TIME 1 hour 15 minutes

INSTRUCTIONS TO CANDIDATES
Do not open this question paper until you are told to do so.
Write your name, Centre number and candidate number in the spaces at the top of this page.
Read the instructions carefully.
Answer the Part 1 question and the Part 2 question.
Write your answers in the spaces provided on the question paper.
Write clearly in pen, not pencil. You may make alterations, but make sure your work is easy to read.

INFORMATION FOR CANDIDATES
Part 1 carries 40% of the total marks available and Part 2 carries 60% of the total marks available.
Part 1

You must answer this question.

Last year, an important client of yours, Wootton Manufacturing, contracted with Wells Construction to build a new plant. There have been problems during the construction of the new building, which is still unfinished.

You recently had a meeting with Wootton’s Managing Director, Steve Anderson, who has now written you a letter.

Read the letter from Mr Anderson, on which you have made some notes. Then, using all the information in the notes, write a letter to your client, Mr Anderson.

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I found your visit very useful and have informed the board of directors of the conclusions we reached at our meeting.

As you know, Wells Construction stopped working at our site three weeks ago, following the partial collapse of the building. They have blamed this on ‘ground defects on site’, but in your opinion we have a strong case and will be able to recover damages.

My board is anxious to replace Wells immediately so that the building can be completed on time. You informed me that the damages paid would be measured by our costs in replacing Wells Construction in order to complete the building. We also feel strongly that we should claim for lost time and delay.

I hope we can now move ahead with court action against Wells.

Yours sincerely

Steve Anderson
Managing Director
Wootton Manufacturing

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Write a letter of between 120 and 180 words in an appropriate style on page 3. Do not write any postal addresses.
Part 2

You must answer this question.

You are a lawyer working in the IP practice group of your firm. One of your clients believes his company’s intellectual property rights have been infringed. Settlement has been proposed by the other party. The partner who supervises you has requested your assessment of the case.

Write a memorandum to the partner who supervises you. Your memorandum should:

- outline how your client’s intellectual property rights may have been infringed
- discuss the advantages of settlement
- discuss the disadvantages of settlement
- evaluate whether legal action is appropriate.

Write your answer in 200 – 250 words in an appropriate style on pages 5 and 6.
BLANK PAGE

You may use this blank page to write notes, or, if necessary, to finish your answers.