

PATENTS EXAMINATION BOARD

Subject: The Drafting of Patent Specifications - Paper 1

Date: September 2020

Time: 09h00 -13h00 (although candidates requiring extra time are entitled to an additional two hours)

Examiners: L Cilliers
V Williams

Moderator: J D Whittaker

Question 1

Your client shows you drawings (figures 1 to 4) of his new braai buddy. In a first version (shown in figures 1 and 2), the braai buddy 10 consists of a pair of grids 12 and 14 having handles 16 and 18 respectively and a pair of hooks 20 which project from a rim 21 of the grid 12. The hooks 20 are shaped to cooperate with a receiving formation 22 which extends from a rim 23 of the grid 14 to facilitate holding a piece of boerewors, meat or the like 24 (in dotted lines) between the grids 12 and 14 when the handles 16 and 18 are pivoted towards each other in the direction of arrows 26 and 28. He also has a second version 110 (shown in figures 3 and 4) with a number of hooks 129 which allow the grids 112 and 114 to be spaced from each other according to the thickness of the meat 24 being braaied. He tells you that there are numerous reasons why his braai buddy 10 and 110 is better than the conventional sandwich style braai grid, which is illustrated in the drawing marked "Prior Art". First, the hooks 20 and 129 obviate the need for retaining rings 32 on the conventional braai grid 30 which interconnect the rims 34 and 35 of the grids 36 and 38 respectively. Secondly, the hooks 20 and 129 allow complete separation of the grids 12, 112 and 14, 114 from one another which is useful for cleaning purposes. Separation of the grids 12 and 14 is achieved by displacing the receiving formation 22 out of contact with the hooks 20, and separation of the grids 112 and 114 is achieved by displacing the end of the grid 114 out of contact

with the hooks 129. Thirdly, the ability to separate the grids 12, 112 and 14, 114 during braaiing means that it is easier, if the need arises, to turn one piece of meat relative to others sandwiched between the grids.

The candidate is required to identify the inventive feature(s) of the invention, and to draft up to three claims to protect the above invention.

Question 2

Your client tells you that she has designed a new tamper-evident closure for a container. She shows you a partial longitudinal section of an upper portion of a container incorporating her tamper-evident closure 10 (see figure 5 of the drawings), and explains that her tamper-evident closure includes a first formation on a plastic closure 18, and a second formation on an upper portion of a glass bottle 12. The closure 18 includes a thread 16 which is designed for complimentary screw threaded engagement with a thread 14 on the upper portion of the glass bottle 12. The second formation of the tamper-evident closure comprises an annular collar 20 on the bottle 12 defining a flat lower surface extending outwardly from the neck of the bottle to a right angle edge 22, and the first formation of the tamper-evident closure includes a flange 24 on the closure 18 which extends inwardly from a ring member 32, forming a right angle edge 26, to an inner edge defining an opening 28. As can be seen, the wall thickness of the ring member 32 is significantly thinner than the wall thickness of the rest of the closure 18, thereby defining a zone of weakness for the tamper-evident closure 10. When a user attempts to remove the closure 18, the flange 24 abuts the lower flat surface of the annular collar 20 and resists the removal of the closure 18 from the bottle 12. As the closure 18 is rotated further by the user, and hence displaced further in the direction of the arrow 30, the ring member 32, designed as a zone of weakness, breaks to allow the closure 18 to be removed from the bottle 12. If the closure 18 is subsequently screwed back onto the top of the bottle 12 i.e. displaced in the direction of the arrow 34, the broken ring member 32 serves as evidence of tampering by indicating that the tamper evident closure 10 is no longer intact.

Your client tells you that there is a tamper-evident product on the market, but that this product works differently to her design. She explains that the conventional tamper-evident product comprises a separate shrink film (a film of polymeric material) which is placed over the top of a bottle so as

to cover a closure on the bottle as well as a portion of the bottle below the closure, and then heated to shrink the film into a tight fit over the bottle and the closure. The heat shrink film needs to be removed in order to open the bottle.

The candidate is required to identify the inventive feature(s) of the invention, and to draft up to three claims to protect the above invention.