

Workshop on Examination in the PCT National Phase (Work-Sharing)

The exercises include case studies of selected PCT national phase entries which are listed in a separately distributed excel table 'Table of Sample Cases' (as soft copy). You are requested to research these cases based on the instructions given below and fill the columns E to P of the table (using an electronic copy of the table). At the end of the workshop you will be given a completed table with solutions.

The top record of the table (1st case) gives an example of how the researched information should be recorded in the table.

Part 4 (Topic 6: comparing main claims granted in different national phases)

the following cases

#53(composite barrier)

#5(stable composition): there is one subtle difference

#12(polyolefin)

#13(form work element)

#29(flavivirus)

#30(submerged converter)

#46(portion capsule) US and AU claims

#41(surface reacted carbonate)

#112(producing solid carbon (AU, CA, US)

#113(polymeric delivery system) check FR, MA, EP, CA, AU, US

#114(state fibre rope) EP, CN, JP, RU

- Check if any granted main claim is equivalent or equal to the WO-A1/2 main claim, and record this in column Q;

- Check if main claims granted in different jurisdictions are different from each other (substantially or not), in particular (column Q):

- look for examples of grants with exactly the same wording of main claims,
- look for examples of grants with substantially different wording of the main claims,
- look for examples of grants of different category of subject matter (process, use, product),
- look for examples of grants with a different sequence of features/elements in the main claim,
- look for examples of grants of different type (one part – two part claims).

(Please enter your answers in the table and also prepare a word document in which differences of two grants are highlighted in track changes mode.)

- Would you grant a patent or not grant or wait for further results from national phases? Why? Which main claim would you prefer if you intend to grant? (column R)