



BELIZE

**TRADE MARKS ACT
CHAPTER 257**

REVISED EDITION 2003

SHOWING THE SUBSIDIARY LAWS AS AT 31ST OCTOBER, 2003

This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

ARRANGEMENT OF SUBSIDIARY LAWS



BELIZE

**TRADE MARKS ACT
CHAPTER 257**

REVISED EDITION 2003

SHOWING THE SUBSIDIARY LAWS AS AT 31ST OCTOBER, 2003

This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

This edition contains a consolidation of the following laws-

Page

- | | |
|--|---------------|
| 1. TRADE MARKS ACT (COMMENCEMENT) ORDER | 3 - 4 |
| 2. TRADE MARKS RULES | 5 - 77 |

CHAPTER 257

TRADE MARKS ACT (COMMENCEMENT) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.
 2. Commencement of Chapter 257.
-

CHAPTER 257

7of2001.
Act 17 of 2001.

TRADE MARKS ACT (COMMENCEMENT) ORDER
(Section 84)

[27th January, 2001.]

Short title.

1. This Order may be cited as the

TRADE MARKS ACT (COMMENCEMENT) ORDER.

Commencement
of Chapter 257.

2. In exercise of the powers vested in me by section 84 of the Trade Marks Act and all other powers thereunto me enabling, **I, GODFREY SMITH**, Minister responsible to Trade Marks, do hereby appoint the 5th day of January, 2001, as the day on which the said Act shall come into force.

MADE this 4th day of January, 2001.

(GODFREY SMITH)
Minister responsible for Trade Marks

CHAPTER 257

TRADE MARKS RULES

ARRANGEMENT OF RULES

PART I
PRELIMINARY

1. Short title.
2. Interpretation.

PART II
REGISTRATION OF TRADE MARKS

Fees

3. Fees and payment.

Forms

4. Forms required.
5. Paper requirements.
6. Page requirements.
7. Language of documents.
8. Partnerships.
9. Complete address.

10. Compulsory address for service.
11. Voluntary address for service.
12. Form.
13. No address for service.
14. Communications.

Re-registration or Restoration

- 14:01. Re-registration of Marks, six months after Expiry Date.

Agency

15. Power of agent.

Non-Registrable Marks

16. Duty to refuse.

Description of Goods and Services

17. Specified goods or services.
18. Permitted variations.

Application for Registration

19. Form for application.
20. Application requirements.
21. Foreign words and letters.
22. Priority limitation.
23. Name or address change.
24. Transfer of application.

Procedure on receiving application for registration

25. Search of register.
26. Result of consideration.
27. Consequence of objection.
28. Conditional acceptance.
29. Objection to condition, etc.
30. Disclaimer.

Collective or Certification Marks

31. Examination of collective or certification marks.

Opposition to registration

32. Required opposition form.
33. Answer to opposition.

Interruption in proceedings

34. Non-completion of application.

Entry in Register

35. Registration.
36. Death of applicant.

- 37. Certificate o registration.
- 38. Publication of marks.
- 38:01. Alteration of trade mark after registration pursuant to section 22 of the Act.

PART III
RENEWAL OF TRADE MARKS

Renewal

- 39. Renewal requirement.
- 40. Late renewal.
- 41. Renewing registration.

PART IV
LICENCE-CONTRACTS

- 42. Licence-contracts.
- 43. Removing from record.
- 44. Transfer.
- 45. Sub-licence.

PART V
CHANGE IN REGISTER, SURRENDER AND
TRANSFER OF MARK

Change in register

- 46. Recording address change.
- 47. Recording name change.
- 48. Notice of change.
- 49. Change of conditions.

Surrender

- 50. Surrender of registered mark.

Transfer of Mark

- 51. Ordinary mark transfer.
- 52. Collective or certification mark approval.
- 53. Recording transfer of collective or certification mark.

PART VI
MISCELLANEOUS

Time limits

- 54. Filing time.
- 55. Replacement of correspondence.
- 56. Interruptions of mail.
- 57. Fixing time limits.
- 58. Changing time limits.

Clerical errors

- 59. Correcting errors.
- 60. Issuing directions.
- 61. Registrar's certificate.
- 62. Inquiries made to Office.

Classification of Goods and Services

- 63. Classification of goods and services.
- 64. Repeal of Statutory Instrument No. 8 of 2001.
- 65. Commencement.

—————
SCHEDULE I
—————

SCHEDULE II
—————

SCHEDULE III
—————

CHAPTER 257

TRADE MARKS RULES
(Section 71)

3 of 2002.
Ch.257.

[5th January, 2002.]

PART I
PRELIMINARY

1. These Rules may be cited as the Short title.

TRADE MARKS RULES.

2. In these Rules, unless the context otherwise requires- Interpretation.

“agent” means an attorney-at-law who is resident in Belize and practicing in Belize in accordance with the relevant law;

“applicant” in relation to an application submitted to the Registrar, means the person who submits the application or on whose behalf it is submitted;

“opponent” means a person who opposes an application for registration or who opposes some other application made under the Act;

“Office” means the Office of Intellectual Property;

“Registrar” means the Registrar of Intellectual Property appointed under section 4 of the Patents Act. CAP. 253.

PART II
REGISTRATION OF TRADE MARKS

Fees

Fees and
payment.
Schedule I.

3. (1) The fees to be paid in relation to marks are those prescribed in Schedule 1.
- (2) Payments shall be made in Belizean currency, but the equivalent amount in a foreign currency that is convertible in Belize may be accepted.
- (3) When a fee paid by a person to the Registrar for any purpose exceeds the fee fixed by these Rules for that purpose by more than \$10, the person who paid the fee is entitled to be refunded the amount of excess less \$10.
- (4) Fees that are paid by cheque, bank draft or money order shall be forwarded to the Registrar and made payable to him.
- (5) Fees may be paid by cash at the Office.
- (6) A payment of a fee by cheque may be accepted by the Registrar as being a payment of the fee when the cheque is received by him; but, if the cheque is not paid when presented to the bank on which it is drawn and not made good within such time as the Registrar may fix, the acceptance of the fee is revoked and any thing done pursuant to the payment is void and, if appropriate, shall be so recorded in the register.
- (7) When a fee is paid to the Registrar by any person by mistake, for an application that is withdrawn before it is given an application number, or for a service that cannot be provided, the person who paid the fee is entitled to a refund of the fee less \$25, if he claims the refund within one year of the payment of the fee.

(8) When a person pays a fee in advance for the registration of mark or for any other purpose, he is entitled to a refund of that fee, less \$15, if he decides not to proceed with the application for registration of the mark of other purpose to the stage where the fee would be required.

Forms

4. In submitting a document for any purpose of the Act or these Rules, the person submitting the document must use the Form set out in Schedule II that is applicable. Forms required. Schedule II.

5. (1) All applications, notice, statements, papers having representations affixed, or other documents authorized or required by the Act or these Rules to be made, left with or sent to the Registrar must be on strong, durable white paper and, except in the case of statutory documents and affidavits, must be written on one side of the paper only. Paper requirements.

(2) Each sheet of paper (other than representations) must have its short sides at the top and bottom of the sheet.

(3) Each sheet of paper must be of the same size and on A-4 paper or such other size as the Registrar may permit.

6. (1) The papers of documents, other than representations, must be numbered consecutively, preferably at the top of the page. Page requirements.

(2) Page margins must be approximately 2 cm.

(3) Except for representations, pages must be typed or printed preferably with one and a half spacing or double spacing.

7. (1) An application must be in English. Language of documents.

(2) Until he is provided with a translation verified by affidavit, the

Registrar may refuse to take cognizance of any document that is not in English.

- Partnership.
8. (1) A document purporting to be signed by or on behalf of a partnership must contain the names in full of all partners and be signed –
- (a) by all partners;
 - (b) by a qualified partner stating that he signs on behalf of the partnership; or
 - (c) by any other person who satisfies the Registrar that he is authorized to sign the document on behalf of the partnership.
- (2) A document purporting to be signed for or on behalf of an association of persons must be signed by a trustee of the association.

Address

- Complete address.
9. When any person is by the Act or these Rules required to furnish the Registrar with an address, the address given must be as complete as possible; and the Registrar may require the address to include the name of the street and the number or name of the premises having that address.
- Compulsory address for service.
10. (1) Where an applicant, opponent or agent, or a registered owner or licensee of a mark does not reside or carry on business in Belize, he shall be required by the Registrar to give an address for service in Belize.
- (2) An address for service given pursuant to sub-rule (1) may be treated as the actual address of the applicant, opponent, agent, owner or licensee, as the case requires, for all purposes connected with any matter in question.

11. A registered owner or licensee of a mark, or any address for person about to be registered or recorded as a registered owner or licensee of a mark, may, if he so desires, give on the appropriate form an address for service to be entered in the register, and that address may be entered in the register by the Registrar. Voluntary address for service.
12. All applications in Form No.1 for an address for service must be signed by the applicant, or by an agent expressly authorized for the purpose by the applicant. Form.
13. When no address for service is entered in the register for a registered owner or licensee of a mark, the Registrar may treat the trade or business address of the registered owner or licensee as recorded in the register as the address for service of that owner or licensee for all purposes connected with the registration of the mark. No address for service.
14. A written communication to a person or party communication mentioned in the Act or these Rules and addressed to an address given by him to the Registrar or treated by the Registrar as that person's or party's address for service shall be deemed to be properly addressed to that person or party. Communications.

Re-registration or Restoration

- 14:01. Where a registered trade mark has completed its tenth anniversary of registration and at least six months thereafter no application has been made to renew it, the Registrar shall allow such trade mark to be re-registered on the Register, and the provisions of the Act and these Rules relating to the registration of trade marks, including the payment of the relevant fees, shall apply to such re-registration, which shall for all purposes be deemed to be a registration. Re-registration of marks six months after expiry date. 62 of 2002.

Agency

15. (1) Except as otherwise required by these Rules- Power of agent.
- (a) any application, request or notice that is required or permitted by the act or these Rules to be made

or given to the Registrar; and

- (b) all other communications-
 - (i) between an applicant or a person making such a request or giving such a notice and the Registrar or any other person; or
 - (ii) between a registered owner or a licensee of a mark and the Registrar or any other person,

may be made, signed or given through an agent.

(2) Any person referred to in sub-rule (1) other than the Registrar may, by signing and sending to the Registrar an authority in Form No. 2, appoint an agent to act for that person in any proceedings or matter before or affecting the Registrar under the Act or these Rules.

- (3) Where an agent has been appointed pursuant to these Rules-
 - (a) service upon the agent of any document relating to the proceedings or matter for which the agent has been appointed is service upon the person who appointed him;
 - (b) all communications that relate to any proceedings or matter referred to in paragraph (a) that are directed to be made to any applicant, person making a request or giving a notice, or to any registered owner or licensee, may be addressed to his agent; and
 - (c) all attendances upon the Registrar relating to any proceedings or matter referred to in paragraph (a)

may be made by or through the agent.

(4) The Registrar may, in a particular case, require the personal signature or presence of an applicant, opponent, registered owner or licensee or other person notwithstanding that an agent has been appointed for the applicant, opponent, registered owner, licensee or other person.

Non-Registrable Marks

16. (1) Subject to sub-rule (3), the Registrar shall refuse to accept any application for the registration of a mark upon which any of the following appear- Duty to refuse.

- (a) the words “standard”, “patent”, “patented”, “registered”, “industrial design” or “copyright”;
- (b) the Royal Arms, Royal Crest or Royal Standard;
- (c) the arms or crest or any member of the Royal Family;
- (d) any word or symbol likely to lead to the belief that the goods or services in the application have received or are produced, sold or performed under royal, vice-regal or governmental patronage or authority;
- (e) the arms, crest or flag adopted and used at any time by Belize;
- (f) the words “Red Cross” or “Geneva Cross” or representation of the Geneva Cross in red on a white ground or the Swiss Federal Cross in white or silver on a red ground as protected by the

Geneva Convention of 1949;

- (g) the heraldic emblem of the Red Crescent on a white ground as protected by the Geneva Convention of 1949;
- (h) the Red Lion and Sun used by Iran and protected by the Geneva Convention of 1949;
- (i) the name representation of any person;
- (j) any marks referred to in sections 36, 62, or 63 of the Act and not included within paragraphs (a) to (i) of this rule.

(2) The Registrar shall give notice in the Gazette of all marks the registration of which is prohibited pursuant to paragraph(j) of sub-rule (1) of this rule.

(3) Except a mark referred to in paragraph (a) of subrule (1) of this rule, the Registrar may register a mark otherwise prohibited for registration under this rule, if consent to the registration is given by or on behalf of Her Majesty or such other person, society, authority or organization as is protected against unauthorized registration by the Act or this rule.

Description of Goods or Services

Specified goods or services.

17. Where the name or description of any goods or services appears on a mark, the Registrar may refuse to register the mark in respect of any goods or services other than the goods or services so named or described.

Permitted variations.

18. Where the name or description of a mark for goods or services appears on a mark and the name of the goods or services will vary when the mark is used, the Registrar may, if the application for registration of the mark

states that the name or description of goods or services will vary when the mark is used upon goods or services other than the goods or services appearing in the mark, permit the registration of the mark for the goods or services appearing on the mark and the other goods and services.

Application for Registration

19. An application for the registration of a mark in respect of any goods or services must be made to the Registrar in Form No. 3. Form for application.
20. (1) An application for registration of a mark must contain a representation of the mark in the space provided in the form for that purpose. Application requirements.
- (2) The representation of the mark required by section 12 (2) (d) of the Act may be in black and white and colour coded if necessary but it must be suitable for reproduction.
- (3) When the size of a representation of a mark exceeds the space provided for it in the application form, the representation must be mounted on such strong paper or other material as the Registrar considers suitable, and part of the representation must be affixed to the application in the space provided for the representation and the rest of the representation folded.
- (4) If for any reason the Registrar is dissatisfied with the representation of a mark in an application, the Registrar may, before proceeding with the application, require that another representation be substituted that is satisfactory to him.
21. (1) When a mark applied for contains letters or words in characters other than Roman, then, unless the Registrar otherwise directs, a sufficient transliteration or translation of the letters or words satisfactory to the Registrar must be endorsed on the application form; and the endorsement must indicate the language to which the words or letters belong and be signed by the applicant or his agent. Foreign words and letters.

(2) When a mark applied for contains a word in a language other than English, a translation of the word satisfactory to the Registrar must be endorsed on the application form; and the endorsement must indicate the language to which the word belongs and be signed by the applicant or his agent.

Priority
limitation.

22. (1) An applicant for the registration of a mark who is under section 56 of the Act availing himself of the priority of an earlier application in a country that is a member of the Paris Convention must submit his application to the Registrar within 6 months of the making of the earlier application.

(2) The copy of the earlier application must be submitted within 90 days from the date of the application to the Registrar and must be in English; if the copy of the earlier application is not in English, it must be accompanied with a translation satisfactory to the Registrar and duly endorsed by the applicant or his agent.

Name or address
change.

23. (1) A change of name or change of address of an applicant or a change of his address for service must be notified to the Registrar by a submission from the applicant in Form No. 4, together with the prescribed fee, but in the case of a change of name evidence satisfactory to the Registrar must accompany the submission.

(2) The Registrar shall recognize the change of address, or change of address for service, of an applicant; and when the Registrar is satisfied by the evidence submitted to him, he shall recognize the change of name of an applicant.

Transfer of
application.

24. A transfer of application for the registration of a mark may be recognized by the Registrar on the submission to him of an application in Form No. 5 by the transferee of the application, together with the prescribed fee and evidence satisfactory to the Registrar that the mark has been transferred to the transferee of the application; and if the Registrar is satisfied that the application for registration of the mark has been transferred to the transferee, he shall treat the transferee as the applicant thereafter.

Procedure on receiving application for registration

25. (1) On receipt of an application for the registration of a mark, the Registrar shall have a search made of the registered marks and pending applications of record in the office to ascertain whether there is recorded therein, in respect of the same goods or services or description of goods or services, any mark identical with the mark applied for or so nearly resembling it that it would likely mislead the public.

Search of register.

(2) At any time before the acceptance of an application, the Registrar may renew a search made under sub-rule (1) in respect of the application, but the Registrar is not bound to do so.

26. (1) After a search of his records pursuant to rule 25 and a consideration of the application, the Registrar may accept the application absolutely, object to the registration of the application or require the applicant to furnish evidence of use or of distinctiveness or of any other matter.

Result of consideration.

(2) If, after an examining of any evidence furnished pursuant to sub-rule (1), the Registrar is not satisfied that the mark ought to be registered, he may either object to the registration of the application or express a willingness to accept the application subject to such conditions, amendments, disclaimers, modifications, or limitations of the application as the Registrar may impose.

27. (1) When the Registrar objects to the registration of an application, the Registrar shall in writing inform the applicant of his objection to the registration.

Consequence of objection.

(2) When, after the Registrar objects to the registration of an application, the applicant does not, within 60 days of his receipt of the objection, deliver or send to the Registrar a written reply to the objections, the applicant shall be deemed to have withdrawn his application.

- Conditional acceptance.
28. (1) When the Registrar is willing to accept an application for registration if it is subjected to any condition, amendment, disclaimer, modification or limitation, the Registrar may in writing communicate this circumstance to the applicant; and if the applicant does not object to the condition, amendment, disclaimer, modification or limitation, he shall, within 30 days after receipt of the communication, so inform the Registrar and alter his application accordingly.
- (2) If an applicant described in sub-rule (1) falls to notify the Registrar as required by that sub-rule and does not object under rule 29 within the time provided therefore, he shall be deemed to have withdrawn his application.
- 62 of 2002.
- (3) Where any application for the registration of a trade mark is amended in any form or manner, there shall be paid a publication fee of one hundred dollars for the publication of the amendment in one issue of the *Gazette*.
- Objection to condition, etc..
29. (1) When an applicant objects to a condition, amendment, disclaimer, modification or limitation imposed by the Registrar pursuant to rule 28, the applicant shall, within 60 days from the receipt of the communication to him of the condition, amendment, disclaimer, modification or limitation, notify the Registrar in writing of his objection and the reasons therefore.
- (2) After consideration a notification under sub-rule (1) by an applicant, the Registrar shall make a determination in the matter; and if the applicant does not appeal the determination under section 70 of the Act within 14 days after the determination is made known to him, the applicant shall be deemed to have withdrawn his application.
- Disclaimer.
30. At any time before a mark for which registration has been applied is recorded in the register, the Registrar may require the applicant to insert in his application a disclaimer of any matter that is not independently capable of being registered so that if the mark is registered the public will understand the extent of the applicant's rights after registration.

Collective or Certification Marks

31. (1) When an application is made for the registration of a collective or certification mark, the Registrar shall, in addition to the other examinations of the application that is required to be made by the Act and these regulations, examine the application and accompanying regulations to ensure that they comply with the First and Second Schedules to the Act.

Examination of collective or certification marks.

(2) The regulations accompanying the application must be examined to ensure that-

- (a) the common characteristics or common quality of the goods or services to which the collective or certification mark is to be applied is set out in sufficient detail to identify the common characteristics or quality;
- (b) the regulations contain the conditions and restrictions under which the collective or certification mark can be used;
- (c) the regulations state that the owner of the collective or certification mark can receive samples of any goods, or inspect the delivery of any of the services, associated with the collective mark, or inspect, during normal business hours, the place of manufacture of the goods or the place where the services are performed, to ensure that the common characteristics or common quality is being maintained; and
- (d) the regulations contain some means by which the owner of the collective or certification mark can prevent its use if anyone uses it in contravention of the conditions governing its use.

Opposition to registration

Required
opposition form.

32. (1) When a person who opposes an application for the registration of a mark wishes to exercise his right under section 16 of the Act to oppose the application, he may so inform the Registrar by submitting a notice of opposition in Form No. 6, together with the prescribed fee.

(2) If one of the reasons for the opponent's objection to the registration of the mark is that it resembles a mark already on the register, the number and registration date of that mark must be specified in the notice of opposition.

Answer to
opposition.

33. The applicant's answer to a notice of opposition under rule 32 must be submitted in Form No. 7, together with the prescribed fee, and the answer must indicate the grounds on which the applicant relies and any facts alleged in the notice of opposition that the applicant admits.

Interruption to proceedings

Non-
completion of
application.

34. (1) When it appears to the Registrar that an applicant is not proceeding with his application at the normal place of such proceedings, the Registrar may give notice to the applicant in Form No. 8 to continue more expeditiously with the application.

(2) Where an applicant referred to in sub-rule (1) has appointed an agent, the Registrar shall send the notice to the agent.

(3) If, after the expiration of 30 days from the date when a notice under sub-rule (1) has been sent in respect of an application or after the expiration of such other period as the Registrar may allow, the applicant fails to communicate with the Registrar concerning the application, the applicant shall be deemed to have withdrawn his application.

Entry in Register

35. When an applicant for the registration of a mark becomes entitled under section 18 of the Act to have the mark registered, the Registrar shall, on receipt of the prescribed fee and a completed Form No. 9, record the mark in the register. Registration.
36. When an applicant for the registration of a mark dies before he becomes entitled under section 18 of the Act to have the mark registered, the Registrar may, on being satisfied- Death of applicant.
- (a) of the death of the applicant; and
- (b) of the ownership of the mark by another person, enter in the register, in place of the name of the deceased applicant, the name, address and trade or business description of the person owning the mark.
37. Following the registration of a mark, the Registrar shall issue to the applicant a certificate in Form No. 10 and affix to the certificate a copy of the mark. Certificate of registration.
38. The Registrar shall publish at least once every 3 years a notice of all marks that have been recorded in the register since the last publication of marks. Publication of marks.
- 38:01. (1) For the purposes of section 22 of the Act, the Registrar may allow an alteration to a registered trade mark where the alteration - Alteration of trade mark after registration pursuant to section 22 of the Act. 62 of 2002.
- (a) relates only to the proprietor's name or address; and
- (b) is only an alteration of that name or address; and

- (c) does not substantially affect the identity of the mark.
- (2) No amendment shall be allowed to a registered trade mark where the effect of the amendment is -
- (a) to increase or limit the goods or services in each class in respect of which the trade mark is registered; or
- (b) to substantially affect the identity of the mark.
- (3) Where any alteration is made under subrule (1), there shall be paid a publication fee of one hundred dollars (BZ\$ 100.00) to cover the publication of the amendment in one issue of the Gazette.
- (4) This Rule is without prejudice to Rule 46 or Rule 47.

PART III
RENEWAL OF TRADE MARKS

Renewal

Renewal
requirements.

39. (1) At any time not being more than 12 months before the expiration of the registration of a mark, the registered owner of the mark or a duly recorded licensee of the mark may file an application in Form No. 11, together with the prescribed fee, for renewal of the registration of the mark.

(2) An application mentioned in sub-rule (1) must contain the following statement-

- (a) that the mark has been used-
- (i) by the registered owner in respect of all of the goods or services in the registration; or

(ii) by a named licensee in respect of all of the goods or services that are in the registration and for which the licensee is entered;

(b) that the mark has been used-

(i) by the registered owner in respect of some of the goods or services in the registration, specifying the goods or services so used;
or

(ii) by a named licensee in respect of some of the goods or services that are in the registration and for which the licensee is entered, specifying the goods or services so used,

and stating the reasons that, being beyond the control of the owner or licensee, as the case requires, would excuse the non-use in respect of the remaining goods or services in the registration; or

(c) that the mark has not been used by the registered owner or a named licensee in respect of any of the goods or services in the registration, and stating the reasons that, being beyond the control of the owner or licensee, as the case requires, would excuse the non-use of those goods or services.

(3) When an application for renewal is made by a registered licensee, he must complete Form No.11 as if he were the registered owner, make the required statements, as appropriate, in respect of his use of the mark and in respect of the use of the mark by a registered sub-licensee.

40. If an application for renewal of the registration of a mark is submitted to the Registrar within 6 months from the date of expiration of the registration, Late renewal.

the registered owner or registered licensee of the mark must complete Form No. 11 and Form No. 12 and submit them both to the Registrar, together with the prescribed fee.

Renewing
registration.

41. (1) In considering an application to renew the registration of a mark, the Registrar shall take the following action in the circumstances described, namely:

- (a) renew the registration of the mark without amendment if the registered owner or registered licensee has stated that the mark has been used on all of the goods or services in the registration or has been used on some of the goods or services in the registration and the reasons given for the non-use in respect of the remaining goods or services are sufficient to explain the non-use;
- (b) renew the registration in respect of those goods or services in the registration for which the registered owner or registered licensee has stated that the mark is in use or for which reasons were given to excuse the non-use, and remove from the registration the remaining goods or services in respect of which the registered owner or registered licensee has stated that the mark is not in use and the reasons given for the non-use are not sufficient to excuse the non-use; or
- (c) refuse to renew the registration if the registered owner or registered licensee has stated that the mark has not been used in respect of any of the goods or services in the registration and no reasons are given for the non-use or the reasons given for the non-use are not sufficient to excuse the non-use.

(2) After taking such action as is indicated by sub-rule (1) the Registrar shall make the appropriate entries in the register and advise the applicant in writing of the action taken.

(3) Upon the renewal of a trademark, the Registrar shall issue to the registered proprietor of the trademark or any other person showing title thereto, a Certificate or Renewal in Form 12A, set out in the Schedule of these Rules, or as near as may be to that Form as the circumstances of each case may allow.

62 of 2002.

Forms 12A.
Schedule.

PART IV **LICENCE - CONTRACTS**

42. (1) A licence-contract may be recorded in the register on the submission of an application in Form No. 13, together with the prescribed fee and a copy of the licence-contract.

Licence-
contracts

(2) Upon receipt of the application, the fee and a copy of the licence-contract, the Registrar shall examine the licence-contract to determine whether it complies with the requirements of the Act; and if it does the Registrar shall record in the register the particulars of the licence-contract as set out in the application, and advise the applicant in writing of the action taken.

(3) If, after his examination of an application pursuant to sub-rule (2), the Registrar determines that the licence contract does not comply with the requirements of the Act, the Registrar shall refuse to record the licence-contract in the register and advise the applicant in writing of his refusal to record it.

43. A person who wishes to cancel a licence-contract must apply for cancellation in Form No. 14, pay the prescribed fee and submit with his application when necessary, evidence satisfactory to the Registrar that the licence-contract has terminated; and the Registrar shall thereupon cancel the record in the register and advise the applicant in writing of the cancellation.

Removing from
record.

- Transfer. 44. When a licence-contract that authorizes the licensee to transfer the contract has been transferred, the transfer may be recorded in the register upon the submission of an application in Form No. 15, together with the prescribed fee and evidence satisfactory to the Registrar that the licence contract has been transferred; and if the Registrar is satisfied of the transfer he shall record it in the register.
- Sub-licence. 45. (1) When, pursuant to a licence-contract that authorizes the licensee to grant a sub-licence, the licensee grants such a sub-licence, the sub-licence may be recorded in the register upon the submission of an application in Form No. 16, together with the prescribed fee and a copy of the sub-licence-contract.
- (2) Upon receipt of an application in accordance with sub-rule (1), the Registrar shall examine the sub-licence-contract to ensure that it complies with the requirements of the Act.
- (3) If the Registrar is satisfied that the sub-licence complies with the Act, the Registrar shall record in the register the particulars of the sub-licence as set out in the application and advise the applicant in writing of the action taken.
- (4) If a sub-licence does not comply with the requirements of the Act, the Registrar shall refuse to record it in the register and shall advise the applicant in writing of his refusal and the reasons therefor.

PART V
CHANGE IN REGISTER, SURRENDER AND TRANSFER OF
MARK

Change in register

- Recording address change. 46. When a registered owner or licensee of a mark wishes to record a change of address or other change not being a change referred to in Rule 47, he shall submit an application therefor in Form No. 17 together with the

prescribed fee.

47. When a registered owner or licensee of a mark wishes to record a change of name in the register, he shall submit an application to change his name in Form No. 17 together with the prescribed fee and evidence satisfactory to the Registrar of the change of name.

Recording name change.

48. Upon compliance with the requirements of Rule 46 or 47, as the case requires, the Registrar shall record the change in the register and advise the applicant in writing of the action taken.

Notice of change.

49. (1) When a registered owner of a collective or certification mark wishes to change the conditions governing the use of the collective or certification mark he shall submit an application in Form No. 18 together with the prescribed fee and a copy of the regulations in which the changed conditions are set out.

Change of conditions.

(2) The Registrar shall examine the regulations and the changed conditions mentioned in sub-rule (1) and if he is satisfied that they comply with the Act and these regulations he shall cause a notice of the application to be published in the Gazette.

- (3) The notice mentioned in sub-rule (1) must –
- (a) specify the registration number of the collective or certification mark;
 - (b) indicate the Goods and services in respect of which the mark is registered;
 - (c) set out the change in the conditions, governing the use of the mark; and
 - (d) set out the name and address of the registered

owner, and, if necessary, his address for service.

(4) The Registrar shall, upon recording a change in the conditions governing the use of a collective or certification mark, notify the registered owner of the mark.

Surrender

Surrender of
registered
mark.

50. (1) When a registered owner of a registered mark wishes to surrender registration of a mark pursuant to section 45 of the Act, he must submit to the Registrar an application to surrender in Form No. 19, together with the prescribed fee.

(2) The Registrar on receipt of a surrender in accordance with this rule shall record the surrender in the register for all or any part of the goods or services in the registration as set out in the application to surrender and shall advise the applicant in writing of the action taken:

Provided that when a licence-contract is recorded in the register for a mark, a surrender made in respect of the mark may not be recorded in the register unless the surrender contains a statement that it was made with the consent of the licensee under the licence-contract.

(3) The proviso to sub-rule (2) does not apply if the licence-contract relating to the mark referred to in that proviso expressly waives the right of the licensee under the licence-contract to prevent the recording of a surrender without his consent.

Transfer of Mark

Ordinary mark
transfer.

51. A transfer of a trade mark may be recorded in the register on the submission by the transferee of an application in Form No. 20, together with the prescribed fee and evidence satisfactory to the Registrar of the transfer of the mark, and thereupon the Registrar shall advise the applicant in writing of the action taken.

52. (1) For the purpose of obtaining the approval of the Registrar to the transfer of a collective or certification mark under section 31 of the Act, the transferor or transferee of the collective or certification mark must submit to the Registrar an application in Form No. 21, together with the prescribed fee and evidence satisfactory to the Registrar that the transfer complies with the requirements of the Act.

Collective or certification mark approval.

(2) If the Registrar approves the transfer of a collective or certification mark, he shall notify the applicant in Form No. 22.

53. (1) For the purpose of recording transfer of a collective or certification mark, the transferee must submit to the Registrar an application in Form No. 23, together with the prescribed fee, the Registrar's approval of the transfer and evidence satisfactory to the Registrar that the collective or certification mark has been transferred to the applicant.

Recording transfer of collective or certification mark.

(2) If the Registrar is satisfied that the collective or certification mark has been transferred to the applicant, the Registrar shall record the transferee to the registered owner of the registration in accordance with the information contained in the application, and advise the applicant in writing of the action taken.

PART VI MISCELLANEOUS

Time limits

54. 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.

Filing time.

55. If he is satisfied that mail to or from the Office was sent but never received, the Registrar may accept or send out replacing correspondence; and the effective date of the replacing correspondence is the date that the

Replacement of correspondence.

Registrar determines should apply.

- Interruptions of mail. 56. Where, by evidence satisfactory to the Registrar, a person proves that he was unable to do any thing within the time prescribed therefor by the Act or these Rules because of an interruption in Belize or elsewhere, the Registrar may, before or after the expiration of the time for doing that thing, extend the time to make allowances for the period of the interruption in mail service.
- Fixing time limits. 57. The Registrar may, in respect of an application or any other matter arising in the administration of the Act, fix a period of time for the doing of any thing for which no time limit is otherwise fixed by the Act or these Rules; and an application shall be deemed abandoned if, in respect of that application, the thing is not done within the time so fixed.
- Changing time limits. 58. When, by an affidavit setting forth the relevant facts, the Registrar is satisfied that any time fixed by these Rules for the doing of any thing should be extended in a particular case, the Registrar may, either before or after the expiration of the time, extend it for such period as he thinks suitable in the circumstances.
- Clerical errors*
- Correcting errors. 59. The Registrar may, by the issuance of his certificate, correct, in respect of a registered mark, any error in the register that is of a clerical nature and that would not in his opinion make any change in the rights of the registered owner or registered licensee of the mark.
- Issuing directions. 60. Where no provision is made in the Act or these Rules in respect of any matter arising in the administration of the Act, the Registrar may give such directions in respect thereof as he considers necessary in the circumstances.
- Registrar's certificate. 61. (1) The Registrar may give a certificate regarding any entry, matter or thing that he is authorized or required by the Act or these Rules to make or do.

(2) A person who can show an interest in the entry, matter or thing for which he requires a certificate may, by an application in Form No. 24, request such a certificate from the Registrar, and the applicant need not disclose his interest unless required to do so by the Registrar.

(3) In a certificate issued under this rule the Registrar need not include a copy of any mark unless a suitable copy of that mark accompanies the application for the certificate.

62. The Registrar may acknowledge inquiries made to the Office, but the Registrar need not furnish any applicant or other person with information that would require a search of the public records of the Office, or to provide advice on matters concerning the interpretation of the Act or Rules, or concerning other questions of law.

Inquiries made to Office.

Classification of Goods and Services

63. (1) For the purposes of trade mark, certification mark and collective mark applications made under the Act, goods and services are classified in accordance with Schedule III.

Classification of goods and services. Schedule III.

(2) For the purposes of classifying goods and services in accordance with Schedule III, reference shall be had to the International Classification of Goods and Services for the purposes of the registration of marks under the Nice Agreement of 15 June 1957 (8th Edition) including the explanatory notes and lists of goods and services published therein.

Schedule III.

(3) In the event of the aforesaid 8th Edition of the International Classification of Goods and Services, being amended by the World Intellectual Property Organisation at any future stage, the Registrar shall publish such amendments in the Journal of Intellectual Property and shall, to the extent that amendments necessitate an amendment of Schedule III to these Rules, so amend Schedule III and publish such amendment.

Schedule III.

(4) If any doubt arises as to the class in which any particular description of goods or services belongs, the matter shall be determined by the Registrar.

Repeal of S.I. No. 8 of 2001. 64. The Trade Marks Rules, 2001, (No. 8 of 2001) are repealed.

Commencement. 65. These Rules shall come into force the 1st day of January, 2002.

MADE by the Minister responsible for Trade Marks this 27th day of December, 2001.

(GODFREY SMITH)
*Attorney General and
Minister responsible for Trade Marks*

SCHEDULE I
[Rule 3]

FEES

	\$	¢
On application for address for service	25.00	
On application to register a mark	75.00	per
		International Classification
For publication of notice of application (according to advertisement rates)		
For registration of a mark	75.00	
On application to record a change of conditions governing use of collective or certification mark	50.00	
For examining or making extracts or copies of records in the Register.....	5.00	per page or part of a page
For a copy of any document	10.00	
For a certified copy of any document	25.00	
For recognizing the transfer of an		
Application for registration of a mark	25.00	
On submitting a notice of opposition to an application for registration of a mark	50.00	
On submitting an answer to a notice of opposition ...	25.00	

For renewal of registration of a mark before the expiry of registration under section 21 (3) of the Act	50.00
For renewal of registration of a mark after expiry of registration under section 21 (3) of the Act	100.00
For recording a licence-contract	50.00
For cancellation of a licence-contract	50.00
For recording the transfer of a licence-contract	50.00
For recording a sub-licence	50.00
For recording a change in the register under Rule 46 or 47	50.00
On application for change to application for registration of a mark	50.00
For surrender of registration	75.00
For transferring application or registration of a trade mark (excluding a collective or certification mark) ...	50.00
On application for approval of the transfer of a collective or certification mark	50.00
For recording the transfer of a collective or Certification mark	50.00
62 of 2002. For a search of the register	5.00

For each additional class processed in respect of a renewal	25.00	62 of 2002.
For a reclassification of an application by the Registrar	80.00	
For an alternation of a certificate of registration	50.00	
For a replacement of a certificate/Provision of a copy	50.00	
For participating in opposition or observation proceedings	350.00.	

SCHEDULE II
[Rule 4]

TRADE MARKS ACT (CAP. 257)
[Rule 12]

FORM No. 1

APPLICATION FOR AN ADDRESS FOR SERVICE

I/We¹
.....
the registered owner(s)/licensee(s) of the²
Mark(s) registered under No.(s) hereby apply for an entry
of the following as my/our address for service in Belize³
.....
.....
.....

Dated thisday of, 20

⁴

The Registrar
Intellectual Property Office
BELIZE.

- ¹. Name or registered owner(s) or registered licensee(s).
- ². Insert Trade, Collective or Certification as appropriate.
- ³. State address.
- ⁴. Signature.

[Printed by the Government Printer,
No. 1 Power Lane,
Belmopan, by the authority of
the Government of Belize.]

TRADE MARKS ACT (CAP. 257)

[Rule 15 (2)]

FORM No. 2

**FORM OF AUTHORISATION OF AGENT IN A MATTER
OR PROCEEDING UNDER THE ACT**

I/We¹.....
Have appointed²..... of
to act as my/our agent for³..... No. and
request that all notices, requisitions and communications relating thereto be
sent to the agent at the above address.

I/We hereby revoke all previous authorisations, if any, in respect of the same
matter or proceeding.

I/We hereby declare that I am/We are⁴.....

Dated this day of, 20
⁵
Address⁶.....

I/We also authorize the said²
to request the entry of an address for service as part of any registration obtained
under the above authorisation.

Dated this day of, 20
⁵
Address⁶.....

To the Registrar
Intellectual Property Office
BELIZE.

1. The full name of all the partners in a firm must be inserted, and the kind and country of incorporation of bodies corporate stated.
2. Here insert name and address of agent.
3. Here state the particular matter or proceeding for which the agent is appointed giving the reference number, if known.
4. Here state nationality.
5. To be signed by the person appointing the agent.
6. Here insert the full trade or business address of the person appointing the agent.
(To be struck out if the person appointing the Agent desires his own address to be treated as the address for service after registration).

TRADE MARKS ACT (CAP. 257)

[Rule 19]

FORM No. 3

APPLICATION FOR REGISTRATION OF A MARK

1 _____

2 _____

Application is hereby made for registration of the above mark in respect of³ in the name of⁴ whose trade or business address is⁵ trading as⁶ who claim(s) to be the proprietor(s) thereof.

7

Dated the day of, 20
8

⁹The applicant claims priority under section 56 of the Act on the basis of an application filed on ¹⁰under number ¹¹ in ¹² by ¹³ and the applicant undertakes to furnish the Registrar with a certified copy of this application within ninety days from the date of this application.

To the Registrar
Intellectual Property Office
BELIZE.

- 1. One representation to be fixed within this Space.
- 2. Four representations should accompany the application.
- 3. Here specify the goods or services and give indication of classification under Nice Agreement.

4. Here insert legibly the full name, description, nationality and residence of the applicant in whose trade or business address the individual, firm or body corporate is making the application. The names of all partners in a firm must be given in full. If the applicant is a body corporate, the kind and country of incorporation should be stated.
5. Here insert the full trade or business address of the applicant.
6. Here insert the trading style (if any).
7. For additional matter if required; otherwise to be left blank, e.g. disclaimer.
8. Signature.
9. A claim to priority under section 56 of the Act should be made in this paragraph, (if applicable).
10. Date of filing in another country of the Paris Convention.
11. Number of convention application.
12. Name of country of filing convention application.
13. Name of applicant in convention country.

TRADE MARKS ACT (CAP. 257)

[Rule 23 (1)]

FORM No. 4

**APPLICATION FOR CHANGE TO APPLICATION
FOR REGISTRATION OF A MARK**

I/We.....
.....
the owner of the²..... Mark claimed
in application No..... hereby apply to
have the following change made to this application : ³
.....

Dated this day of, 20

4

The Registrar
Intellectual Property Office
BELIZE.

-
- 1. Name of present applicant.
 - 2. Insert Trade, Collective or Certification, if appropriate.
 - 3. State change in applicant's name, address or his address for service in Belize.
 - 4. Signature.

TRADE MARKS ACT (CAP. 257)

[Rule 24]

FORM No. 5

**APPLICATION TO RECOGNISE TRANSFER OF
APPLICATION FOR REGISTRATION OF TRADE MARK**

I/We¹ hereby
apply to be recognized as the owner of the mark claimed in application
No. by virtue of².....

A copy of which is enclosed.

³The address for service in respect of this mark is as follows:

.....
.....

Dated this day of, 20

⁴

The Registrar
Intellectual Property Office
BELIZE.

1. Full name and description of applicant or transferee.
2. Full particular of documents by which mark transferred.
3. This paragraph should be completed by providing the address for service in Belize, if the address in 1 is outside Belize.
4. Signature.

Printed by the Government Printer,
No. 1 Power Lane,
Belmopan, by the authority of
the Government of Belize.

TRADE MARKS ACT (CAP. 257)

[Rule 32 (1)]

FORM No. 6

**NOTICE OF OPPOSITION TO APPLICATION
FOR REGISTRATION OF A MARK**

(To be submitted in duplicate)

IN THE MATTER OF an opposition by
..... to application No.
of

I/We¹ hereby
give notice of my/our opposition to the registration of the Mark advertised
under the above number in the *Gazette* of the
day of, 20
The grounds of opposition are as follows:

.....
.....

²
Address for service in Belize in these proceedings:

.....
.....

Dated the day of, 20
³

To the Registrar
Intellectual Property Office
BELIZE.

-
1. Here state full name and address of the person who opposes the application.
 2. If registration is opposed on the ground that the mark resembles marks already on the Register, the numbers and registration dates of those marks are to be set out.
 3. Signature.

TRADE MARKS ACT (CAP. 257)

[Rule 33]

FORM No. 7

FORM OF ANSWER TO OPPOSITION

(To be submitted in duplicate)

IN THE MATTER OF an opposition by
To application No

I/We
the applicant(s) for registration of the above Mark, hereby give notice that the
following are the grounds on which I/we rely as supporting my/our application:
.....
.....
.....

I/We admit the following allegations in the Notice of Opposition:

.....
.....

Address for service in Belize in these proceedings:

.....
.....

Dated this day of, 20

Signature

To the Registrar
Intellectual Property Office
BELIZE.

TRADE MARKS ACT (CAP. 257)

[Rule 34 (1)]

FORM No. 8

NOTICE OF NON-COMPLETION OF REGISTRATION

IN THE MATTER OF application No. for the registration of

The Registrar advises that the registration of the Mark in respect of which your application numbered as above on the day of, 20, has not been completed by reason of your default in the following regard:

Unless the above default is remedied within days from this date the application will be treated as abandoned.

Dated this day of, 20

To
.....
.....

The Registrar
Intellectual Property Office
BELIZE.

TRADE MARKS ACT (CAP. 257)
[Rule 35]

FORM No. 9

FEE FOR REGISTRATION OF MARK

The prescribed fee for the registration of Mark No.
is hereby transmitted.

Dated this day of, 20

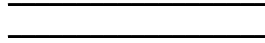
Signature

TRADE MARKS ACT (CAP. 257)

[Rules 37]

FORM No. 10

CERTIFICATE OF REGISTRATION



The Mark show above has been registered in the name of
..... under No. as
of the date of 20 in respect
of
sealed at my direction, this day of, 20

The Registrar
Intellectual Property Office
BELIZE.

Registration is for 10 years from the date first above mentioned, and
may then be renewed at the expiration of each period of 10 years thereafter.

The certificate is not for use in legal proceedings or for obtaining
registration abroad.

NOTE: Upon any change of ownership of this Mark, or change in address
application should **AT ONCE** be made to the Registrar to register
the change.

[Printed by the Government Printer,
No. 1 Power Lane,
Belmopan, by the authority of
the Government of Belize.]

TRADE MARKS ACT (CAP. 257)
[Rules 39 (1) & (3) & 40]

FORM No. 11

RENEWAL OF REGISTRATION OF MARK

1.¹..... of
hereby submit the prescribed fee for renewal of registration of the Mark
No.

2.² (1) The Mark covered by this registration has been used in Belize
by the registered proprietor or a registered licensee during
the last year in respect of all of the goods or services covered
by the registration.

(2)³ The Mark covered by the registration has been used in Belize
by the registered proprietor or a registered licensee during
the last year in respect of the following goods or services covered
by the registration.

(3)³ The Mark covered by this registration has not been used in
Belize by the registered proprietor or a registered licensee during
the last year in respect of the following goods or services
covered by the registration for the following reasons.

3.⁴ The Mark covered by this registration has not been used in Belize by
the registered proprietor or a licensee under a licence-contract during the last
year in respect of any of the goods or services covered by the registration for
the following, reasons:

Dated this day of, 20

⁵

The Statement on the back of this Form must be filled in and signed.

To the Registrar
Intellectual Property Office
BELIZE.

(To appear on the back of Form No.11)

The Registrar is requested to send notice of renewal of the registration to the Registered Proprietor at the following address:

.....
6

Dated this day of, 20

-
1. Insert name, description and status.
 2. This paragraph to be completed by inserting appropriate statements if Mark used on all goods or services.
 3. This paragraph to be completed by inserting appropriate statements if Mark only used on some of the goods or services.
 4. This paragraph to be completed by inserting appropriate statements if Mark not used on any goods or services.
 5. Signature of person making statements.
 6. Signature.

TRADE MARKS ACT (CAP. 257)

[Rule 40]

FORM No. 12

FEE FOR RENEWAL

Renewal of¹ Mark under section 21 of the Act
(To accompany Form No. 11)

I/We hereby transmit the additional fee of
(along, with Form No. 11) for the renewal of the

¹ Mark No

Dated this day of, 20
²
³

To the Registrar
Intellectual Property Office
BELIZE.

N. B. This Form must be signed by the person(s) signing Form which
accompanies it.

1. Insert Trade, Collective or Certification as appropriate.
2. Signature.
3. Address.

62 of 2002.

TRADE MARKS ACT (CAP. 257)

[RULE 41 (3)]

FORM No. 12A

CERTIFICATE OR RENEWAL

THE MARK shown above have been renewed in the name of under No. as of theday of in respect of to which it has been used. The mark shall remain valid for a period of ten years until theday of, upon which it can be renewed for a further period of ten years.

SEALED at my direction, this day of

Deputy Registrar
Intellectual Property Office
BELIZE.

NOTES:

- 1. States goods to which the trade mark has been used.

TRADE MARKS ACT (CAP. 257)

[Rule 42 (1)]

FORM No. 13

APPLICATION TO RECORD A LICENCE-CONTRACT

I/We¹
.....
being the registered owner(s) of the Trade Mark(s) registered under No.(s)
..... hereby apply to record the following
particulars of a licence-contract, a copy of which is attached hereto:

- 2
.....
- 3
.....
- 4
.....
- 5
.....

Dated this day of, 20
.....
6

To the Registrar
Intellectual Property Office
BELIZE.

- 1. Name of registered owner.
- 2. Name and address of the licensee and if he resides outside Belize, an address for service within Belize.
- 3. List goods or services to which Licence-Contract extends and for which Mark is registered.
- 4. Term of Licence-Contract.
- 5. Whether Licence Contract exclusive or non-exclusive.
- 6. Signature.

[Printed by the Government Printer,
No. 1 Power Lane,
Belmopan, by the authority of
the Government of Belize.]

62 of 2002.

TRADE MARKS ACT (CAP. 257)

[Rule 43]

FORM No. 14

**APPLICATION TO CANCEL RECORD IN REGISTER
OF A LICENCE-CONTRACT**

I/We¹
.....
hereby apply for cancellation or the recording the register of the particulars
of²
.....
Evidence is hereto attached that the Licence-Contract has terminated.

Dated this day of, 20

3
.....

To the Registrar
Intellectual Property Office
BELIZE.

- 1. Name of registered owner or licensee under a Licence-Contract.
- 2. Name of licensee under Licence-Contract the record on the register of which is to be cancelled.
- 3. Signature.

TRADE MARKS ACT (CAP. 257)

[Rule 44]

FORM No. 15

**APPLICATION TO RECORD
TRANSFER OF LICENCE - CONTRACT**

I/We¹
.....
a registered licensee in respect of the Trade Mark registered under No.
.....hereby apply to transfer the Licence-Contract
to²
by virtue of the authority vested in me pursuant to³
and to have such person entered in the record in the registration in my/our
stead.

Dated this day of, 20

⁴

To the Registrar
Intellectual Property Office
BELIZE.

- 1. Name of licensee recorded in the register.
- 2. Name and address of person to whom Licence-Contract transferred and if he resides outside Belize, an address for service within Belize.
- 3. Here identify authority.
- 4. Signature.

TRADE MARKS ACT (CAP. 257)

[Rule 45 (1)]

FORM No. 16

**APPLICATION TO RECORD A
SUB-LICENCE-CONTRACT**

I/We¹
.....
being a registered licensee(s) of the Trade Mark registered under No.(s)
..... hereby apply to record the following
particulars of a sub-licence-contract, a copy of which is attached hereto:
²
.....
.....

by virtue of the authority vested in me

³
.....
⁴
⁵
Dated this day of, 20

⁶

The Registrar
Intellectual Property Office
BELIZE.

1. Name of registered licensee.
2. Name and full address of sub-licensee and, if he resides outside Belize, an address for service within Belize.
3. List goods or services to which sub-licence extends, covered by the main licence.
4. Term of sub-licence.
5. Whether sub-licence exclusive or non-exclusive.
6. Signature.

TRADE MARKS ACT (CAP. 257)

[Rules 46 & 47]

FORM No. 17

**APPLICATION TO RECORD
CHANGE IN REGISTER**

I/We¹
.....
.....

the registered owner(s)/licensee(s) of the² Mark(s)
registered under No.(s) hereby apply to record the following
change in the register in respect of such registration(s)³

Dated this day of, 20

⁴

The Registrar
Intellectual Property Office
BELIZE.

1. Name of registered owner or registered licensee.
2. Insert Trade, Collective or Certification as appropriate.
3. State change in owner's name, address or his address for service in Belize.
4. Signature.

Note: In change of name evidence of the change should be attached hereto.

Printed by the Government Printer,
No. 1 Power Lane,
Belmopan, by the authority of
the Government of Belize.

TRADE MARKS ACT (CAP. 257)
[Rule 49]

FORM No. 18

APPLICATION TO CHANGE THE REGULATIONS
GOVERNING THE USE OF A
COLLECTIVE OF CERTIFICATION MARK

I/We¹
.....
registered owner(s) of the Collective/Certification Mark registered under
No. hereby apply to record the following in the register in
respect of the regulations governing the use of this Collective/Certification Mark.

²
.....
.....

Dated this day of, 20

³

The Registrar
Intellectual Property Office
BELIZE.

- 1. Name of registered owner of Collective/Certification Mark.
- 2. State new conditions governing use of Collective/Certification Mark.
- 3. Signature.

TRADE MARKS ACT (CAP. 257)

[Rule 50 (1)]

FORM No. 19

SURRENDER

I/We¹
.....
the register owner(s) of the Trade Mark(s) registered under No. (s)
hereby surrender such registration(s) in respect of².....
.....

³A Licence-Contract is recorded in the register in respect of this registration and the licensee named therein consents to this surrender.

Dated thisday of, 20

⁴

The Registrar
Intellectual Property Office
BELIZE.

1. Name of registered owner.
2. Insert (as appropriate) "all of the goods or services for which the Mark is registered" If the surrender applies to the complete registration or "the following goods or services (naming goods or services covered by the registration and to which the surrender applies)", if the surrender is in respect of only part of such goods and services.
3. This paragraph should be included if a Licence-Contract is recorded in the register for the Mark and the licensee consents to the surrender and the Licence-Contract does not contain a waiver of such consent.
4. Signature.

[Printed by the Government Printer,
No. 1 Power Lane,
Belmopan, by the authority of
the Government of Belize.]

TRADE MARKS ACT (CAP. 257)

[Rule 51]

FORM No. 20

APPLICATION TO RECORD TRANSFER OF TRADE MARK

I/We¹
of²
hereby apply to have my/our recorded in
the register as the registered owner of the above mark by virtue of
³
.....
a copy of which is enclosed.

⁴The address for service in respect of this Mark is as follows:

.....
.....

Dated this day of, 20

⁵

The Registrar
Intellectual Property Office
BELIZE.

1. Name of transferee.
2. Full trade or business address of transferee.
3. Full particulars of documents by which Mark transferred.
4. This paragraph should be completed by providing the address of the service in Belize, if the trade or business address of the transferee is outside Belize.
5. Signature.

TRADE MARKS ACT (CAP. 257)

[Rule 52 (1)]

FORM No. 21

APPLICATION FOR APPROVAL OF TRANSFER OF REGISTERED COLLECTIVE OR CERTIFICATION MARK

I/We¹ hereby make application for the approval of the transfer of the Collective/Certification Mark registered under No. to²

I/We³ hereby undertake to exercise effective control of the use of the Collective/Certification Mark in accordance with the regulations governing its use.

Dated this day of, 20

⁴

Transferee

Dated this day of, 20

⁵

Transferor

The Registrar
Intellectual Property Office
BELIZE.

1. Here insert name and address of proposed transferor.
2. Here insert name of proposed transferee.
3. Name of proposed transferee.
4. Signature of belief of proposed transferee.
5. Signature of status.

TRADE MARKS ACT (CAP. 257)
[Rule 52 (2)]

FORM No. 22

APPROVAL OF TRANSFER OF REGISTERED
COLLECTIVE OR CERTIFICATION MARK

I hereby approve the transfer of the Collective/Certification Mark(s) registered under No.(s) from¹ to² On the undertaking by³ that he will exercise effective control of the use of the Collective/Certification Mark in accordance with the regulations governing its use.

Dated this day of, 20

The Registrar
Intellectual Property Office
BELIZE.

- 1. Name of registered owner of Collective or Certification Mark.
- 2. Name and address of proposed transferee.
- 3. Name of proposed transferee.

TRADE MARKS ACT (CAP. 257)

[Rule 53 (1)]

FORM No. 23

**APPLICATION TO RECORD TRANSFER OF REGISTERED
COLLECTIVE OR CERTIFICATION MARK**

I/We¹
.....
hereby apply to be recorded as the registered owner(s) of the Collective/
Certification Mark(s) registered under No.(s)²
..... a copy of which is enclosed and by virtue of the
Registrar’s approval of this transfer, dated
a copy of which is enclosed.

³ The address for service in respect of this (these) Mark(s) is as follows:

Dated this day of, 20

⁴

The Registrar
Intellectual Property Office
BELIZE.

1. Full name and trade or business address of transferee.
2. Full particulars of documents by which Mark transferred.
3. This paragraph should be completed to provide address for service in Belize, if the address in ¹ is outside Belize.
4. Signature.

[Printed by the Government Printer,
No. 1 Power Lane,
Belmopan, by the authority of
the Government of Belize.]

TRADE MARKS ACT (CAP. 257)

[Rule 61(2)]

FORM No. 24

**REQUEST FOR CERTIFICATE OF REGISTRAR IN
RELATION TO AN ENTRY, MATTER OR THING**

IN THE MATTER OF¹ The Trade Marks Act, (CAP. 257), I/We

.....
of
hereby request the Registrar to furnish me/us with his certificate that².....
.....
.....

Dated this day of, 20
³
⁴

To The Registrar
Intellectual Property Office
BELIZE.

Note:

- 1. These words may be altered to suit the circumstances.
- 2. Here set out the particulars that the Registrar is requested to certify.
- 3. Signature.
- 4. Address.

SCHEDULE III**LIST OF CLASSES OF GOODS AND SERVICES**
NICE CLASSIFICATION: 8TH EDITION**PART I****GOODS****Class 1**

Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire-extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry.

Class 2

Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colourants; mordants; raw natural resins: metals in foil and powder form for painters, decorators, printers and artists.

Class 3

Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations, soaps; perfumery, essentials oils, cosmetics, hair lotions; dentifrices.

Class 4

Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants: candles and wicks for lighting.

Class 5

Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparation for destroying vermin; fungicides, herbicides.

Class 6

Common metals and their alloys; metal building materials; transportable buildings of metal, materials of metal for railway tracks, non-electric cables and wires of common metal, ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores.

Class 7

Machines and machine tools, motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements other than hand-operated, incubators for eggs.

Class 8

Hand tools and implements (hand operated); cutlery; side arms; razors.

Class 9

Scientific, nautical, surveying, photographic, cinematographic, optical; weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing

equipment and computers; fire extinguishing apparatus.

Class 10

Surgical, medical, dental and veterinary apparatus and instruments
artificial limbs, eyes and teeth; orthopaedic articles; suture materials.

Class 11

Apparatus for lighting, heating, steam generating, cooking, refrigerating,
drying, ventilating, water supply and sanitary purposes.

Class 12

Vehicles; apparatus for locomotion by land, air or water.

Class 13

Firearms; ammunition and projectiles; explosives; fireworks.

Class 14

Precious metals and their alloys and goods in precious metals or coated
therewith, not included in other classes; jewellery, precious stones; horological
and chronometric instruments.

Class 15

Musical instruments.

Class 16

Paper, cardboard and goods made from these materials, not included
in other classes; printed matter; bookbinding material; photographs; stationery;

adhesives for stationery or household purposes; artists' materials; paintbrushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks.

Class 17

Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included other classes; plastics in extruded form for use in manufacture; packing, stopping and insulating materials; flexible pipes, not of metal.

Class 18

Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and traveling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.

Class 19

Building materials (non-metallic), non-metallic rigid pipes for building, asphalt, pitch and bitumen; non-metallic transportable buildings; monuments, not of metal.

Class 20

Furniture, mirrors, picture frames; goods (not included in, other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.

Class 21

Household or kitchen utensils and containers (not of precious metal or

coated therewith); combs and sponges; brushes (except paint brushes); brush making materials; articles for cleaning purposes; steelwool; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.

Class 22

Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials.

Class 23

Yarns and threads, for textile use.

Class 24

Textiles and textile goods, not included in other classes; bed and table covers.

Class 25

Clothing, footwear, headgear.

Class 26

Lace and embroidery, ribbons and braid, buttons, hooks and eyes, pins and needles, artificial flowers.

Class 27

Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors, wall hangings (non-textile).

Class 28

Games and playthings, gymnastic and sporting articles not included in other classes, decorations for Christmas trees.

Class 29

Meat, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs, milk and milk products; edible oils and fats.

Class 30

Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, ices; honey, treacle, yeast, baking, powder; salt, mustard; vinegar, sauces (condiments); spices, ice.

Class 31

Agricultural, horticultural and forestry products and grains not included in other classes; live animals, fresh fruits and vegetables, seeds, natural plants and flowers. foodstuffs for animals; malt.

Class 32

Beers, mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.

Class 33

Alcoholic beverages (except beers).

Class 34

Tobacco, smokers' articles; matches.

PART II

SERVICES

Class 35

Advertising; business management; business administration; office functions.

Class 36

Insurance; financial affairs; monetary affairs, real estate affairs.

Class 37

Building construction; repair; installation services.

Class 38

Telecommunications.

Class 39

Transport; packaging and storage of goods; travel arrangement.

Class 40

Treatment of materials.

Class 41

Education; providing of training; entertainment, sporting and cultural activities.

Class 42

Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software; legal services.

Class 43

Services for providing food and drink; temporary accommodation.

Class 44

Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services.

Class 45

Personal and social services rendered by others to meet the needs of individuals; security services for the protection of property and individuals.