

INSTRUCTIONS TO CANDIDATES

You are to assume that you have received the annexed letter from your client including a description of an invention for which he wishes you to obtain a European patent together with references to the most pertinent prior art known to your client.

You should accept the facts given in the paper and base your answers upon such facts. Whether and to what extent these facts are used is your responsibility.

You should not use any special knowledge you may have of the subject-matter of the invention, but are to assume that the prior art given is in fact exhaustive.

Your task is to draft an independent claim (or claims) offering the applicant the broadest protection possible while at the same time having a good chance of succeeding before the EPO. In drafting your claim(s) you should bear in mind the need for inventive activity over the prior art indicated, the requirements of the Convention as to the form of claims, other requirements of the Convention and the recommendations made in the Guidelines for Examination in the EPO. Dependent claims should be kept to a reasonable number and so drafted as to enable you to fall back upon them should the independent claim(s) fail.

You are also expected to draft an introduction, i.e. that part of the description which precedes the examples or the explanation of the drawings. The introduction should be sufficient to provide support for all claims. In particular, you should consider the advisability of mentioning advantages of the invention in the introduction.

You are expected to draft claims and an introduction for one European patent application only. If you find that the requirements of the Convention as to unity would in practice cause you to make any of these claims the subject of a separate patent application, you should indicate that separately without further elaboration in this respect.

In addition to your elaborated solution, you may - but this is not mandatory - give, on a separate sheet of paper, the reasons for your choice of solution, for example, why you selected a particular form of claim, a particular feature for an independent claim, a particular piece of prior art as starting point or why you rejected or preferred some piece of prior art. Any such statement should however be brief.

It is assumed that you have studied the examination paper in the language in which you have given your answer. If this is not so, please indicate on the front page of your answer in which language you have studied the examination paper. This always applies to candidates who - after having filed such a request when enrolling for the examination - give their answer in a language other than German, English or French.

Different sets of claims for those states which have made reservations under Article 167 (2) EPC are not required.