



HSM IP Patent Client Guide

TURKS & CAICOS

Registration

A patent can be registered in Turks & Caicos pursuant to the *Patents Ordinance and Subsidiary Legislation 1998 (Chapter 131) (Revised Edition)* which provide for applications to extend rights under a UK or European Community (EP) registration within five years of the date of issue.

The only documentation required is a certified copy of the UK or Community registration and an Authorisation of Agent. No further information is required.

It usually takes six months or less for the Registry to process an application for registration. Paris Convention priority cannot be claimed. Once the registration is complete the Registry will issue a Certificate of Registration.

Patent Cooperation Treaty

Turks & Caicos are not a signatory to the Patent Cooperation Treaty (PCT). National phase filing of a PCT patent is not possible.

Searches

It is generally not necessary to conduct a search in Turks & Caicos to ascertain that there will be no difficulty with the application for registration because of the requirement that there be a pre-existing UK or Community registration. If, however, a search is required, the result can usually be provided within one week.

Annual Fees

Once a patent has been registered in Turks & Caicos there is an annual fee payable to the Turks & Caicos Government each year.

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 the same period as specified on the underlying UK or Community registration on which it is based.

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 Turks & Caicos.

To record the assignment of a patent registration the only documentation required is a certified copy of the entries on the UK or Community Register showing the assignment and an Authorisation of Agent.

It usually takes three months or less for the Registry to process an application to record an assignment. Once the recording is complete the Registry 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 Turks & Caicos.

To record a change of name and/or address for a patent registration the only documentation required is a certified copy of the entries on the UK or Community Register showing the change and an Authorisation of Agent.

It usually takes three months or less for the Registry to process an application to record a Change of Particulars. Once the recording is complete the Registry will issue a Certificate of Change.

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

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