attorneys may be obtained from the Patentanwaltskammer (Chamber of Patent Attorneys), Postfach 260108, 80058 München, Germany, and the list of attorneys-at-law from the Bundesrechtsanwaltskammer (Chamber of Attorneys-at-Law), Littenstrasse 9, 10179 Berlin, Germany.

<sup>4</sup> In accordance with the provisions of the Legal Services Act (Rechtsdienstleistungsgesetz – RDG).

<sup>5</sup> Waivers of powers of attorney do not apply (PCT Rule 90.4(e) and 90.5(d)) where the agent or common representative submits any notice of withdrawal during the international phase (PCT Rule 90bis.1 to 90bis.4; see also International Phase, paragraph 11.048).

(14 January 2016)

## Examination 2017 (28 pages)

## Examination - 1

### Question 1

Which of the following missed time limits can be remedied before the European Patent Office by requesting further processing?

- a. The 12 month priority period.
- b. The 16 month period for filing the declaration of priority.
- c. The 6 month period for payment of a renewal fee plus additional fee.
- d. The 31 month period for entry into the European phase of the PCT.

## Examination - 2

### Question 2

With a communication under Art. 94(3) EPC, the examining division of the European Patent Office invited the applicant to amend the European patent application EP-A and set a period for replying. The communication under Art. 94(3) is dated 21 December 2016.

Which of the following statements is correct?

- a. The communication is deemed notified on 21 December 2016.
- b. The communication is deemed notified on 31 December 2016.
- c. The communication is deemed notified on 2 January 2017.
- d. The communication is deemed notified on 5 January 2017.

## Examination - 3

### Question 3

The European patent application EP-A was filed on 2 January 2014.

Mr. Albert is designated as the sole inventor. Last week a communication under Rule 71(3) EPC was issued for EP-A. Today, 30 May 2017, you have discovered an error: the inventors of EP-A are actually Mr. Albert and Mr. Bernard.

Regarding the desired rectification of the error, which of the following statements is NOT correct?

- a. The rectification can be done at any time.
- b. There is no need to provide evidence that an error was made.
- c. If a request for the rectification is filed by the applicant of EP-A, the consent of Mr. Albert is required to rectify the incorrect designation of the inventor.
- d. If a request for the rectification is filed by Mr. Bernard, the consent of the applicant of EP-A is required to rectify the designation of the inventor.

## Examination - 4

### Question 4

On 20 May 2016, applicant Mr. Albert validly filed Dutch patent application NL-A. On 22 May 2017, applicant Mr. Bernard filed European patent application EP-A claiming priority from NL-A. Today, 30 May 2017, Mr. Bernard states in a letter to the EPO that he is entitled to claim priority from NL-A. Annexed to the letter is a contract signed on 18 May 2017 by Mr. Albert and Mr. Bernard. According to the contract, the priority right from NL-A is transferred from Mr. Albert to Mr. Bernard.

Which of the following statements is NOT correct?

- a. EP-A is considered to be filed within the priority period of twelve months from the filing date of NL-A.
- b. According to the provisions of the EPC, a declaration of priority must be made within sixteen months from the earliest priority date claimed.
- c. One of the requirements for the validity of the priority right from NL-A is that the transfer of the priority right must have taken place before the date of filing of EP-A.
- d. The priority is not validly claimed because the evidence of the transfer of the priority right from NL-A was filed after the date of filing of EP-A.



## Examination - 5

### Question 5

The European patent application EP-A was filed on 27 October 2014. The applicant notes today, 30 May 2017, that the renewal fee for the third year was not paid. The applicant is convinced that the fee was not paid because of a particularly exceptional situation in his company. Therefore, the applicant intends to file a request for re-establishment of rights with respect to EP-A.

Which of the following statements is NOT correct?

- a. On 2 May 2017 it would still have been possible to validly pay the renewal fee for EP-A together with a further official fee.
- b. On 3 July 2017 it is too late to successfully file the request for re-establishment of rights.
- c. One of the steps that must be taken with regard to the request for re-establishment of rights is to pay the renewal fee for the third year.
- d. One of the steps that must be taken with regard to the request for re-establishment of rights is to show that all due care required by the circumstances was observed.

## Examination - 6

### Question 6

Who may file an EU trademark application according to European Union Intellectual Property Office (EUIPO)?

- a. A natural person as well as a legal person (also known as: legal entity) may file an EU trademark application. Examples of Dutch legal entities that are allowed to file an EU trademark application are 'Besloten Vennootschap' (BV) and 'Naamloze vennootschap' (NV). A 'Vennootschap Onder Firma' (VOF) is not allowed to file an EU trademark application since a VOF is not considered to be a legal entity by EUIPO.
- b. A natural person as well as a legal person (also known as: legal entity) may file an EU trademark application. Examples of Dutch legal entities that are allowed to file an EU trademark application are 'Besloten Vennootschap' (BV), 'Naamloze vennootschap' (NV) and 'Vennootschap Onder Firma' (VOF).
- c. Only legal persons (also known as: legal entities) are allowed to file an EU trademark application.
- d. Only natural persons are allowed to file an EU trademark application.

## Examination - 7

### Question 7

On behalf of your client an application for an EU trademark registration has been filed on 1 February 2017. On behalf of the same client an application for Benelux trademark registration has been filed on 1 March 2017, for an identical mark and identical goods/services.

Within 6 months of the first trademark application the client wishes to apply for an International trademark registration for a mark and goods/services identical to the two prior trademark applications.

Which of the following statement(s) is/are correct?

- I. To be able to obtain an International trademark registration the applicant must have already obtained an application or registration in the country of origin or at the office of origin, also known as basic application/basic registration.
  - II. It is not possible to simultaneously use the EU trademark application as a priority claim and to use the Benelux trademark application as a basic application, when applying for an International trademark registration. The application used as a basis and the application used for the priority claim need to involve the same trademark application.
- 
- a. Statements I and II are both correct.
  - b. Only statement I is correct.
  - c. Only statement II is correct.
  - d. Both statements are wrong.

## Examination - 8

### Question 8

You have filed an EU trademark application on 27 April 2007 claiming priority of a Benelux trademark application filed on 27 October 2006.

Your EU trademark application was registered on 27 October 2007.

What was the last day for renewing this EU trademark registration without paying additional fees?

- a. 28 April 2017
- b. 27 October 2016
- c. 27 April 2017
- d. 31 October 2016

## Examination - 9

### Question 9

You have filed an EU trademark application. On 18 April 2017 the European Union Intellectual Property Office has sent you a notification under R.70 in which a term of two months is given.

What is the last day on which your reply can be timely filed?

- a. 28 June 2017
- b. 27 June 2017
- c. 18 June 2017
- d. 19 June 2017

## Examination - 10

### Question 10

Your office needs to file a Benelux trademark application today.

Please review the following statements regarding the filing requirements:

Which of the following statement(s) is/are correct?

- I To obtain a filing date for a Benelux trademark application it is required to file a document containing information identifying the applicant name, address and legal form (if applicable), a list of the goods and services in respect of which the application is requested and the trademark including a specification on the type of trademark.
  - II You have filed the Benelux trademark application meeting the minimum filing requirements. All remaining requirements for the Benelux trademark applications have to be met within a period of one month, which period may be extended upon request up until a period of six months after the date of filing the Benelux trademark application.
- 
- a. Statements I and II are both correct.
  - b. Only statement I is correct.
  - c. Only statement II is correct.
  - d. Both statements are wrong.

## Examination - 11

### Question 11

A Dutch patent application filed on 18 September 2013 has been granted on 18 March 2015.

The first renewal fee has not been paid on time.

What is the final deadline for payment of the first renewal fee with surcharge?

- a. 30 March 2017
- b. 20 March 2017
- c. 18 March 2016
- d. 31 March 2017

## Examination - 12

### Question 12

Your office filed a Dutch patent application NL1 at the Netherlands Patent Office on 10 October 2016. The claimed priority date is 14 December 2015.

A Search Report was received, dated 3 May 2017.

What is the final date, without an extension, to file amendments?

- a. 12 June 2017
- b. 14 June 2017
- c. 3 July 2017
- d. 10 April 2018



## Examination - 13

### Question 13

Company A filed a Dutch patent application at The Netherlands Patent Office containing 10 claims. The Dutch patent application met all formal requirements and all applicable fees were paid. The search report on the novelty search carried out by the European Patent Office states that the claims relate to two different inventions not covered by a single inventive concept.

Group I: claims 1 and 2 (2 claims)

Group II: claims 3 to 10 (8 claims)

The applicant takes no further action.

Which of the following statements is correct?

- a. A patent will be granted in respect of all claims.
- b. A patent will be granted in respect of claims 3 to 10 only.
- c. A patent will be granted in respect of claims 1 and 2 only.
- d. The application will be refused due to lack of unity.

## Examination - 14

### Question 14

For some countries, there is an obligation to file a patent application first with the national patent office.

Which of the following statement(s) is/are correct?

- I A foreign filing license is required in China and USA if the invention is substantively made in China or USA.
  - II. A foreign filing license is required in USA and India if the invention is substantively made by a resident of the USA or India.
- 
- a. Statements I and II are both correct.
  - b. Only statement I is correct.
  - c. Only statement II is correct.
  - d. Both statements are wrong.

## Examination - 15

### Question 15

A patent application has a filing date of 13 March 2014. This patent application has been granted on 25 February 2017.

Which of the following statements is correct?

- a. If this patent has been granted in the USA, the first annuity is due on 25 February 2020.
- b. If this patent has been filed before the European Patent Office , the first annuity was due on 31 March 2017.
- c. If this patent has been granted in Japan, the fourth annuity is due on 25 February 2020.
- d. If this patent has been filed in China, the first annuity was due on 31 March 2015.

## Examination - 16

### Question 16

A client has a portfolio comprising 4 International patent applications (IA1, IA2, IA3 and IA4) for which he wants to enter the national phase in Cambodia. All 4 International patent applications are still in the international phase for all contracting states.

- IA1 was filed on 8 December 2016 and claims no priority.
- IA2 was filed on 7 December 2016 and claims priority of a NL application filed on 8 December 2015.
- IA3 was filed on 9 December 2016 and claims no priority.
- IA4 was filed on 3 April 2017 and claims priority of a NL application with filing date 7 December 2016.

Which International patent application(s) can enter the national phase for Cambodia?

- a. IA1 and IA3
- b. IA3
- c. IA2 and IA4
- d. IA1, IA3 and IA4

## Examination - 17

### Question 17

Trump HairDo Inc., a company marketing hair accessories with its headquarters in New York (US) has filed an International patent application at the United States Patent and Trademark Office (USPTO) using a US patent attorney as agent.

The applicant selected the European Patent Office (EPO) as the International Search Authority and considers appointing an agent before the EPO.

Which of the following statements is correct?

- a. The applicant may appoint a new agent for the EPO who must be a Professional representative whose name is included on a list maintained for this purpose by the European Patent Office.
- b. The applicant may appoint a new agent for the EPO but this agent must also be entitled to represent the applicant before the USPTO.
- c. The applicant has to use the same agent before the EPO as used before the USPTO.
- d. The applicant has to use the same agent as used before the USPTO and should have filed his International patent application at the EPO.

## Examination - 18

### Question 18

You filed an International patent application on 8 January 2016 claiming priority of a European patent application filed on 7 January 2015. Early publication has been requested under Article 21(1) and (2) and as a result the International patent application was published on 18 February 2016. The responsible patent attorney in your firm asks you today (30 May 2017) to withdraw the priority as it has not been validly claimed.

Which of the following statements is correct?

- a. You cannot withdraw the priority as the International patent application has been published. The 30 month due date for national entry is 7 July 2017.
- b. You cannot withdraw the priority as the International patent application has been published. As the priority has not been validly claimed the 30-month due date for national entry is 9 July 2018.
- c. You can withdraw the priority and the 30-month due date for national entry will be 9 July 2018.
- d. You can withdraw the priority and the 30-month due date for national entry will be 7 July 2017.

## Examination - 19

### Question 19

You filed an International patent application on 1 February 2017, claiming priority of a European patent application filed on 29 February 2016. Today your office receives a communication dated 30 May 2017 from the International Search Authority (ISA) stating that the requirement of unity of invention is not complied with. The ISA identifies 2 inventions.

You are invited to pay additional fees.

What is the last date on which you can pay the additional fees?

- a. 30 June 2017
- b. 29 June 2017
- c. 10 July 2017
- d. 31 July 2017

## Examination - 20

### Question 20

Collaborative Research International B.V. (CRI B.V.) has a branch office in Spain. A patent application is drafted in Spanish.

After some internal discussion, CRI B.V. requests you to file a PCT application at The Netherlands Patent Office as receiving Office (rO) with CRI B.V. as applicant.

Upon filing the PCT application at The Netherlands Patent Office in Spanish, the application will be:

- a. Deemed not to have been filed, because Spanish is not a language accepted by The Netherlands Patent Office as rO.
- b. Accepted by The Netherlands Patent Office, however subsequently forwarded to the International Bureau as rO, because Spanish is not a language accepted by The Netherlands Patent Office as rO.
- c. Accepted by The Netherlands Patent Office because although Spanish is not a language accepted by The Netherlands Patent Office as rO, it is a PCT publication language and therefore accepted by The Netherlands Patent Office as rO.
- d. Deemed not to have been filed, because Spanish is not a language accepted by The Netherlands Patent Office as rO, unless a translation is filed (within a pre-described time limit) in a language accepted by The Netherlands Patent Office as rO.



## Examination - 21

### Case 1

Your client wishes to obtain design registrations to protect the appearance of ten different products (designs) in the Benelux.

Five products concern 'television apparatus' (Locarno Class 14-03). The other five products concern 'hair brushes' (Locarno Class 04-02).

For each design your client wishes to file seven drawings (top view, bottom view, rear view, front view, left view, right view, perspective view).

The client doubts about filing the design applications for the Benelux or for the entire EU, of which the Benelux countries are members.

- a. Is it possible to include all ten products in one multiple Benelux design application, despite the fact that they belong to two different Locarno classes?
- b. Is it possible to include all ten products in one multiple EU design application, despite the fact that they belong to two different Locarno classes?
- c. How many images may be filed, maximum, with regard to a multiple Benelux design application at BOIP?
- d. How many images may be filed, maximum, for one design within a multiple EU design application at EUIPO?
- e. The application for EU design registration has been filed on 3 April 2017. No request for deferment was filed. When should the official fees be paid to EUIPO, at the latest?

The client decides to only file a design application with regard to the five designs for television apparatus.

- f. Please inform your client what would be more cost-efficient: filing a multiple Benelux design application or filing a multiple EU design application, when filing the seven views of each design. Please provide the total official fees for the Benelux design application as well as for the EU design application. Show your calculation.

## Examination - 22

### Case 2

You received instructions from a Korean patent attorney that a PCT application should enter the regional phase in Europe. For further information please be referred to the attached order letter.

- a. Indicate the last possible day to enter the European Regional Phase.
- b. Which filing methods can you use to enter the Regional Phase? Mention all possibilities.
- c. Is it possible to designate in the requested extension state(s) and to validate in the requested validation state(s)? Motivate your answer.

On 30 May 2017 you choose to file the patent application by Online filing.

- d. Which document(s) need to accompany your filing request for a valid entry into the European Regional Phase to avoid receiving a notification of loss of right?

The English translation of the International patent application contains 30 pages of description, 6 pages of claims and 4 pages of drawings.

- e. Which fee(s) should be paid before the end of the 31<sup>st</sup> month, avoiding any surcharges? Indicate the amount(s) of the fee(s) as well.

## Examination - 23

### STAR

#### Patent & Law Firm

Planetstreet 12, Comet 153-711, Korea

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<http://www.star.com>

Via E-mail only

Colorful Patents Law Firm B.V.

Att. Mr. Blue

Whitelane 12

P.O. Box 99999

4444 VB Pinktown

The Netherlands

May 29, 2017

Re: New **European** Regional Phase Entry of PCT/KR2015/111111  
Title: METHOD TO CREATE A CLEAR SKY  
Applicant: The University of Comet  
Our Ref.: 150-3333

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Dear Mr. Blue,

We would like to ask you to proceed with entering the **European** Regional Phase of International Patent Application No. PCT/KR2015/111111.

In this connection, we are enclosing herewith following document.

- Sheet containing remarks for filing the European patent application

Please make sure that all deadlines are met in order to avoid surcharges.

Should you need any further information or documents to handle this case, please do not hesitate to contact us.

Kindly acknowledge receipt of our instructions by return.

Very truly yours,

Cloudy Sky

## Examination - 24

### Sheet containing remarks

No Amendment under Article 19(1) was filed.

No Amendment under Article 34(2)(b) was filed.

Request for Examination: upon filing.

Designated Countries: All Contracting Countries including Montenegro, Moldova and Morocco.

International application date	27 October 2015
International application number	PCT/KR2015/111111
Publication number	WO 2016/999999

Priority date	1 November 2014
Priority number	333444222

Do not pay any excess claims fee.

The International patent application has been published in the Korean language.

The international publication contains:

- 25 pages of description
- 5 pages of claims with a total of 20 claims
- 4 pages of drawings with a total of 5 drawings

The English translation of the International patent application contains 30 pages of description, 6 pages of claims and 4 pages of drawings.

The Korean Intellectual Property Office conducted the search for the International patent application.

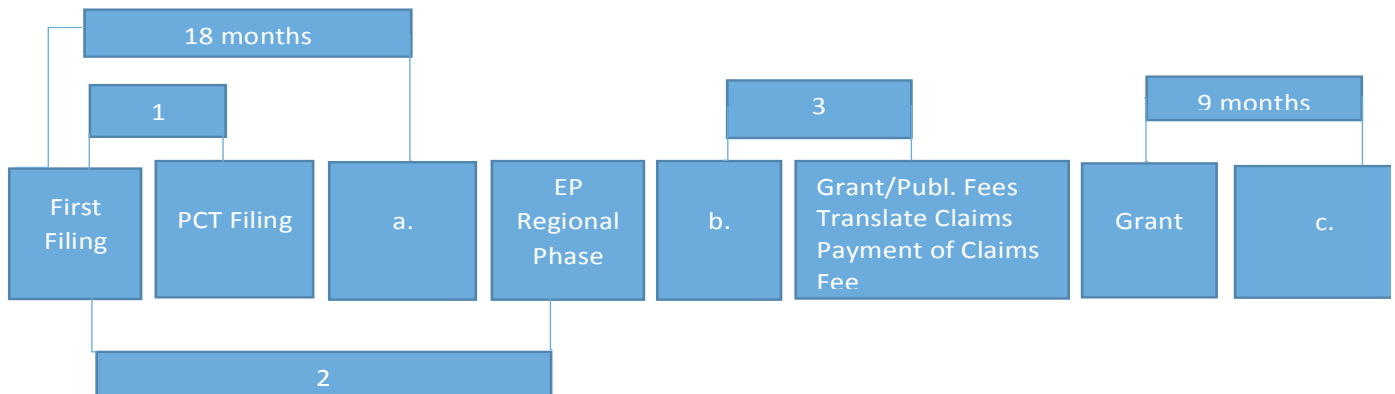
## Examination - 25

### Case 3

See the diagram below representing the procedure from filing the First Filing until Grant (Euro-PCT).

In this diagram, three procedural steps are represented by the letters a., b. and c.

In addition, three time periods are represented by the numbers 1, 2 and 3.



In the answer sheet, fill in the correct procedural steps for a., b. and c. You may choose from the following list:

END OF OPPOSITION PERIOD

GRANT

NATIONAL PHASE ENTRY

PUBLICATION

RECEIPT OF RULE 71(3)

REVOCATION

REJECTION

SUBSTANTIVE EXAMINATION

## Examination - 26

In the answer sheet, fill in the correct time periods for 1, 2 and 3. You may choose from the following list:

Max 4 Months

Max 6 months

Max 9 months

Max 12 months

Max 16 months

Max 18 months

Max 24 months

Max 31 months

## Examination - 27

### Case 4

BuenoMed, a manufacturer of medical equipment with headquarters in Argentina, requests you to file an International patent application and to take care that the application is published in the English language. BuenoMed has an Argentinean legal entity BuenoMed S.A. and a German legal entity BuenoMed GmbH.

1. You decide to file the International patent application (IA) in the name of BuenoMed GmbH.
  - Explain why you file in the name of BuenoMed GmbH.
  - Explain why you do not file in the name of BuenoMed S.A.

BuenoMed wants you to claim priority of an earlier patent application filed in Argentina (AR-A) on 3 June 2016. This application was filed in Spanish in the name of BuenoMed S.A.

2. What is the due date for filing the International Patent application, validly claiming priority of AR-A? Explain your answer.
3. What options exist to validly claim priority of AR-A in view of the different applicants for AR-A and IA?
4. You consider the European Patent Office, the German Patent Office, the Spanish Patent Office and the International Bureau as receiving Office. However, you do not have time to obtain a translation into English and have to file the application in Spanish. At which of the above receiving Office(s) can you file the International patent application in Spanish? Explain your answer.

You decide to file the International patent application at the International Bureau on 1 June 2017. You select the European Patent Office as the International Search Authority.

5. Where and until which date when can the translation into English be filed without additional fees? Explain your answer.

You miss the deadline for filing the translation and receive an invitation on 7 August 2017 to file a translation and pay late furnishing fee.

6. What is the due date for submitting the translation and what is the amount of the late furnishing fee? Explain your answer.

On 5 January 2018 the International Search Report is received, including Written Opinion. The report shows objections as to lack of novelty and inventive step. Your client wants to receive a positive International Preliminary Examination Report before entering the national phase and requests you to file a Demand including amended claims.

7. Until which date can a demand be filed? Explain your answer.
8. Which office(s) is/are competent International Preliminary Examination Authorities (IPEA)? Explain your answer.

## Examination - 28

You receive a positive International Preliminary Examination Report in August 2018. Your client wants to enter the national phase in the US, Europe, China and Argentina. You decide to enter the national phase on 4 September 2018, which is well before the 30 month national phase entry due date.

9. Is it possible to enter the national phase in all these countries? Explain your answer.
10. What measures must be taken to make sure that the national/regional phase is indeed entered and processed at the earliest?