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EUROPEAN QUALIFYING EXAMINATION 2026

Paper M2-2

This Paper comprises:
Part I: Legal Questions

Question 4:	8 marks
Question 5:	12 marks

Candidates are requested to indicate whether they are using the Guidelines as applicable on the date of the exam or the Guidelines according to the syllabus.

Question 4

(8 points)

Applicant F, a Slovenian national with residence in the US, filed an international application PCT-F at the EPO in English.

Today, a few days after filing, F wants to withdraw PCT-F.

(a) Before which Authorities can F actively withdraw PCT-F?

(b) Which steps would F need to take in each case?

Question 5

(**12 points)**

EP-G was filed on 12 July 2022. The mention of the grant was published on 11 June 2025. On 18 August 2025, the EPO issued a communication informing the proprietor G that unitary effect had been registered.

Despite having taken all due care required by the circumstances, G realised today, 3 March 2026, that no renewal fees for the European patent with unitary effect have been paid.

The proprietor G has also become aware of European patent application E1, which is state of the art under Article 54(3) EPC and prejudicial to the novelty of claim 1 but not to the novelty of claim 2 of EP-G. G is interested in having a valid patent EP-G with unitary effect for claim 2.

Please advise.