

PATENTS

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DESIGNS

TRADE MARKS

CIPO PRACTICE NOTE

Number: 01/2017

FILING OF APPLICATIONS UNDER THE NEW IP LAWS

Summary

Intellectual Property Agents (IPAs) are advised of the below procedures when filing applications under The Trade Marks Law, 2016, The Patents and Trade Marks (Amendment) Law, 2016 and The Design Rights Registration Law, 2016.

Commencement

This practice note will come into effect on **August 1, 2017**.

GENERAL

Filing Applications

All applications to register a trade mark and record a design or patent should be sent by post, courier, or emailed to ipfilings@ciipo.gov.ky.

Do **not** send originals of applications emailed to ipfilings@ciipo.gov.ky by courier or post as it is **not** required.

Payment of Application Fees

All fees may be paid by cash, cheque or instructions to debit your CORIS account. Please specify the CORIS account number when requesting a debit of your account.

Queries

Requests for information regarding **all matters** relating to intellectual property, including an application filed, should be emailed to info@ciipo.gov.ky. Do **not** submit any queries to ipfilings@ciipo.gov.ky.

Forms and Fees

All forms and fees will be available for download on [CIPO's website](#).

Payment of Annual Fees



Practice note no. 01/2016 "Payment of Annual Fees" **remains in effect.**

TRADE MARKS

Filings via Email

The subject line for trade mark applications filed via email should read as follows:

Trade Marks:

Trade Mark Form Number – Trade Mark Name – Trade Mark Application/Registration Number (if known) – Applicant/Owner's Name

e.g. TM1 – SHAKESBEARD – Bromeo & Juliet LTD
TM9B – SHAKESBEARD – 000051 – Bromeo & Juliet LTD

Filing Dates

Please pay particular attention to section 14 of The Trade Marks Law, 2016 for the requirements necessary to receive a filing date for a trade mark application. If a trade mark application does not contain all the information required in section 14(1), a filing date will **not** be given. In such instances, the filing date will be the date of completion of the filing requirements (*The Trade Marks Law 2016, s 14(2)*).

Data Capture and Application Number

Upon receipt of your application, a preliminary examination will be conducted for the requirements in section 14 of The Trade Marks Law. If the application meets the necessary requirements, including payment of the prescribed fee, the data will be captured and available on CORIS along with an application number. This number is to be used in all further correspondences with the office regarding the application.

Please review the data captured and inform the office of any errors or omissions as soon as possible. Errors will be corrected free of cost provided it was a mistake, omission or typographical error made by the office (i.e. erroneously captured data). All other corrections will require the filing of an application to amend a trade mark application (Form TM9A) and payment of the prescribed fee.

Payment of Annual Trade Mark Fees

Annual fees are due in January of each year after the year of initial registration (*Trade Marks Law 2016, s 21*). Please note that for the purposes of the payment of annual fees, initial registration will be the date the trade mark is actually registered however, fees will be calculated retroactively from the date of completion of the filing of the application which is the date of registration in accordance with section 18(3) of The Trade Marks Law.

For example, where a trade mark is filed on August 10, 2017 but not registered until September 20, 2018, annual fees for both 2018 and 2019 will be due in January 2019.



Government Administration Building, Elgin Ave, George Town, Grand Cayman, Cayman Islands
Telephone: (345) 946-7922 Email: info@ciipo.gov.ky Website: www.ciipo.gov.ky



PATENTS

Filing Applications

Patents are recorded by extension of a U.K. registered patent. To apply to have a patent extended to the Islands, submit a copy of the details of the registered patent as reflected in the U.K. register along with the prescribed fees. Certified copies are not necessary.

Filings via Email

The subject line for the recording of a patent filed via email should read as follows:

Patents:

P – UK Registration Number – Applicant’s name

e.g. P – GB1102617.6 – SNECMA

DESIGNS

Filing Applications

Design rights are recorded by extension of a U.K. registered design right. To apply to have a design right extended to the Islands, submit a copy of the details of the registered design as reflected in the U.K. register along with the prescribed fees. Certified copies are not necessary.

Filings via Email

The subject line for the recording of a design right filed via email should read as follows:

Design Rights:

DR – UK Registration Number – Owner’s Name

e.g. DR – 5004260 – Prioritising People’s Lives Ltd

Donnell Dixon
Deputy Registrar General



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