

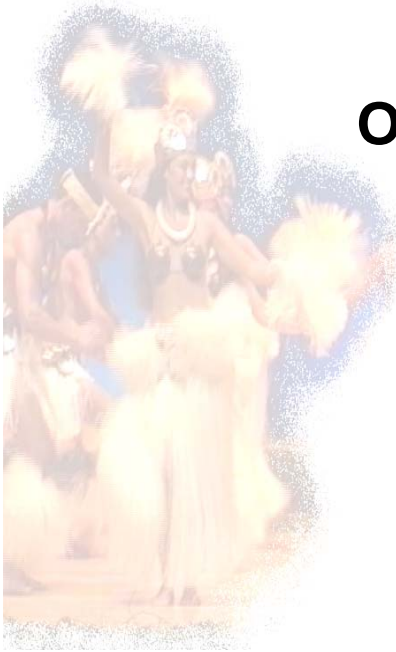


MINISTRY OF CULTURAL DEVELOPMENT

GOVERNMENT OF THE COOK ISLANDS

[PO Box 8 Rarotonga, Cook Islands, .](#)

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Opportunities and Challenges in the Cook Islands in using the IP System for Economic Growth and Business Competitiveness

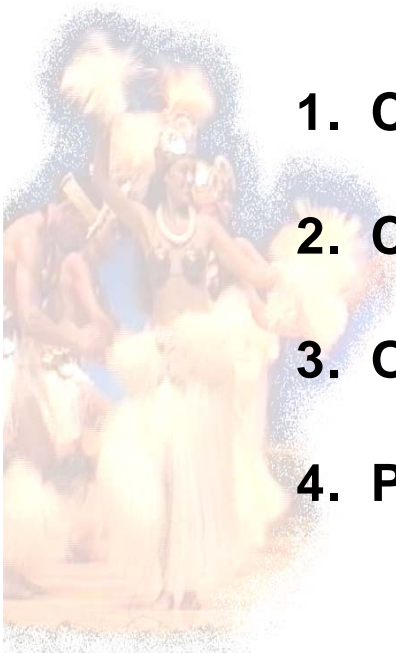


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- 1. CI. Legislation Background**
- 2. Challenges - Current IP Status**
- 3. Opportunities - National Strategy**
- 4. Proposed IP Infrastructure**



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1. CI. Legislation Background

- **Based on NZ Legislation – from colonial era when NZ governed the CI**
- **CI adopted NZ Legislations when it gained “Self-governing” in 1965**
- **International – Initially NZ signed up to treaties, conventions on CI’s behalf. Now CI is starting to sign on it’s own accord**
- **National – CI adopted and applied NZ Acts. Now CI enacts it’s own legislation**



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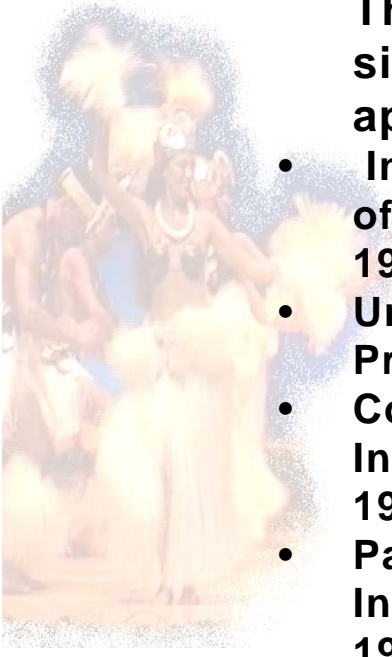
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The following conventions have been signed by New Zealand and declared applicable to the Cook Islands:

- **International Convention for the Protection of Literary and Artistic Works (Copyright), 1928**
- **Universal Copyright Convention and Protocols 1, 2 and 3, 1952**
- **Convention Establishing the World Intellectual Property Organization (WIPO), 1967**
- **Paris Convention for the Protection of Industrial Property 1883, as Revised 1900, 1911, 1925, 1934, 1958 and 1967**





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The following New Zealand Acts still apply in the Cook Islands:

- **Copyright Act 1962**
- **Designs Act 1953**
- **Films and Censorship Act 1985**
- **Merchandise Marks Act 1954**
- **Patents Act 1953**
- **Trade marks Act 1953**

ie. Cook Islands IP legislation is outdated



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2. Challenges - Current IP Status

- **Outdated**
- **No expertise, skill – lawyers, agents.**
- **Not a priority for Govt legal agency – limited resources**
- **Offshore registration – Tahiti NZ**
- **Very limited awareness, except for those concerned with copyright**





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3. Opportunities - National Strategy

- **Current Economic Sectors:**
 - ✓ **Tourism**
 - ✓ **Black Pearls**
 - ✓ **Offshore Banking**
 - ✓ **Marine**
 - ✓ **Agriculture**
- **National Strategy: diversify economic base – due to global financial crisis;**
- **MoCD 2010-11 Business Plan on Cultural Enterprise**
- **NSDP 2011-16 – Cultural Industries / Creative Industries**



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4. Proposed IP Infrastructure

- **Develop and IP Framework – request WIPO to assist**
- **Adoption of NZ IP Legislations – CI Parliament. Reserve rights for CI specifics**
- **Setup an IP desk position mainly for facilitation of information and assistance**
- **Multi-agency approach:**
 - ✓ **Culture Ministry for contact desk**
 - ✓ **Justice Ministry for Registration**
 - ✓ **BTIB for SMEs training**
 - ✓ **NZ IP Agencies for lawyers, judges**
 - ✓ **Etc.**

