

## ANSWER GUIDELINES TO QE 2013 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.

### **Introductory comment:**

This exam seeks to focus on two main aspects, a) to draft a single independent claim for two embodiments which are quite differently designed, but with the same functional purpose, and b) to distinguish from two prior art documents/designs.

### **Claim 1 (apparatus claim)**

Example Claim:

1. A shower head device comprising:
  - a head portion
  - a nozzle disposed on the head portion and configured for projecting water in a first direction; and
  - a second nozzle disposed on the head portion and configured for projecting water in a second direction different from the first direction.

Note: This is an example version only. Variations without practical difference in scope will still be awarded marks. One example variation would be "arrays of openings" instead of "nozzle"

Deductions:

- a) Claim only covers one embodiment, marks deduction.

Note: If two independent claims are offered, marks deduction. Here, one independent claim with "or" is counted as two independent claims

- b) Claim(s) not novel over D1 or D2, no marks will be awarded

Note: If two independent claims of which one is novel, marks will be deducted.  
If two independent claims which are each novel, marks will be deducted

- c) For each unnecessary limitation beyond novelty, marks will be deducted.  
Examples of unnecessary limitations (not exhaustive):
  - valve;
  - angle value or ranges for direction(s) of water projection;
  - handle;
  - relative size of nozzles/arrays of openings.
- d) For a claim directed to a different invention, no marks will be awarded.
- e) For each functional definition/feature which does not impart a structural limitation, marks will be deducted.

### **Independent Method Claim**

Example Claim:

10. A method of fabricating a shower head device, the method comprising:
  - providing a main body

- disposing a nozzle on the main body for projecting water in a first direction relative to the main body;
- disposing a second nozzle on the main body; and
- configuring the second nozzle for projecting water in a second direction relative to the main body, the second direction being different from the first direction.

**Deductions:**

- a) not corresponding to apparatus claim, marks deduction
- b) not novel over D1 or D2, no marks will be awarded
- c) "wrong" method, such as "method of using the shower head device" or "method of projecting water from a shower head device", marks deduction

Note: No variation in deductions based on two method claims

**Dependent Claims:**

**Awarded:**

a) Marks for each meaningful dependent claim.

Note: Paper asks to limit to 10 claims, with independent apparatus and method claims, so only the first 8 dependent claims will be marked.

**Example features for dependent claims (not exhaustive):**

- valve for projection through first and/or second nozzle;
- second nozzle on a sidewall of head portion;
- second nozzle at an angle relative to sidewall;
- second direction at about 90 degrees from first direction;
- second nozzle configured to be moveable relative to first nozzle;
- second nozzle moveable in a range from about 0 to about 90 degrees;
- hinge mechanism;
- deformable part mechanism;
- flexible hose for fluid connection between first and second nozzles;
- internal ducts with interlacing wall structures for fluid connection between first and second nozzles

Note: If candidate added feature(s) in the description, then marks can be awarded for dependent claim(s) to added feature(s) within first 8 dependent claims.

**Deductions:**

- a) only dependent claims for one of the designs, marks deduction

- b) Inappropriate terms such as "preferably" etc, marks deduction each
- c) Inconsistent with independent claim, marks deduction each
- d) Antecedent issue, mark deduction each

**Description:**

Awarded:

- a) Advantage statement for independent claim(s),
- b) Advantage statements for two dependent claims,
- c) Background (from Question),
- d) Discussion of prior art (document C) with disadvantage,
- e) Discussion of prior art (document B) with disadvantage,
- e) replace "design", "invention", "prototype" terms,
- f) add some description of the correct "method", e.g. simple flow chart,