

INSTRUCTIONS TO CANDIDATES

1. Attached you will find a letter from a client to a professional representative with annexed documents.
2. Your task is to put yourself in the position of the representative and, using only the information provided by the client, to prepare a notice of opposition, which when typed would be ready for filing. Should you so wish, you may use the pre-printed opposition form provided, but you are in no way obliged to do so and marks will not be lost if you do not.
3. If in the notice of opposition
 - you have not taken account of a particular piece of prior art,
 - there is a claim which you have not attacked,
 - you have made no use of a possible line of attack on a claim, or
 - you have attacked a given claim in circumstances where there is real doubt as to whether the attack would be successful,

you should justify this briefly on a separate sheet of paper.
4. The documents should only be referred to by their annex number.
5. If not needed for the sake of argumentation, avoid word for word reproduction of the claims in your work. In particular, a mere listing of the features of the claims of Annex 1 should not be given by way of an introduction to the arguments presented.
6. You are not called upon to prepare documents which might be necessary for supporting the opposition, e.g. evidence from experts, authorisations, receipts or statements by witnesses.
7. You are to accept all dates as correct; in particular any claimed priority is valid unless there is evidence to suggest otherwise. The date of the client's letter has been chosen only to indicate to the candidate that there is not time to confer with the client. Explanations regarding the manner of filing the opposition to meet the deadline are therefore not required.
8. You should be aware that Annex 1 is fictitious and is not necessarily in a form that would have lead to a patent granted by the European Patent Office.
9. In addition the following points from »Instructions to candidates for preparing their answers« (Official Journal EPO 1-2/1991) should be taken into account: