



# HSM IP Patent Client Guide

## GUYANA

### Registration

A patent can be registered in Guyana pursuant to the *Patents and Designs Act, 2002* which provides for both national patent applications and applications to extend rights under a UK or European Patent (EP (UK)) registration within three years from the date of registration in the UK.

For a national application 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. Declaration of Inventor (notarised)
5. Power of Attorney
6. certified English translation of all of the above documents

For a UK or EP (UK) based application the following information and documentation is required:

1. a request for the grant of the patent
2. certified copy of the specifications of the patent and any drawings
3. a Certificate of the Comptroller-General of the Intellectual Property Office of the UK (UK IPO) giving full particulars of the issue of the patent
4. Power of Attorney

It usually takes about three years for the Registrar of Deeds at The Deeds Registry in the Ministry of Legal Affairs to process a national application for registration. A UK or EP (UK) based application usually takes about six months to be processed. Paris Convention priority cannot be claimed. Once the registration is complete The Deeds Registry will issue a Certificate of Registration.

### Patent Cooperation Treaty

Guyana is not a signatory to the Patent Cooperation Treaty (PCT). National phase filing of a PCT patent is not possible.

### Searches

Whilst there is no requirement to conduct a search in Guyana 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.

### Expiry

A national patent registration is valid for 16 years and may be extended for another 5 or 10 years. A UK or EP (UK) based patent registration is valid for the same period as specified on the underlying UK or EP (UK) 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 Deeds 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 Guyana (and the UK if necessary).

To record the assignment of a national patent registration the only documentation required is the Deed of Assignment (notarised) and a Power of Attorney.

To record the assignment of a UK or EP (UK) based patent registration the documentation required is the Deed of Assignment (notarised), a certified copy of the UK or EP (UK) Certificate of Registration showing the assignment issued by the UK IPO and a Power of Attorney.

It usually takes four months or less for The Deeds Registry to process an application to record an assignment. Once the recording is complete The Deeds Registry will issue a Certificate of Registration 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 Guyana (and the UK if necessary).

To record a change of name and/or address for a national patent registration the only documentation required is the official document evidencing the change (notarised) and a Power of Attorney.

To record a change of name and/or address for a UK or EP (UK) based patent registration the documentation required is the official document evidencing the change (notarised), a certified copy of the UK or EP (UK) Certificate of Registration showing the change issued by the UK IPO and a Power of Attorney.

It usually takes four months or less for The Deeds Registry to process an application to record a Change of Particulars. Once the recording is complete The Deeds Registry will issue a Certificate of Recording showing the change.

### **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.

## Contact Us

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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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