

2017 HAROLD G. FOX MOOT

CLARIFICATIONS TO THE MOOT PROBLEM

December 12, 2016

The following clarifications are provided in response to the questions for clarification submitted to the IP Moot Committee:

1. According to the first sentence of paragraph 8, the evidence was that Ms. Ion is reliable and very clever.
2. Each day a public tour went past the fermentation tank and the evidence was that the rinse step was sometimes seen by the tour. See paragraph 21 of the Trial Court's reasons and paragraph 3 of the Appeal Court's reasons for a description of what was able to be seen by visitors.
3. The Canadian patent application that is referenced in paragraph 12 of the Trial Court's reasons included a priority claim to the previously-filed U.S. patent application.
4. At the commencement of trial, NA-Seal was listed on the 123 Patent as the applicant and owner.