

CLARIFICATIONS

Q1: Paragraph 12 states

"The Plaintiff's first claim, post grant of the patent is as follow"

Does this mean the Plaintiff filed her first claim for the entire patent application process post grant or the first claim after the grant but there were other claims filed before?

A1: Claims cannot be filed post grant of the patent. The claims are a part of the patent complete specification and filed when the patent is filed. Upto grant the Applicant may draft and file several amended version of the original claims, in order to overcome the objection/s raised by the Controller during examination of the patent, and to place the patent in order for acceptance and grant.

"The Plaintiff's first claim, post grant of the patent is as follow" means - "The first claim among the finally accepted claims of the Plaintiff's patent, as accepted and granted by the Patent Office, is as follows"

Q2: 1. As the problem does not contain issues so do we have to frame them?

2. Jurisdiction of the court is where the plaintiff resides? How is it the plaintiff?

A2: 1. Each contestant team has to frame the issues they feel are pertinent for decision.

2. Jurisdiction is to be determined by the contestant team based on the facts given to them and their research on the law as it stands.