

Examiner's Comments

Overall the paper was reasonably well attempted. Some candidates let themselves down by failing to do the basics correctly, such as reading the question properly or allocating time correctly between questions. It was evident that some candidates had not done enough work to pass the exam and did not even know the basics of foreign law. On the other hand, some candidates knew the syllabus material well and this was reflected in some high marks being attained.

Question 1: Generally this question was answered well. No candidate identified the PCT Article 41 provision for amendment.

Question 2: This question was answered well. Candidates were familiar with the options available for securing protection in Hong Kong.

Question 3: This question on the pros and cons of the AU innovation patent system was also answered reasonably well.

Question 4: Many candidates identified that this question related to the retrospective top up provision enacted in Canada for large entity members who had incorrectly paid small entity fees.

Question 5: Candidates did not do so well on this question and quite a few had trouble identifying the differences between the AU and NZ filing and prosecution systems.

Question 6: Generally this question was not well answered candidates seemed to have trouble applying their knowledge to the question/role of corporate counsel.

Question 7: This question was generally not well answered with the majority of candidates not achieving very good marks for this question.

Question 8: On the whole, this question was answered well.

Question 9: This question presented difficulties for most candidates who did not have a clear knowledge of avenues to challenge a patent/patent application in the necessary countries.

Question 10: Most candidates answered this question well.

Question 11: Candidates gave a mixed range of answers for this question resulting in a mixed range of results.