

Barbados

1. The following information, furnished by Barbados in response to circular C.PCT 1081 and with reference to document PCT/R/WG/8/9, outlines relief measures available in Barbados for patent applicants and owners affected by *force majeure* circumstances interrupting the normal operations of the Corporate Affairs and Intellectual Property Office (CAIPO) or the postal services in Barbados.

2. In such circumstances, the available relief is as follows:

A. Closure of office

Regulation 40 of the *Patent Regulations, 1984* provides that “any correspondence with the Office that is due on any day on which the office is closed for business shall be accepted as properly filed if it is received on the next day that the Office is open for business.”

B. Interruption of postal services

Regulation 42 provides that “[w]here, by evidence satisfactory to the Director, a person proves that he was unable to do something within the time prescribed therefor by the Act or these regulations because of an interruption in mail service in Barbados or elsewhere, the Director may, before or after the expiration of the time for the doing of that thing, extend the time to make allowances for the period of interruption in mail service.”

C. Extension of statutory time limits generally

With regard to time limits fixed by the regulations for compliance, regulation 44 gives considerable discretion and provides that “[w]hen, by affidavit setting forth the relevant facts, the Director is satisfied that any time fixed by these regulations for the doing of any thing should be extended in particular case, the Director may, either before or after the expiration of the time, extend it for such period as he thinks suitable in the circumstances of the case.”

CAIPO
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