JAMAICA INTELLECTUAL PROPERTY OFFICE (JIPO)

AS
DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Jamaica Intellectual Property Office (JIPO)

PDA: The Patents and Designs Act (Act No. 1 of 2020)
**SUMMARY**

**Designated (or elected) Office**

**JM JAMAICA INTELLECTUAL PROPERTY OFFICE (JIPO)**

**Summary of requirements for entry into the national phase**

<table>
<thead>
<tr>
<th>Time limits applicable for entry into the national phase:</th>
<th>Under PCT Article 22(1): 30 months from the priority date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Under PCT Article 39(1)(a): 30 months from the priority date</td>
</tr>
<tr>
<td>Translation of international application required into:¹</td>
<td>English</td>
</tr>
<tr>
<td>Required contents of the translation for entry into the national phase:¹</td>
<td>Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended, together with any statement under PCT Article 19), any text matter of drawings, abstract</td>
</tr>
<tr>
<td></td>
<td>Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary examination report²)</td>
</tr>
<tr>
<td>Is a copy of the international application required?</td>
<td>A copy is required only if the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2) or 40(2).</td>
</tr>
<tr>
<td>National fee:</td>
<td>Currency: Jamaican Dollar (JMD)</td>
</tr>
<tr>
<td>For patent:</td>
<td>Filing fee:¹ JMD 30,000</td>
</tr>
<tr>
<td>For utility model:</td>
<td>Filing fee:¹ JMD 10,000</td>
</tr>
<tr>
<td>Exemptions, reductions or refunds of the national fee:</td>
<td>None</td>
</tr>
</tbody>
</table>

¹ Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).
² Where the applicant furnishes a translation of the international application only as amended or only as originally filed, the Office will invite the applicant to furnish the missing translation.

(31 March 2022)
Designated (or elected) Office

JAMAICA INTELLECTUAL PROPERTY OFFICE (JIPO)

Special requirements of the Office (PCT Rule 51bis):

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name and address of the inventor if they have not been furnished in the “Request” part of the international application</td>
<td>3, 4</td>
</tr>
<tr>
<td>Statement justifying the applicant’s right to the patent where the applicant is not the inventor</td>
<td>3, 4</td>
</tr>
<tr>
<td>Evidence of entitlement to claim priority where the applicant is not the applicant who filed the earlier application</td>
<td>3, 4</td>
</tr>
<tr>
<td>Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306)</td>
<td>4</td>
</tr>
<tr>
<td>Appointment of an agent if the applicant is not resident in Jamaica</td>
<td>5</td>
</tr>
<tr>
<td>Instrument appointing the agent (authorization or power of attorney)</td>
<td>5</td>
</tr>
<tr>
<td>Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in electronic form</td>
<td></td>
</tr>
</tbody>
</table>

Who can act as agent?

| Any natural or legal person resident in Jamaica |

Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)?

| Yes, the Office applies both the “unintentional” and the “due care” criteria to such requests |

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3 This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.
4 If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit of two months from the date of the invitation by the Office. The Office will charge a fee for compliance with that requirement in response to the invitation. For the amount of the fee refer to Annex JM.I.
5 If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation.
THE PROCEDURE IN THE NATIONAL PHASE

JM.01 FORM FOR ENTERING THE NATIONAL PHASE. Applicants entering the national phase should indicate the international application number on Form 1 (see Annex JM.II). It is strongly recommended that this form be used.

PDA Sec. 32

JM.02 LANGUAGE OF PROCEEDINGS. The language of proceedings is English.

PDA Sec. 34(2), (3)

JM.03 TRANSLATION. For entry into the national phase, an English translation of the international application as published must be provided. A fee for the publication of the translation is also payable but may be paid within two months from the invitation, after national phase entry. The amount of the fee is indicated in Annex JM.I.

JM.04 TRANSLATION (CORRECTION). Errors in the translation of the international application can be corrected with reference to the text of the international application as originally filed (see National Phase, paragraphs 6.002 and 6.003).

JM.05 FEES (MANNER OF PAYMENT). The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex JM.I.

PDA Sec. 25(1)

JM.06 ANNUAL FEES. Annual fees are payable as from the grant of a patent, on each anniversary of the international filing date. The payment of annual fees shall be accompanied by Form 8 (Payment of Annual Fee) (Annex JM.III). A patent shall cease to have effect at the end of ninety days after each anniversary of the international filing date if the annual fee remains unpaid at the expiration of that period, unless the annual fee is paid in full within ninety days after the end of the ninety day period after each anniversary. The amounts of the annual fees and the late payment fee are indicated in Annex JM.I.

JM.07 APPOINTMENT OF AN AGENT. If the applicant is not resident in Jamaica, an agent shall be appointed by filing a power of attorney (Annex JM.III), signed by the applicant.

PDA Sec. 18(1)

JM.08 AMENDMENT OF THE APPLICATION. The applicant may, at any time before the patent is granted, make amendments to his application. The amount of the fee is indicated in Annex JM.I.

PCT Art. 24(2) 48(2) PCT Rule 82bis

JM.09 EXCUSE OF DELAYS IN MEETING TIME LIMITS. Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PCT Rule 49.ter.2 PDA Sec. 12.10

JM.10 REVIEW UNDER ARTICLE 25 OF THE PCT. The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase.

PCT Rule 49.6 PDA Sec. 19.4 19.5

JM.11 RESTORATION OF THE RIGHT OF PRIORITY. Where the international application was filed within two months from the end of the period for claiming priority of an earlier application, a request may be made to the Office in accordance with the national law to restore the right of priority (see National Phase, paragraphs 6.006 - 6.011). Such a request will be allowed if the Office is satisfied that the failure to file the application within the 12 month priority period was unintentional or that it occurred in spite of due care required by the circumstances having been taken.

JM.12 REINSTATEMENT OF RIGHTS. Reinstatement of rights may be requested where the applicant unintentionally or in spite of due care required by the circumstances having been taken, failed to perform the acts referred to in Article 22 within the applicable time limit. The Registrar shall not refuse a request for reinstatement of rights without giving the applicant the opportunity to make observations on the intended refusal within a reasonable time.
JM.13 **UTILITY MODEL.** If the applicant wishes to obtain a utility model on the basis of an international application in addition to a patent, the applicant, when performing the acts referred to in PCT Article 22 or 39(1), shall so indicate to the designated Office.

PDA Sec. 76

JM.14 **CONVERSION.** An international application for a patent may be converted into a utility model, and vice-versa, after the applicant has complied with the requirements for entry into the national phase. Conversion may be requested at any time before the grant or refusal of the application. Conversion may only be requested once. The conversion is subject to the payment of a fee indicated in Annex JM.I.
FEES

(Currency: Jamaican Dollar)

**Patents**

- **Filing fee** .......................................................... 30,000
- **Divisional application** ............................................. 30,000
- **Registration of an assignment** ................................. 6,700
- **Appointment or change of an agent** ............................ 4,500
- **Change in name or address of an applicant** ................. 4,500

**Publication of translation**

- up to 4 pages .............................................................. 3,500
- for each page in addition to 4 pages ............................. 500

- **Application to register an assignment** ......................... 6,700
- **Amendment of specification** ..................................... 10,000
- **Conversion of a patent application into a utility model application** .................. 5,000
- **Restoration of the right of priority** ............................. 3,500

**Annual fees:**

- upon the 1st anniversary ............................................. 2,500
- upon the 2nd anniversary ............................................. 4,500
- upon the 3rd anniversary ............................................. 5,000
- upon the 4th anniversary ............................................. 6,500
- upon the 5th anniversary ............................................. 9,500
- upon the 6th anniversary ........................................... 11,000
- upon the 7th anniversary ........................................... 13,000
- upon the 8th anniversary ........................................... 16,000
- upon the 9th anniversary ........................................... 19,000
- upon the 10th anniversary ........................................ 24,000
- upon the 11th anniversary ......................................... 25,000
- upon the 12th anniversary ......................................... 26,000
- upon the 13th anniversary ......................................... 27,000
- upon the 14th anniversary ......................................... 31,000
- upon the 15th anniversary ......................................... 37,000
- upon the 16th anniversary ......................................... 42,000
- upon the 17th anniversary ......................................... 65,800
- upon the 18th anniversary ......................................... 75,000
- upon the 19th anniversary ......................................... 100,000

Late payment of the annual fee: ...................................... 25% of the applicable annual fee

**Utility models:**

- **Filing fee** .......................................................... 10,000
- **Conversion of a utility model application into a patent application** .................. 5,000

(31 March 2022)
How can payment of fees be effected?

All fees must be paid in Jamaican Dollar by charging a deposit account held by the Office. All payments must indicate the application number (national, if already known; international, if the national number is not yet known), the name of the applicant and the category of fee being paid.
The Patents and Designs Act, 2020

FIRST SCHEDULE

PATENTS AND DESIGNS ACT

FORM 1

Application for a Patent

Application number:

1. Your reference (optional):

2. Full name, telephone, mailing and email address of the applicant or of each patent applicant (underline all surnames) nationality and TRN:

3. Title of the invention:

4. State the inventor or joint inventors of the invention or inventions:

5. Name of your agent (if applicable) and address for service including email address to which all correspondence shall be sent:

6. Priority declaration:

   Are you claiming priority from one or more earlier-filed patent applications? (If so, please give details of the application(s)):

   Country:

   Application Number (if known):

   Date of filing (day/month/year):

7. Divisional, etc: Is this application a divisional application or being made following resolution of an entitlement dispute about an earlier application? If so, please give the application number and filing date of the earlier application:

   Application Number: Date of filing (day/month/year):
8. Inventorship (inventors must be individuals not companies):

(Please tick the appropriate boxes)

Are all the applicants named above also inventors? YES ☐ NO ☐

If yes, are there any other inventors? YES ☐ NO ☐

9. Please enter—

Continuation sheets of this form:
The number of pages for each item, accompanying this form:
Description:
Claim(s):
Abstract:
Drawing(s):
If you are not filing a description, please give details of the previous application you seek to rely on:
Country:
Application:
Date of filing (day/month/year):

10. If you are also filing any of the following, state how many against each item:

(a) priority documents—☐
(b) declaration of inventorship and statement of right to grant of a patent—☐
(c) request for search—☐
(d) any other documents (please specify): ☐

11. I/We request the grant of a patent on the basis of this application:

Signature(s): Date:

Note: Information on how to fill in this form is available from the Office and on our website at www.jipo.gov.jm.
The Patents and Designs Act, 2020

FIRST SCHEDULE

FORM 8

Payment of Annual Fee

Please read the notes on the back of this form before completing

1. Your reference:

2. Patent Number:

3. Which year are you paying for?:

4. Amount of annual fee: Amount of late payment fee: Total amount paid:

5. Name and address of person paying the fee:

6. If next year you want a reminder that the annual fee is overdue to be sent to a mailing or email address other than the address for service registered with the Office, enter details of this other address here and sign and date the form.

Signature: Date:

7. Name, e-mail address, telephone, fax and or mobile number, if any, or a contact point for the applicant:

Notes

A. If you need help in filling out this form or have any questions, please contact the Office at (876) 946-1300 or send an email to info@jipo.gov.jm.

B. You may either type or write your answers in capital letters using black ink.

C. If you have filled in part 6 of the form please remember to sign and date it.

D. For details of fees and methods of payment, please contact the Office.