

INFORMAL SESSION FOR PAPER B

Speakers : Mr Charles Bergere and Ms Lucille Ong
Date : 29 August 2007
Time : 3 pm to 4 pm
Venue : IPOS Promise Room

The highlights below are intended to assist candidates in their preparation for the Singapore Patent Agents Qualifying Examination.

- The format of the exam will be the same as previous year. Basically, exam paper will show a scenario of applicant approaching the patent agent for a patentability issue.
- This paper requires candidates to provide response to written opinion.
- Common mistake: candidates did not write a letter back to the applicant. This is about 35% of the marks.
- Look at the claims first.
- Look at the claims that are rejected by examiner.
- Find the difference between client's invention and prior art.
- Add new claims if necessary.
- Say why you have amended the claims and how the new claims are supported by description.
- New claims not anticipated in the prior art and what are those features in the invention.
- Say which claims are anticipated.
- What is the prior art?
- How are the new claims distinguished from the prior art?
- The questions are meant to scare you. However, this paper will not have many tricky questions. It is merely testing the skills of the candidates.
- Candidates must show:
 - What are the rejections by the examiner?
 - What does the prior art show?
 - How is client's invention different from prior art?
- Don't panic during the exam. The invention may look daunting. Although the exam requires one to need engineering knowledge but the exam is not testing candidates on engineering. It tests problem solving ability.
- Take a step back and try and see what the invention is. The invention will not be extremely technical.
- Amendments are usually quite subtle. Clues will be found in the client's letter. This can be crucial. Ensure that the claims must be novel.

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- Thoroughly understand the client's invention. Know how it is different from prior art.
- Check the dates of the prior art. If the prior art is not relevant, do not waste time arguing against them. Know what allowable amendment under section 84 is. If not supported by the description, then, it is not allowed.
- Do past year papers. It really helps. The examiner's comments are also important. Tell people the issues that should be addressed.
- Compare your answers against the answer guidelines. Good practice for candidates.
- When answering the questions, give alternatives on what could happen. Tell the client up front. Recommend options in the letter and explain reasons supported by the description. This is in the event that the new claims cannot overcome the prior art.
- In the letter to the client, put down your own thoughts on how candidates arrive at their deductions. Do not just put one correct answer, put down alternatives as well. Propose one that has the broadest coverage.
- Candidates will be given an extra set of the question paper. They can just mark up the additions in the claims.
- If candidates ran out of time, use bullets (no choice). But the examiners prefer a proper presentation. Clients don't like to see draft. Many candidates ran out of time for the letter to the client. They spend a lot of time on amending the claims, and wrote only a few sentences for clients' letter. It makes them lose a lot of marks.
- Do not just compare the claims of the prior art. Look at the whole prior art. Look at the disclosure of the prior art. Do not analyze their claims.
- It is not required to cite case laws. Do not make legal arguments. Give client proper advice. Know the PCT filing requirements as well.