

Ogier



Trade Marks Prosecution Fact Sheet

Dutch Caribbean and Suriname

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Type of filings	National
Priority	Paris Convention Priority can be claimed. Aruba is a party to the Paris Convention.
Single or multi-class	Both single and multi-class applications are accepted
Classification	Nice Classification
Protection of goods and services	Both goods and services may be protected
Term of initial registration	10 years from the filing date, which is also deemed to be the effective date of registration
Renewals	• Due every 10 years with a 3-month grace period • Restoration is not possible
Typical documentary requirements and formalities for key filings	• Original signed Power of Attorney (blue ink signatures are preferable) • Original signed accompanying documents where relevant to the particular type of filing to be made, e.g. i) Assignment or licence agreements ii) Declarations certifying changes of name/address; and/or iii) Notarised/certified Companies Registry certificates certifying changes of name / address / mergers • Priority-based applications (new filings only): a colour copy of the certified hard copy priority document issued by the relevant IPO • English-language documents are acceptable
Observations	Aruba's trade mark filing and registration process is one of the smoothest in the Caribbean. The period from filing to registration can take as little as 3 months in straightforward cases. However, the Bureau of IP Aruba (BIPA) generally takes at least 6 weeks to complete pre-filing search requests unless expedited, in which case, the results may be provided within 1 week on average. Office actions are seldom issued. However, it should be noted that Aruba is a 'first to use' jurisdiction and there is no pre-registration opposition process.

2 Caribbean Netherlands (Bonaire, St. Eustatius and Saba: BES Islands)

Type of filings	Both National and Madrid based applications are accepted
Priority	Paris Convention Priority can be claimed. The Caribbean Netherlands is a party to the Paris Convention.
Single or multi-class	Both single and multi-class applications are accepted
Classification	Nice Classification
Protection of goods and services	Both goods and services may be protected
Term of initial registration	10 years from the filing date, which is also deemed to be the effective date of registration
Renewals	• Due every 10 years with a 6-month grace period • Restoration is not possible
Typical documentary requirements and formalities for key filings	• No Power of Attorney is required for most filings • Scanned colour copy accompanying documents where relevant to the particular type of filing to be made, e.g. i) Assignment or licence agreements ii) Companies Registry certificates certifying changes of name / address / merger • Priority-based applications (new filings only): a colour copy of the certified hard copy priority document issued by the relevant IPO • English-language documents are acceptable
Observations	The Caribbean Netherlands' trade mark filing and registration process is fast for the region. The period from filing to registration can take as little as 1 month in straightforward cases. Office actions are seldom issued. There is no pre-registration opposition process. Searches can be conducted online at www.caribie.nl

Type of filings	Both National and Madrid based applications are accepted
Priority	Paris Convention Priority can be claimed. Curacao is a party to the Paris Convention.
Single or multi-class	Both single and multi-class applications are accepted
Classification	Nice Classification
Protection of goods and services	Both goods and services may be protected
Term of initial registration	10 years from the filing date, which is also deemed to be the effective date of registration
Renewals	• Due every 10 years with a 6-month grace period • Restoration is not possible
Typical documentary requirements and formalities for key filings	• Original signed Power of Attorney (blue ink signatures are preferable) • Original signed accompanying documents where relevant to the particular type of filing to be made, e.g. i) Assignment or licence agreements ii) Declarations certifying changes of name; and/or iii) Notarised/certified Companies Registry certificates certifying changes of name / mergers • Priority-based applications (new filings only): a certified hard colour copy priority document issued by the relevant IPO • English-language documents are acceptable
Observations	Curacao's trade mark filing and registration process is one of the smoothest in the Caribbean. The period from filing to registration can take as little as 3 months in straightforward cases. However, the Bureau for Intellectual Property (BIP) Curacao generally takes at least 1 month to complete pre-filing search requests unless expedited, in which case, the results may be provided within 4 – 7 days on average. Office actions are seldom issued. There is no pre-registration opposition process.

4 St. Maarten

Type of filings	Both National and Madrid based applications are accepted
Priority	Paris Convention Priority can be claimed. St. Maarten is a party to the Paris Convention.
Single or multi-class	Both single and multi-class applications are accepted
Classification	Nice Classification
Protection of goods and services	Both goods and services may be protected
Term of initial registration	10 years from the filing date, which is also deemed to be the effective date of registration
Renewals	• Due every 10 years with a 6-month grace period • Restoration is not possible
Typical documentary requirements and formalities for key filings	• No Power of Attorney is required for most filings • Scanned colour copy accompanying documents are required where relevant to the particular type of filing to be made, e.g. i) Assignment or licence agreements ii) Companies Registry certificates certifying changes of name / address / mergers • Priority-based applications (new filings only): a colour copy of the certified hard copy priority document issued by the relevant IPO • English-language documents are acceptable
Observations	St. Maarten is not to be confused by its French neighbour, Saint Martin. St. Maarten's trade mark filing and registration process is fast for the region. The period from filing to registration can take as little as 1 month in straightforward cases. Office actions are seldom issued. There is no pre-registration opposition process. Searches are also available online at Trademark search BIP

5 Suriname

Type of filings	National
Priority	Paris Convention Priority can be claimed. Suriname is a party to the Paris Convention.
Single or multi-class	Both single and multi-class applications are accepted
Classification	Nice Classification
Protection of goods and services	Both goods and services may be protected
Term of initial registration	10 years from the filing date, which is also deemed to be the effective date of registration
Renewals	• Due every 10 years with a 6-month grace period • Restoration is not possible
Typical documentary requirements and formalities for key filings	• Original notarised Power of Attorney in Dutch and English (one per application/registration) • Original notarised accompanying documents in Dutch or English where relevant to the particular type of filing to be made, e.g. i) Assignment or licence agreements ii) Affidavits certifying changes of name / address / mergers; and/or iii) Notarised/certified Companies Registry certificates certifying changes of name / address / mergers • Priority-based applications (new filings only): a certified English-language copy of the priority document issued by the relevant IPO
Observations	Suriname's trade mark prosecution process is slow, with new applications being processed in 3 to 4 years on average and other applications and records taking longer to be processed. However, office actions are seldom issued and there is no pre-registration opposition process.