



HSM IP Trade Mark Client Guide

GUERNSEY

Registration

A trade mark can be registered in Guernsey pursuant to the *Trade Marks (Bailiwick of Guernsey) Ordinance, 2006* which provides for primary trade mark applications with effect from the date of filing and supported applications to extend rights under a UK, European Union (EU) or International (WIPO) registration.

The following information and documentation is required:

1. name of the trade mark
2. two copies of the mark (unless mark is word only)
3. class(es) and specification of goods and/or services
4. applicant's name and address
5. Application to Register
6. certified copy of the UK, EU or International Certificate of Registration (for a supported application)

It usually takes about four weeks for the Registrar of the States of Guernsey Intellectual Property Office to process an application for registration. Paris Convention priority can be claimed. Once the registration is complete the Registrar will issue a Certificate of Registration.

Classes

The International Classification system is used. Multi-class applications are allowed.

Searches

In order to conduct a search the only documentation required is the name of the trade mark and one copy of the mark (unless mark is word only). The result can usually be provided within a week.

Renewal

A primary trade mark registration is valid for 10 years after which it can be renewed for like periods. Two months before the renewal date we will send you an Expiry Notice asking whether you wish us to renew the registration or allow the mark to lapse. If the registration is to be renewed the only documentation required is a Renewal of IP Registration form.

A supported trade mark registration is valid for the same period as specified on the underlying UK, EU or International registration on which it is based. The registration can only be renewed in Guernsey once the UK, EU or International registration has been renewed. Two months before the renewal date we will send you an Expiry Notice asking whether you wish us to renew the registration (and the UK, EU or International registration if necessary) or allow the mark to lapse. If the registration is to be renewed the only documentation required is a Renewal of IP Registration form and a certified copy of the entries on the UK, EU or International Register showing the renewal.

It usually takes about four weeks for the Registrar to process an application for renewal. Once the renewal is complete the Registrar will issue a Certificate of Renewal.

If you do not wish to renew the mark please inform us so that we can advise the Registrar accordingly.

Abandonment

Please inform us as soon as possible if you wish to abandon your trade mark or allow it to lapse so that we can update our records and advise the Registrar accordingly. This will avoid us sending out unnecessary Reminder Notices.

Assignment

Please inform us as soon as possible if the trade mark has been assigned so that we can file an application to record the assignment in Guernsey.

To record the assignment of a primary trade mark registration the only documentation required is an Assignment Application to record a change of ownership and a certified copy of the Deed of Assignment.

To record the assignment of a supported trade mark registration the only documentation required is an Assignment Application to record a change of ownership and a certified copy of the entries on the UK, EU or International Register showing the assignment.

It usually takes about four weeks for the Registrar to process an application to record an assignment. Once the recording is complete the Registrar will issue a Change of Ownership (Assignment) Certificate.

Change of Particulars

Please inform us as soon as possible if there is any change to the registration so that we can file an application to record the change in Guernsey.

To record a change of name and/or address for a primary trade mark registration the only documentation required is a Change of Proprietor Name and/or Address form and a certified copy of the Companies House Certificate showing the change or a certified copy of the document evidencing the change.

To record a change of name and/or address for a supported trade mark registration the only documentation required is a Change of Proprietor Name and/or Address form and a certified copy of the entries on the UK, EU or International Register showing the change.

It usually takes about four weeks for the Registrar to process an application to record a Change of Particulars. Once the recording is complete the Registrar will issue a Change of Proprietor Name and/or Address Certificate.

Our Firm

HSM IP Ltd. provides worldwide intellectual property services. Based in the Cayman Islands and independently owned and operated, our experienced team of attorneys and paralegals deliver first class service to a broad client base which includes major Fortune Global 500 brand owners, international law firms and other specialist IP practices. Our broad perspective, practical approach and international experience allow us to offer clients a unique insight into IP issues internationally.

The success and growth of our firm is due to our keen understanding of our clients' needs for a comprehensive "one-stop shop" which encompasses a wide range of services from the initial consultation process to searches, registrations, annuity payments and monitoring and renewals. Our interactive database helps us to proactively manage each client's portfolio efficiently and cost-effectively in an environmentally friendly and substantially paperless workplace. It also allows us to fulfil our clients' specific reporting and invoicing requirements, including multi-currency invoicing and e-billing. We offer a competitive schedule of fixed fees, inclusive of both disbursements and official fees, which means we can provide clients with an accurate estimate of their project costs before embarking on a global filing programme for their portfolio.

As a leader in the field, HSM IP understands the value of long-term business relationships. We have a wealth of knowledge and specialise in the Caribbean, Central and Latin America and other off shore jurisdictions. Our staff regularly contribute to leading IP publications and we also publish a range of country-specific IP Client Guides which are available on our website.

Supported by HSM Chambers, an offshore law firm with experienced attorneys admitted in multiple jurisdictions, we have substantial experience in taking action to address the infringement of trade marks and patents and in the conduct of passing-off actions. We are also able to offer investigative services to identify the source of, and distributors of, infringing goods, working closely with police and customs officials as necessary.

Memberships: INTA, ASIPI, ITMA, MARQUES and IPCA.

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HSM IP Ltd. is a Law Firm recognised under the Legal Practitioners (Incorporated Practice) Regulations, 2006 (as amended).

Revised April 2017.