

**2013**

**PATENT ATTORNEYS**

**EXAMINATION**

PAPER D

The New Zealand Law and Practice

relating to Preparation of Specifications for New Zealand  
Patents

Regulation 158 (1) (d)

Duration: 4 hours (plus 10 minutes for reading)

This examination will be conducted on the basis of the law under the New Zealand Patents Act 1953, as at 1 May 2013, and will not take into account any provisions of the Patents Bill currently before the New Zealand Parliament, as might be enacted by the time of the examination, or any other Bill before Parliament.

**General instructions for this question: Only the prior art that is referred to is to be taken into account in your answer. You must not take into account any prior art that you are separately aware of.**

**This exam has only one question having two sections for a total mark of 100 for the paper.**

**A full set of drawings is provided at the end of this question that you may use in your answer.**

### **Question 1.**

Your client Bob has come up with an invention. He believes it is new and he wants to get a New Zealand patent for it.

Bob has prepared an info sheet about his invention. This is attached.

A consultant conducted a prior art search for Bob. Only two pieces of prior art were found by the consultant in addition to the hunter's poncho that Bob has described in his attached info sheet.

The first piece of prior art was published in New Zealand 8 years ago. Bob has brought you a copy of the drawings of this patent. This is attached (headed Prior Art 1). Bob has hand written some notes on the drawings of all the salient features.

The second piece of prior art is a tent that is well known in New Zealand Scouting circles. A picture is shown in the materials attached (headed Prior Art 2). It is a tent that is made up of a several triangular panels with one zip half along each edge. Each panel can be zipped together along edges to create a canopy. One or more panels may have a flap that can create a window for the tent that is able to be closed by a zip.

The third piece of prior art is described in Bob's info sheet.

Please prepare a complete specification for filing for Bob. An extra set of drawings is provided at the end of this paper to assist you.

(85 marks)

Please also prepare a letter explaining to Bob:

1. The general layout of a patent specification and reasons why certain sections of a patent specification exist.
2. Any specifics about your specification, eg why you have drafted the patent as you have.
3. How he should go about reviewing it and what input and other information you require from Bob before filing the New Zealand patent application.

(15 marks)

## Info sheet.

Written by Bob July 2013

My mates and I came up with this invention because of our love for hunting. Most hunters go bush for several days to shoot pig or deer. We carry only enough equipment to last for 3 nights. We carry food and a rifle and wear warm clothing and not much more.

Carrying more makes it difficult to carry the animal that we shoot out of the bush. We tend to carry the dead animal on our backs. We hence do not carry a traditional trumper's backpack that typically contains a tent, a change of clothes first aid stuff etc. A large backpack gets in the way of carrying the animal. We are all about the bare essentials and no luxuries.

But we do like to ensure we are warm and protected from rain and snow. It is not always possible to take shelter in a cave or hut when it starts to rain.

I typically wear a hunter's poncho into the bush to keep dry in case of rain. I bought it from a local hunting shop about 4 years ago. It's a large thing that covers me from shoulders to waist. There are even longer versions for sale to cover from shoulders to toes. It's a large flat sheet of waterproof material with a hole in the middle. I basically stick my head through the hole and the whole thing drapes off my shoulders. As well as keeping me dry, it means I can carry the animal and keep my gun dry underneath.

One evening in the bush, we began to think about other uses for this large piece of material. We began sketching some modifications and came up with 5 other uses that we drew up. Our sketches are attached.

Figure 1a shows the new form of my basic poncho. It's a waterproof fabric that has four sides and has a hole in the middle. The hole lets my head through. Figure 2 shows how I wear it. On the face of it, it looks no different from my hunter's poncho.

However, with a clever arrangement of zips around the edges the sheet can become much more useful.

In figure 1a I tried to illustrate the zip arrangement by using symbols ^^^ and ||||| around the edges. Figure 1b shows more detail.

Zips are made up of two halves each having teeth that can be made to zip with each other by a slider.

The region shown as ||||| is one half of a zip. I'll call it the first half. It has a slider S permanently attached to it. This can be clearly seen in figure 1b.

The region shown as ^^^ is the other half. I'll call it the second half.

The second half has a feeder tab F to feed into the slider of the first half so that the two halves can then be made to zip together.

The first half has end stops to stop the slider slipping off.

The second half may also have an end stop at the end opposite the feeder tab F.

By folding the poncho as seen in figure 2, at each side A and B the zip halves along the edge can be zipped together. The zips along the bottom are not mated together as that is where my legs come out.

The poncho can also be folded the other way to achieve the same thing. It can also be folded along both diagonals. Each time, the correct (opposed) zip halves zip up to let them be zipped together.

Figure 1c shows a slightly different arrangement where the slider S moves in direction D when zipping up, whereas in figure 1b the slider runs in opposite direction C when zipping up. For the Poncho in figure 2, the zip configuration in figure 1c lets the sides A and B be zipped up but not completely. A hole can be left at the top for my arms to come out.

Alternatively, I could put extra openings through the poncho so my arm can poke out. But I have not shown that.

My poncho can be used for several other purposes. In summary, these are:

1. A ground sheet
2. A single canopy
3. A sleeping bag (a larger version of it)
4. A bag
5. A larger canopy by joining multiple ponchos together

#### 1. The ground sheet

This is simple. The ground sheet is as shown in figure 1a. I have a separate patch that I can put over the head hole to close the head hole. It zips into place.

#### 2. A single canopy

The poncho can be strung up or propped up by posts to create a canopy as shown in figure 3.

#### 3. Single sleeping bag

Figure 4 shows the poncho folded and the head hole closed by a separate zip-in patch. All but one of the edges are zipped together to create a sleeping bag. This may require a poncho that is a bit bigger than drawn in figure 1.

#### 4. A bag

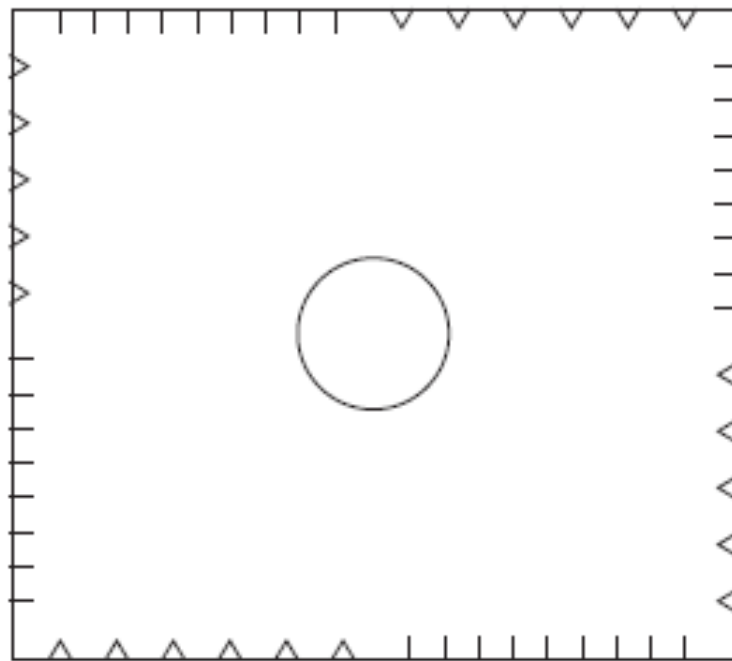
The poncho can be fully closed up along all edges to create a bag as shown in figure 5. Figure 6 shows a variation where I have included a hem H that runs along one edge of the poncho. It holds a drawstring L having two ends that you can see. The two ends can be pulled to scrunch the end of the bag up. The drawstrings can then pass through an eye E, be tied together and used to carry the bag.

#### 5. A larger canopy

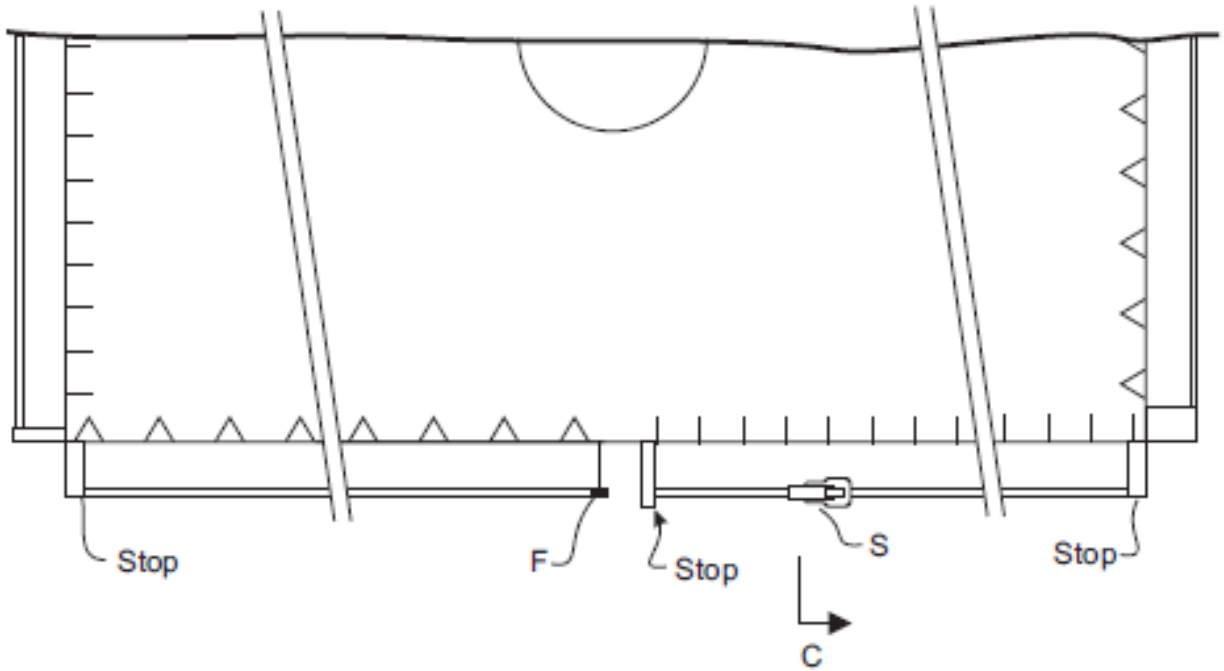
When out hunting with other mates who have the same poncho, we can connect ponchos together as shown in figure 8. This can create a larger ground sheet or a larger canopy as shown in figure 9.

End of Question 1/1

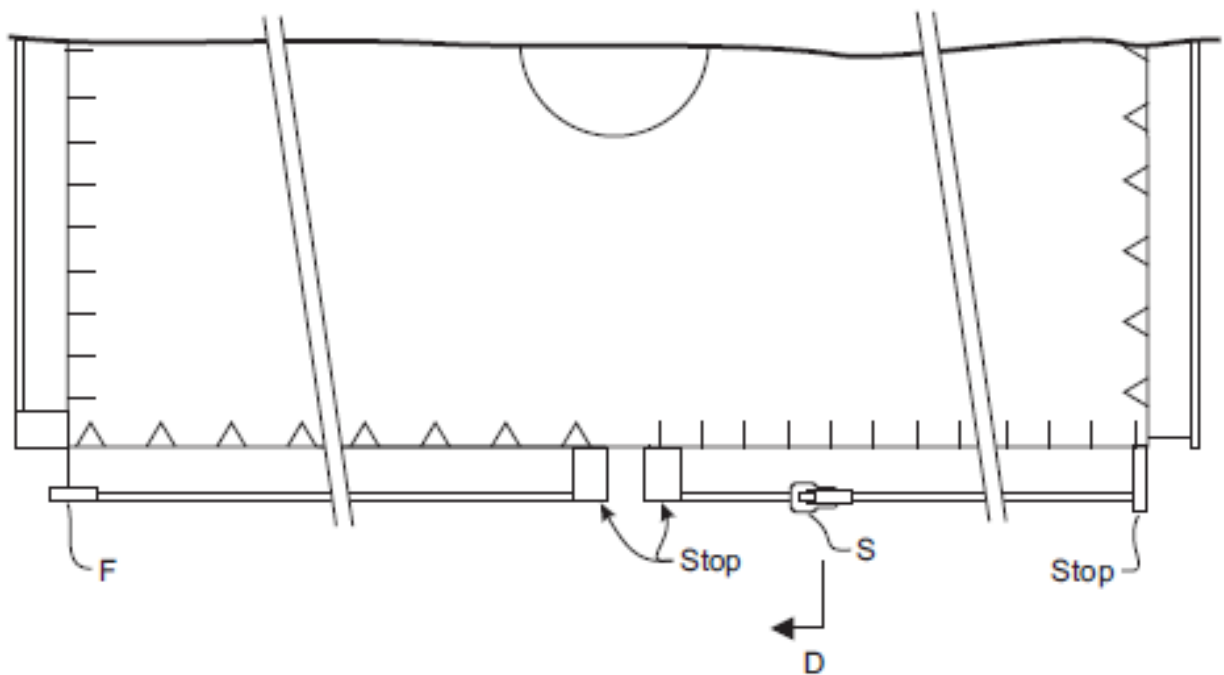
**1/6**



**FIGURE 1a**

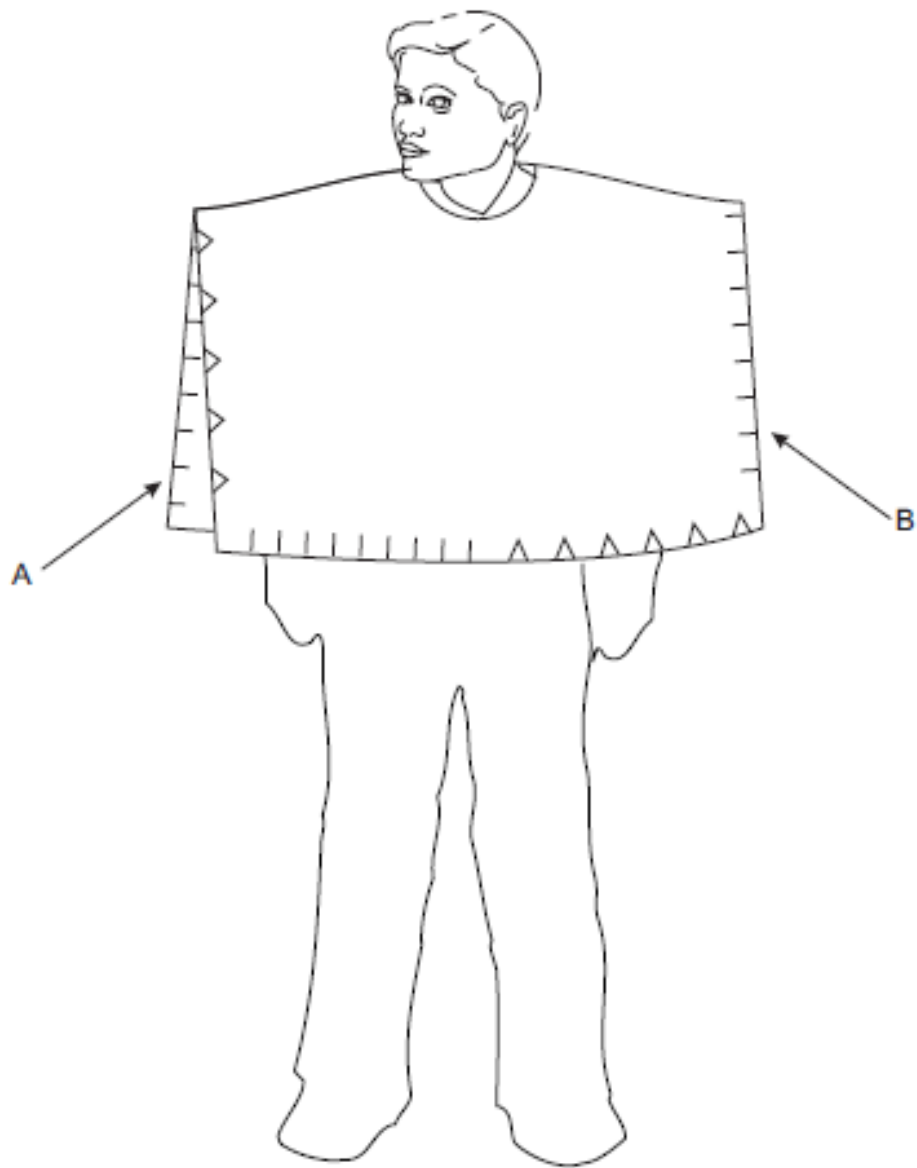


**FIGURE 1b**



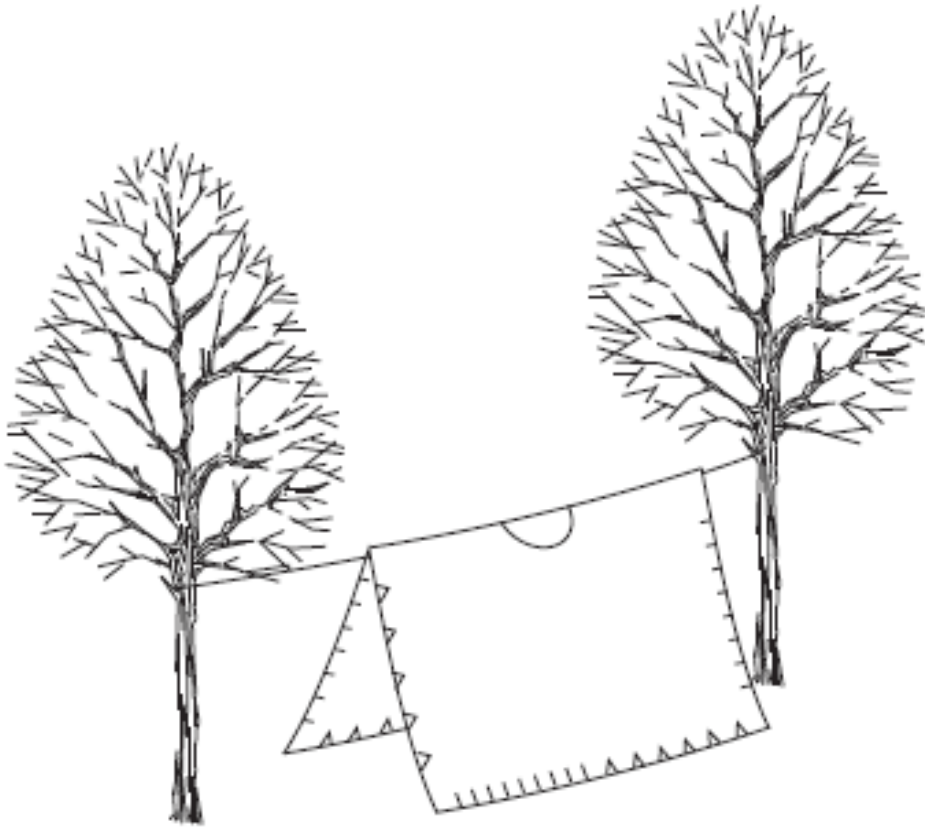
**FIGURE 1c**

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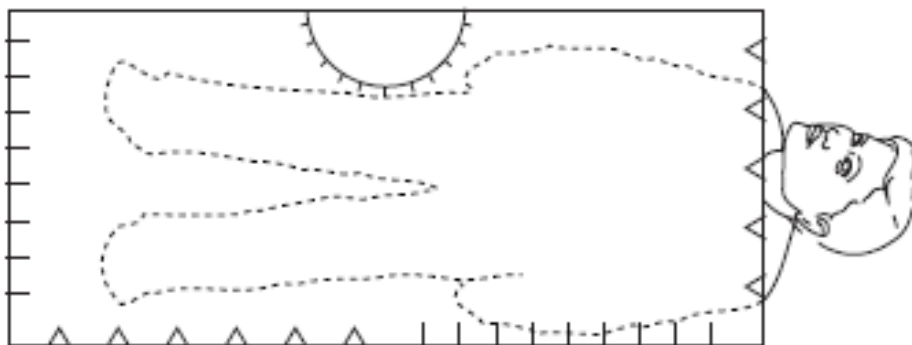


**FIGURE 2**



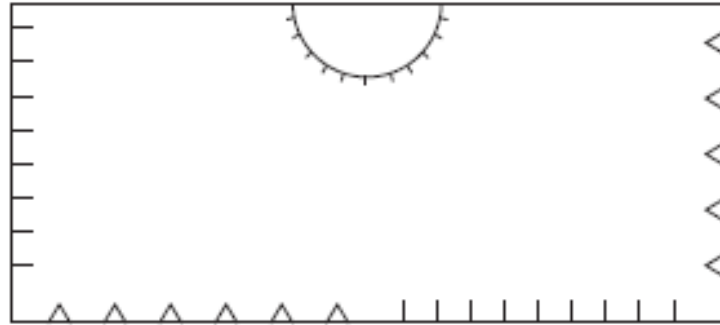


**FIGURE 3**

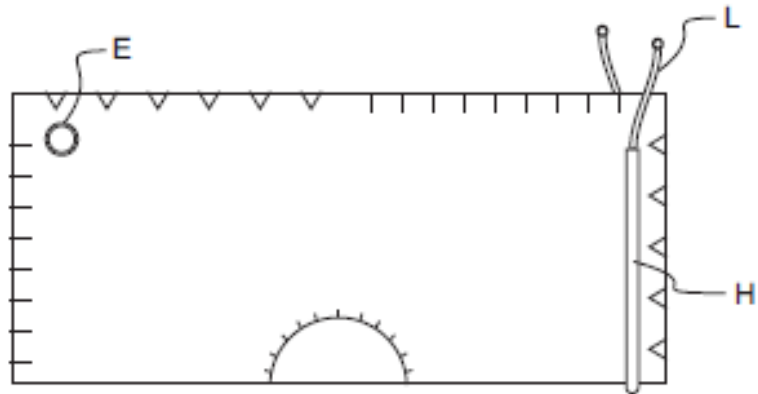


**FIGURE 4**

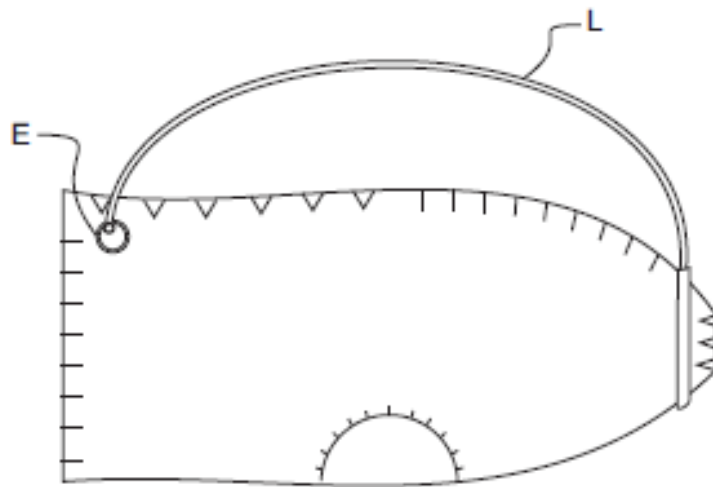
**FIGURE 5**

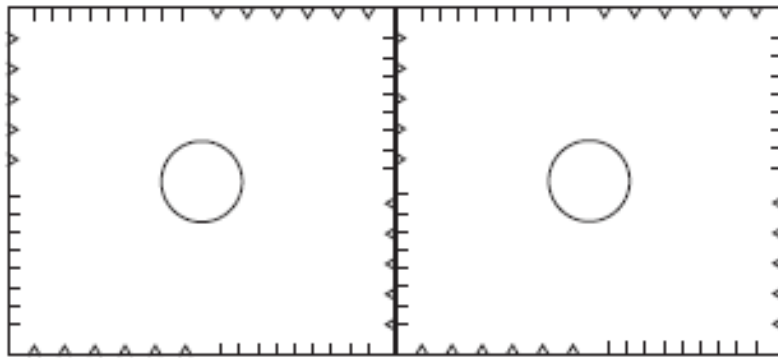


**FIGURE 6**

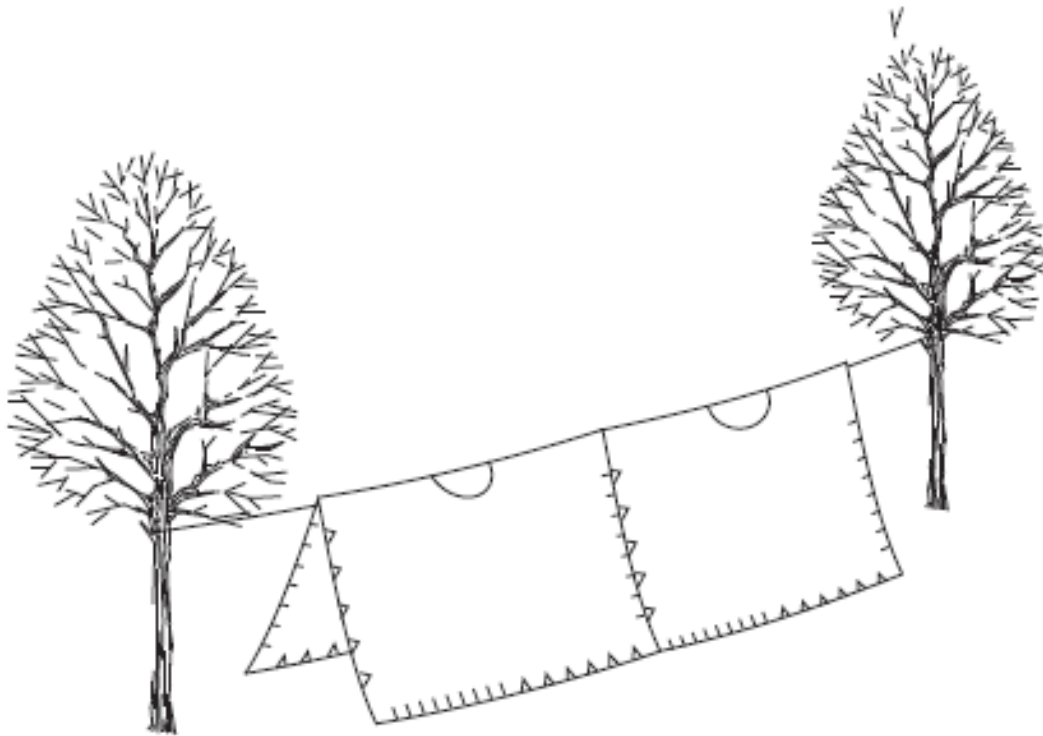


**FIGURE 7**





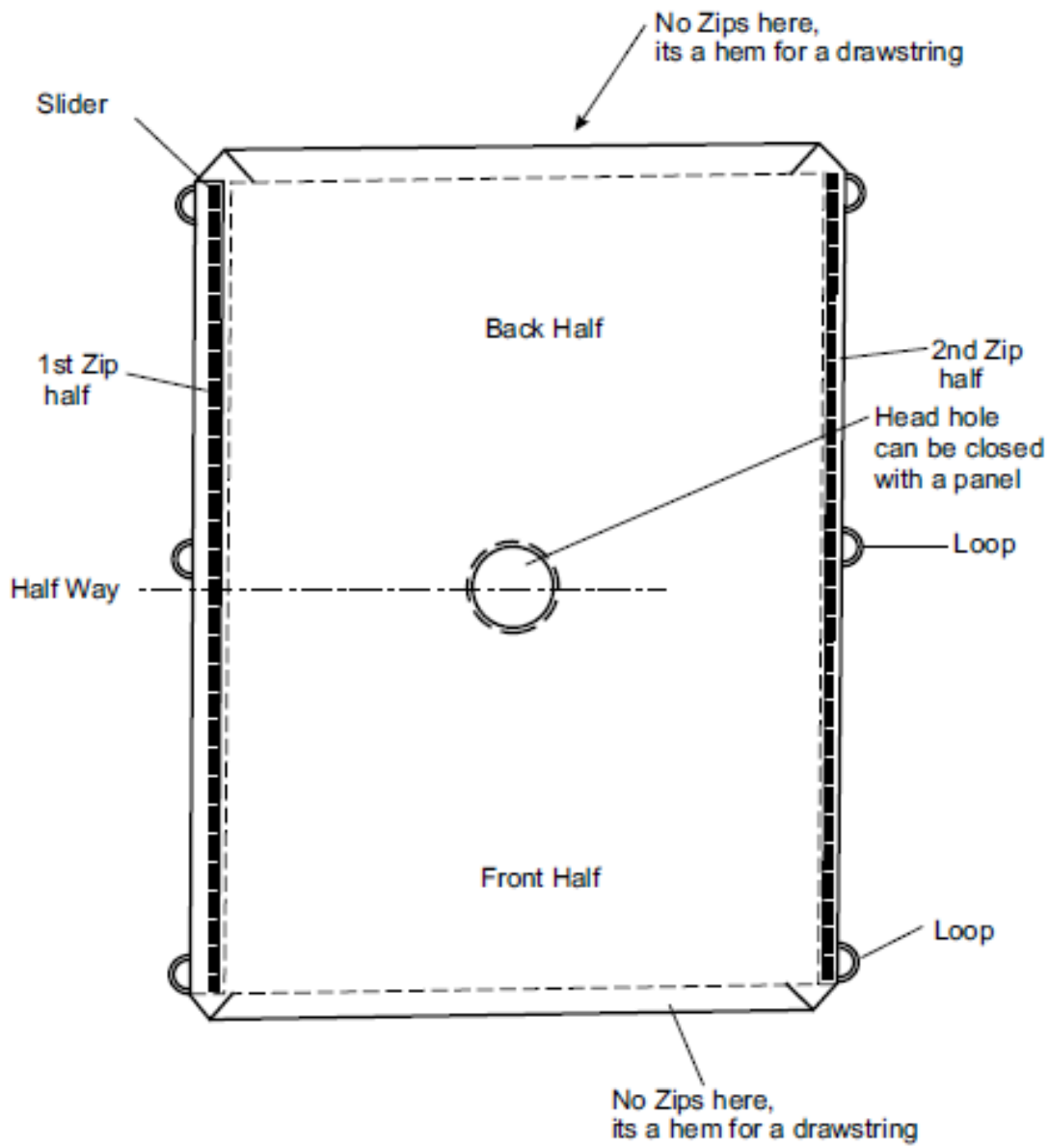
**FIGURE 8**

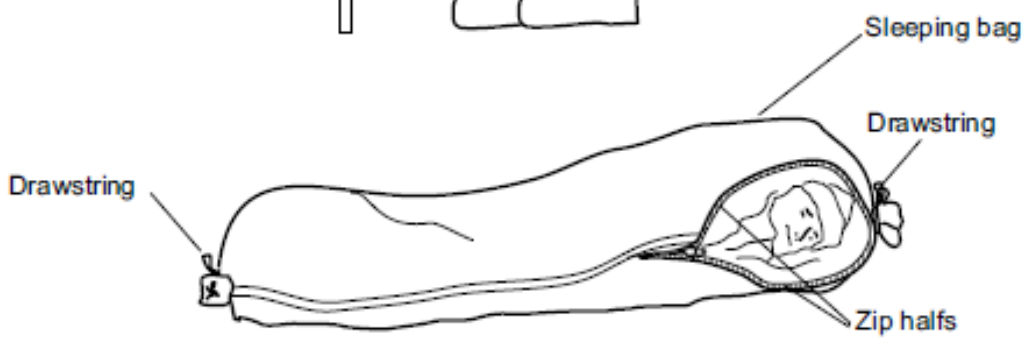
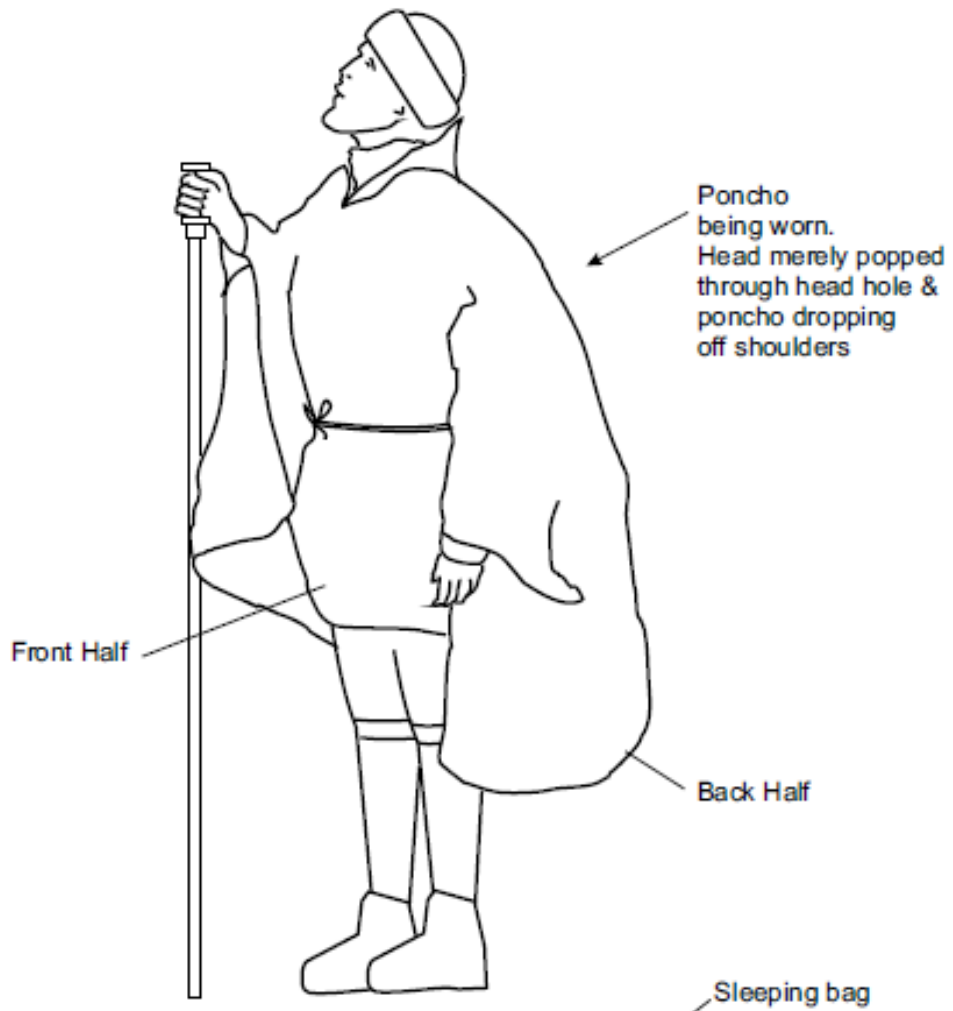


**FIGURE 9**

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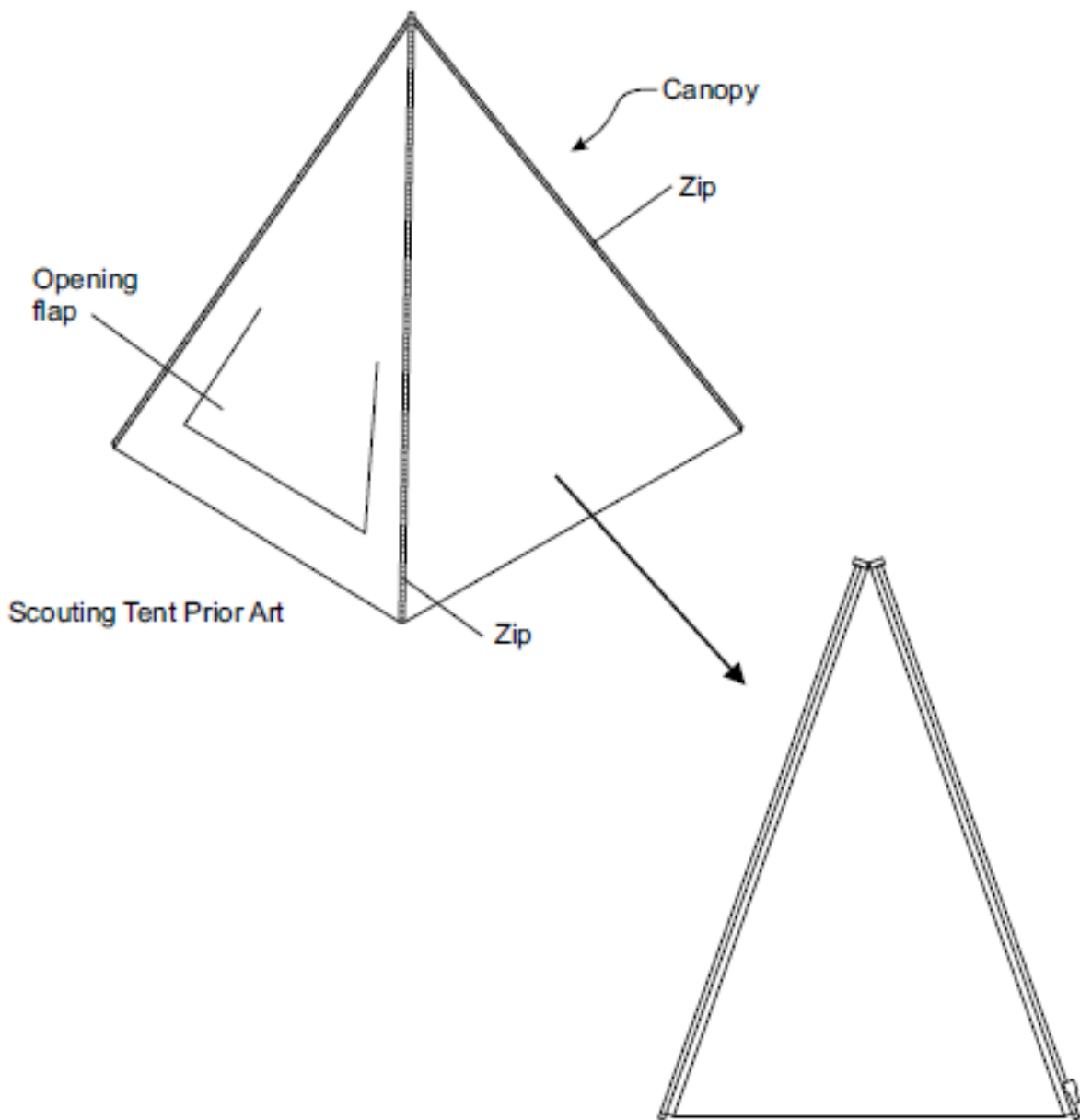
# Prior Art 1





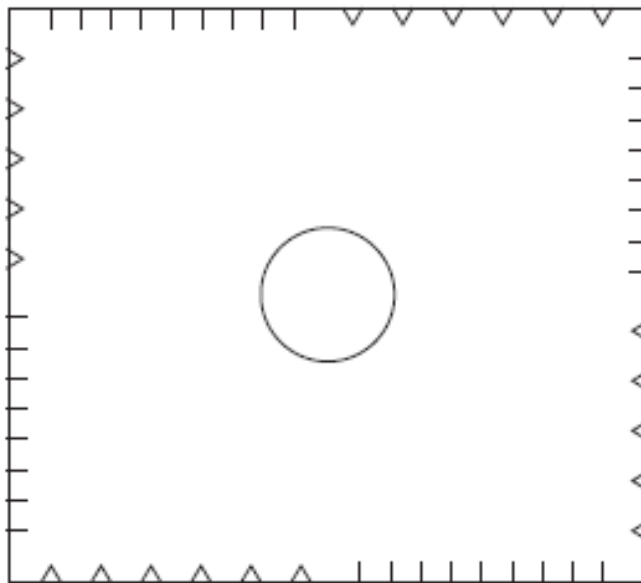
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## Prior Art 2

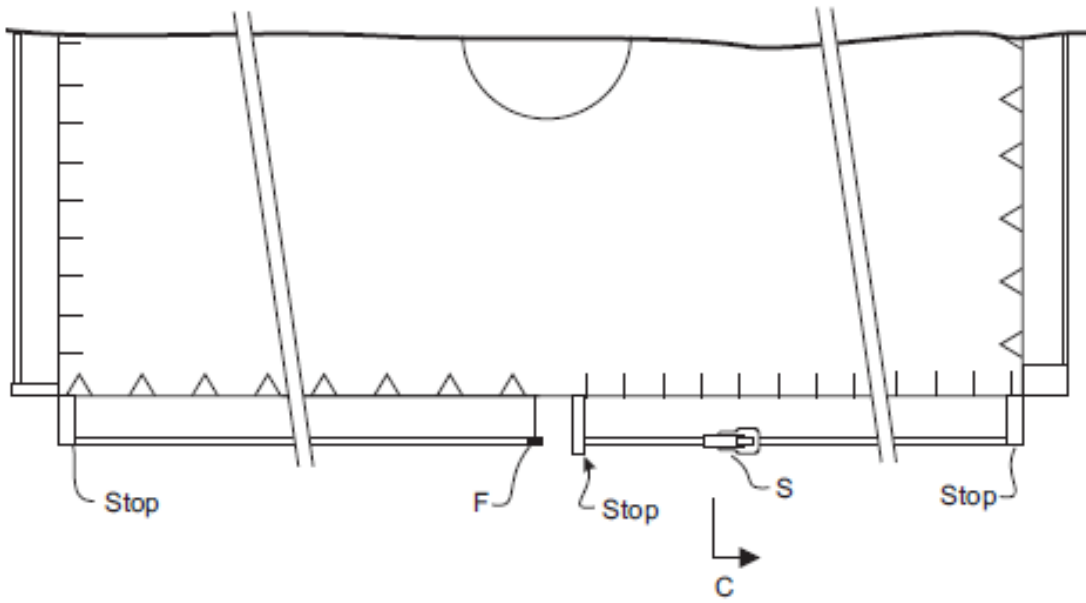


Extra drawings that you may use to answer the question

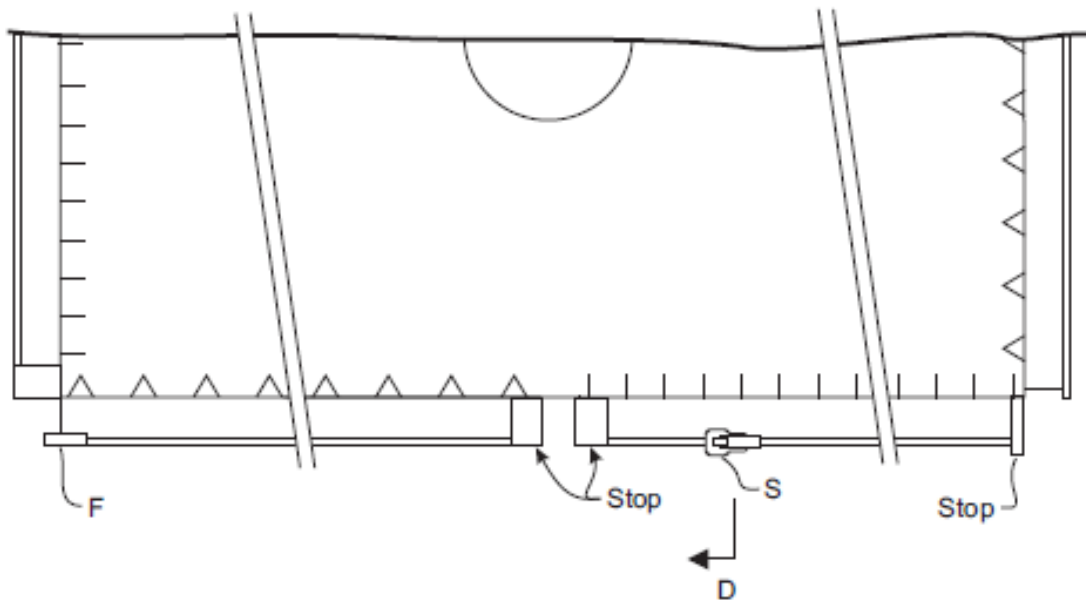
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**FIGURE 1a**



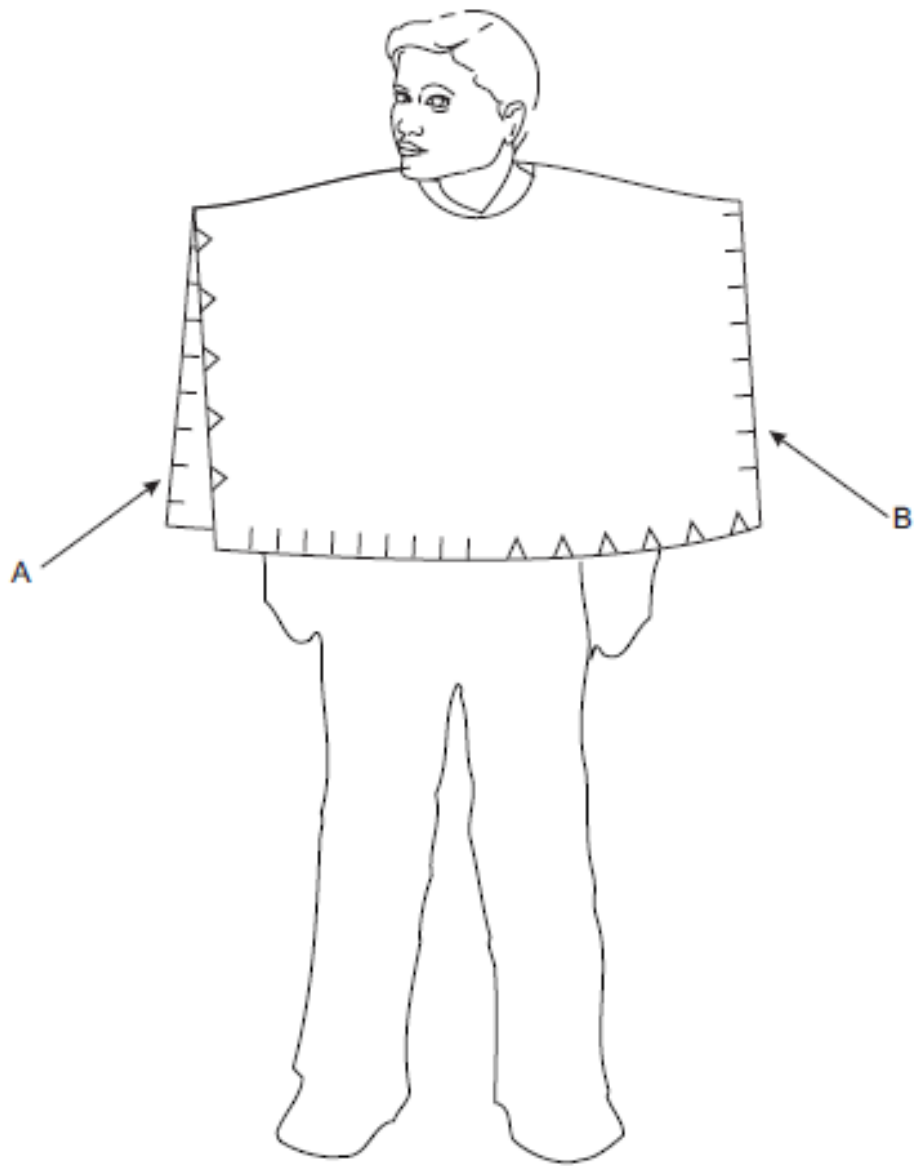
**FIGURE 1b**



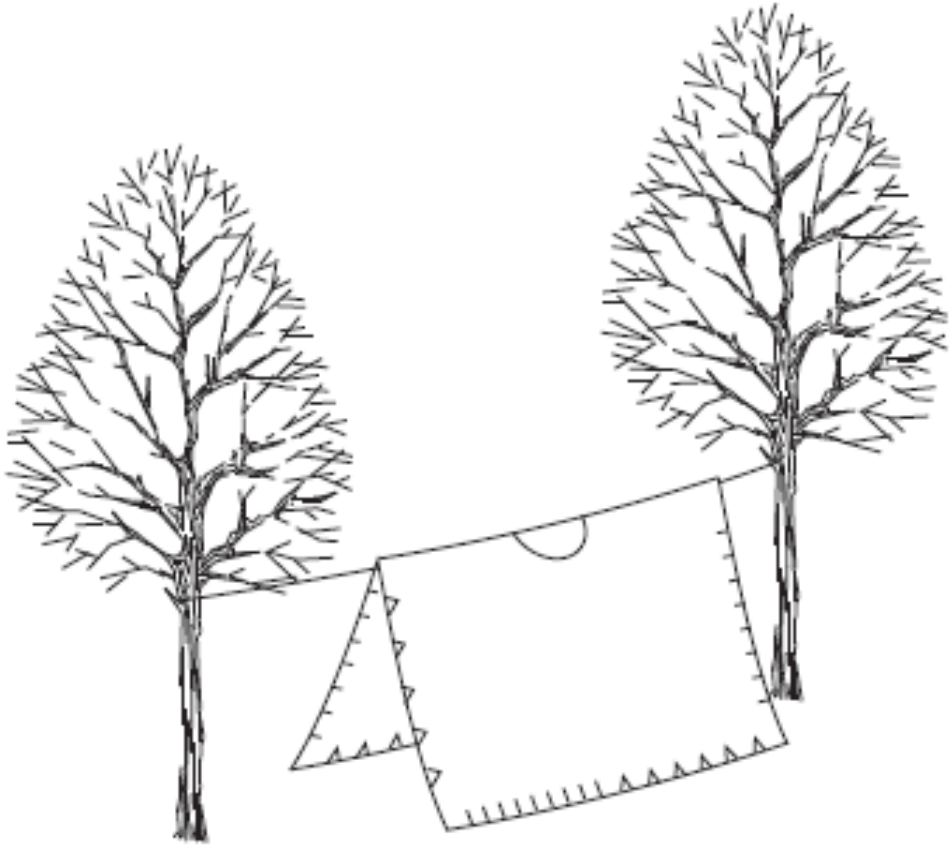
**FIGURE 1c**



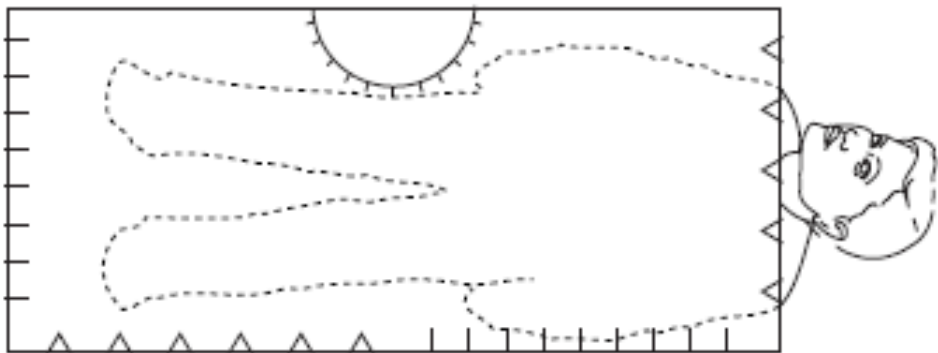
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**FIGURE 2**

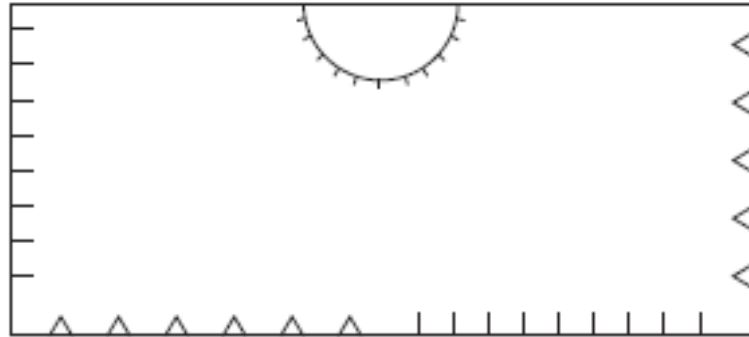


**FIGURE 3**

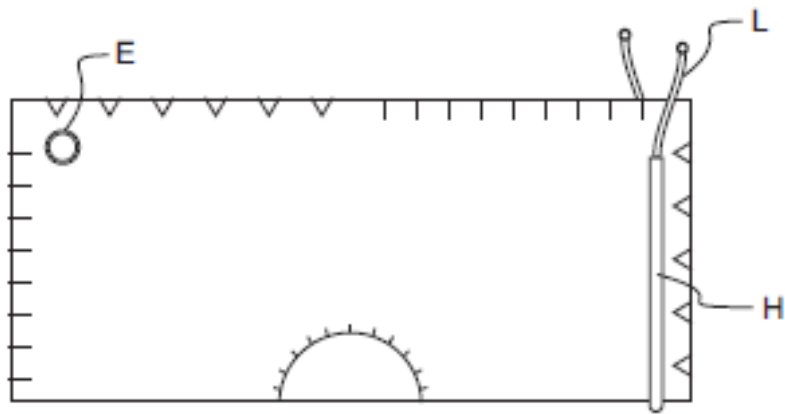


**FIGURE 4**

**FIGURE 5**



**FIGURE 6**



**FIGURE 7**

