

Examiner's Comments – 2007 Drafting Paper

Overall the results for this paper were disappointing.

Question 1

Most of the marks for this question were awarded for the statements of invention. Most candidates prepared a statement to the basic product, and those who did best directed a statement to a marking instrument or writing instrument reservoir (terminology used in question) with a smooth change in cross section so as to not induce air when ink is injected through small cross section (i.e. marking tip) end. However many candidates just broadly claimed a liquid reservoir. Also some claimed a “refill”. Many lacked clarity in cross section definition – just referring to wider or narrower. Also many limited to cylindrical shapes. Drafting a statement to a writing instrument was also popular, but the question suggested that the reservoir could be an invention in its own right and made as a separate item.

Most candidates also recognised that there was an invention in the filling method. Those who did best drafted either two statements (one to centrifuging the ink follower in place from the composition and another to centrifuge to remove air), or a statement to centrifuging generally with “Preferably” clause directed to each.

Most covered centrifuging to form the ink follower. But a surprising number said the reservoir must be sealed at both ends (not explicitly stated in question). Many also made the method dependent on the novel reservoir i.e. limited it possibly unnecessarily to the reservoir geometry. Many also did not understand the purpose of the ink composition and included a step of separately injecting an ink follower as well as centrifuging.

Nearly all candidates overlooked the invention for the ink composition. A very simple statement was all that was required for marks. The question begged a statement to this, but very few candidates provided one.

Very few candidates drafted a statement to the product of the process(es).

Most candidates managed to describe the inventions, but there were problems with consistency of terminology.

A major source of frustration for the examiner was the background section. Most candidates stated the step in the known reservoir apparatus causes the problem – as if it were well known. But this wasn't specified in the question. Identifying the problem may effectively constitute the invention in this case. Once the problem is known the solution may be obvious.

Question 2

This question was seeking candidates to draft a broad claim to a construction that is fairly based on the provisional and distinguishes from prior art. Most candidates seemed to recognise this, but drafted claims that didn't distinguish from the prior art, or were simply poorly drafted. Many of the claims lacked clear relationships between integers or did not use terminology consistently. In view of candidates having over two hours to consider this question this was somewhat disappointing.

Most candidates focused on the two axially separated rotatable members to distinguish from the prior art. Others focused on the housing arrangement. Either was considered acceptable.