



HSM IP Patent Client Guide

ST. LUCIA

Registration

A patent can be registered in St. Lucia in two ways; either pursuant to the *Patents Act 2001* which provides for local patent applications or pursuant to the *Commercial Code and Laws of Saint Lucia 1975* which provide for applications to extend rights under a UK registration or a European Patent which is subsequently registered in the UK with effect from the date of registration in the UK.

For a local application the following information and documentation is required:

1. a letter of Application for the grant of the patent
2. a description of the invention
3. one or more claims and any drawings referred to in the description or any claim
4. an abstract
5. Authorisation of Agent (notarised)
6. certified copy of priority document (if priority is claimed)
7. PCT application if required

For a UK-based application the following information and documentation is required:

1. a letter of Application for registration of UK patent
2. certified copy of the UK extract
3. Authorisation of Agent (notarised)

At present the Registry of Companies and Intellectual Property is accepting but not processing applications for registration and no patents have been granted. Paris Convention priority can be claimed. On receipt of the application the Registry will issue a copy of the Application letter as evidence of filing.

Patent Cooperation Treaty

St. Lucia is signatory to the Patent Cooperation Treaty (PCT) and accordingly national phase filing of a PCT patent is possible. This is encouraged if you are seeking coverage in another domicile. A PCT application can simplify the process of seeking a patent in countries that are party to the Patent Cooperation Treaty.

Searches

Whilst there is no requirement to conduct a search in St. Lucia prior to the filing of an application for registration a search is recommended to ascertain that there will be no discrepancies concerning the innovativeness of the patent. The result can usually be provided within five working days.

Expiry

A local patent registration is valid for 20 years and may be extended. A UK-based patent registration is valid for the same period as specified on the underlying UK registration on which it is based.

The application for extension should be filed within six months prior to the expiration date of the registration.

Abandonment

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

Assignment

Please inform us as soon as possible if the patent has been assigned so that we can file an application to record the assignment in St. Lucia (and the UK if necessary).

To record the assignment of a local patent registration the documentation required is a letter of Application, the Deed of Assignment and an Authorisation of Agent (notarised).

To record the assignment of a UK-based patent registration the documentation required is a letter of Application, a certified copy of the UK extract showing the assignment and an Authorisation of Agent (notarised).

It usually takes four months or less for the Registry to process an application to record an assignment. On receipt of the application the Registry will issue a copy of the Application letter as evidence of filing.

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 St. Lucia (and the UK if necessary).

To record a change of name and/or address for a local patent registration the documentation required is a letter of Application, a certified copy of the document evidencing the change and an Authorisation of Agent (notarised).

To record a change of name and/or address for a UK-based patent registration the documentation required is a letter of Application, a certified copy of the UK extract showing the change and an Authorisation of Agent (notarised).

It usually takes four months or less for the Registry to process an application to record a Change of Particulars. On receipt of the application the Registry will issue a copy of the Application letter as evidence of filing.

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).

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