



DELTAPATENTS

Training for Patent Professionals

PRE-EXAM BOOK CASES/EXAMS

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Introduction and acknowledgement

This document comprises an update to the Study Guide and Questions and Answers as used in our Integrated Pre-Exam Courses in 2019, and to the 'Basic legal Questions for Pre-Exam and Paper D -book ("L-book", edition July 2019, EQE 2020):

- Publications in OJ EPO after the Book was printed (OJ July 2019 – 31 Oct 2019);
 - Incl. new ADA/AAD per 1 October 2019
- Publications in PCT Newsletter after the Book was printed (PCT NL July 2019 – 31 Oct 2019);
- New How to Get Guide (19th edition, issued 7 October 2019, updated to 1 April 2019);
- Corrections to the questions and answers;
- 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-pre-exam.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

Section 3 – answers to the legal cases

B4-04

Change second bullet of answer to statement 4 to:

- For validation in BE, no translation at all is required [Art.65(1) EPC] – OJ 2016, A99 for grants after 1/1/17 and before 1/9/19 & OJ 2019, A71 for grants \geq 1/9/19].

And add to comment:

- *Per 1/9/2019, Belgium became a party to the London Agreement – OJ 2019, A71.*

H9-02

Add to answer to statement 7.1:

Note:

- Notice of opposition is a subsequent document in the sense of Rule 50(2)-(3)
- So notice of opposition can be filed by fax
- OJ 2019, A18, Art.3; T 858/18

H14-04, H14-05

Please update all references to ADA2017 (as amended by OJ 2019, A20 and OJ 2019, A46) by references to the new ADA2019 (OJ Suppl 4/2019).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

Section 6 – answers and model solutions to the pre-exam papers

Pre-Exam 2014 - Question 15.4

Update the first bullet to:

15.4 F

- The stated composition is identical to that of claim III except for comprising a weight quantity of glycerine of “about 20%”, which can be considered as representing (and thus disclosing) ~~exactly 20% plus/minus a margin. The margin is undisclosed but inherently includes zero, the value 20% interpreted as being as accurate as the method used to measure it, see Guidelines (2018) F-IV, 4.7.1. As no error margins are specified, the same principles described in Guidelines (2018) G-VI, 8.1 (relating to error margins in numerical values of prior art disclosures), apply, i.e. the expression "about 20%" is interpreted as having the same round-off as "20%".~~ The stated composition thus discloses a weight quantity of 20%.

Pre-Exam 2019 - Question 4

Correct typo in first bullet of Deltapatents’ comments to:

- Statement 1.1 was discussed extensively on our blog in view of the R.58 invitation which effectively relaxes the requirement imposed by R.6(1):

Pre-Exam 2019 – Question 5

Add to answer to second statement:

- Euro-PCT Guide (2019) 2.1.002-2.1.003