

## Question 1

A European patent was granted on 7 May 2025. The European patent application was opted out from the exclusive competence of the Unified Patent Court on 3 April 2025. On 16 May 2025 a request for unitary effect was filed without filing a translation of the European patent. The European patent has not been validated in other countries. On 23 May 2025 a communication pursuant to Rule 7(3) UPR was issued by the European Patent Office indicating that a translation of the European patent into one of the other official languages of the European Union is lacking.

Which of the following statements is correct?

- a. If no translation of the European patent is filed in time, the European Patent Office rejects the request for unitary effect and there will be no further options to validate the European patent in any country.
- b. To obtain unitary effect a translation into Turkish of the European patent can be filed in response to the communication pursuant to Rule 7(3) UPR.
- c. When the request for unitary effect will be granted the opt-out shall be deemed to have been withdrawn. It is not possible to opt out a unitary patent.
- d. The deadline for filing a reply to the communication pursuant to Rule 7(3) UPR can be extended upon request.

## Question 2

A European patent application was filed on 15 April 2024. The designation fee and the validation fee for Georgia were paid in time. The European patent was granted on 21 May 2025.

Review the following statements.

- I. In order to validate the European patent in Georgia, only a Georgian translation of the claims needs to be filed.
- II. In case you forget to pay a renewal fee in Georgia there is a six-month period from the due date for requesting reinstatement of the patent by paying the missed renewal fee without surcharge.

Which of these statement(s) is/are correct?

- a. Only statement I is correct.
- b. Only statement II is correct.
- c. Statements I and II are both correct.
- d. Statements I and II are both incorrect.

### Question 3

On 5 April 2025 you received a Communication under Article 94(3) EPC in your MyEPO Portfolio Mailbox regarding a European patent application. The time limit for filing a response is two months. The communication is dated 7 April 2025.

What will be the last date to respond to the Communication of the European Patent Office without requesting an extension of time and avoiding further processing?

- a. 5 June 2025.
- b. 7 June 2025.
- c. 9 June 2025.
- d. 10 June 2025.

## Question 4

Two inventors, a Chinese resident and national and a Dutch resident and national, have filed European patent application EP4 on 1 March 2025 naming both inventors as applicants. They previously filed three more European patent applications listing the same applicants.

Which of the following statements is correct?

- a. When paying the designation fee and the examination fee for EP4 the applicants can benefit from a language fee reduction of 30% on the examination fee by filing the request for examination in Dutch and a further micro-entity fee reduction of 30% on the designation fee and the examination fee.
- b. When paying the designation fee and the examination fee for EP4 the applicants can benefit from a micro-entity fee reduction of 30% on the designation fee and the examination fee.
- c. When paying the designation fee and the examination fee for EP4 the applicants cannot benefit from a language fee reduction nor from a micro-entity fee reduction, since one of the applicants is a Chinese resident and national.
- d. When paying the designation fee and the examination fee for EP4 the applicants cannot benefit from a micro-entity fee reduction, since the applicants already filed three or more European patent applications.

## Question 5

European patent application EP1 has entered the European regional phase with 20 claims. Upon filing EP1, five claims fees were paid. In reply to the communication pursuant to Rules 161(1) and 162 EPC an amended set of claims was filed containing 15 claims.

Which of the following statements is correct?

- a. The claims fees will not be refunded, because the claims fees were paid upon filing the application.
- b. The claims fees will not be refunded, because the claims fees that are due are based on the number of claims upon filing.
- c. The claims fees will be refunded, because claims fees are only payable as from the 21<sup>st</sup> claim, and therefore no claims fees were due.
- d. The claims fees will be refunded, because the claims fees will be computed on the basis of the amended claims.

## Question 6

A European patent was granted in the German language on 4 September 2024. On 2 May 2025 a Dutch national filed a notice of opposition in the Dutch language.

Which of the following statements is correct?

- a. A translation of the notice of opposition into an official language of the European Patent Office has to be filed at the latest on 2 June 2025.
- b. A translation of the notice of opposition into an official language of the European Patent Office has to be filed at the latest on 4 June 2025.
- c. A translation of the notice of opposition into an official language of the European Patent Office has to be filed at the latest on 5 June 2025.
- d. The opposition will be deemed not to have been filed because the notice of opposition was not filed in an official language of the European Patent Office.

## Question 7

Your client has an International patent application for which the 30 months' deadline was 28 March 2025. He now wishes to enter the national/regional phases in Japan, China, India, and before the European Patent Office. Client is late with the instructions, and gives definitive instructions today, 27 May 2025.

Which of the followings statement is correct?

- a. None of the filings is possible because the 30/31 months' time limit for entering national/regional phase has expired.
- b. It is still possible to enter the national/regional phase before the European Patent Office and in China, but not in Japan and India.
- c. It is still possible to enter the national/regional phase before the European Patent Office and in China and India, but not in Japan.
- d. It is still possible to enter the national/regional phase before the European Patent Office and in Japan, China, and India.

## Question 8

You have received instructions to file an International patent application claiming priority from Dutch patent application 2036288, which has a filing date of 28 November 2023. The International patent application was filed on 28 November 2024 at the Dutch Patent Office. When checking the filed documents the day after, you realized that a mistake was made while claiming priority in the PCT Request form. A digit is missing in the number of the priority application, because 203628 was indicated instead of 2036288.

Review the following statements.

- I. The priority claim can be corrected up until 16 months from the earliest priority date.
- II. The Receiving Office will invite the applicant to correct this mistake.

Which of these statement(s) is/are correct?

- a. Only statement I is correct.
- b. Only statement II is correct.
- c. Statements I and II are both correct.
- d. Statements I and II are both incorrect.

## Question 9

An International patent application was filed at the European Patent Office on 5 May 2025 using filing form PCT/RO/101 stating the applicant's name and with a description and formal drawings. The official fees were not paid on filing. A couple of days later, on 14 May 2025, a set of 15 claims was filed at the Receiving Office and on 23 May 2025 the official fees were paid.

What would be the international filing date accorded to this patent application?

- a. 5 May 2025.
- b. 6 May 2025.
- c. 14 May 2025.
- d. 23 May 2025.

## Question 10

An international patent application was filed on 14 September 2024 claiming priority from European patent application 23177924.0, which has a filing date of 11 November 2023. The drawings of the International patent application did not meet the formal requirements, and you received an invitation to correct defects in the International patent application on 13 October 2024.

Which one of the following statements is not correct?

- a. The deadline to file corrected drawings was 13 December 2024.
- b. Corrected drawings can be filed until 30 months from the priority date.
- c. If the corrected drawings are filed before the technical preparations of the publication of the International patent application are completed, the filing of the corrected drawings will be considered in time.
- d. The deadline for correcting defects in an International patent application can be extended.

## Question 11

A demand for International Preliminary Examination was filed for International patent application PCT/EP2024/205366. The International Preliminary Examining Authority has sent an invitation to file a response to the Written Opinion to the applicant establishing a time limit of 2 months to file the response.

Review the following statements.

- I. If the applicant has not filed the response by the end of the time limit no further arguments can be filed during the international phase.
- II. The time limit for replying to the invitation may be extended upon request by the applicant before its expiration.

Which of these statement(s) is/are correct?

- a. Only statement I is correct.
- b. Only statement II is correct.
- c. Statements I and II are both correct.
- d. Statements I and II are both incorrect.

## Question 12

NL2, filed on 11 December 2024, claims priority from NL1 filed on 13 December 2023. The novelty search report for NL2 was issued on 18 May 2025. What is the deadline to file amendments for NL2, including any possible extensions?

- a. 13 June 2025.
- b. 11 June 2026.
- c. 18 July 2025.
- d. 18 September 2025.

### **Question 13**

A Dutch patent application was filed on 16 May 2023 and granted on 3 December 2024. What is the last date for paying the first renewal fee without surcharge?

- a. 31 May 2026.
- b. 1 June 2026.
- c. 31 May 2027.
- d. 31 December 2027.

## Question 14

Is it possible to remove an inventor from a Dutch patent application?

- a. No, this is not possible.
- b. Yes, this can be done by filing a written request signed by the applicant(s) or the representative, and paying the fee due.
- c. Yes, this can be done by filing a declaration signed by the applicant(s) and the inventor to be deleted, and paying the fee due.
- d. Yes, this can be done by filing a written request signed by the applicant(s) or the representative, and paying the fee due, as well as a declaration signed by the applicant(s) or the representative and the inventor to be deleted as an annex.

## Question 15

Stichting Internet Domeinnaam Nederland (SIDN) keeps track of all domain names in the .nl country code top-level domain (cc-tld). SIDN is therefore a:

- a. Registrant.
- b. Registry.
- c. Registrar.
- d. Register.

## Question 16

Today, 27 May 2025, you wish to register a large number of industrial designs with the European Union Intellectual Property Office on behalf of a client of your firm, all related to a new product range to be introduced by the client later this year. To save costs your firm decided to file as many designs as possible in one or more multiple applications.

Review the following statements.

- I. The maximum number of designs that can be combined in one multiple application is 100.
- II. It is allowed to have multiple classes in one multiple application.

Which of these statement(s) is/are correct?

- a. Only statement I is correct.
- b. Only statement II is correct.
- c. Statements I and II are both correct.
- d. Statements I and II are both incorrect.

## Question 17

You are requested to file an International Trademark Registration (IR) for a client of your firm based on a Benelux Trademark Registration.

Review the following statements.

- I. The IR needs to be filed with the International Bureau of WIPO.
- II. The IR needs to be filed within 6 months from the filing date of the Benelux Trademark Registration.

Which of these statement(s) is/are correct?

- a. Only statement I is correct.
- b. Only statement II is correct.
- c. Statements I and II are both correct.
- d. Statements I and II are both incorrect.

## Question 18

Your firm is faced with an opposition against a pending Benelux trademark at the Benelux Office for Intellectual Property (BOIP).

The BOIP may suspend opposition proceedings *ex officio* if:

- a. The opposition is based on a Benelux trademark that has not yet been registered.
- b. The opposed trademark is subject to proceedings for refusal on relative grounds.
- c. The opposed trademark is subject to proceedings for refusal on absolute grounds.
- d. The opposed trademark was registered without delay and is subject to a judicial action for invalidation or revocation.

## Question 19

An EU trademark application was filed on 30 March 2025 and published on 8 April 2025. What is the last date to file an opposition against this trademark?

- a. 8 June 2025.
- b. 10 June 2025.
- c. 30 June 2025.
- d. 8 July 2025.

## Question 20

In opposition proceedings at the Benelux Office for Intellectual Property, the proceedings can be suspended upon request of both parties (trademark owner and opponent).

Review the following statements.

- I. The proceedings will only continue after the expiration of the extension period.
- II. The proceedings can be suspended only once, for a period of 4 months.

Which of these statement(s) is/are correct?

- a. Only statement I is correct.
- b. Only statement II is correct.
- c. Statements I and II are both correct.
- d. Statements I and II are both incorrect.

## Case 1

Swedish company Slarvig AB (hereafter: "Applicant") wished to file a European priority application (EP1) in March 2023.

- a. Did Applicant need to pay one or more fees to the European Patent Office in order to have a date of filing accorded for EP1? If so, which fee(s)?

EP1 discloses two unrelated inventions (A and B), which was done to save costs. EP1 contains a description and an abstract, both in English, as well as six Figures. Figures 1-3 relate to invention A, and Figures 4-6 to invention B.

The description and abstract were filed with the European Patent Office on 27 March 2023, together with information identifying the applicant. On 29 March 2023 the applicant also filed an indication that a European patent is sought for EP1. Finally, the applicant submitted a first set of claims for EP1 on 3 April 2023.

- b. What was the last date on which a subsequent European patent application could have been filed that validly claimed priority from EP1?

On 17 March 2024 the applicant validly filed European patent application EP2, claiming priority from EP1. EP2 only relates to invention A, and did not contain an abstract at filing. In due course, the European Patent Office sent the applicant an invitation to file the abstract.

- c. What would have been the effect if a response to this invitation was not filed in due time? Which remedy was available?

Additionally, the search fee was not paid within one month of filing EP2.

- d. Which communication did the European Patent Office send to the applicant? Which actions did the applicant have to take to overcome the deficiency?

On 28 March 2024 Applicant validly filed European patent application EP3, which claims priority from EP1. The description and claims of EP3 only relate to invention B. However, Figures 1-3 of EP3 relate to the original Figures 1-3 of EP1, and thus to invention A. Figures 4-6 of EP1, which relate to invention B, were not included in EP3.

The applicant was unaware of this error until a communication was issued by the European Patent Office pointing out that the drawings appear to have been erroneously filed. The communication was dated 13 May 2024, and was received by the applicant on 16 May 2024.

- e. What was the last date for responding to the Communication, assuming that no request for an extension of time is filed?
- f. Which two actions did the applicant have to perform upon filing the correct drawings to ensure that EP3 still validly claimed priority from EP1?

On 18 August 2024 inventor Hans Korv tells Applicant's CEO that he (Hans) validly filed a European patent application EP4 regarding invention B in his own name on 2 July 2023. Hans Korv is willing to transfer all rights to EP4, including the right to claim priority, to the applicant in return for a new shed, because he unfortunately blew up his previous one.

- g. Would a transfer of all rights regarding EP4 to the applicant on 18 August 2024 have allowed the applicant to validly claim priority from EP4 for EP3 instead of from EP1? Motivate your answer.

## Case 2

Today, 27 May 2025, a company based in Belgium asks your Dutch firm to file an International patent application claiming priority from a Belgian patent application filed on 28 May 2024. The Belgian patent application is written in Dutch and no translation is available at the time of filing the International patent application. There are no national state security issues.

- a. Which office(s) is/are competent Receiving Office(s) and which ISA(s) is/are competent for each option?

The client wants to have their International application processed under PCT Direct.

- b. Under which condition(s) would that be possible? And what are the formal requirements for PCT Direct?

The International patent application in Dutch consists of 25 pages description, 4 pages claims, 14 pages drawings, and 1 page abstract. The claims relate to a single invention. The PCT Direct letter is 6 pages and the request form 4 pages.

- c. Which fees are due to the Receiving Office within 1 month from filing? You do not have to mention the amounts, but name all fees, and if a fee must be paid more than once, mention the number of times the fee must be paid.

- d. What is the time limit for filing a translation of the International application and what is/are the allowable language(s) into which the application can be translated?

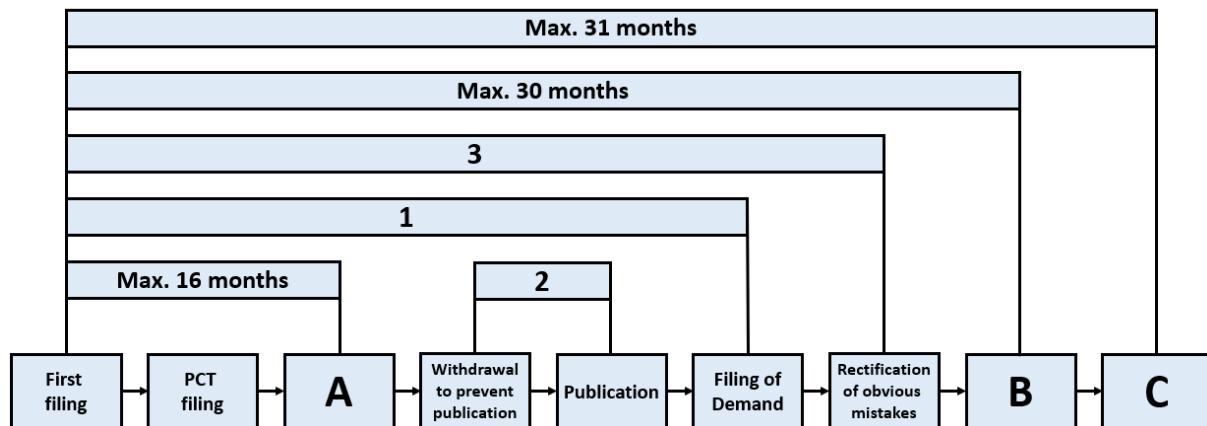
- e. What happens if a translation is not filed within this time limit?

By mistake, the International application was filed without signature of the applicant or agent. The applicant, the agent, and you do not notice this.

- f. Describe what will happen now. Does the omission of the signature have consequences for the filing date of the International patent application?

### Case 3

The diagram below represents the international PCT application procedure, claiming priority of a first filing application.



Indicate for each letter the correct action, chosen from the following list:

- Entry into the national phase in Japan
- Filing of the Supplementary International Search Request
- Filing amendments under Article 19
- Filing of the certified priority document
- Filing translation
- Entry into the national phase in India
- Correct deficiencies

Indicate for each number the correct time limit, chosen from the following list:

- Max. 30 months
- Max. 26 months
- Max. 22 months
- Max. 24 months
- Max. 16 days
- Max. 1 month
- Max. 5 weeks

## Case 4

On 13 November 2023, you filed a Benelux trademark application on behalf of your client, who owns two separate, non-related companies: one in the U.S.A. and one in the Netherlands. As per your client's request, you filed the application with the name of the company in the U.S.A. listed as the applicant. On 16 May 2024 you received an email from your client asking you to file a European trademark application. The European trademark application was filed for the same mark, the same goods and services, and with the same applicant as the Benelux trademark application.

- a. Was it possible to validly claim priority from the Benelux trademark application for the European trademark application?

The European trademark application was filed on 16 May 2024. A few weeks later, you received a notice of grounds for refusal of the application from the European Union Intellectual Property Office (EUIPO). You informed your client, but you did not receive any instructions and the deadline for responding was approaching. Therefore, you considered requesting an extension of time.

- b. Was it possible to request an extension of time? If so, by how much time would the time limit be extended?

Fortunately, you received the necessary instructions last-minute from your client, and you filed the response to the notice of grounds for refusal. On 25 July 2024 the European trademark application was published.

- c. What was the last date for third parties to file an opposition against the above-mentioned European trademark application?

The opposition period expired, and you informed your client that no opposition was filed and that the European trademark has been registered. Your client then informed you that they wish to proceed with filing an International trademark application designating Canada, India, and Turkey.

- d. Was it possible to file the International trademark application for your client based on the Benelux or the European trademark registration? Motivate your answer.

An International trademark application was filed on 7 November 2024. Subsequently, you received the good news that the international trademark application you filed for your client has been registered on 13 December 2024. After you reported the registration of the international trademark you receive a call from your client mentioning that he wished to have filed in Japan, but due to circumstances he forgot to tell you.

- e. Is it possible to add Japan to the international trademark registration? If so, at what moment can this be done?
- f. For how long is the international trademark registration valid? How long before the deadline can you validly pay the renewal fees?