INTELLECTUAL PROPERTY OFFICE OF SINGAPORE

Answer Guidelines to QE 2010 Paper A

Note: The answer guidelines contain a non-exhaustive list of points that examiners expect candidates to cover in the answer to this Paper.

A.	**Marking Scheme Summary**
B. **1**	**Marking Details** **Independent Claim for the antenna mounting sling** A wire antenna installation device (1) which comprises a shaft (8) being provided with - a receptacle(6) for receiving a throwing weight (5), wherein the receptacle (6) is matching the outer shape of the throwing weight (5) such that it releasably holds the throwing weight (5), - a spinning reel (3) for a cord (4) for connecting the throwing weight (5) with the shaft (8). or any other similar functional wording that is supported by the description, as long as the hold and release functions are mentioned. b) The throwing weight and the cord must not be included into this independent claim (no contributory infringement in Singapore!). Marks are deducted for each of these elements, if taken up into the main claim. c) Deduct marks if narrow wordings are chosen such as "ball" instead of "throwing weight" or "nylon rope" instead of "rope". d) Deduct marks for each obviously unnecessary limitation, such as "resilience" in the main claim. e)"Rope" and "cord" are synonyms! f) There are alternative wordings for the element "for connecting the throwing weight <u>with the shaft</u>" such as "for

	connecting the throwing weight with the spinning reel." No deduction for this alternative as long as it is further mentioned that "the spinning reel being connected with the shaft". g) A non-functional claim without including the ball is impossible because the ball needs to be included for describing the gist of the invention, according to which the size of the receptacle 6 is adapted to match with the outer shape of the ball 5 to initially secure the rubber ball 5 and to release it by a predetermined amount of propulsive force that deforms the ball and/or the receptacle 6 (see description page 2). It is, however, allowable to include both versions (functional and a more limiting non-functional claim which includes the throwing weight) as independent claims within the same category into the same application. No extra marks for the non-functional claim would in this case be awarded (see also item 2!).
2	**Dependent claim for the antenna installation device** An antenna installation device (1) according to claim 1, characterized in that a throwing weight (5) is provided in the receptacle (6), This claim is absolutely necessary. **If this subclaim for the ball is absent, Deduct marks** The same applies for the cord. No extra marks for this dependent claim, if an independent non-functional claim including the ball has been provided (see item 1). The respective independent non-functional claim would then receive 3 marks. **Possible material for further dependent claims:** - the throwing weight being detachably connected with the cord (4). Advantage: throwing weight can be used for other installations

	- the throwing weight (5) comprising a soft ball (tennis ball, rubber ball), - the receptacle/scoop (6) comprising at least one retaining finger (24; 25) for fastening the throwing weight (5). - The retaining element (24;25) being flexible - cord (4) The above list of elements is not limiting. For each dependent claim, mark is awarded for choosing the subject matter for a reasonable fallback position, marks are awarded for choosing the right wording of the dependent claim. Under heading B.5 below, mark will be awarded for providing a decent support in the the summary of invention section of the description (at least one plausible advantage per claim). Note: some advantages are not explicitly stated in the original description but they are so obvious that the candidates are expected to mention them anyway.
3	**Independent claim for the method of mounting the wire antenna** A method for installing an antenna wire comprising the following steps: - providing a throwing weight (5) that is connected to a cord (4) in a throwing device (1) such that the throwing weight (5) is held by the throwing device (1), - moving the throwing device (1) such that the inertia of the throwing weight (5) overcomes a retaining force of the throwing device, thereby releasing the throwing weight (5) and moving the throwing weight (5) over a high object (45), - connecting an antenna wire (40) with the cord (4), - retracting the cord (4) with the antenna wire

	(40). Note that there must always be an insulating portion at the end of the antenna wire (40), disconnecting the antenna wire from the cord would lead to something that does not work (see page 1 of the letter). The step of disconnecting the cord from the antenna wire in this independent claim would therefore be wrong. In this case no marks at all because the antenna is not working properly. Unnecessary elements in the independent claim, such as "disconnecting the throwing weight" will receive marks deduction: an infringer could easily escape by just leaving the weight connected with the cord when putting the antenna up. Choosing a narrow wording such as "hooking" instead of "connecting" will result in marks deduction.
4	**Possible dependent claims for the independent method of mounting the wire antenna claim** ... wherein there is provided a step of disconnecting the throwing weight (5) from the cord (4) after the throwing weight (5) has carried the cord (4) over the high object (45) and then reconnecting the cord (4) with the antenna wire (40). (advantage: cord is lighter without the throwing weight, easier to pull, less danger of breaking the cord, throwing weight can be used for other installations, ...) ... wherein after the antenna wire having reached its position, there is provided a step of cutting the cord (4) without disconnecting its end from the antenna wire (40) such that a section of the nylon line (4) remains as an electrical insulator between the high object

	(45) and the antenna wire (40). Marks will be awarded to each reasonable dependent claim for the independent method claim.For each dependent method claim,mark is awarded for choosing the subject matter for a reasonable fallback position, and marks are awarded for choosing the right wording of the dependent claim. Under heading B.5 below, mark will be awarded for providing a decent support in the the summary of invention section of the description (at least one plausible advantage per claim). Note: some advantages are not explicitly stated in the original description but they are so obvious that the candidates are expected to mention them anyway.
5	**Remainder of the description** <u>Introduction</u> (description of the prior art without making obvious what the invention is) <u>Summary of the invention</u> A more detailed description of the elements of the various claims (independent claims and dependent claims) with their respective advantages is expected here.. <u>Brief description of the drawings</u> (only 2 drawings) <u>Detailed description</u> - Define expressions such as “guide lug”, “eyelet” etc. to be synonyms to be consistent throughout the specification, the same for "antenna installation whip", "antenna installation sling", "ball throwing device", "antenna mounting sling" - Delete texts from Fig. 1 and 2. - Delete references to the prior art in the description of the embodiment
C.	**Suggested marking steps:**

	I. Check if there is an independent claim for the ball with the hole. - Deduct marks, if independent claim for the ball is presented (not novel) **II.** Deduct marks**, if more than 10 claims (was not wanted)** **III. mark independent device claim** - does the independent claim work? If not (e.g. if the throwing weight is not connected with the shaft) then deduct marks. - is independent claim novel? If not, then deduct marks. - does the independent claim cover the embodiment? If not, then deduct marks. - Deduct marks, if the throwing weight is included into the sole independent device claim, - Deduct marks, if the cord is included into the sole independent device claim, - Deductmarks for each obviously unnecessary limitation, such as "resilience" in the main claim. - Deduct marks if narrow wordings are chosen such as "ball" instead of "throwing weight". **IV. mark dependent device claims** - Deduct marks, if there is no dependent claim or additional independent claim for the device + ball - Deduct marks, if there is no dependent claim or additional independent claim for the device + cord - Each reasonable dependent claim for the independent device claim give marks. For each dependent method claim, mark is awarded for choosing the subject matter for a reasonable fallback position, and marks are awarded for choosing the right wording of the respective dependent claim. If the fallback position is not reasonable, which means that it involves no advantage over the prior art, then mark is awarded for the proper wording of the claim.

	V. mark independent method claim - does the independent claim work? If not (such as for a method for mounting the wire antenna without the electrically insulating rope) then deductmarks. - is the independent claim novel? If not, then deduct marks. - does the independent claim cover the embodiment? If not, then deduct marks. - Deduct marks for each obviously unnecessary limitation, such as "resilience", in the independent method claim. - Deduct marks if narrow wordings are chosen such as "ball" instead of "throwing weight". **VI. mark dependent method claims** - Each reasonable dependent claim for the independent method claim give marks For each dependent method claim, mark is awarded for choosing the subject matter for a reasonable fallback position, and marks are awarded for choosing the right wording of the respective dependent claim. If the fallback position is not reasonable, which means that it involves no advantage over the prior art, then mark is awarded for the proper wording of the claim. **VII. mark description (see above heading B.5)**