

Examiners' Comments on Candidates' Overall Performances in QE2011 Paper B

General Comments:

- For part 1, the question specifically says that the client wants the 3rd embodiment but yet most of the candidates did not choose a feature which would give the client the best protection. Also, a number of candidates provided a memo to the client when the question did not ask for one, showing the lack of attention to details. Also, a number of candidates argued features which are not claimed which is a fundamental flaw.
- Also, candidates tend to include narrow claims which suggest that they are adopting a "better be safe than sorry" approach but unduly narrow claims would not do justice to the client and thus, a patent with such narrow claims would probably be useless.
- As for part 2, a number of candidates failed to appreciate the "related claim" issue and proposed a tap unit claim. Having said this, most of them appear to understand the requirement that the claims proceeding to claim must have unity.
- Overall, very few candidates provided a satisfactory answer to both parts of the question. Some of the candidates appeared to have recognized the inventive concept but, unfortunately, did not incorporate the inventive concepts in the claims. Some candidates did not consider the clients instructions on the commercial importance of the third embodiment and the tap on its own in their answer. Some candidates included a letter to the client for Part 1 of the Question which did not call for a letter to client. A few candidates included unrelated claim in Part 2 of the Question and hence had marks deducted.

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