

BELIZE INTELLECTUAL PROPERTY OFFICE



INDUSTRIAL DESIGN SYSTEM IN BELIZE

October 2022
Castries, St. Lucia



LEGAL FRAMEWORK

Domestic Legislation:

- ❖ Industrial Designs Act Chapter 254 Revised Edition 2011

Treaties:

- ❖ The Hague Act (1960)- Entry into Force: July 12, 2003
- ❖ The Geneva Act (1999)- Entry into Force: February 9, 2019



Domestic Legislation

Definition:

“any composition of lines or colours or any three dimensional form, or any material whether or not associated with lines or colours, which gives a special appearance to a product of industry or handicraft and can serve as a pattern for a product of industry or handicraft and appeals to, and is judged, by the eye; provided that it does not consist of anything which serves to obtain a technical result and leaves no freedom as regards arbitrary features of appearance;”



Registrable Industrial Designs:

- ❖ Must be new
- ❖ Must not be contrary to public order or morality



Examination of Applications:

- ❖ Applications forms are complete and necessary documents attached;
- ❖ it complies with the definition of a design under the Act;
- ❖ the application fee has been paid; and
- ❖ the industrial design is not contrary to public order or morality.

Note: Locarno Classification is used for the purposes of registration of industrial designs.



Rights conferred to owner by registration:

Exclusive right, in Belize, to make, sell, import or otherwise distribute, for commercial purposes, any article bearing or embodying the design.



Duration of Protection:

Five years from the filing date of the application for registration but may be renewed for two further consecutive periods of five years.



Invalidation of Registration of a Registered Design

- ❖ Application for invalidation must be made to the Court.
- ❖ Grounds for Invalidation:
 - (i) the design is not new;
 - (ii) the applicant for registration is not the owner or his successor in title;
 - (iii) the application was made with the intention of defrauding the owner; or
 - (iv) any other ground on which the Registrar could have refused to register the design.



Publication of Invalidation

The Registrar of the Supreme Court notifies the Registrar of Intellectual Property of the decision of the Court to invalidate a design and the Registrar publishes a reference of the Court decision to invalidate in the Journal as soon as possible.



Appeals

Any person who has been aggrieved by a decision of the Registrar under the Act may, within two months of that decision, appeal to the Court.



Application of Treaties:

The provisions of any international treaty in respect of industrial property to which Belize is party shall apply to this act and matters dealt with herein, and where there is any conflict, the provisions of the treaty shall prevail.



The Geneva Act (1999)

Declarations made by Belize:

- ❖ Prohibition of filing through the Office/ Indirect filing;
- ❖ Deferred publication for a period not exceeding 12 months;
- ❖ Maximum duration of 15 years protection.



Belize's responsibility in the international registration process:

- ❖ Monitor the International Designs Bulletin (contains data regarding new international registrations, renewals, and modifications affecting existing international registrations)
- ❖ Communicate statement of refusal of grant of protection (where we have substantive grounds to refuse) within a 6 months period after publication.



INDUSTRIAL DESIGN BULLETIN

Browse by Bulletin

Search by Registration Number

Publication

Year

Bulletin No. - Publication date

Recording Type

Query

	<input type="text" value="Registration Number"/>	=	<input type="text"/>
AND	<input type="text" value="International Registration Date"/>	=	<input type="text"/>
AND	<input type="text" value="Priority Data"/>	=	<input type="text"/>
AND	<input type="text" value="Locarno Classification"/>	=	<input type="text"/>
AND	<input type="text" value="Indication of Products"/>	=	<input type="text"/>
AND	<input type="text" value="Holder"/>	=	<input type="text"/>
AND	<input type="text" value="Designated Contracting Parties"/>	=	<input type="text"/>

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Advantages of the system:

- ❖ Additional revenue generated
- ❖ Provides a simplified way of obtaining design registrations in multiple jurisdictions
- ❖ Relieves the IP Office of formal examination, data entry, publication, issuance of registration certificate, processing of renewals etc.
- ❖ Allow local creators easier access to foreign market



WIPO IP PORTAL

the official platform offering the full range of online IP services of the World Intellectual Property Organization for example the fee distribution report for each Member.

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Letter - January 2020

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Letter found on WIPO IP Portal informing of the fees being submitted to the designated country



Belize Intellectual Property Office
(BELIPO)
P.O. Box 592
Belmopan
Belize

February 21, 2022

Dear Sir/Madam,

With reference to the Hague Agreement Concerning the International Registration of Industrial Designs and in particular its provisions concerning the fees collected by the International Bureau on behalf of contracting parties, we are pleased to inform you that the US Dollar equivalent of _____ Swiss francs will be transferred to the following account:

_____ This amount represents the fees collected by the International Bureau on behalf of your office in January 2022, and based on the market exchange rate and net of any fees applied by our bank.

The Madrid and Hague fee distribution reports and letters are available in the WIPO IP Portal.





STATISTICS

(International Applications)

Year	Applications	Registration	Renewals
2015	212	207	204
2016	93	81	120
2017	96	96	122
2018	54	42	254
2019	70	70	237
2020	77	77	272
2021	76	76	194
2022	71	71	77



STATISTICS

(National Applications)

Year	Applications	Registration
2015	3	3
2016	2	2
2017	3	3
2018	2	2
2019	5	5
2020	5	4
2021	8	4
2022	-	-



CONCLUSION

The Hague system therefore allows for

“ONE single application, in ONE language (English, French or Spanish), with ONE fee in ONE currency resulting in ONE registration with ONE number, covering ONE OR MORE States”



THANK YOU!