

PATENTS REGULATIONS 1991

Statement of Skill

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Statement of Skill Declaration Form

An application for registration must include one or more Statements of Skill, for the purposes of reg 20.11. The purpose of a Statement of Skill is to satisfy the Designated Manager that the applicant has the skills and experience necessary to provide the public with high quality patent attorney services, and has satisfied the employment requirements in reg 20.10. The more detail you can provide about the applicant's experience, the more likely it is that the Statement of Skill will be sufficient to support registration.

By completing this form, you consent to your personal information being handled in accordance with the Privacy Notice on page 1 of this form.

Applicant's Details

Full name:	Place of employment:
Period of employment:	Position held:

Details of supervising patent attorney, registered for more than 5 years

Full name:	Place of employment:
Period of employment:	Position held:

Introduction

Include the following information here, in numbered paragraphs:

- Your qualification as a trans-Tasman patent attorney, including duration of registration. Note that you must be currently registered and must have been registered for at least 5 years.
- Your position in respect to the applicant and the basis of your knowledge of the applicant's skills and experience. You do not need to be the applicant's direct supervisor, but you must have a sufficient basis for verifying the work undertaken by the applicant and assessing whether they possess the necessary skills to practise as a patent attorney.
- The nature (including location, role and responsibilities, and whether the role was part-time or full-time) and duration (including dates) of the applicant's employment in relation to which you are making this statement. Please note that the applicant may provide multiple statements of skill from different authors if necessary.
- Whether in your opinion the applicant has gained one or more of the skills in reg 20.10(1)(a)(i)-(v) required for registration as a patent attorney.

Statement of Skill Declaration Form

Declaration against the regulations

Searching patent records

An applicant must have skills in searching databases for bibliographic data on patent cases, conducting novelty searches and infringement searches, and analysing and advising on the outcomes of such searches. The applicant should be familiar with searching both Australian and New Zealand databases, as well as other international databases (particularly those of major trading partners).

Include the following information here, in numbered paragraphs:

- *The nature of the applicant's experience in searching patent records*
- *The databases that the applicant has experience searching*
- *If possible, describe one or more situations where the applicant has effectively undertaken complex searches*
- *Any other information you think is relevant to establishing the applicant's experience in this skill*

Statement of Skill Declaration Form

Declaration against the regulations

Preparing, filing and prosecuting patent applications in Australia and New Zealand

*An applicant must have direct experience in preparing and filing patent applications in both Australia **and** New Zealand. This experience should include experience interpreting and amending the claims of a patent specification according to the laws and practices of Australia and New Zealand.*

Provide the following information here, in numbered paragraphs:

- *The types of patent applications prepared, filed, and prosecuted in Australia and New Zealand*
- *The number of such applications*
- *The nature of the applicant's experience in prosecuting patent applications in Australia and New Zealand, including experience with work such as preparing amendments or responding to examination reports*
- *If possible, describe one or more situations showing the applicant's skill in preparing, filing, and prosecuting patent applications in Australia and New Zealand*
- *Any other information you think is relevant to establishing the applicant's experience in this skill*

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Preparing, filing and prosecuting patent applications in Australia and New Zealand

*An applicant must have direct experience in preparing and filing patent applications in both Australia **and** New Zealand. This experience should include experience interpreting and amending the claims of a patent specification according to the laws and practices of Australia and New Zealand.*

Include an exemplary list of applications here. Include at least one each from Australia and New Zealand. You do not need to include all applications prepared, filed or prosecuted by the applicant, nor do you need to complete all rows in the table.

Official No.	Country	Type	Title

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Declaration against the regulations

Preparing, filing and prosecuting patent applications in other countries and organisations, particularly countries and organisations that are regarded as major trading partners with Australia and New Zealand

An applicant must have direct experience in preparing, filing and prosecuting patent applications in jurisdictions other than Australia and New Zealand. This experience should include preparing and filing international applications under the Patent Cooperation Treaty, instructing agents with respect to filing patent applications in other jurisdictions, and instructing agents in respect of prosecuting patent applications in other jurisdictions. Major trading partners include the European Union, Japan, the People's Republic of China, the Republic of Korea and the United States of America.

Provide the following information here, in numbered paragraphs:

- The types of patent applications prepared, filed and prosecuted in other countries and organisations*
- The names of the other countries and organisations in which the applicant has prepared, filed and prosecuted patent applications*
- The number of such applications*
- The nature of the applicant's experience in prosecuting patent applications in other jurisdictions, including experience with work such as reviewing and responding to objections*
- If possible, describe one or more situations showing the applicant's skill in preparing, filing, and prosecuting patent applications in other countries and organisations*
- Any other information you think is relevant to establishing the applicant's experience in this skill*

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Drafting patent specifications

An applicant must have direct experience in drafting specifications under the supervision of a registered patent attorney in an environment where there is exposure to inventors or their representatives and also the demands of real-time drafting. This experience should include drafting provisional and complete specifications for Australia and New Zealand, and drafting specifications for international applications under the Patent Cooperation Treaty and for applications in other jurisdictions.

Provide the following information here, in numbered paragraphs:

- The types of specifications drafted by the applicant*
- The jurisdictions for which the applicant has drafted specifications*
- The number of specifications drafted by the applicant*
- If possible, describe one or more situations showing the applicant's skill in drafting specifications with a scope and set of claims that satisfactorily protects a client's interests in the invention described in the patent specification*
- Any other information you think is relevant to establishing the applicant's experience in this skill*

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Declaration against the regulations

Providing advice on the interpretation, validity and infringement of patents

An applicant must have experience in providing advice to clients on the interpretation, validity and infringement of patents, particularly Australian and New Zealand patents. This experience should include considering patents and prior art material deemed to be relevant to the patents, and providing opinions as to the validity of the patents, and considering patents and the alleged or potential infringements thereof. The advice needs to have shown a sound understanding of claim interpretation, construction and validity under Australian and New Zealand law.

Provide the following information here, in numbered paragraphs:

- The nature of the advice provided by the applicant*
- The jurisdictions the advice related to*
- The amount of interpretation, validity and infringement advice provided by the applicant*
- If possible, describe one or more situations showing the applicant's expertise in providing advice on the interpretation, validity and infringement of patents*
- Any other information you think is relevant to establishing the applicant's experience in this skill*

Statement of Skill Declaration Form

Providing advice on the interpretation, validity and infringement of patents

An applicant must have experience in providing advice to clients on the interpretation, validity and infringement of patents, particularly Australian and New Zealand patents. This experience should include considering patents and prior art material deemed to be relevant to the patents, and providing opinions as to the validity of the patents, and considering patents and the alleged or potential infringements thereof. The advice needs to have shown a sound understanding of claim interpretation, construction and validity under Australian and New Zealand law.

Include an exemplary list of the matters in relation to which the applicant has provide advice on interpretation, validity or infringement here. You do not need to include all matters the applicant has provided advice on, nor do you need to complete all rows in the table.

Type of advice	Description

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Other relevant experience (optional)

The purpose of a Statement of Skill is to satisfy the Designated Manager that the applicant has the skills and experience necessary to provide the public with high quality services.

Although it is not a requirement, additional information demonstrating that the applicant has well-rounded experience in all aspects of the work of a patent attorney may assist the Designated Manager to determine whether the applicant has the necessary skills and experience, particularly where the number of examples of work relating to skills (i) to (v) is smaller.

This experience could include exposure to, or involvement in, opposition procedures, as well as a general understanding of the management of an IP portfolio and the management of a patent attorney practice.

Declaration by patent attorney of more than 5 years

In my opinion the applicant has gained one or more of the skills in reg 20.10(1)(a)(i)-(v) required for registration as a patent attorney as detailed above.

I declare that all the information provided is true and correct.

Signature

Date