



## Sample General Theory Short Answer Questions and Model Answers for 2021

The general theory short answer question section of the exam consisted of 12 questions that were randomly selected by the online examination platform from six categories as follows:

- (i) classification & kind codes;
- (ii) prior art scenarios;
- (iii) search syntax, methodology or search databases;
- (iv) claim interpretation;
- (v) priority claims; and
- (vi) patent related regulations including patent status.

Two questions were randomly selected from each of the six categories for a total of 12 questions that the candidates had to answer in a period of 30 minutes. An example of the types of questions that were asked for each of the six categories and the model answers for those questions are reproduced below.

1. The class Y02E is an example of what type of classification system?

Answer: Cooperative Patent Classification

Question category: classification & kind codes

2. A Chinese patent application "P" was filed on 5 June 2019 describing and claiming subject matter X in Chinese. A search reveals document "F" that describes the use of subject matter X in combination with subject matter Y and "F" was published in Russian on 1 November 2019. Could document "F" be cited as anticipatory of a subsequent patent application "Q" that claims the use of subject matter X in combination with subject matter Y if "Q" is filed in the United States on 4 June 2020 in English and claims priority from the provisional application "P"?

Please answer Yes or No and explain why.

Answer: Yes, document F can be cited against the novelty of the claim in Q directed at the use of X in combination with Y. Even though the priority claim of Q is made within 1 year of the filing date of P, P only discloses X, not the combination of X & Y. The language in which the priority document P, document F and the patent application Q is written is irrelevant.

Question category: prior art scenarios

3. For a patent infringement risk search regarding Cambodia, in addition to Cambodian patent applications and patents you have to search at least which of the following collections:

- a) European patent applications and patents
- b) Thailand patent applications and patents
- c) ASEAN regional patent applications

Please explain your answer.

Answer: a)

Since European patent applications and patents may have been extended to Cambodia, European patents and patent applications should be searched. Thai patent publications cannot be enforced in Cambodia and ASEAN patent applications do not exist.

Question category: search syntax, methodology or search databases

4. If claim 1 reads "A mixture comprising X, Y and Z, wherein Z is selected from the group consisting of Z1, Z2 and Z3", then Z is understood to be:

- a) a combination of Z1, Z2 and Z3
- b) any combination of Z1, Z2 or Z3
- c) any one of Z1, Z2 or Z3

Answer: c)

Question category: claim interpretation

5. A US patent application filed on 16 February 2021 claims priority to a US non-provisional patent application filed on 16 February 2020. Is this a valid claim to priority?

Please answer Yes or No and explain why.

Answer: Yes, because a US patent application can claim priority from a non-provisional US patent application so long as the claim is within 1 year.

Question category: priority claims

6. Is an international patent application granted by the WIPO?

Please explain your answer.

Answer: No, WIPO does not grant international patents. An applicant of an international patent application must proceed with the national or regional phase of the international application in one or more PCT contracting states in order for the application to undergo examination under national/regional law before the application can be granted.

Question category: patent related regulations