

**ADMINISTRATIVE INSTRUCTIONS ON THE SINGAPORE PATENT AGENTS
QUALIFYING EXAMINATION 2011**

SINGAPORE PATENT AGENTS QUALIFYING EXAMINATION 2011

**TO BE CONDUCTED BY THE REGISTRAR OF PATENTS,
THE INTELLECTUAL PROPERTY OFFICE OF SINGAPORE
PURSUANT TO PART II OF THE THIRD SCHEDULE TO THE
PATENTS (PATENT AGENTS) RULES 2001**



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**ADMINISTRATIVE INSTRUCTIONS ON THE SINGAPORE PATENT AGENTS
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GENERAL

1. Introduction

- i. With the commencement of the Patents (Patent Agents) Rules 2001 and section 14 of the Patents (Amendment) Act 2001 which relates to sections 104 and 105 of the Patents Act, an individual would have to meet the statutory requirements before the Registrar proceeds to register him as a patent agent. One such requirement is the passing of the Patent Agents Qualifying Examination (Papers A to D) that is conducted by the Registrar of Patents, Intellectual Property Office of Singapore (IPOS).
- ii. The Registrar has thus established an **Examination Board**, an **Examination Committee** and an **Examination Secretariat**, in order to assist her in the conduct of the Qualifying Examination:
 - (a) an **Examination Board** comprising four members (including the Registrar of Patents, who would preside as Chairman), each either being:
 - An advocate and solicitor ; or
 - A patent agent or equivalent, either registered in Singapore or in the countries, territories or patent offices mentioned in the Fourth Schedule to the Patents (Patent Agents) Rules 2001.

The **Examination Board** shall deliberate and decide on all matters and issues submitted to its attention by the **Examination Committee** or **Examination Secretariat**. In addition, it shall consider the recommendations put forth by the **Examination Committee** on each candidate's performance subsequent to the marking of his answer scripts, and shall decide accordingly. When the performance of all the candidates has been duly considered, it shall proceed to inform **the Examination Secretariat** of the results of all the candidates.

- (b) one or more **Examination Committee member(s)** who shall prepare and mark the Qualifying Examination Papers according to the requirements as specified by the **Examination Board**. Members of the **Examination Committee** includes both **Primary** and **Secondary Examiners**.

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- (c) an **Examination Secretariat** which may include officials from IPOS which shall assist the **Examination Board** in the conduct of the Qualifying Examination.
- iii. The contact address of the **Examination Board, the Examination Committee** and the **Examination Secretariat** is as follows:
- Intellectual Property Office of Singapore (IPOS)
51 Bras Basah Road #04-01
Plaza By The Park
Singapore 189554
- iv. The Registrar shall determine the period of appointment of the members to the **Examination Board, Examination Committee** and **Examination Secretariat** and may, upon expiry of the duration, re-appoint one or more members for one or more subsequent periods.

2. The Patent Agents Qualifying Examination

- i. The purpose of the Qualifying Examination is to assess whether the candidate is sufficiently proficient in the law of patents and has the necessary knowledge and practical experience to carry out patent agency work.
- ii. It comprises the following Papers:
- Paper A: Preparation of a Patent Specification;
Paper B: Amendment of a Patent Specification;
Paper C: Infringement and Validity of Singapore Patent; and
Paper D: Knowledge of Patent Law and Patent Practice in Singapore
- Refer to Annex II for a brief description of each Paper.
- iii. The Qualifying Examination (Papers A to D) shall normally be held once a year.

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A. INSTRUCTIONS RELATING TO ENROLMENT

A1. Eligibility

- i. Any individual may enrol to sit for the Qualifying Examination. However, it is advisable for candidates to have passed the “Graduate Certificate in Intellectual Property Law” course jointly organized by the IP Academy and the Faculty of Law, National University of Singapore, and have undergone one year of full time training in patent agency work before enrolling in the Qualifying Examination.
- ii. To be a patent agent in Singapore, one would have to meet the statutory requirements in place before one becomes registered. Hence, it must be noted that the passing of the Qualifying Examination would satisfy only one of the requirements. For details, reference to the legislation mentioned above would be necessary.

A2. Application for Candidacy

- i. The Qualifying Examination 2011 is scheduled to be held in Singapore as mentioned below, unless as otherwise specified by the Registrar.

<u>DATE</u>	<u>TIME</u>	<u>PAPER</u>	<u>VENUE</u>
10 October 2011	13:30	Paper A	TBC
11 October 2011	13:30	Paper B	TBC
12 October 2011	13:30	Paper C	TBC
13 October 2011	13:30	Paper D	TBC

- ii. Where the candidate has received a direction from the Registrar to sit for a Paper or a combination of Papers, he shall indicate this fact in his enrolment request.
- iii. Where the candidate is re-sitting Paper(s) or taking part of the Qualifying Examination, he shall indicate this fact in his enrolment request.
- iv. Candidates are encouraged to sit only for the Paper(s) they are well prepared for. Statistics, available at the IPOS website www.ipos.gov.sg, show that candidates who take one to two Papers at one sitting of the Qualifying

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Examination tend to have a higher passing rate. Please refer to Section B for more information on the examination.

- v. The enrolment request shall be forwarded to the **Examination Secretariat**, and it shall include the following:
 - (a) an enrolment form for the Qualifying Examination, duly completed;
 - (b) a photocopy of the candidate's identity card or passport; and
 - (c) an enrolment fee of S\$30, non - refundable.
 - (d) the relevant examination fees (Refer to Annex I), non- refundable.
- vi. The closing date for the enrolment to the Qualifying Examination is **31 August 2011**. Enrolment requests received after this date will not be considered.
- vii. It is the responsibility of the candidates to advise the Examination Secretariat, in writing, of a change of address and address for service of notice.

A3. Notification

- i. Applicants are to make the relevant full payment of the enrolment fee and the examination fees as specified in Annex I of these instructions no later than **31 August 2011** to the Examination Secretariat. Only applications with full payment of enrolment fee and examination fees by the said deadline will be accepted. The enrolment fee and the examination fees shall not be refundable.
- ii. When the full payment of the enrolment fee and examination fees have been remitted to the **Examination Secretariat** within the said deadline, the **Examination Secretariat** shall allocate each intending candidate a distinctive index number which shall be used by the candidate throughout the examination (Papers A to D). This number is to be the only identifier on a candidate's answer scripts and candidates should not, in any circumstances, write their names or initials on the answer scripts. Candidates found doing so may be disqualified or suspended by the **Examination Secretariat**, immediately. This number is also the only identifier of the candidate in all

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matters placed before the **Examination Board** and before the **Examination Committee**. The **Examination Secretariat** shall have the custody of and shall keep in confidence the names and the index numbers of the candidates.

- iii. Candidates who failed to receive such an index number after two weeks of submission of full payment of the enrolment fee and the examination fees, are to contact the Examination Secretariat by email immediately.

A4. Summary of Events in the Processing of Enrolment Forms

Subject Matter	Date(s)	Fees	Comments
<p>A) Applicants would have to submit the Enrolment Form to the Examination Secretariat (c/o IPOS). They would have to make full payment of the examination fee as indicated in <u>Annex I</u> of these administrative instructions</p>	<p>31 August 2011 (Closing date for submission of the Enrolment Form and full examination fee)</p>	<p>(1) Enrolment fee S\$ 30</p> <p>(2) Examination Fee (Refer to <u>Annex I</u>)</p> <p>The above fees are to be paid in full together with the submission of the Enrolment Form to the Examination Secretariat. (Payment of these fees is not refundable.)</p>	<p>The Enrolment Form will not be considered if it is submitted after the said closing date. <u>Only applications with full payment of enrolment fee and examination fees by the said deadline will be accepted.</u></p>
<p>B) Notification to all successful candidates of the Examination Details including the furnishing of distinctive index numbers to each candidate.</p>	<p>7 September 2011 (Date of the Examination Secretariat's letter)</p>	<p>-</p>	<p>The Examination Secretariat will issue a letter of notification to all successful candidates who have completed payment of the fees required within the deadline specified.</p>

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B. INFORMATION ON THE QUALIFYING EXAMINATION

B1. Information on the Papers

- i. A brief description of each of the 4 Papers (A to D) is set out in Annex II.

B2. Disqualification or Suspension from the Qualifying Examination

- i. If before or during the conduct of examination, candidates fail to comply with these administrative instructions, the **Examination Secretariat** may disqualify or suspend them from the examination and it shall inform the **Examination Board** of its decision as soon as practicable.
- ii. Plagiarism and cheating will result in the disqualification of the candidate. Candidates caught doing so, will not be allowed to sit for the remaining Paper(s) and will not be allowed to participate in subsequent examinations.
- iii. No refund of the examination fee paid will be allowed.

B3. Absence from the Qualifying Examination


- i. If a candidate is not present at the venue of examination to sit for the Paper(s), and does not fall under the case stated in Section B2, the candidate will be considered to be absent.
- ii. The candidate may request from the Registrar in writing, for a refund of the examination fee paid, with valid reason(s) supported by documentary evidence (if any). The Registrar reserves the right to allow or refuse any request for refund.

B4. Examination Results


- i. Upon receipt of the answer scripts of the candidates, the **Examination Committee** will commence marking the answer scripts. The **Examination Secretariat** will co-ordinate the administrative requirements of the process for the determination of the results of candidates. The Examination Board will decide on the results of the candidates and the decision of the Examination Board is **final**.

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- ii. An approximate timeline of the entire Qualifying Examination process is given in the table below.

	Events	Time-line
	End of QE (Papers A to D)	 <p style="text-align: center;">Approximately 6 months in total</p>
<i>Primary Marking</i>	Examination Secretariat sends a copy of the answer script to each of the 2 Primary Examiners of the Examination Committee for their independent and simultaneous assessment.	
	Examination Secretariat co-ordinates marks allocated by Examination Committee on all answer scripts.	
<i>Reconsideration</i>	Examination Secretariat returns answer scripts to the relevant Primary Examiners of the Examination Committee for reconsideration in the event where one Primary Examiner allocated a Pass grade and the other allocated a Fail grade.	
<i>Secondary Marking</i>	Examination Secretariat co-ordinates the reconsidered marks allocated by the relevant Primary Examiners of the Examination Committee thereafter. If the said Primary Examiners still do not agree over the results, the Examination Secretariat will forward a copy of the answer script in question to a Secondary Examiner of the Examination Committee for his or her independent assessment.	
<i>Deliberation</i>	Examination Secretariat co-ordinates marks after the full marking process and forwards the Examination Committee's recommendations (this includes the comments from both the Primary Examiners and the Secondary Examiner , if any) to Examination Board for its consideration and decision.	

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	Events	Time-line
<i>Finalisation</i>	Examination Board deliberates and informs Examination Secretariat of its decision on the results of all candidates.	
<i>Release of Results</i>	Examination Secretariat officially releases results of candidates by registered post and announcement at www.ipos.gov.sg .	

- iii. The Qualifying Examination results will be furnished to each candidate by **registered post**. An official announcement of the results will be published on the IPOS website. Requests from a candidate to receive his results by hand will not be considered.

B5. Re-sitting the Qualifying Examination

- i. Candidates who failed one or more Papers at any one sitting of a Qualifying Examination may apply to re-sit those Papers which he had failed. There is no restriction on the number of attempts to any Paper.
- ii. Refer to Annex I for the applicable examination fee.

B6. Grades

- i. The results of each Paper will be graded as follows:
- Pass - not less than 50% of the marks available
 - Fail - less than 50% of the marks available
- ii. Where a candidate has been disqualified or suspended from a Paper or Papers under Section B2, the Paper(s) will be graded according to the following:
- Disqualified; or
 - Suspended.
- iii. Where a candidate was not present at the venue of the examination to take a Paper according to Section B3, the Paper will be graded as:
- Absent

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- iv. Where a candidate had been directed by the Registrar to sit for a Paper or a combination of Papers only, he must obtain not less than 50% of the marks for each Paper before he can be considered to have passed.
- v. In order to pass the Patent Agents Qualifying Examination as required under the Patents (Patent Agents) Rules 2001, a candidate must obtain a pass grade for all Papers (Papers A to D).

C. INSTRUCTIONS RELATING TO THE CONDUCT OF THE QUALIFYING EXAMINATION

There shall be one or more invigilators appointed by the **Examination Secretariat**, to assist in monitoring the conduct of the Qualifying Examination.

C1. Attendance

- i. Candidates are expected to confirm the dates, venues and times of examination by checking the IPOS website.
- ii. Candidates should arrive at least 30 minutes before the start of the examination. It is the candidate's responsibility to ensure that he arrives in time for the examination.
- iii. No additional time will be allowed for late candidates. Late arrivals must show consideration for other candidates. They will not be allowed extra time to complete the examination. In any event, candidates will not be allowed to take the examination if they are more than 30 minutes late.
- v. Candidates who need to leave the examination room during the examination for toilet breaks or other good reasons would be escorted. They would not be allowed to take any of the Papers or answer scripts out of the examination room during such absence.
- vi. Candidates who have completed their Papers before the allocated time may choose to leave the examination room no earlier than 30 minutes from the commencement of the examination, provided they have handed their answer scripts and unused writing paper to the invigilator. Thereafter, candidates will not be permitted to return to the examination room again.

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C2. Discontinuation and Postponement of the Qualifying Examination

- i. The **Examination Secretariat**, before or during the course of examination, shall discontinue and postpone the examination to a later date, due to unforeseeable circumstances, such as power failure or fire in the examination venue. This decision would be made after having obtained approval from the **Registrar**.

C3. Conduct

- i. After candidates have taken their seats in the examination room but before the commencement of the examination, they may ask questions orally regarding the conduct of the examination. After the commencement of the examination, any questions must be asked in writing. Questions relating to the text of Papers will generally not be answered.
- ii. Candidates found disturbing other candidates during the course of the Qualifying Examination, may be disqualified or suspended by the **Examination Secretariat**, immediately.
- iii. In the examination room, each candidate will be supplied with:
 - (a) A single copy of the relevant examination Paper in English;
 - (b) A sufficient supply of A4 size white paper; and
 - (c) Sheets of paper for candidates to fill in their answers.
- iv. When writing their answers, candidates are required to:
 - (a) Use only black or dark blue ink for writing. Candidates have to bear in mind that their answer scripts will be photocopied for marking;
 - (b) Write on one side of the paper only, with the right side facing up;
 - (c) Write legibly, as answers that cannot be read cannot be marked;

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- (d) Write answers **only** on the sheets of paper provided by IPOS as answers on other documents (e.g., Question Paper) will not be marked;
 - (e) Hand in answer booklets intact with no sheet or any part of a sheet torn or removed; and
 - (f) Answer in English only.
- v. Candidates are requested:
- (a) To occupy the place they have been allocated in the examination room throughout the examination unless otherwise advised;
 - (b) To place their belongings as allocated by the invigilator in charge on that day;
 - (c) To write their given index number on **every** page of the answer scripts ;
 - (d) Before the commencement of the examination, to place their identity cards or passports on their table for the invigilators to check; and
 - (e) When the invigilators announce to the candidates to stop writing when the time is up, candidates are to:
 - (i) Stop writing immediately;
 - (ii) Assemble their answer scripts together;
 - (iii) Hand in their answer scripts promptly to the invigilators; and
 - (iv) Hand in any unused sheets of writing paper to the invigilator.
- vi. Candidates are advised to bring along highlighting pen(s), ruler(s), pencil(s), stapler(s), staple(s), eraser(s), glue, scissors, and adhesive tape, as these will not be available at the examination venue.
- vii. Candidates may bring along extra clothing for warmth if they so wish.
- viii. Annotations* in the Reference Material are not allowed. However, cross-referencing and highlighting are permitted.

* Note:

- "Annotate" means to supply (a written work) with critical or explanatory notes.

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- “Annotation” means 1. the act of annotating. 2. a note added in explanation, etc., esp. of some literary work. (Source: Collins Concise Dictionary, fourth edition 1999)
- Noting down details such as the fees, forms to file and time duration beside the Acts and Rules is considered as annotation.

- viii The invigilators will not take away Reference Material that is -
- (a) clean; or
 - (b) cross-referenced; and/or
 - (c) highlighted.

C4. Reference Material

- i. The following documents may be brought into the examination room by Candidates:
- (a) Singapore Statutory Provisions;
 - (i) Patents Act (Cap.221);
 - (ii) Patents Rules;
 - (iii) Patents (Patent Agents) Rules 2001;
 - (iv) Patents (Composition of Offences) Regulations 2001;
 - (b) Paris Convention;
 - (c) Budapest Treaty;
 - (d) Patent Cooperation Treaty;
 - (e) Patent Cooperation Treaty Regulations;
 - (f) Latest list of members to the World Trade Organization (WTO);
 - (g) Latest list of members to the Budapest Treaty;
 - (h) Latest list of members to the Paris Convention;
 - (i) Latest list of members to the Patent Cooperation Treaty;
 - (j) Decisions (dated before 30 June 2011) relevant to the Patents Law as decided by the Singapore Courts; and
 - (k) Language and technical dictionaries.

Note:

References to the Act, Rules, Regulations, and Treaty include their corresponding amendments as well, implemented before 30 June 2011. The latest list of members to the various Organisation, Treaties and Conventions is taken to be that as of 30 June 2011.

C5. Restrictions

- i. Candidates are not permitted to:

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- (a) Bring to the examination room any electronic devices, such as pagers, mobile phones, laptops, alarm clocks, Personal Digital Assistants (PDAs) and other devices. (If candidates have brought in any of the aforementioned, they are to surrender them to the invigilators in charge. They may reclaim the surrendered items only at the end of the examination);
- (b) Look at the Papers before the commencement of the examination, unless instructed to do so by the invigilator in charge;
- (c) Cheat or attempt to cheat;
- (d) Communicate with one another when they are in the examination room;
- (e) Write their name or initials anywhere in their answer scripts;
- (f) Smoke in the examination room;
- (g) Behave in a disorderly manner; and
- (h) Leave the examination room without the consent of the invigilator in charge (candidates will be escorted by an invigilator when they need to visit the restroom during the examination period).

**The Examination Secretariat
Singapore
30 June 2011**

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ANNEXES

Annex I

Examination Papers	Examination Fees
For all candidates who are taking part in the Qualifying Examination	S\$ 400 for each Paper

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Annex II

4.3 SYLLABUS FOR SINGAPORE PATENT AGENTS QUALIFYING EXAMINATION 2011

Paper A - Preparation of a Patent Specification

Time allowed: 4 hours including reading time

Possible allocation of marks:

Independent Claim(s) – 50 to 60 marks

Dependent Claims – 20 to 30 marks

Description – 20 marks

Topics	Specific Instructional Objectives	Important references (not exhaustive)	Remarks
Specification	<p>Candidates are required to draft a specification for filing in Singapore and that complies with the requirements of the Patents Act and the Patents Rules. More specifically, the specification must:</p> <ul style="list-style-type: none"> (a) disclose the invention in a manner which is clear and complete for the invention to be performed by a person skilled in the art.; and (b) include claim(s) that <ul style="list-style-type: none"> (i) define the matter for which applicant seeks protection; (ii) are clear and concise; (iii) are supported by the description; (iv) relate to one invention or to a group of inventions which are so linked as to form a single inventive concept; (v) have at least one independent claim which offers the broadest possible protection and is novel, i.e. does not form part of the state of the art; involves an inventive step, i.e. is not obvious to a person skilled in the art; and is 	<p><u>The Patents Act (Cap.221)</u></p> <ul style="list-style-type: none"> • s 13, 14, 15, 16, 25(3), 25(4), 25(5), 113(1) <p><u>The Patents Rules</u></p> <ul style="list-style-type: none"> • r 19 	<p>Candidates are to assume that they have received a letter from their client which includes some drawings, a brief description of the invention for which the client wishes to obtain a patent in Singapore, together with references to the most pertinent prior art.</p>

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	(vi) capable of industrial application, i.e. can be made or used in any kind of industry; and have dependent claims to provide a fall back position if the independent claim(s) fail.		
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Paper B - Amendment of a Patent Specification

Time allowed: 4 hours including reading time

Possible allocation of marks:

Draft Response to Written Opinion (including prior art analysis & arguments) – 35 marks

Claim Amendments – 35 marks

Client Advice Letter – 30 marks

Topics	Specific Instructional Objectives	Important references (not exhaustive)	Remarks
Amendment of patent specification	<p>Candidates are required to</p> <ul style="list-style-type: none"> • review the client's reply • review any other information provided • draft advice to client • in the case that the situation contemplated by the examination involves responding to a Written Opinion, draft a response to the Written Opinion that addresses all points raised in the Written Opinion and by the client. The draft response must include amended claims, provide the basis for the amendments proposed to the claims, and give clear reasoning for the proposed amendments • in the case that the situation contemplated by the examination does not involve responding to a Written Opinion, draft amended claims, provide the basis for the amendments proposed to the claims, and give clear reasoning for the proposed amendments <p>The written opinion could contain objections that:</p> <p>a. the invention defined in any claim —</p> <ul style="list-style-type: none"> (i) does not appear novel; (ii) does not appear to involve an inventive step; or (iii) does not appear to be capable of industrial application; <p>b. the conditions specified in sections 13 and 25 (4) and (5) have not been complied with</p>	<p>The Patents Act (Cap.221)</p> <ul style="list-style-type: none"> • s 14, s 25(5), s 29, s 30, s 31, s 38, s 80, s 84, s 107, s 113(1), <p><u>The Patents Rules</u></p> <ul style="list-style-type: none"> • r 46, r 48, r 49, r 52, r 91 <p>Cases (not exhaustive)</p> <p>Singapore</p> <ul style="list-style-type: none"> • FE Global Electronics Pte Ltd and Others v Trek Technology (Singapore) Pte Ltd and Another Appeal [2006] 1 SLR 874; [2005] SGCA 55 <p>UK</p> <ul style="list-style-type: none"> • Southco Inc v Dzus Fastener Europe Ltd [1992] RPC 299 • Merrell Dow Pharmaceuticals v N H 	<p>(a) Except for situations covered in Paper C, any other situations in which amendment to the claims is contemplated may be tested, such as an amendment in response to a written opinion, an amendment after the conclusion of an examination, or a post-grant amendment. One such situation is when a Singapore Patent Application has been filed and that a Written Opinion has been issued. The Written Opinion has previously been sent to the client with the candidates' advice. The client has subsequently replied, clarifying the differences between the prior art and his invention.</p> <p>(b) Candidates are to</p>

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Topics	Specific Instructional Objectives	Important references (not exhaustive)	Remarks
	<p>c. the application discloses —</p> <p>(i) any additional matter referred to in section 84 (1); or</p> <p>(ii) any matter extending beyond that disclosed in the application for the patent as filed</p>	<p>Norton [1996] RPC 76</p> <ul style="list-style-type: none"> • A C Edwards Ltd v Acme Signs & Displays Ltd [1990] RPC 621 • Conor Medsystems Incorporated v Angiotech Pharmaceuticals Incorporated and others [2008] UKHL 49 	<p>accept the facts as given in the Paper and not use any special knowledge that they may have. They are to assume that the prior art given is exhaustive.</p> <p>(c) For the purpose of this Paper, candidates may not need to propose any amendments to the description of the Patent Application.</p>

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Paper C - Infringement and Validity of Singapore Patent

Time allowed: 4 hours including reading time

Possible allocation of marks:

Infringement – 40 marks

Validity – 40 marks

Other matters including advice to client – 20 marks

Topic	Specific Instructional Objectives	Important references (not exhaustive)	Remarks
Advice on infringement and validity	<p>Candidates are required to</p> <ul style="list-style-type: none"> • advise the client on infringement and validity of his patent • advise the client on how the patent may be amended to improve the patentee's position, and the impact that it may have on the advice already given • answer client's questions • give clear and logical reasons • discuss with conclusions • cite and apply the relevant laws 	<p>The Patents Act</p> <ul style="list-style-type: none"> • s 66 – 82 • s 13, s 14, s 25(5), s 29, s 31, s 38, s 84, s 107, s 113(1) <p>Cases (not exhaustive)</p> <p>Singapore</p> <ul style="list-style-type: none"> • V-Pile Technology (Luxembourg) SA & Ors v Peck Brothers Construction Pte Ltd [2000] 3 SLR 358 • Merck & Co, Inc v Pharmaforte Singapore Pte Ltd [2002] 2 SLR 515; [2000] 3 SLR 717; • Genelabs Diagnostics Pte Ltd v Institut Pasteur & Anor [2000] SGHC 53; [2001] 1 SLR 121 • Bean Innovations Pte Ltd & 	<p>(a) Candidates are to assume that they have received a letter from their client indicating a possible infringement of a Singapore patent. The client is concerned that the infringement has a significant effect on his company.</p> <p>(b) Candidates are to accept the facts as given in the Paper and not use any special knowledge that they may have. They are to assume that the prior art given is exhaustive. A copy of the subject patent specification and prior art will be provided to the candidates.</p>

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Topic	Specific Instructional Objectives	Important references (not exhaustive)	Remarks
		<p>Another v Flexon Pte Ltd [2001] 2 SLR (R) 116; [2001] SGCA 42;</p> <ul style="list-style-type: none"> • Ng Kok Cheng v Chua Say Tiong [2001] 3 SLR 487 • Peng Lian Trading Co v Contour Optik Inc & Ors [2002] SGHC 238; [2003] SGCA 25 • FE Global Electronics Pte Ltd and Others v Trek Technology (Singapore) Pte Ltd and Another Appeal [2006] 1 SLR 874; [2005] SGCA 55 • Dextra Asia Co Ltd and Another v Mariwu Industrial Co (S) Pte Ltd and Another Suit [2006] SGHC 7; [2005] SGHC 85; • Main-Line Corporate Holdings Limited v United Overseas Bank Limited and First Currency Choice Pte Ltd (First Currency Choice Pte Ltd, Third Party) [2010] 1 SLR 189; [2009] SGHC 232 • Muhlbauer AG v Manufacturing Integration Technology Ltd [2010] SGCA 6 • Cargill International Trading 	

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Topic	Specific Instructional Objectives	Important references (not exhaustive)	Remarks
		<p>Pte Ltd v Martek Biosciences Corporation [2009] SGIPOS 12; [2010] SGHC 135; [2010] SGCA 51</p> <ul style="list-style-type: none"> • Cargill International Trading Pte Ltd v Martek Biosciences Corporation [2009] SGIPOS 16; [2011] SGHC71 • MacDermid, Incorporated v Alpha Fry Limited [2009] SGIPOS 13 • Dien Ghin Electronic (s) Pte Ltd v Khek Tai Ting trading as Soon Heng Digitax [2011] SGHC 36 <p>UK</p> <ul style="list-style-type: none"> • General Tire and Rubber Company v Firestone Tyre and Rubber Company Limited [1972] RPC 457 • Asahi Kasei Kogyo KK [1991] RPC 485 • Biogen Inc v Medeva Plc [1995] RPC 25 • Merrell Dow Pharmaceuticals v N H Norton [1996] RPC 76 • Windsurfing International Inc v Tabur Marine (Great Britain) Ltd [1985] RPC 59 	

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Topic	Specific Instructional Objectives	Important references (not exhaustive)	Remarks
		<ul style="list-style-type: none"> • Catnic Components Ltd and another v Hill and Smith Ltd [1982] RPC 183 • Improver Corp v Remington Consumer Products [1990] FSR 181 • Sabaf SpA v. MFI Furniture Centres Limited and others [2004] UKHL 45 • Kirin-Amgen Inc and others (Appellants) v. Hoechst Marion Roussel Limited and others (Respondents). Kirin-Amgen Inc and others (Respondents) v. Hoechst Marion Roussel Limited and others (Appellants) (Conjoined Appeals) [2004] UKHL 46 • Thorn Security Limited v Siemens Schweiz AG [2008] EWCA Civ 1161 • Conor Medsystems Incorporated (Respondents) v Angiotech Pharmaceuticals Incorporated and others (Appellants) [2008] UKHL 49 	

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Paper D - Knowledge of Patent Law and Patent Practice in Singapore

Time allowed: 4 hours including reading time

Possible allocation of marks:

Each of the 5 questions to be answered – maximum of 20 marks each

Topic	Specific Instructional Objectives	Important References (not exhaustive)	Remarks
Singapore Patent Law and Practice	<p>Candidates are required to display a thorough and practical knowledge of the Patents Law applicable in Singapore and this includes:</p> <ul style="list-style-type: none"> • international applications • pre and post patent grant prosecution in Singapore • patentability requirements • rights to a patent • amendments of patents and applications • infringement proceedings • revocation proceedings • etc. 	<ul style="list-style-type: none"> • Patents Act (Cap.221) • Patents Rules • Patents (Patent Agents) Rules 2001 • Patents (Composition of Offences) Regulation 2001 • Paris Convention • Budapest Treaty • Patent Cooperation Treaty • Patent Cooperation Treaty Regulations • Latest list of members to the World Trade Organization (WTO) • Latest list of members to the Budapest Treaty • Latest list of members to the Paris Convention • Latest list of members to the Patent Cooperation Treaty • Decisions (dated before 30 June 2011) relevant to the Patent Law as decided by the Singapore Courts. 	<p>(a) This Paper comprises questions relating to different areas of the candidates' legal knowledge.</p> <p>(b) Answers should be brief and to the point and supported by sections, rules or other legal basis where relevant.</p>

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Topic	Specific Instructional Objectives	Important References (not exhaustive)	Remarks
		<p data-bbox="1176 336 1538 517">Notes: References to the Act, Rules, Regulations, and Treaty include their corresponding amendments as well, implemented before 30 June 2011.</p> <p data-bbox="1176 553 1538 700">The latest list of members to the various Organisations, Treaties and Conventions is taken to be that as of 30 June 2011.</p>	