



DELTA PATENTS

Training for Patent Professionals

**MAIN-EXAM
QUESTIONS
FOR PAPER D**

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D

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Introduction and acknowledgement

This document comprises an update to the Study Guide and Questions and Answers as used in our LEGAL Main Exam Courses in 2019, and “D-book” (edition July 2019, EQE 2020):

- Publications in OJ EPO after the Book was printed (OJ July 2018 – 31 October 2019);
 - Incl. new ADA/AAD per 1 October 2019;
- Publications in PCT Newsletter after the Book was printed (PCT NL July 2019 – 31 October 2019);
- Corrections to the questions and answers;
- Correction to the calendars.
- Answers to referrals G 1/18 and G 2/19 (not yet in OJ).

We thank all who provided any comments and all candidates who participated in our legal training courses, as well as those that gave feedback on our material via email, for useful feedback. Any further comments are highly appreciated.

The latest version of this document is available on our website.

Also refer to our compilations of key parts of the EQE syllabus as in force on 31 October 2019 for EQE 2020, on <https://www.deltapatents.com/course-links.html>:

- [EQE 2020 references - EQE](#)
- [EQE 2020 references - EPC](#)
- [EQE 2020 references - EPO and PCT](#)
- [EQE 2020 references - PCT](#)

Roel van Woudenberg,
15 November 2019

EQE 2020 preparation courses

DeltaPatents organizes further training sessions for candidates preparing for Pre-Exam 2020 and for the Main Exam 2020 in the period from April 2019 until February 2020. Also, our Correction Papers programme for the EQE Main Exam papers will start after the summer and be active until late January.

Please check our website for course details, further announcements and enrolment:

<http://www.deltapatents.com/eqe.html>
<http://www.deltapatents.com/eqe-main-exam-paper-d.html>
<http://www.deltapatents.com/registration--cancellation.html>

or contact us via email at:

training@deltapatents.com

1. Update of Study Guide

Notes on the references & Training Material and Sources – Law + Regulations

How to get.../ Guide for applicants / Euro-PCT Guide (HTG)

A new, 19th edition of "European Patent Guide - How to get a European patent (April 2019)", based on the information available on 1 April 2019, was published on 7 October 2019.

The paragraph numbering was changed from a consecutive numbering scheme to a chapter.paragraph.item (e.g., 4.1.001) numbering scheme, as in the most recent edition of the Euro-PCT Guide.

- Please replace all references to "Guide for Applicants: How to get a European patent", 18th edition to "European Patent Guide: How to get a European patent", 19th edition.

Training Material and Sources – Law + Regulations

3. London Agreement from www.epo.org

Add:

- OJ 2019, A71: "Belgium (BE) acceded London Agreement – in force for BE per 1/9/2019"

4. Fee payments to the EPO from www.epo.org

"Arrangements for deposit accounts" [OJ Suppl 5/2017; per 1 December 2017] and its updates of OJ 2019, A20 and OJ 2019, A46 are superseded by ADA2019 in OJ Suppl 4/2019; per 1 October 2019:

- Notice from the EPO dd 20 Aug 2019 concerning revision of the ADA and their annexes
- Arrangements for deposit accounts (ADA)
- Arrangements for the automatic debiting procedure (AAD)
- Information from the EPO concerning the automatic debiting procedure

EQE

1. EQE Regulation

Add:

- Decision Supervisory Board of 26 June 2019 w.r.t. Rule 25(3) IPREE (paper C) [OJ 2019, A66]



B3, Case Law – Headnotes / reasons

- Referral G 2/19 answered as follows
(see <https://www.epo.org/law-practice/case-law-appeals/communications/2019/20190717.html>):
“The first referred question was rejected as inadmissible. The second and third referred questions were reformulated and answered as follows:
 1. in Dritter im Sinne von Artikel 115 EPÜ, der gegen die Entscheidung über die Erteilung eines europäischen Patents Beschwerde eingelegt hat, hat keinen Anspruch darauf, dass vor einer Beschwerdekammer des Europäischen Patentamtes mündlich über sein Begehren verhandelt wird, zur Beseitigung vermeintlich undeutlicher Patentansprüche (Artikel 84 EPÜ) des europäischen Patents den erneuten Eintritt in das Prüfungsverfahren anzuordnen. Eine solchermaßen eingelegte Beschwerde entfaltet keine aufschiebende Wirkung.
 2. Mündliche Verhandlungen der Beschwerdekammern an deren Standort in Haar verstoßen nicht gegen die Artikel 113 (1) und 116 (1) EPÜ.”

B4, How to get...

Updates references into:

- HTG (2019) “4.1.006 ff – Languages for EP applications”
- HTG (2019) “4.1.088 ff – Language arrangements to assist applicants from certain states”
- HTG (2019) “Annex IV – The requirements of the contracting states regarding translations of European patent specifications”

B4, Law + Regulations:

Add:

- OJ 2019, A71: “Belgium (BE) acceded London Agreement – in force for BE per 1/9/2019”

B5, How to get...

Updates references to “How to get... “ into:

- HTG (2019) “4.1.023 ff – Representation

C1, Law + Regulations:

Updates references to “How to get... “ into:

- TG (2019): “3.2 – Invention”

C2, Law + Regulations:

Updates references to “How to get... “ into:

- HTG (2019) “3.3.011 ff – Novelty – Basic principles”
- HTG (2019) “3.3.003 ff – Prior rights”

C3, Law + Regulations:

Updates references to “How to get... “ into:

- HTG (2019) “3.011 ff – Novelty”

C4, Law + Regulations:

Updates references to “How to get... “ into:

- HTG (2019) “3.2.001 ff – Invention”
- HTG (2019) “3.2.005 – Prohibited matter”

C5, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “3.4 – Inventive step”

C6, Law + Regulations:

Updates references to “How to get... ” into:

- TG (2019) “4.2f – Presenting your invention”

C7, Law + Regulations:

Updates references to “How to get... ” into:

- TG (2019) “2.4.010 – Filing EP application creates right of priority”
- HTG(2019) “4.1.017 ff – Claiming priority”

D1, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “4.1.001 – Entitlement to European patent applications”

E1, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “2.2 – Nature and purpose of the EPC”

F, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “5.11 How to register transfers, changes of name, licences and other rights”
 - HTG (2019) “5.11.001 ff – Transfer of rights”
 - HTG (2019) “5.11.007 ff – Changes of name”
 - HTG (2019) “5.11.008 – Licences and other rights”

H1, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “2 – General”
- HTG (2019) “5.1 – General survey: overview of procedure”
- HTG (2019) “Annex I – Overview of the procedure for the grant of a European patent”

H2, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “4.2.001 ff – Presenting your invention”
- HTG (2019) “Annex II – Examples of European patent applications”
- HTG (2019) “4.1.002 ff – States for which European patent applications may be filed”
- HTG (2019) “2.5.001 ff – Extending/validating European patent to/in non-EPC states”



H3, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “4.3 – Filing European patent applications”
- HTG (2019) “Annex III – Authorities with which EP applications may be filed”
- HTG (2019) “4.4 – Filing other documents”
- HTG (2019) “4.1 – Formal requirements”
- HTG (2019) “5.2.001 ff – Examination on filing”
- HTG (2019) “5.8 – Divisional applications”

H4, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “5.2.009 ff – European search report”

H5, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “5.3 – Publication of the European patent application”

H6, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “5.4 – Examination procedure”

H7, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “5.4.017 ff – Amending applications before and during examination”

H8, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “5.4.008 ff – Stages of the procedure: grant or refusal”

H9, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “5.5 – Opposition procedure”
- HTG (2019) “5.6 – Limitation and revocation procedure”
- HTG (2019) “Annex I – Charts for limitation, revocation and opposition procedure”

H10, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “5.7 – Appeals procedure”

Add:

- Per 1/1/2020, a revised RPBA2020 will apply [OJ 2019, A63]. For EQE2020, the RPBA2007 [OJ 2007, 536] applies.

H10, Case Law :

The EBA has answered G 2/19: see B3.

The EBA has answered G 1/18:

- Referral G1/18 (by President): “If notice of appeal is filed and/or the appeal fee is paid after expiry of the two-month time limit under Art.108 EPC, is the appeal inadmissible or is it deemed not to have been filed, and must the appeal fee be reimbursed?”
 - The Enlarged Board answered the referred point of law as follows (provisional translation for the purposes of press release <https://www.epo.org/law-practice/case-law-appeals/communications/2019/20190718.html>):
 1. An appeal is deemed not to have been filed in the following cases:
 - (a) where notice of appeal was filed within the 2m time limit prescribed in Art.108, first sentence, AND the appeal fee was paid after expiry of that 2m time limit;
 - (b) where notice of appeal was filed after expiry of the 2m time limit prescribed in Art.108, first sentence, AND the appeal fee was paid after expiry of that 2m time limit;
 - (c) where the appeal fee was paid within the 2m time limit prescribed in Art.108, first sentence, for filing notice of appeal AND notice of appeal was filed after expiry of that 2m time limit.
 2. In the cases referred to in 1(a) to (c), reimbursement of the appeal fee is to be ordered ex officio.
 3. Where the appeal fee was paid within or after the 2m time limit prescribed in Art.108, first sentence, for filing notice of appeal AND no notice of appeal was filed at all, the appeal fee is to be reimbursed.

H11, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “5.4.008 – Requesting oral proceedings”
- HTG (2019) “5.5.006 – Requesting oral proceedings”

H12, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “Annex V – Time limits”

Add after OJ 2015, A61:

- OJ 2019, A88 “Notice dd 2 Oct 2019 termination of restrictions on cross-border payments originating in GR”

H13, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “5.10 – General provisions governing periods”

H14, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “5.9 – Renewal fees”
- HTG (2019) “Annex VI – Fees”

Update:

- ADA2017 (OJ Suppl 5/2017 + OJ 2019, A20 + OJ 2019, A46) superseded by:
ADA2019 (OJ Suppl 4/2019; per 1 October 2019)
 - Notice from the EPO dd 20 Aug 2019 concerning revision of the ADA and their annexes
 - Arrangements for deposit accounts (ADA)
 - Arrangements for the automatic debiting procedure (AAD)
 - Information from the EPO concerning the automatic debiting procedure
- OJ 2019, A26 superseded by OJ 2019, A82 “Notice from the EPO dd 20 Aug 2019 concerning the revised fee refund procedures per 1/10/19”



K2, Law + Regulations:

Updates references to “How to get... ” into:

- HTG (2019) “2.2.001 – Right conferred by patent”
- HTG (2019) “2.3.001 – WTO / TRIPS”

L1, Law + Regulations:

- OJ 2019, A26 superseded by OJ 2019, A82 “Notice from the EPO dd 20 Aug 2019 concerning the revised fee refund procedures per 1/10/19”

L2, PCT Newsletter:

Add:

- PCT NL July/Aug 2019, “Same day corrections before the International Bureau as receiving Office”

Advanced – Add:

- PCT NL Jul-Aug 2019 With effect from 1/7/19, NO withdraws notifications of incompatibility with its national law for R.26bis.3(j) (restoration of right of priority by rO), R.49ter.1(g) (effect if restoration of priority by rO) and R.49ter.2(h) (restoration of priority by dO), and NO office applies “unintentional” criterion
 - so that R.26bis.3 (a)-(i), R.49.ter.1(a)-(d) & R.49ter.2(a)-(g) apply to IAs filed with NO as rO ≥ 1/7/19
 - or entering the NO national phase ≥ 1/7/19

L2, Law + Regulations:

Add:

- PCT NL March 2019 “National Intellectual Property Center of Georgia (SAKPATENTI) starts operation as both depositing and accessing Office of DAS per 1/4/19.”

L3, PCT Newsletter:

Add:

- PCT NL Sep 2019, Practical Advice “Competent International Searching and Preliminary Examining Authorities”

L3, Law + Regulations:

Update:

- ADA2017 (OJ Suppl 5/2017 + OJ 2019, A20 + OJ 2019, A46) superseded by:
ADA2019 (OJ Suppl 4/2019; per 1 October 2019)
 - Notice from the EPO dd 20 Aug 2019 concerning revision of the ADA and their annexes
 - Arrangements for deposit accounts (ADA)
 - Arrangements for the automatic debiting procedure (AAD)
 - Information from the EPO concerning the automatic debiting procedure
- OJ 2019, A26 superseded by OJ 2019, A82 “Notice from the EPO dd 20 Aug 2019 concerning the revised fee refund procedures per 1/10/19”

Annex – Table of Contents OJ2016-SE4:

Update references:

- L.11: OJ 2014, A30 superseded by OJ 2017, A95 per 1/4/18, superseded by OJ 2019, A4 per 1/4/19
- M : OJ Suppl 3/2017 superseded by OJ Suppl 5 2017, superseded by OJ Suppl 4/2019 per 1/10/19

2. Update of Main-Exam Questions

QUESTIONS DEALING WITH LEGAL CHANGES OF 2017

- OJ 2016, A99 superseded by OJ 2019, A71 per 1/9/2019 (Belgium joined London Agreement)

QUESTIONS DEALING WITH LEGAL CHANGES OF 2019

- OJ 2019, A26 superseded by OJ 2019, A82 (fee refund procedure)

HOW TO ANSWER THE MAIN-EXAM QUESTIONS

Change and extend the fourth bullet:

- We sometimes cite other resources, such as Guidelines, the PCT Applicant's Guide or the Euro-PCT Guide, to indicate where that part of the answer can be found.
- The PCT Applicant's Guide and the Euro-PCT Guide are however not listed in the EQE syllabus, such that references to those are in principle not accepted as legal basis and thus not attracting marks (unless, exceptionally, they are the only source), although they are exceptionally accepted instead of other references like OJ EPO notices and decisions.

Add:

- Use the calendars provided at the EQE with the exam paper when sitting the exam.

L4-24

Amend the date in the question to read:

An international application is filed on 8 March 2017 claiming priority of a national application filed on 9 August 2016.



3. Update of Answers to Main-Exam Questions

Updates in view of new ADA2019 (OJ Suppl 4/2019)

Please update all references to ADA2017 (as amended by OJ 2019, A20 and OJ 2019, A46) by references to ADA2019 as follows:

ADA

- Paragraphs 1 – 7 numbering unchanged
- Paragraph 8 newly inserted (refunds)
- Paragraph 8 renumbered to paragraph 9

AAD concordance table

AAD2017	AAD2019
1.1	1.1
1.2	1.2
1.3	Incorporated in 1.2
1.4	1.3
1.5	Incorporated in 1.3
2.1	2.1 (rephrased)
2.2	2.2 (rephrased)
-	2.3
-	2.4
3	3.1
4	3.2
5	4
6	5 (but different sub-paragraphs)
7	6
8	7
9	8
10.1(a)-(b)	5.1(b)
10.1(c)	5.2(b)&5.2(c)
10.1(d)	5.2(a)
10.2(a)-(b)	5.1(f)
10.2(c)	5.1(c)&(f)
10.2(d)-(f)	5.1(b)
10.2((g)	5.1(f)
11	9
12	10
13.1(a),(b),(e)-(g)	11(a)-(e)
13.2(a)	11(b)
13.3	11(f)
13.4	11.2

B2-01

In view of the decision taken in G 1/18, add to second bullet of the answer:

- Fee for appeal not paid – so, notice of appeal deemed not filed - Art.108 (see comment); G 1/18

In view of the decision taken in G 1/18, add to comments:

- *The final answer came from G 1/18*
(in translation from <https://www.epo.org/law-practice/case-law-appeals/communications/2019/20190718.html>):
 1. *An appeal is deemed not to have been filed in the following cases:*
 - (a) *where notice of appeal was filed within the two-month time limit prescribed in Article 108, first sentence, EPC AND the appeal fee was paid after expiry of that two-month time limit;*
 - (b) *where notice of appeal was filed after expiry of the two-month time limit prescribed in Article 108, first sentence, EPC AND the appeal fee was paid after expiry of that two-month time limit;*
 - (c) *where the appeal fee was paid within the two-month time limit prescribed in Article 108, first sentence, EPC for filing notice of appeal AND notice of appeal was filed after expiry of that two-month time limit.*
 2. *In the cases referred to in answers 1(a) to (c), reimbursement of the appeal fee is to be ordered ex officio.*
 3. *Where the appeal fee was paid within or after the two-month time limit prescribed in Article 108, first sentence, EPC for filing notice of appeal AND no notice of appeal was filed at all, the appeal fee is to be reimbursed.*

B4-14

Update the last bullet to:

- *Belgium only became a party to the London Agreement per 1/9/2019 – OJ 2019, A71. However, already prior to acceding to the London Agreement (as of 1/1/2017), BE did not require a translation to validate in BE under its national law– OJ 2016, A99; Nat.Law. Table IV, col 1&2*

C7-08

Change the second bullet of the Comments to (a) to:

- *If he fails to provide a certified copy within this period (R.53(1)), EPO will invite him to provide it within a 2m period under Rule 59. This period can be extended under R.132(2), but FP processing is ruled (R.135(2)). If the applicant fails to provide it within this period, the priority right in question is lost (Art. 90(5)- See GL (2018) A-III, 6.7, last paragraph*

E-12

Update the last bullet to:

- Under its national law, BE does not require a translation to validate – OJ 2019, A71; Nat.Law. Table IV, col 1&2

And add to the comments:

- *Belgium is the latest state to join the London Agreement (per 1/9/2019) – OJ 2019, A71-, but already dismissed from the translation requirements (since 1/1/17) – OJ 2016, A99*

H3-08, H4-08, H5-04, H6-08, H9-19, H9-20, H10-20, H14-03,

- OJ 2019, A26 superseded by OJ 2019, A82 (fee refund procedure) per 1 October 2019

H6-02

Clarify the second and third paragraph of the answer to:



- Request for examination is autonomous step separate from filing – J21/98
- So request for examination in Greek is not binding

- In order to obtain 30% fee reduction – RFees 14(1), a written “request for examination” in Italian has to be filed at latest when fee for examination is paid - J21/98 and G 6/91
- and a translation into En, Fr or Ge – R.6(2) – within 1m of filing the request in Italian
- The latter is fulfilled as the RfG contains the request in En, Fr and De – but it was not considered filed as the fee was not yet paid – J21/98.

H8-02

Add to last bullet of the answer to (c):

- BE does not require any translation either under its national law (as the grant is \geq 1/1/2017) – OJ 2016, A99 (superseded per 1/9/2019 by OJ 2019, A71)

Update last bullet of comments to:

- *Belgium became not a party to the London Agreement per 1/9/2019 – OJ 2019, A71. However, under its national law already as of 1/1/2017, BE does not require a translation to validate – OJ 2016, A99; Nat.Law. Table IV, col 1&2*

H9-23

Clarify the answer as follows:

- EPC
- No
- Filing a notice of opposition by fax is allowed; the date of receipt is the date on which the notice is received in full - R.2(1); OJ 2019, A18, Art.5(3); T 858/18
- So it is considered received after midnight and is too late.
- There are no remedies for missing the 9m-period of Art.99.

- Also, a debit order filed by fax opposition is invalid – ADA2017 5.1.3 -.
- Thus, the debit order will anyhow not be carried out, also not if it would have been filed before midnight –
- Such that the opposition is deemed not filed – Art.99(1); GL (2018) D-IV, 1.2.1; G 1/18 mut.mut.

- OJ 2019, A18, Art.5(2): only provides for renunciation of parts of a patent application received after midnight, but not of other documents - T 858/18
- Note: Even if applied mutatis mutandis, renunciation of late-received parts would render notice incomplete and so deemed not received - OJ 2019, A18, Art.6

Add to comments:

- *T 858/18, catchwords:*
 - *If a facsimile transmission of a document within the meaning of Rule 50(3) EPC begins on an earlier date and extends beyond midnight to a later date, the entire document is accorded the later date as single date of receipt. There is no legal basis for according the earlier date as date of receipt to the part of the document arriving at the EPO before midnight (see in particular point 6 and for the term "document" point 4 and for the "date of receipt" point 5 of the reasons).*
 - *Deviating from decisions T 2061/12 and T 2317/13 (see points 7.3 and 7.4 of the reasons).*

H10-04

In view of the decision taken in G 1/18, add to comments:

- *The final answer came from G 1/18 (in translation from <https://www.epo.org/law-practice/case-law-appeals/communications/2019/20190718.html>):*

4. An appeal is deemed not to have been filed in the following cases:
 - (d) where notice of appeal was filed within the two-month time limit prescribed in Article 108, first sentence, EPC AND the appeal fee was paid after expiry of that two-month time limit;
 - (e) where notice of appeal was filed after expiry of the two-month time limit prescribed in Article 108, first sentence, EPC AND the appeal fee was paid after expiry of that two-month time limit;
 - (f) where the appeal fee was paid within the two-month time limit prescribed in Article 108, first sentence, EPC for filing notice of appeal AND notice of appeal was filed after expiry of that two-month time limit.
5. In the cases referred to in answers 1(a) to (c), reimbursement of the appeal fee is to be ordered *ex officio*.
6. Where the appeal fee was paid within or after the two-month time limit prescribed in Article 108, first sentence, EPC for filing notice of appeal AND no notice of appeal was filed at all, the appeal fee is to be reimbursed.

H11-18

In view of the decision taken in G 1/18, add to first bullet of second paragraph of the answer:

- If appeal was filed anyway, it would be deemed not filed because appeal fee cannot be paid in time - Art.108(1); G 1/18

In view of the decision taken in G 1/18, change the note to:

- G 1/18 ruled:
(in translation from <https://www.epo.org/law-practice/case-law-appeals/communications/2019/20190718.html>):
 1. An appeal is deemed not to have been filed in the following cases:
 - (a) where notice of appeal was filed within the two-month time limit prescribed in Article 108, first sentence, EPC AND the appeal fee was paid after expiry of that two-month time limit;
 - (b) where notice of appeal was filed after expiry of the two-month time limit prescribed in Article 108, first sentence, EPC AND the appeal fee was paid after expiry of that two-month time limit;
 - (c) where the appeal fee was paid within the two-month time limit prescribed in Article 108, first sentence, EPC for filing notice of appeal AND notice of appeal was filed after expiry of that two-month time limit.
 2. In the cases referred to in answers 1(a) to (c), reimbursement of the appeal fee is to be ordered *ex officio*.
 3. Where the appeal fee was paid within or after the two-month time limit prescribed in Article 108, first sentence, EPC for filing notice of appeal AND no notice of appeal was filed at all, the appeal fee is to be reimbursed.

L2-16

Change comment to (b) to:

(b) Publication by the IB is normally on Thursday - see e.g. AG-IP (2019) AG-IP 9.013, PCT NL June 2012. However, publications are often changed to other days due to holidays, see e.g., PCT NL April 2019

L4-06

Correct last bullet of (b) to

- As claims have been reduced to 15, the 70 – 15 = 55 claims fees will be refunded – R.162(3)

L4-18

Correct first bullet of (a) to

- Applicant should perform acts of R.159(1) no later than 21/12/20 to avoid paying any surcharge for further processing – Art.121 EPC

Correct first bullet of (c) to

- SIS request must be filed at latest on:
20/5/18 + 22m [R.45bis.1(a) per 1/7/2017; R.80.2 PCT] => 20/3/20 (Fri)

L4-18

Correct comment (a) to:

- (a) WIPO website: "Time Limits for Entering National/Regional Phase" & EPG (2019) 4.016
- LU and UG have notified the IB of the non-applicability of the 30m time limit under PCT Art.22(1)/Art.22(3), as modified with effect from 1 April 2002, and still use a 20m resp. 21m time limit for entry before LU and UG as dO; time limit becomes a 30m resp 31m time limit under Art. 39(1)(a)/Art.39(1)(b) for entry before LU and UG as eO.
 - Note, however, that in respect of the regional designation of all those States, the time limit under Art.22(3) of 31 months applies.

L4-24

Change the priority date in the time line to 9/8/16.

Change the answer to (a) to

- Due date for renewal fee in respect of 3rd year is later of R.51(1) due date and expiry of 31m period - R.159(1)(g)
- (a) The later of the normal due date and the entry date:
- R.51(1) gives 31/3/19 as due date
 - R.159(1) gives:
9/8/16 + 31m [R.131(4)] => 9/3/19 (Sat) [R.134(1)] => 11/3/19 (Mon)
 - So due date = 31/3/19 (Sun)
 - But 31/3/19 is a Sunday/non-working day
 - So payment may be deferred without surcharge to 1/4/19 (Mon) - R.134(1) mut.mut.; J4/91

L4-30

In the second bullet, the word "be" was missing. Correct the bullet to:

- So the international publication will not be the earliest possible moment for provisional protection: [..]

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