



HSM IP Patent Client Guide

ST. VINCENT & THE GRENADINES

Registration

A patent can be registered in St. Vincent & The Grenadines pursuant to the *Patents Act (Act No. 39 of 2004)* which provides for local patent applications.

The following information and documentation is required:

1. a request 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 and sealed)
6. certified copy of priority document (if priority is claimed)
7. PCT application if required

It usually takes six months or less for the St. Vincent Commerce & Intellectual Property Office to process an application for registration. Paris Convention priority can be claimed. Once the registration is complete the Office will issue a Certificate of Recording.

Patent Cooperation Treaty

St. Vincent & The Grenadines are 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. Vincent & The Grenadines 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 two working days.

Annuity Payments

Once a patent has been registered in St. Vincent & The Grenadines there is an annuity payable to the Government each year. The fee is due on the anniversary of the filing date. Annuities for a PCT issued patent are due on the same date.

When the annuity has been paid the Office will issue an official receipt.

Failure to pay an annual fee will result in the rights protected by the registration being placed in abeyance. This will effectively prevent any enforcement action being taken.

Expiry

A patent registration is valid for 20 years. Once the registration has expired it cannot be renewed.

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 Office 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. Vincent & The Grenadines.

To record the assignment of a patent registration the only documentation required is either the original Deed of Assignment or a notarised copy and an Authorisation of Agent (notarised and sealed).

It usually takes two months or less for the Office to process an application to record an assignment. Once the recording is complete the Office will issue a Certificate of Assignment.

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. Vincent & The Grenadines.

To record a change of name and/or address for a patent registration the only documentation required is either the original document evidencing the change or a notarised copy and an Authorisation of Agent (notarised and sealed).

It usually takes two months or less for the Office to process an application to record a Change of Particulars. Once the recording is complete the Office will issue a Certificate of Change of Name and/or Address.

Our Firm

HSM IP Ltd. provides worldwide intellectual property services.

Based in the Cayman Islands 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 interactive database enables us to proactively manage each client's portfolio efficiently and cost-effectively in an environmentally friendly and substantially paperless workplace. It also enables 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 enables us to provide clients with an accurate estimate of their project costs before embarking on a filing programme for their portfolio.

The growth of our firm has enabled us to establish a specialist Caribbean department whose members regularly contribute to leading IP publications.

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, AIPLA, ITMA and IPCA.

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