

CAYMAN ISLANDS



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**A BILL FOR A LAW TO AMEND THE PATENTS AND TRADE MARKS  
LAW (2007 REVISION) TO VARY MISCELLANEOUS FEES; AND FOR  
INCIDENTAL AND CONNECTED PURPOSES**



**THE PATENTS AND TRADE MARKS (AMENDMENT) BILL, 2009**

**MEMORANDUM OF OBJECTS AND REASONS**

This Bill seeks to amend the Patents and Trade Marks Law (2007 Revision) to effect changes to miscellaneous fees payable under the Law.

The Bill provides for -

- (a) an increase in annual fees, and application fees, relating to patents and trade marks;
- (b) an increase in fees payable for searches in the registry of Patents and Trade Marks; and
- (c) the imposition of a penalty, if an annual fee is not paid before 1st March in each year.

The legislation commences on 1<sup>st</sup> January, 2010 and transitional provisions are set out in the Bill.

**THE PATENTS AND TRADE MARKS (AMENDMENT) BILL, 2009**

**ARRANGEMENT OF CLAUSES**

1. Short title and commencement
2. Amendment of section 11 of the Patents and Trade Marks Law (2007 Revision) - annual fee
3. Repeal and substitution of Schedule - fees
4. Transitional provisions

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ENACTED by the Legislature of the Cayman Islands.

1. (1) This Law may be cited as the Patents and Trade Marks (Amendment) Law, 2009. Short title and commencement  
  
(2) This Law shall come into force on 1<sup>st</sup> January, 2010.
2. The Patents and Trade Marks Law (2007 Revision), in this Law referred to as the “principal Law”, is amended in section 11(2) by inserting after the word “paid” the words “and, if the default is for more than two months, the person in default shall pay, in addition to the relevant annual fee, the penalty prescribed in the Schedule”.
3. The principal Law is amended by repealing the Schedule and substituting the following schedule - Amendment of section 11 of the Patents and Trade Marks Law (2007 Revision) - annual fee  
  
Repeal and substitution of Schedule - fees

**“SCHEDULE**

**(Sections 6, 11, 12 and 15)**

**Fees**

<b>Item</b>	<b>Particulars</b>	<b>Fee</b>
<b>Part 1-Patents</b>		
1.	Application fee for extension of patent rights to the Islands	\$200
2.	Annual fee for patent	\$200
3.	Application fee for recording change of particulars of a patent right recorded in the Registry	\$150
4.	Application fee for recording renewal of a patent right recorded in the Registry	\$200
<b>Part 2-Trade Marks</b>		
1.	Application fee for extension of trade mark rights to the Islands	\$200 for one class registered; \$100 for each additional class registered
2.	Annual fee for trade mark rights	\$200 for one class registered; \$100 for each additional class registered
3.	Application for recording change of particulars of trade mark rights recorded in the Registry	\$150
4.	Application for recording renewal of trade mark rights recorded in the Registry	\$200
<b>Part 3-General</b>		
	Search fee	\$50
<b>Part 4-Penalties</b>		
	Penalty for failure to pay annual fee before 1 <sup>st</sup> March, in respect of each year	\$100”.

Transitional provisions

4. (1) Every matter commenced under the former Law and partly dealt with when the new Law comes into force, is to be continued and dealt with in all respects as if the new Law had not come into force.

