

Multiple choice part 1

Question 1: B

Legal basis:

[Rule 126\(2\) EPC](#)

The communication reached the addressee 14 days after the date it bears (21.07.2025).

The time limit is extended by 7 (number of days by which these seven days are exceeded). The period expires on 21.07.2025 plus 2 months plus seven days = 28.09.2025 (Sunday), extended to next open day being 29.09.2025.

Question 2: B

Legal basis:

[Article 83 UPCA](#)

If an applicant has opted out of the jurisdiction of the Unified Patent Court (UPC), they cannot benefit from the UPC's jurisdiction for their opted-out European patent (unless the applicant withdraws his request to opt-out).

A is not correct: the opt-out may be withdrawn at any time unless an action has already been brought before a national court ([Article 83\(4\) UPCA](#)).

C is not correct: if the applicant opted out consequently the national court have jurisdiction.

D is not correct: the submission of a request for unitary effect is possible (within 1 month of grant) and will be considered as a withdrawal of the opt-out before the UPC ([Rule 5\(9\) Rules of Procedure of the UPC](#)).

Question 3: A

[Guidelines for Examination, Part A-IV 5.4](#)

Where the sequence listing of the parent application is in a format complying with WIPO Standard ST.25, it must be converted into one complying with WIPO Standard ST.26. To avoid the potential risk of adding and/or losing subject-matter due to conversion, applicants may additionally file the parent application's ST.25 sequence listing in PDF format as part of the divisional application. In such cases, the pages of the ST.25 sequence listing are excluded from the calculation of the additional fee for pages in excess of 35. The application has 51 pages (52 pages description – 10 (description in PDF) +1 Abstract + 2 pages Claims + 6 pages Drawings), minus 35= 16 pages due.

Question 4: D

Legal Basis:

[Rule 70b EPC](#)

[Rule 141 EPC](#)

[Guidelines for Examination, A-III 6.12](#)

IT is exempted because the EPO has drawn up the report.

GB is exempted due to the agreement with the UK-Office exemption under [Rule 141\(2\) EPC](#) from filing a copy of the search results ([OJ EPO 2022, A80](#)).

DE is not exempted. The search report of the DE priority application should be filed.

Question 5: D

The preliminary examination fee qualifies for a 75% reduction because both Syrian Arab Republic and Moldova are included on the EPO's fee reduction list. This reduction applies to natural persons who are both nationals and residents of these countries, as well as to legal entities based in a validation state ([OJ2020, A4](#)), ([EPO Low income states.pdf](#)), ([OJ EPO 2024, A69](#)).

The 90% reduction for the handling fee is only available to natural person who are both nationals and residents of the countries listed in [Table I](#) of the WIPO fee reduction list for low-income countries. University Y is not a natural person and is not entitled ([PCT Applicant's guide IP 10.041](#)).

Question 6: A

Legal basis:

[Rule 155\(1\) EPC](#)

[Article 135\(2\)EPC](#)

[Guidelines for Examination, A-IV 6](#)

A request for conversion shall be filed within 3 months of the withdrawal of the European patent application, or of the communication that the application is deemed to be withdrawn. At the central industrial property office with which the European patent application has been filed. Therefore, it shall be filed on 08.01.2026 (08.10.25 + 3 Months) at the Portuguese office.

B is not correct: the EPO is not the filing Office.

C is not correct: the EPO is not the filing Office.

D is not correct: the request should be filed within 3 months not 2 months.

Question 7: B

Legal basis:

[Rule 51\(3\) EPC](#)

Renewal fees already due in respect of an earlier application at the date of on which a divisional application is filed shall also be paid for the divisional application and shall be due on its filing. These fees and any renewal fee due within four months of filing of divisional application may be paid within that period without an additional fee, so by 06.02.2026 (06.10.2025 + 4 months).

A is not correct: what is relevant is the date of filing the divisional (which occurs when the parent is still pending); [Rule 40\(1\) EPC](#) does not require claims for according a date of filing; claims are required by [Art 78\(1\)\(c\) EPC](#), and if claims are found missing under [Rule 57\(c\) EPC](#), the deficiency will have to be corrected under [Rule 58 EPC](#), even if the parent is no longer pending at the date of filing of the claims.

C is not correct: If the accrued renewal fees are not paid within the 4-month period, they may still be paid with additional fee within a 6-month period from the filing of the divisional application: 06.10.2025 + 6 months = 06.04.2026. (not falling on the last day of the month for accrued fees when filing divisional applications).

D is not correct: [Rule 36\(1\) EPC](#) lays down that only the applicant of the parent or their successor in title entered in the Register may file a divisional. In the case of a transfer the new applicant may file a divisional only on or after the date that the transfer is registered at the EPO therefore Global Inc. is entitled to file the divisional ([Guidelines for Examination, E-XIV, 3, penultimate §](#)).

Question 8: D

Legal basis:

[Rule 70\(1\) EPC](#)

The applicant may request examination within 6 months from the date on which the European Patent Bulletin mentions the publication of the European search report. Requesting of examination includes filing a request for examination and payment of the examination fee:
06.11.2024 + 6 months = 06.05.2025.

[Rule 39\(1\) EPC](#)

The designation fees shall be paid within 6 months of the date on which the European patent bulletin mentions the publication of the European search report:
06.11.2024 + 6 months = 06.05.2025.

[Rule 70a\(1\)](#)

The applicant has to respond to a negative opinion of the search within 6 months of publication of the European search report.

[Rule 7a \(1\) EPC](#)

[Rule 7a \(3\) EPC](#)

Language reduction applies to filing and examination fees only, while micro-entity reduction applies to both examination and designation (among other) fees.

A is not correct: the deadline to pay examination and designation fees is erroneously calculated from the date of mention of the publication of the application without search report. Also, the language reduction does not apply to the designation fee.

B is not correct: the deadline to pay examination and designation fees and to file a response to the search opinion is erroneously calculated from the date of mention of the publication of the application without search report.

C is not correct: the language reduction does not apply to the designation fee.

Question 9: A

[Guidelines for Examination, B XI.7](#)

If the applicant, has already requested examination and paid the examination fee and has waived the right to receive an invitation under [Rule 70\(2\) EPC](#), the examining division will issue a communication under [Article 94\(3\) EPC](#) or an intention to grant under [Rule 71\(3\) EPC](#).

R 71(3) EPC.

B is not correct: divisional applications are searched, published and examined in the same way as other European patent applications ([Guidelines for Examination, A-IV 1.8](#)).

C is not correct: no supplementary European search report is issued because the EPO acted as SISA (Supplementary Search Authority) ([OJ EPO 2009, 594](#)),([Guidelines for Examination, E-IX 3.1](#)).

D is not correct: see [Guidelines for Examination, B-XI 7](#).

Question 10: C

[Guidelines for Examination, C-II 1.1](#)

[Guidelines for Examination, A-X 10.1.1](#)

[RFees 9\(1\)](#)

The application will be considered withdrawn when the applicant does not indicate his wish to proceed further with the application and does not reply to the negative search opinion within 6 months from the publication of search report.

The time limit has expired on 16.10.2025 (16.04.2025 + 6 months)

The renewal fee was paid on 01.09.2025, before due date (31.10.2025). The 3rd renewal fee will be refunded.

The examination fee will be refunded in full ([Art 11\(a\) RFees](#)) because the application is deemed withdrawn before substantive examination has started.

A is not correct: the search fee is not refunded because the application was deemed withdrawn after the Office has drawn up the search report.

B is not correct: the renewal fee was paid before due date and will therefore be refunded.

D is not correct: the examination fee is to be refunded as substantive examination has not begun ([Art 11\(a\) RFees](#)).

Question 11: C

Legal basis:

Article 108 EPC

Rule 99 (1) (a) (b) EPC

While the notice of appeal must be filed and the appeal fee must be paid within two months of the notification of the decision, the statement setting out the grounds of appeal can be filed later, within four months of the notification of the decision ([Article 108 EPC](#)).

A is not correct: a notice of appeal shall contain name and address of appellant ([Rule 99 \(1\) \(a\) EPC](#)).

B is not correct: the notice of appeal shall contain indication of the decision impugned ([Rule 99 \(1\) \(b\) EPC](#)).

D is not correct: a notice of appeal shall not be deemed to have been filed until the fee for appeal has been paid ([Article 108 EPC](#)).

Question 12: C

Guidelines for Examination, A-III 12.2

European patent applications can be validated for states not being EPC contracting states but having a validation agreement with the EPO (validation states) in force at the time of filing the application. The validation fee for validating a non-contracting state must be paid to the EPO within 6 months from the publication of the search report. If not paid in the basic period, extension and validation fees may be validly paid with 50% surcharge in a grace period of two months from the expiry of the basic period.

08.10.2025 + 6 months = 08.04.2026 basic period + 2 months = 08.06.2026 grace period
KH (Cambodia) is a validation state since 01.03.2025.

A is not correct: a request for validation in a validation state is deemed made if the extension or validation fee is paid within the prescribed time limit. The declaration in the appropriate section of the request for grant form where the applicant is asked to state whether they intend to pay the extension or validation fee is merely for information purposes and intended to assist in recording fee payments.

B is not correct: the validation agreement with (LA) Lao entered into force on 01.04.2025 and EP-X was filed on 02.04.2025, i.e. after entry into force of the respective validation agreement.

D is not correct: no such notification is sent.

Question 13: D**Legal basis:**

Article 19 PCT

Rule 46.1 PCT

Amendments under shall be filed within 16 months from the earliest priority date or within 2 months from the transmittal date of the International Search report to the International Bureau IB and to the applicant, whichever time limit expires later.

A is not correct: 25.08.2025 is 3 months from the transmittal of the search report.

B is not correct: 24.06.2024 + 16 months = 24.10.2025 earliest date.

C is not correct: 25.08.2025 + 2 months= 25.10.2025 which is a Saturday.

Question 14: D

Legal basis:

Rule 164 EPC

Guidelines for Examination, A-X 9.5.1

Where the requirements for fee reduction are fulfilled, the fee reduction is granted only once, i.e. for the supplementary search fee paid under [Rule 159\(1\)\(e\)](#). The reduction applies independently of whether the first invention in the claims was searched by the ISA in the international phase. The reduction does not apply to any further search fee (to be) paid under [Rule 164\(1\)](#).

Question 15: A

Guidelines for Examination, E-VIII 3.1.2, E-VIII 3.1.1

Re-establishment of rights does not apply in this situation. If a proprietor fails to respond to a communication under [Rule 79\(1\) EPC](#) within the prescribed time limit, no legal consequence or loss of rights occurs. The opposition proceedings simply continue, and the EPO examines the opposition based on the existing documentation.

B is not correct: the proprietor may file a request for Re-establishment of Rights if he missed the time limit for filing an appeal.

C is not correct: if a proprietor has filed a notice of appeal within the prescribed time limit but missed the time limit to file the grounds for appeal, the possible means of redress is to request re-establishment of rights under [Article 122 EPC](#). This allows the appellant to restore their rights if they can demonstrate that the failure to meet the time limit occurred despite taking all due care required by the circumstances.

D is not correct: if an opponent has filed a notice of appeal within the prescribed time limit but missed the deadline to file the grounds for appeal, they may request re-establishment of rights in respect of the time limit for submitting the grounds for appeal ([G 1/86](#)).