



**SAINT LUCIA**

# **REPORT ON THE CURRENT STATUS OF INTELLECTUAL PROPERTY AT THE NATIONAL LEVEL**

WIPO Regional Meeting for Caribbean  
Countries on the Beijing and Marrakech  
Treaties, November 23 and 24, 2015

WIPO Meeting of Heads of Intellectual  
Property Offices of Caribbean  
Countries, November 25, 2015

WIPO Ministerial-Level Meeting  
Meeting on Intellectual Property  
Caribbean Countries, November  
26 and 27, 2015



## **SAINT LUCIA**

### REGISTRY OF COMPANIES & INTELLECTUAL PROPERTY

#### **1. BACKGROUND: National IP Office role and functions – Organizational Chart, Staff Structure, Mandate, Institutional enhancement foreseen**

The Registry of Companies and Intellectual Property is a department within the Attorney General's Chambers, established in the year 2000 by an Act of Parliament – **Companies and Intellectual Property (Registry) Act**, Cap. 13.02 of the Revised Laws of Saint Lucia. The Office is responsible for the administration of the following legislation:

- Companies Act and Regulations, Cap. 13.01
- Registration of Business Names Act and Rules, Cap 13.03
- Partnerships – Commercial Code, Chapter 244, Title II
- Lay-out Designs (Topographies) Integrated Circuits Act, Cap 13.16
- Geographical Indications Act and Regulations, Cap 13.14
- Copyright Act Cap. 13.07
- Industrial Designs Act and Regulations Cap. 13.29
- Protection against Unfair Competition Act Cap. 13.28
- Trademarks Act and Regulations Cap. 13.30
- Patents Act No. 16 of 2001 – the draft Regulations are presently being reviewed for implementation.

The main objectives of the Office are:

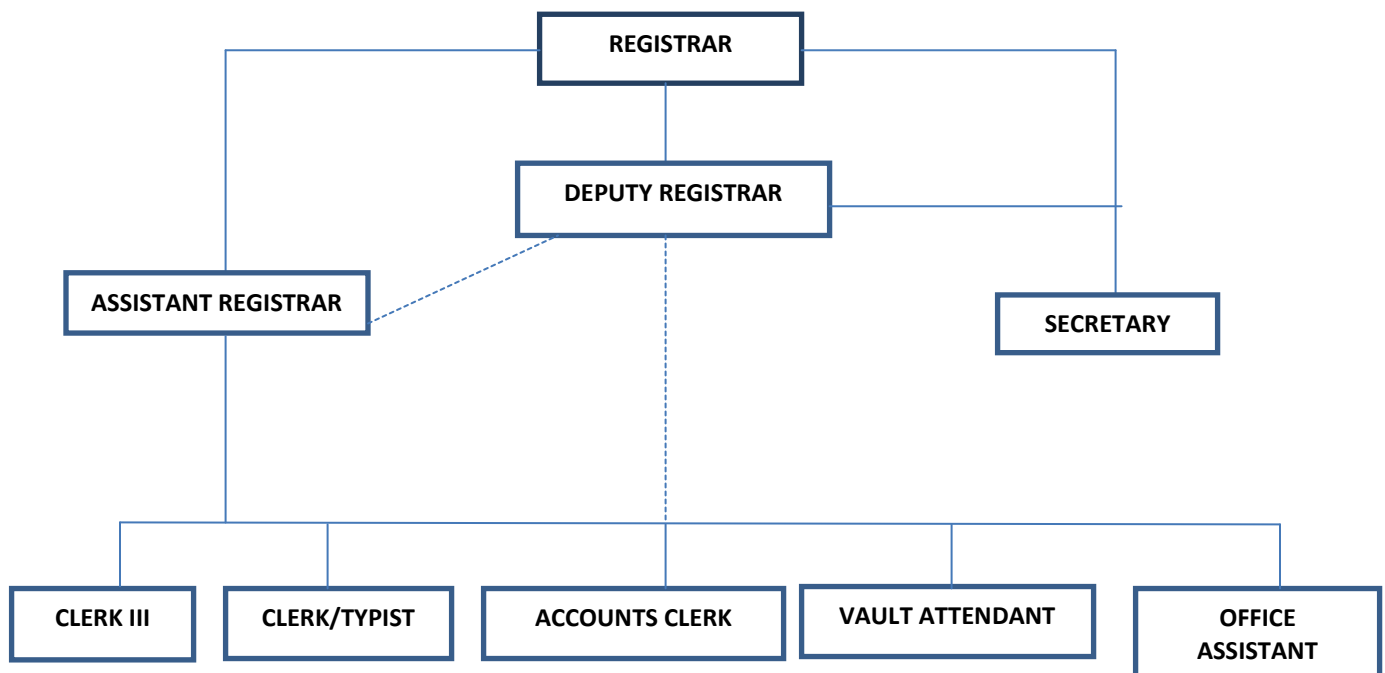
1. To create efficient administration of company and intellectual property matters.
2. To maintain an updated filing system for companies, business names, partnerships and intellectual property.
3. To ensure easy access to information filed at the Registry.

4. To generate a level of enforcement and awareness of treaties and legislation pertaining to companies and intellectual property; and
5. To register companies, business names, partnerships and intellectual property (trademarks, patents, industrial designs).

The Registry has a staff complement of 9, namely:-

1. Registrar
2. Deputy Registrar
3. Assistant Registrar
4. Secretary
5. Clerk III
6. Clerk/Typist
7. Accounts Clerk
8. Vault Attendant
9. Office Assistant

*Organizational Chart*



The Registry has seen the need to review and upgrade the present staff structure with a view of enhancing its service in the areas of companies and intellectual property. As a result, the following proposal to restructure the Office has submitted to the Government of Saint Lucia for approval:

### **General/Administrative Section**

Registrar of Companies and Intellectual Property (to oversee all companies and intellectual property policy issues)

Secretary to the Registrar of Companies and Intellectual Property

Executive Officer – to perform office and administrative functions

### **Companies Section**

Deputy Registrar

Assistant Registrar

Companies/Corporate Officer I, II, III (1)

Clerk I, II, III (3)

Clerk/Typist (1)

Filing Clerk (1)

### **Intellectual Property Section**

Deputy Registrar

Assistant Registrar

Trademarks/IP Officer I, II, III (1)

Clerk I, II, II (1)

Clerk/Typist (1)

Filing Clerk (1)

*See Proposed Organizational Chart attached.*

## 2. IP LEGISLATION

*Patents:* Patent Act No. 16 of 2001. Draft Patents Regulations currently with the Attorney General's Chambers for implementation

*Trademarks:* Trademarks Act Cap. 13.30

*Designs:* Industrial Designs Act Cap. 13.29

*Copyright:* Copyright Act Cap. 13.07

*Geographical Indications:* Geographical Indications Act Cap. 13.14

*UPOV:* Not a member. No legislation or draft exists.

## 3. TREATIES BILATERALS AND MULTILATERAL AGREEMENTS

Treaty	Status	Date
Berne Convention	In Force	August 24, 1993
Nice Agreement	In Force	March 18, 2001
Paris Convention	In Force	June 9, 1995
Patent Cooperation Treaty	In Force	August 30, 1996
Phonograms Convention	In Force	April 2, 2001
Rome Convention	In Force	August 17, 1996
Vienna Agreement	In Force	December 25, 2001
Washington Treaty	Accession	
WIPO Convention	In Force	August 21, 1993
WIPO Copyright Treaty	In Force	March 6, 2002
WIPO Performances and Phonograms Treaty	In Force	May 20, 2002

## 4. IP AND INNOVATION STRATEGIES POLICIES

There is none in place as yet. We are considering same. However, Saint Lucia has not requested the assistance from WIPO to begin the process.

## 5. INFORMATION TECHNOLOGY ("IT") AND IPAS

IPAS Java is installed on all computers at the Registry. The Office currently uses version 2.7.

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## **6. OUTREACH ACTIVITIES AND LINKS TO PROFESSIONAL ASSOCIATIONS (Legal Research, Academia, business)**

There are no outreach activities at the moment.

## **7. ENFORCEMENT Issues**

The Police and Customs have demonstrated their willingness to collaborate with the IP Office on matters relating to piracy of music and also counterfeit goods entering the country. There is currently an escalating problem of pirated CDs and DVDs being sold on the streets in the city.

It is also a challenge for the Eastern Caribbean Collective Organization for Music Rights (ECCO). One of our main priorities for 2016 is holding a “Building Respect for IP” campaign with the assistance of WIPO.

## **8. IP COMMITTEE (composition and function)**

Presently, there is no IP Committee. However, we will give due consideration to the same.

## **9. COURTS AND ARBITRATION PLATFORMS**

The Government of Saint Lucia is in the process of setting up a Commercial Court which will be a division of the Supreme Court. The court will try matters of a commercial nature including intellectual property matters. Progress is at an advanced stage. The vacancy for a commercial judge has already been advertised and accommodation to house the court is near completion.

## **10. BACKLOGS**

### **(i) Patents**

There is a total of 171 PCT applications pending.

**11. PERFORMANCE INDICATORS**  
**STATISTICS**

<b>APPLICATIONS FILED – TRADEMARKS</b>				
<b>January 2011 – December 2014</b>				
<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>Total Applications Filed</b>
454	404	390	433	1681
Residents: 24	28	27	30	109
Non-Residents 430	376	363	403	1,572

<b>NUMBER OF GRANTS OF REGISTRATION – TRADEMARKS</b>				
<b>January 2011 – December 2014</b>				
<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>Total Number of Grants of Registration</b>
427	475	572	440	1914
Residents: 24	18	21	37	100
Non-Residents 403	457	551	403	1,814

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<b>APPLICATIONS FILED AND REGISTERED – INDUSTRIAL DESIGNS</b>				
<b>January 2011 – December 2014</b>				
<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>Total Number of Grants of Registration</b>
9	0	1	0	10
Residents: 1	0	1	0	2
Non-Residents 8	0	0	0	8

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