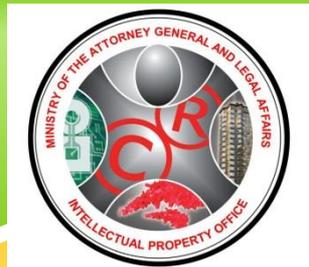


ACCESSION INTELLECTUAL PROPERTY ENVIRONMENT – TRINIDAD AND TOBAGO

CarIPI 1st Sub-PSC Meeting and Convergence Seminar,
Barbados, January 27-28, 2020

Presented by Mr. Richard Aching, Manager, Technical
Examination, Trinidad and Tobago Intellectual Property Office



Responsibilities of the Intellectual Property Office (IPO) of T&T

- Granting of IPR's
- Determining of Opposition Hearings
- Making IP information available to the public
- Receipt of International Applications
- Advising the Government
- Patent Information Services
- Public Awareness Campaigns
- Promoting Inventiveness
- Participating in development of International Treaties
- Participating in the development of International Instruments



APPLICABLE IP CONVENTIONS

- ▶ The Paris Convention for the Protection of Industrial Property (1883). [*1st August 1964*]
- ▶ The Berne Convention for the Protection of Literary and Artistic Works (1886). [*16th August 1988*]
- ▶ The Geneva Convention for the Protection of Producers of Phonograms against Unauthorized Duplication of their Phonograms (1971). [*1st October 1988*]
- ▶ The Patent Cooperation Treaty (PCT) (1970). [*10th March 1994*]
- ▶ The Budapest Treaty of the International Recognition of the Deposit of Micro organisms for the Purposes of Patent Procedure (1977). [*10th March 1994*]
- ▶ The Nice Agreement concerning the International Classification of Goods and Services for the Purposes of the Registration of marks (1957). [*20th March 1996*]
- ▶ The Locarno Agreement establishing an International Classification for Industrial Designs (1968). [*20th March 1996*]

APPLICABLE IP CONVENTIONS CONT'D

- ▶ Vienna Agreement establishing an International Classification of the Figurative Elements of Marks (1973). [20th March 1996]
- ▶ The Brussels Convention Relating to the Distribution of Programme Carrying Signals Transmitted By Satellite (1974). [1st November 1996]
- ▶ The Strasbourg Agreement concerning the International Patent Classification (1971). [20th December 1996]
- ▶ Union for the Protection of New Plant Varieties (UPOV). [30th January 1998]
- ▶ Trademark Law Treaty (TLT) (1994). [16th April 1998]
- ▶ The World Intellectual Property Organization (WIPO) Copyright Treaty (WCT) (1996). [28th August 2008]
- ▶ The WIPO Performances and Phonograms Treaty (WPPT) (1996). [28th August 2008]

APPLICABLE IP CONVENTIONS CONT'D

- ▶ Beijing Treaty on Audiovisual Performances. [4th October 2019]
- ▶ Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled (2013). [4th October 2019]
- ▶ Singapore Treaty on the Law of Trademarks (1994). [4th October 2019]
- ▶ Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (1961). [4th October 2019]

ACCESSION PROCESS

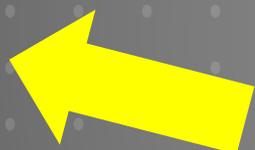
- ▶ Review by TTIPO: Benefits, obligations, start-up and recurrent costs, risks, implementation and operational issues, frequency of activities, institutional arrangements
- ▶ Informal discussions with governing entity (E.g. WIPO, WTO etc.)
- ▶ Informal discussions with rightsholders to gauge interest
- ▶ Notify Minister
- ▶ Formal discussions with rightsholders
- ▶ Note to Cabinet with a policy document
- ▶ Law Revision Commission begins drafting new clauses as guided by TTIPO, entity, precedent
- ▶ Vetting by Ministry of Foreign and CARICOM Affairs
- ▶ Vetting of text by Solicitor General to advise Cabinet
- ▶ Cabinet decision to accede
- ▶ Instrument of accession by MFCA
- ▶ Entry into force after grace period

DRIVERS FOR ACCESSION

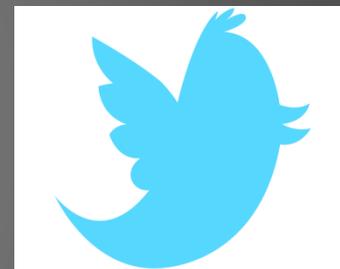
- ▶ The TTIPO is an active participant in the IP ecosystem and is constantly engaged with its stakeholders and always evaluating what can be useful for rightsholders
- ▶ Stakeholder feedback and demand
- ▶ Terms of free trade agreements, bilateral agreements and memoranda of understanding
- ▶ Capacity to meet the obligations of the treaty/convention
- ▶ Timing
- ▶ What new markets will open up for our producers and rightsholders?
- ▶ Which radars will our market appear on?

PENDING ACCESSIONS

- ▶ The Madrid Protocol
- ▶ The Hague Agreement
- ▶ Patent Law Treaty
- ▶ 1991 Act of UPOV
- ▶ Lisbon



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