



MINISTRY OF
FINANCIAL SERVICES,
COMMERCE & ENVIRONMENT
CAYMAN ISLANDS GOVERNMENT

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Contact: Matthew Yates

Direct: (345) 244-2261

Fax: (345) 949-6374

E-mail: matthew.yates@gov.ky

Websites: www.gov.ky

FOR IMMEDIATE RELEASE

Intellectual Property Modernisation Starts with Copyright Legislation

With significantly updated [copyright](#) legislation commencing on 30 June, which will offer greater legal rights to Cayman's musicians, visual artists, and others in the creative fields, Government has taken a vital step forward in modernising intellectual property (IP) legislation, and in improving the local commerce framework.

In addition to copyrights, Commerce Minister Wayne Panton said Government plans to present bills in the Legislative Assembly in September that will update existing trade mark legislation, in order to allow local trade marks registration; and introduce design rights legislation.

'Under our current legislation, persons are unable to register their trade marks in Cayman without first obtaining protection in the UK', Minister Panton said. 'Also, design rights are not currently protected by law in Cayman.

'Local artists and investors have been frustrated for many years by the lack of modern IP protection in Cayman, and clamoured for improved rights. With copyrights, while previous legislation offered a level of protection, it was outdated to the point where local artists could not properly protect their digital music, images and other digital creations', he said.

Minister Panton said that by updating our IP legislation, Cayman also will become more attractive to investors.

'This has a local component as well', he said. 'If entrepreneurs know their works will be protected in Cayman, they have an incentive to locate here, create jobs here, and spend money in our economy. Furthermore, businesses such as Health City Cayman Islands, Cayman Enterprise City and the entities operating within them; as well as other individuals and businesses in Cayman who also benefit from IP protection, will be able to attract more investment interest'.

Beginning 30 June, creators such as songwriters, musicians, visual artists, and writers will have increased protection for their copyrights through The Copyright (Cayman Islands) Order 2015.

‘Work to update copyrights began about two years ago’, Minister Panton said. ‘At that time, Cayman was under the UK Copyright Act 1956 – when digital music, DVDs, and other forms of creativity didn’t exist.

‘In order to modernise our law, then, Cayman first had to ask the UK to extend to us its 1988 Copyright Act – which itself has been updated several times. The UK Privy Council granted this extension in March 2015, and since then my Ministry has been making necessary arrangements for local implementation’, he said.

In September, the Ministry of Commerce plans to present the Trade Marks Bill to the Legislative Assembly for approval by local lawmakers.

The Trade Marks Bill will allow persons and companies to locally register their brands and company logos. Local registration also would remove the exclusive rights to the use of certain words which were registered in the UK, for example the word ‘Cayman’.

As defined by www.ipo.gov.uk, design rights refer to the physical appearance of an item or a part of it, and can apply to industrial as well as handicraft items. Currently, there is no mechanism that allows design rights to be registered in the Cayman Islands; Government intends to rectify this by allowing design rights registered in the UK to be extended to the Cayman Islands.

‘Copyrights, therefore, are just the beginning’, Minister Panton said. ‘By allowing persons to register a range of IP rights in a more efficient, cost effective manner, we are assisting them in exercising their rights if anyone infringes upon them.

‘This represents a major improvement to our commerce legislation, and to our reputation as a leading jurisdiction for all types of businesses’, he said.

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