



HSM IP Trade Mark Client Guide

SOLOMON ISLANDS

Registration

A trade mark can be registered in the Solomon Islands pursuant to the *Registration of United Kingdom Trade Marks Act 1996 (Chapter 180)* which provides for applications to extend rights under an existing UK registration.

The following information and documentation is required:

1. a certified copy of the Certificate of the Comptroller of the UK Patent Office (under his title of Registrar of Trade Marks) giving full particulars of the registration
2. Power of Attorney

It usually takes about two years for the Registrar General's Office in the Ministry of Justice and Legal Affairs to process an application for registration. Paris Convention priority cannot be claimed. Once the registration is complete the Registrar General will issue a Certificate of Registration.

Classes

The International Classification system is used. Multi-class applications are allowed. A mark does not have to be registered in the Solomon Islands in all the classes covered by the UK registration, however, the classes in which the mark is to be registered in the Solomon Islands must be covered by the UK registration. Service marks are allowed.

Searches

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

Renewal

A trade mark registration is valid for the same period as specified on the underlying UK registration on which it is based.

The registration can only be renewed in the Solomon Islands once the UK 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 registration if necessary) or allow the mark to lapse. If the registration is to be renewed the only documentation required is a certified copy of the entries on the UK Register showing the renewal and a Power of Attorney.

It usually takes about two years for the Registrar General 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 General 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 General 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 the Solomon Islands (and in the UK if necessary). Before an assignment can be recorded in the Solomon Islands it must first be recorded in the UK. If an assignment is underway in the UK we will monitor, free of charge, the pending application and when the assignment has been recorded proceed with the application in the Solomon Islands.

To record the assignment of a trade mark registration the only documentation required is a certified copy of the entries on the UK Register showing the assignment and a Power of Attorney.

It usually takes about two years for the Registrar General to process an application to record an assignment. Once the recording is complete the Registrar General will issue a Certificate of Registration of Assignment of a Trade Mark.

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 the Solomon Islands (and in the UK if necessary). Before a change can be recorded in the Solomon Islands it must first be recorded in the UK. If a Change of Particulars is underway in the UK we will monitor, free of charge, the pending application and when the change has been recorded proceed with the application in the Solomon Islands.

To record a change of name and/or address for a trade mark registration the only documentation required is a certified copy of the entries on the UK Register showing the change and a Power of Attorney.

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

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.

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 offshore 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, CITMA, 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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