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PREFACE TO THE SIXTH EDITION

The idea for this book evolved from a series of courses given at Maastricht University preparing for the European Qualifying Examination (EQE). For most exam papers it is required to learn the necessary legal background and the substantive requirements. However, it also has to be learned how to answer the paper, i.e., how to formulate the answer in order to score marks. In particular, this applies to the Opposition exam (EQE paper C): the manner in which the paper has to be answered deviates in certain aspects from the daily practice of a European patent attorney.

Attending a methodology course can be of great aid to be successful in the C paper. In such a course, the participant is instructed: how to read the C paper, how to structure and analyse the information, how to select the attacks, and last but not least how to write an answer that scores points, i.e., writing the answer as the Exam committee desires to see it.

This book describes a methodology which is simple, elegant and efficient without losing any information relevant for answering the exam paper. Ever since this methodology was taught, many candidates have used it and noticed, while sitting the exam, that they had much more time for writing the answers.

With the EQE of 2021, the EQE has entered the digital age. For the first time, the EQE was held entirely online, using an online examination platform called WiseFlow. A gradual transition to an online format was already in the minds of the Examination Board, but the situation around the COVID virus made a sudden big step forwards necessary.

The online format of course has its effect on the exam papers. The contents of the papers was largely the same as in previous years, but the fact that not all pages of the exam papers could be printed and the limited possibilities for annotation in the digital documents made that methodologies for tackling the paper needed to be adapted.

In the sixth edition of « Smart in C », the methodology for paper C has been adapted to suit the online format of the EQE. Details of the methodology as presented in this book are based on the format of the EQE 2021 and the EQE 2022. The format of the online EQE may change in the coming years, for example in relation to which documents are offered in digital format only and in relation to which annotation tools will be provided for the digital documents. At the time of preparing this edition, it is not known which further changes (if any) will be made to the examination platform.

Regardless of the details of the actual exam format, this book provides valuable insights in how the C paper “works”, and what you need to do to score sufficient marks.

This book has been kept compact by referring to legal texts as much as possible, instead of copying these texts into the book. It is recommended to have at least the most recent version of the Guidelines at hand when studying this book.

In spite of all due care taken during the compilation of the book, the author does not accept any liability for the correctness or completeness of the text. The author would appreciate receiving suggestions for improving the content of the book as well as information on mistakes.

I wish you success in preparing for and passing the EQE!

Etten-Leur, August 2022

Nyske Blokhuis