

1. A communication pursuant to Article 94(3) EPC is dated 7 December 2022. In the communication a time limit of four months is set for replying to objections raised by the examining division.

Which of the following statements is not correct?

- A. The communication is deemed to be delivered on 17 December 2022
- B. The time limit for replying to the communication expires on 17 April 2023
- C. Further processing for replying to the communication can be validly requested on 19 June 2023 at the latest
- D. An extension of the time limit for filing the reply can be validly requested on 14 April 2023

2. You filed a European patent application which discloses a new amino acid sequence. This sequence is however only used in a single example and is not part of the claims. No sequence listing was filed.

Which of the following statements is correct?

- A. If you are invited by the EPO to file a sequence listing, you need to file it and pay a late furnishing fee to the EPO
- B. If you are invited by the EPO to file a sequence listing and do not react to this invitation in due time, the application is deemed to be withdrawn
- C. If you are invited by the EPO to file a sequence listing, you need to file it in PDF format
- D. You do not need to file any sequence listing because the amino acid sequence is not claimed

3. During the examination proceedings the applicant notes that claim 1 contains a typographical error. What is the last point in time for requesting correction of the error under Rule 139 EPC?

- A. One day before the decision to grant a European patent is handed over to the EPO postal service
- B. Date of publication of the mention of the grant of the European patent
- C. Date of notification of the decision to grant
- D. Date of the communication under Rule 71(3) EPC

4. Antonia, an applicant living in Argentina and having Argentinian nationality, intends to file a European patent application EP-A and an international patent application PCT-A.

Which of the following statements is correct?

- A. Antonia can validly file PCT-A with the International Bureau of WIPO
- B. Antonia can validly file PCT-A with the EPO
- C. Antonia can validly file EP-A with the EPO
- D. None of the above

5. Applicant X filed European patent application EP-X on 23 August 2019 as a first filing. The applicant filed application EP-Y as a divisional application of EP-X on 26 September 2022. Please consider the following statements:

- I. The renewal fee for the fourth year for EP-X was due on 31 August 2022; the renewal fees for the third and fourth years for EP-Y were due on 26 September 2022
- II. The renewal fee for the fourth year for EP-X can be validly paid on 28 February 2023 together with the necessary additional fee; the renewal fees for the third and fourth years for EP-Y can be validly paid without additional fee up to 31 January 2023

Which of the following items applies?

- A. Only statement I is correct
 - B. Only statement II is correct
 - C. Both statements I and II are correct
 - D. Both statements I and II are incorrect
6. The European Patent Office as receiving Office for an international patent application invites the applicant to provide a missing abstract within a period of two months. The invitation is dated 2 December 2022 and is received by the applicant on 12 December 2022. The date of receipt stamped on the communication by the mail service provides evidence of the receipt date. What is the final date for responding to the invitation?
- A. 2 February 2023
 - B. 13 February 2023
 - C. 5 February 2023
 - D. 6 February 2023
7. An international patent application was filed on 17 February 2022 claiming priority from a European patent application filed on 17 February 2021. The international search report together with the written opinion was transmitted to the applicant on 10 June 2022.

What is the last day for filing a demand for international preliminary examination?

- A. 17 December 2022
 - B. 19 December 2022
 - C. 10 September 2022
 - D. 12 September 2022
8. A professional representative acts as agent for the following actions:
- I. Withdrawing an international patent application at the European Patent Office as receiving Office
 - II. Filing a demand for international preliminary examination for an international patent application at the European Patent Office as International Preliminary Examining Authority

Which of the following statements is correct?

- A. For both I and II a power of attorney signed by each applicant is always required
- B. For I a power of attorney signed by each applicant is always required
- C. For II a power of attorney signed by each applicant is always required
- D. For both I and II the requirement to submit a power of attorney signed by each applicant may be waived

9. Which of the following steps is not a minimum requirement for entry into the European phase?
- A. Supplying a translation if the Euro-PCT application was not published in one of the EPO's official languages
 - B. Specifying the application documents on which the European grant procedure is to be based
 - C. Filing the designation of the inventor
 - D. Paying the search fee if a supplementary European search report is to be drawn up

10. A British company buys a French firm with an IP portfolio which includes an international application that claims priority of a British national application. The international application is in French. The British company wants to pursue the invention as a European patent application. However, they would prefer that the language of the European proceedings be English.

Which of the following statements is correct?

- A. Upon entry into the European phase before the EPO, the applicant can file a translation into English and English will become the language of the proceedings
 - B. The applicant can enter the European phase with the application in French and then validly file a European divisional application in English
 - C. The applicant can select English as the language of the proceedings in the request form for entry into the European phase (EPO Form 1200) and English will become the language of the proceedings
 - D. None of the above
11. Your client filed an international patent application in 2021. In which of the following countries can they (directly) enter the national phase?
- A. Lithuania
 - B. France
 - C. Italy
 - D. None of the above

12. International patent application PCT-1 was filed on 6 May 2021 without claiming priority. The application consists of 21 pages, including 17 claims. The international search was carried out by the EPO acting as ISA, and the international application was published together with the international search report after 18 months. On 12 December 2022, early entry into the European phase is requested. Which minimum requirement(s) must be fulfilled to validly effect early entry into the European phase according to Article 23(2) PCT?

- A. Payment of the filing fee
 - B. Payment of the filing fee and claims fees
 - C. Payment of the filing fee, the claims fees, the examination fee, the designation fee and the renewal fee for the third year
 - D. Payment of the filing fee, the designation fee and the examination fee
13. What is the last point in time for an effective withdrawal of a European patent application?

- A. Date of receipt of the communication under Rule 71(3) EPC
- B. The latest of the date of payment of the fee for grant and publishing and the date of filing of the translations of the claims in the two other official languages of the EPO
- C. Date of publication of the mention of the grant in the European Patent Bulletin
- D. One day before the date of publication of the mention of the grant in the European Patent Bulletin

14. A communication pursuant to Rule 71(3) EPC was issued for a European patent application. The applicant fulfilled all the necessary requirements. The related decision to grant a European patent was dispatched based on the text intended for grant transmitted to the applicant with the communication under Rule 71(3) EPC. The mention of the grant of the European patent was published in the European Patent Bulletin. During the preparation of the publication of the patent specification an error occurred in that page 2 of the description was omitted from the published specification of this European patent.

Which of the following statements is correct?

- A. This error in the published specification of this European patent may never be corrected
- B. This error in the published specification of this European patent may be corrected at any time
- C. This error in the published specification of this European patent may not be corrected during the opposition period or if opposition proceedings are pending
- D. The error may only be corrected if opposition proceedings are pending

15. On 27 October 2022 you filed European patent application EP-A claiming priority from FR-A filed on 29 October 2021. Your intention was that both applications would have the same content. On 3 November 2022, however, you noticed that page 3 of the description and claims 7-12 are missing in EP-A. The fees have not been paid yet.

Which statement is correct?

- A. If the EPO notes that page 3 of the description and claims 7-12 are missing, it will invite you to file these missing parts within a time limit of two months
- B. You may of your own volition file page 3 of the description at any time up to 2 January 2023 without the application being re-dated
- C. If the subject-matter of claims 7-12 is also present in the description, you may add claims 7-12 at any time
- D. The best solution is to withdraw EP-A and refile it, claiming priority from FR-A