

Comments – Drafting Paper

Question 1

Most candidates made a good attempt at this question. The majority recognized that the question sought separate statements of invention directed to at least the method and the closure. Statements to the method were generally well drafted, but a surprising number of candidates seemed confused as to how a method statement should be drafted. The most common difficulty was candidates including limiting features of the bottle closing apparatus that performed various steps.

In drafting statements of invention to the closure, many candidates recited little more than a cap for a stopper without including the features the apparatus needed to function or without even limiting the apparatus to the result it had to achieve.

A number of candidates omitted important or essential features from the description. The question required candidates to describe the steps of the process in the correct order. Most did this well, however many did not choose particularly appropriate terminology for describing some features, and did not use terminology consistently throughout the document.

Question 2

On the whole, candidates gained fewer marks for this question than for question 1.

The first part of this question was directed to a discussion of the prior art. This was generally done well.

Candidates had difficulty with the second part of the question, which involved drafting a set of claims. Many candidates drafted main claims that read directly on the prior art. A number of candidates seemed to have difficulty deciding where the invention lay, resulting in claims that appeared to have integers introduced somewhat arbitrarily. The most common problem was main claims that lacked features that were essential to providing a working article or were essential to achieving the result set out in the claim.

Candidates generally made reasonable attempts at drafting dependent claims while being conscious of correct dependency and antecedence. However, in many instances there was little attention given to the order of importance of dependent claims in the set.