

JAMAICA INTELLECTUAL PROPERTY OFFICE

(An Agency of the Ministry of Industry, Investment & Commerce)



IP AND YOUTH: INNOVATING FOR A BETTER FUTURE

Jamaica Intellectual Property Office

IP Week 2022

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR-GENERAL



His Excellency the Most Honourable Sir Patrick Allen ON, GCMG, CD, KSt. J
Governor-General

Through its services, the Jamaica Intellectual Property Office (JIPO) safeguards the intellectual property rights of our talented innovators, creatives, and corporations. During Intellectual Property Week, JIPO spearheads the national dialogue around matters pertaining to the protection of trademarks, trade secrets, copyright, patents, and design rights. It is important that we preserve the work and brands of Jamaicans and Jamaican businesses that contribute to our nation's economic advancement and strengthen our cultural vitality.

As we look to our 60th Anniversary of Independence, we aspire to 'Reignite a nation for greatness'. At the heart of that 'greatness' are our young entrepreneurs, artists, and designers who not only need to be protected but also celebrated. Their talent should be praised, nurtured, and encouraged.

Jamaica, with its fusions of cultures, provides a platform for many gifted young people to use their talents to reach audiences locally and internationally. Our young people need

to be educated on the importance of having their work protected and used as an avenue for economic gain and self-elevation.

Young entrepreneurs and innovators need to be afforded an enabling environment to 'work diligently and creatively' in pursuit of cutting-edge technology and business solutions that enhance Jamaica's offering.

Our young people are poised to enable a greater understanding of the issues related to the protection of intellectual property and

inspire new approaches to provide future generations with the tools they need to properly understand their rights and play a full and constructive role in society.

In this digital age, every Jamaican should know about the laws that protect personal and intellectual property. Now, more than ever, we must work together to bring out the best and protect each other.

I commend JIPO for its integral work in this critical area as we embrace the rapidly changing technological environment.



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"In this digital age, every Jamaican should know about the laws that protect personal and intellectual property."

- Hon. Sir Patrick Allen ON, GCMG, CD, KSt. J
Governor-General

MESSAGE FROM THE HONOURABLE PRIME MINISTER



The Most Hon. Andrew Holness, ON, MP
Prime Minister

Intellectual Property plays a great role in any society in wealth creation. Jamaica has been laying the foundation for a robust IP sector in pursuing protection of

intellectual property rights (IPR) that our youth have the potential to exploit their rights through a variety of methods, thereby, ensuring the ability to benefit from their inventions.

The theme for world intellectual property day in 2022, as selected by the World Intellectual Property Organization is, "IP and Youth: Building a Better Future" and the Jamaica Intellectual Property Office (JIPO), has adopted the theme and organised a week of celebration focusing on youth and encouraging them to utilize the intellectual property rights system, to protect their intellectual property and enabling them to be more secure in benefitting

from their innovations.

The youth of today are an incredible and largely untapped source of ingenuity and creativity. They are stepping up to innovation challenges and are playing a crucial role in addressing local and global challenges. They have new ideas, fresh perspectives, energy, curiosity and a can-do attitude. Youth are already reshaping approaches and driving action for innovation and change and a better future.

Indeed, youth are fearless in their pursuits of improvements in transforming their space to drive to innovate toward social change, create wealth from their innovation and

create jobs for other young people. The satisfaction and reality of making positive revolutionary changes provides encouragement for these young innovators to accede to greater heights and continue on a path to innovate for a better future.

JIPO offers IP registration under the areas of trade marks, patents, industrial designs, geographical indication and provides a voluntary copyright and related rights registration system. The work of the JIPO in facilitating an environment where our youth have an avenue through which they can easily seek IPR protection is an important cog in the wheel of development.

I encourage our innovators especially the youth to become knowledgeable about their intellectual property rights and utilise the services of the JIPO by consulting them on any matter related to their IPRs.

Congratulations to the team at JIPO. I encourage the JIPO team to continue to provide guidance and assistance to the public and our youth especially, with respect to their IPRs from which they can create wealth and move from poverty to prosperity.

I wish the Management, staff and partners of the Jamaica Intellectual Property Office a successful IP Week 2022.

"I encourage our innovators especially the youth to become knowledgeable about their intellectual property rights and utilise the services of the JIPO by consulting them on any matter related to their IPRs."

- The Most Hon. Andrew Holness, ON, MP
Prime Minister

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MESSAGE FROM THE LEADER OF THE OPPOSITION



Mark J. Golding, MP
Leader of the Opposition

I am delighted to join the Jamaica Intellectual Property Office (JIPO) in celebrating Intellectual Property Week 2022 under the theme, "IP and Youth: Innovating for a better future".

I am particularly pleased with the theme for this year, as it will give our youth the opportunity to learn more about creating and safeguarding their intellectual property and its derivative rights. We must take an interest in the growth and development of the youth of today in order to ensure their success for tomorrow, on which the sustainable

growth and development of the nation depends.

Jamaica has contributed immensely to the world through the cultural and creative industries. However, the unfortunate truth is that many of our practitioners did not secure the intellectual property rights to their music or other creative expressions, and consequently did not receive the financial rewards that they deserved. This was often because they were unaware of the importance of such protection, and of the processes involved in securing their rights.

It is therefore important for organizations like JIPO to share their knowledge and expertise with the wider population, especially our youth, so that those outcomes are not repeated. Intellectual Property is the means through which our youth can become empowered to generate wealth from the expressions of their creative talent. Therefore, even as we must provide avenues by which they can nurture their talents, we must also empower them to reap their just rewards of their efforts through a working knowledge

of the legal and commercial frameworks of the cultural and creative industries.

I commend JIPO for hosting a full week of activities geared towards equipping young people with the knowledge and skills required to enable them to propel themselves to a better future. I wish you every success as you continue to educate and empower the youth of our nation.

Happy Intellectual Property Week!

MESSAGE FROM THE MINISTER OF INDUSTRY, INVESTMENT AND COMMERCE



Senator the Honourable
Aubyn Hill, Minister of
Industry, Investment and
Commerce

Young people are providing sustainable solutions to global issues.

As the agency mandated to administer Intellectual Property, The Jamaica Intellectual Property Office (JIPO) continuously advocates for Jamaicans to take advantage of the Treaties and other facilities to protect and earn from IP rights. This year, in keeping with the theme, they have invited a wide cross section of young people for sensitization and discussions on how IP rights can support career goals. This will undoubtedly result in future benefit of the creative and other industries operating in the Jamaican marketplace.

The theme selected for this year's staging of World Intellectual Property Rights Day, 'IP and Youth: Innovating for a Better Future', is a tacit acknowledgement that young people are one of humankind's greatest assets.

The 2019 figures from the United Nations indicate that there were about 1.2 billion youth aged 15 to 24 years in the world. Sadly, many struggle in poverty, with human rights abuses and other social injustices, and lack the nurturing environment that would allow them to contribute meaningfully to their communities.

This theme is therefore a call to action for communities to invest in our youth and nurture their natural creativity. Facebook, Google and YouTube, three creations by young people, have revolutionized the way the world communicates, generates income and entertains. There are similar examples in other areas of global significance such as medicine, environmental protection, and agriculture.

Businesses can also benefit from recent significant developments in IP rights, where the Madrid Protocol, the Patent Cooperation Treaty, and the Hague System have all come into force, allowing for streamlining and simplifying of processes. JIPO led the effort to deliver these positive developments.

These support the thrust of the Ministry of Industry, Investment and Commerce, the parent ministry of JIPO, to grow and sustain industries by providing the legal framework that will protect the Jamaican brand.

This Ministry remains committed to use all resources at its disposal to enhance the capacity of young entrepreneurs and other innovators, MSMEs, as well as corporations and institutions, to prepare for a 'better future' by acquiring and maintaining Intellectual Property rights.

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MESSAGE FROM THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY, INVESTMENT & COMMERCE



Hon. Dr Norman Dunn,
Minister of State
Ministry of Industry,
Investment & Commerce

As the Ministry of Industry, Investment and Commerce interfaces with its many stakeholders, discussions frequently arise concerning improving opportunities for young people in our country. Government, through Ministries, Departments and Agencies, is constantly exploring programmes to engage with youth, with the primary focus of equipping them with the knowledge, skills and attitudes to advance their personal and professional growth.

This week's acknowledgement under the theme, Intellectual Property and Youth, Innovating for a

Better Future, challenges all stakeholders to harness their knowledge and their skills as they develop new creative works, mobile applications and software programme. It also underscores a necessary focus for creating an enabling environment that will celebrate our youth and maximize their potential.

With evolving careers within the cultural and creative industries and the Information Communication Technology (ICT) sector, young people have increased opportunities to forge their own paths. Our nation is rich with talent – poets, songwriters, online influencers, graphic

designers and dance choreographers as well as software developers who are creating a range of applications to fill needs that we had not realized existed.


As the variety of these careers increase, our young people and all other local innovators are being encouraged to protect their intellectual property and thereby ensure that their creative work provides the basis for economic empowerment. The World Intellectual Property Organization and its local counterpart the Jamaica Intellectual Property Office continue to develop solutions that create opportunities for

ideators, innovators and entrepreneurs to be better equipped in business.

I am therefore delighted to be associated with this week and the many initiatives which JIPO has identified to advance the cause of our youth and to help them secure their livelihoods. I wish for JIPO, its management and staff, and all our creatives and innovators, every success as they partner to establish a fair world in which our young people, and all those who create, are able to benefit financially.

This Ministry remains committed to use all resources at its disposal to enhance the capacity of young entrepreneurs and other innovators, MSMEs, as well as corporations and institutions, to prepare for a 'better future' by acquiring and maintaining Intellectual Property rights.

- Senator the Honourable Aubyn Hill, Minister of Industry, Investment and Commerce



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
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MESSAGE FROM THE CHAIRMAN, JAMAICA INTELLECTUAL PROPERTY OFFICE



Debby-Ann Brown-Salmon
Chairman JIPO

Innovation is the key to a future of economic prosperity, job creation and economic growth. It should be our ambition and mission to become the leaders of this charge in the entire Caribbean region.

It is important, as we visualize and embrace a future carved by technology and digital ethics that we ensure that our most important frontrunners; our youth, fully appreciate the

connect between Intellectual Property Rights (IPR) and innovation.

Guiding our youth to understanding that IPR support any transition into a digitally sustainable future by enabling innovation through technological advancements, is paramount. That IPRs protect all categories of intellectual properties with strong mechanisms should be common knowledge.

In a world of rapid change our young people need the right mix of skills to be equipped for a future that is critical to fostering innovation but appreciating that without protection innovators will not reap the full benefits of their inventions.

This understanding we should facilitate through our schools making IPR a mandatory part of the curriculum.

That, as our educators impart to this

important generation, Generation Z as they are called, about becoming leaders in an entrepreneurial world that they impart also about entrepreneurial responsibility and the need to protect their innovations and creations. Doing this, in order that others do not wrongfully profit from their works.

We need to take responsibility as a people and community to highlight the important role that Intellectual Property rights play in innovation by allowing it to be protected but at the same time rightfully exploited by the creator.

Whilst we recognize our youngsters for their brilliance and exceptional talent, we should be equipping them with the

tools and skills to move towards a more sustainable, reliable and dependable future.

Intellectual Property rights prevents profit without permission. This is a concept that should be etched in the minds of our creatives.

As we aim to make that link between innovation and IPR, we should be excited about a future that embraces the exuberance of a generation highly motivated and driven by curiosity, creativity and a hunger for a better tomorrow.

Understanding the role of the Intellectual Property Rights (IPR) is to ensure that it encourages and protects future investment in innovation. We need to get our young people excited

about this future and the possibilities that comes with it.

As we embark on this well needed campaign let us ensure that we encourage and stimulate our young people into a better understanding of how IPR can support their ambitions to contributing to a brighter future.

Our youth today are bursting with creativity and zealous for the opportunity to make change whether by being hands on creative beings, creating jobs or tackling local and global challenges to support nation building.

Let us help them be the catalysts for this kind of change.

MESSAGE FROM THE EXECUTIVE DIRECTOR, JAMAICA INTELLECTUAL PROPERTY OFFICE



Lilyclaire Bellamy,
Executive Director JIPO

Intellectual property and youth, innovating for a better future a most appropriate and apt theme for the celebration of IP week 2022 and a fortuitous one as we as a nation are celebrating our Diamond Jubilee, Jamaica 60 under the theme Reigniting a nation for greatness and what better way to reignite than to focus on youth and the innovations that they produce. The publication of this supplement to

mark the end of the week recognises the work and achievements of the entire team at the Jamaica intellectual property office and the work that they do and have done to facilitate and to make the theme for IP week a reality.

The focus of the week was on youth and the importance of their innovative capacity and the need for them to use the intellectual property rights system to protect their innovations.

The significance of innovation is recognised in Jamaica with our recent accession and membership as of February 10, 2022 to the Patent Cooperation Treaty (PCT) which allow for innovators to protect their inventions in the over 150 members of the PCT, this treaty allows inventors to apply to have their inventions protected through one application in one language and by paying the requisite fee to



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MESSAGE FROM THE EXECUTIVE DIRECTOR, JAMAICA INTELLECTUAL PROPERTY OFFICE

The new Patent Act allows for the protection of utility models also referred to as petty patents, thereby giving innovators access to yet another intellectual property right. This is indeed the right time for our youth to hone their skills and develop their innovations as we reignite the nation for greatness.

Traditionally intellectual property has been equated with Copyright and Jamaica is well known for the contributions that we have made in this field from our gift of several genres of music, to the work of our visual and performing artists, we are a treasure trove of creativity, this creativity in music is also matched by our inroads in the field of science and technology. Our scientists and innovators have made us proud from work in the field of diabetes to the invention of medicines for the treatment of glaucoma and asthma from one of our most famous genetic resources to the use of another genetic resource for the treatment of childhood leukemia. Jamaica has been and continues to be blessed with an abundance of talent and natural resources that have been fine tuned to solve problems not only locally but globally. The theme for IP day this year and for our week of celebration gives a nod to the ingenuity of our people and our ability to use all of our resources to find solutions to problems.

May we continue to provide music for the world as we use those melodies to provide an environment where we are able to provide innovations that will give solutions to some of the issues that we face globally.

COPYRIGHT ISSUES- TEACHING IN A VIRTUAL CLASSROOM

Written by: Shantal English, Copyright and Related Rights Manager



Shantal English

If we were told in 2018 that school rooms would be virtual, and that students and teachers would be required to adapt to new methods of teaching through virtual platforms many of us would have had doubts.

In 2019 the novel Coronavirus, COVID 19, changed the teaching and

learning landscape and forced teachers and students to complete their lessons through online platforms such as Zoom, Google classroom just to name a few. This new method of teaching posed many legal concerns. This article will focus on copyright concerns and learning in a virtual environment.

WHAT IS COPYRIGHT AND RELATED RIGHTS?

The Copyright Act of Jamaica 1993, (the Act) states that "copyright is a property right." These legal rights grant creators of their creative works the exclusive right to reproduce, distribute, broadcast, make an adaption of their work and make their work available on the internet.

In order to receive copyright protection, the work must fall within one of the eligible categories of protection as articulated in section 6(1) of

the Act.

These are:

- (a) original literary, dramatic, musical, artistic works;
- (b) sound recordings, films, broadcasts or cable programme;
- (c) typographical arrangements of published editions

Copyright exist in these works regardless of its quality or the purpose for which it was created. Works in (b) and (c) are related rights. These works resemble copyright but serves to protect a different interest. They protect the legal interests of certain persons and legal entities who contribute to making works available to the public. For example: Dancers, Singers, Actors, Producers of sound recordings and Broadcasting companies.

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COPYRIGHT ISSUES- TEACHING IN A VIRTUAL CLASSROOM

COPYRIGHT ISSUES AND THE PANDEMIC

With the use of the online platform teachers have sought clarity on varying copyright questions. The main concern is whether the same protection is afforded to online teaching as in the physical classroom. The answer is yes.

The Copyright (Amendment) Act, 2015 was amended to include the WIPO Copyright Treaty and the WIPO Phonograms and Performance Treaty which provides safeguards for protecting copyrighted work in the digital era.

Under section 53(1) of the Act there are general exception to the use of copyrighted works. This include protected works for non-commercial research or study, criticism or review, reporting of current events. However, these exceptions do not allow users to use the work in its entirety.

We live in a fast paced world and the inclination to copy and paste works available on the internet without permission and attribution is seamless. Consideration is not always given to the years, months and days creators invest in producing content which infringers copy within seconds.

It is important to note that the author of any copyright work is the first owner of the work subject to an agreement which states otherwise. When using content students and Teachers are encouraged to utilize copyright free platform such as Creative commons. They are also encouraged to give attribution and to seek permission when using copyrighted works.

WHAT IS DEFINED AS A COPYRIGHT INFRINGEMENT?

Under section 31(1) of the Act "copyright is infringed by any person who without the licence of the copyright owner, does in relation to that work, any of the acts which the copyright owner has the exclusive right to do." It is therefore critical that expressed permission is sought whether in the form of a licence or a partial assignment to use copyright works whether in analogue or a digital format.

We encourage our teachers, and students in particular to remember the copyright laws especially as this year's IP Week theme has a specific focus on youth. We encourage creativity among our youth and urge them to be cautious when using copyrighted works.

PLANT BREEDERS RIGHTS

Written by: Dr Marcus Goffe Deputy Director/ Legal Counsel JIPO



Dr Marcus Goffe

Intellectual Property (IP) is all around us – songs, art, symbols, designs, inventions and, yes, plants and agricultural produce. Plants and agricultural produce can also be the subject of IP rights. The IP right that addresses plants is known as the plant breeders' right (PBR) and it protects innovation by plant breeders who breed, or discover and develop, new plant varieties.

New plant varieties are an essential and sustainable means of achieving food security. Production of diverse, high quality varieties of fruit,

vegetables, ornamentals and agricultural crops that are adapted to the environment in which they are grown can provide increased income and employment for farmers and others in Jamaica. New varieties allow increasing yields and reduce the amount of inputs required for production, for example fertilizers and pesticides, while facilitating better adaptation to climate change and minimizing pressure on the natural environment.

New varieties can facilitate access to global markets and improve international trade for developing countries. Plant variety protection in Jamaica can support the establishment of a professional chain of production and distribution of seeds and planting material for farmers and facilitate public-private partnerships and investment in plant breeding.

Jamaica's New Plant Varieties

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PLANT BREEDERS RIGHTS

(Rights of Breeders) Bill will protect the rights of breeders of new plant varieties which are new, distinct, uniform and stable. It will provide for the rights of the breeder, the scope and duration of those rights and exceptions to those rights. Only the recognized holder of a PBR will be able to authorize the production, reproduction, multiplication, sale, marketing, importation and exportation of the protected variety. For the protection of vegetatively and seed-propagated species, including vines, fruit trees, ornamental trees and their root stock, the period of protection will be 25 years and for other genera or species, it will be for 20 years.

Importantly, the law will recognize an exception for small farmers who, within reasonable limits and subject to the safeguarding of the legitimate interests of the breeder, use for propagating purposes, on their own holdings, the product of the harvest which they have obtained by planting, on their own holdings, the protected variety or a variety which is essentially-derived from the protected variety (where that variety is not itself an essentially-derived variety), or which is not clearly distinguishable from the

protected variety. The Bill will also include additional exceptions for private acts done for non-commercial purposes; acts done for experimental purposes; and acts done for the purpose of breeding other varieties.

Under the new law, the carrying out by a person, without the authorization of the breeder, of any act which requires the breeder's authorization, will constitute an infringement of the PBR. The PBR will be enforceable through criminal and civil sanctions, thus ensuring market space for commercialization.

Jamaica's New Plant Varieties (Rights of Breeders) Bill is in an advanced state. It has been reviewed by the International Union for the Protection of New Varieties of Plants (UPOV) and is in conformity with the UPOV Convention. The new law will require regulations. Once those are complete and in force, the Jamaica Intellectual Property Office (JIPO) will be able to grant PBR for new plant varieties in Jamaica. It is hoped that Jamaica and in particular the agricultural sector, will be able to utilize and benefit from the new law soon.

HOW JIPO IS "STRENGTHENING THE INTELLECTUAL PROPERTY ECOSYSTEM TO IMPROVE THE BUSINESS CLIMATE IN JAMAICA".

Written by: Kayanne E. Anderson Esq, Project Manager, Jamaica IP Strengthening Project



Kayanne E. Anderson Esq

2018 for instance, is US\$70 million. There are many local businesses which are built and sustained by the dynamic creation and careful leveraging of intellectual property. And this is why this project has been focused on improving the knowledge and ability to create, use, and protect IP, and also testing the system so that businesses can obtain financing for continued expansion, and additional research and development for new lines of products and/or services using their IP as collateral.

For the past two years, the strengthening of Jamaica's Intellectual Property Ecosystem has been the focus of the Jamaica Intellectual Property Office and several key partners, this under the auspices of the Intellectual Property (IP) Strengthening Project funded by the Compete Caribbean Partnership Facility, whose donors include the Inter-American Development Bank, the Caribbean Development Bank, the United Kingdom's Foreign, Commonwealth & Development Office (FCDO), and the Government of Canada.

The project is recognized as a seminal one for the country and region as it has targeted several critical gaps which must be addressed to strengthen Jamaica's Intellectual Property (IP) ecosystem to support micro, small and medium enterprises (MSMEs) in leveraging their IP assets to drive innovation, competitiveness and growth.

Intellectual Property (IP) is a major value driver in the global and local economy, and IP assets (which comprise intellectual property rights (IPRs) such as patents, trademarks, industrial designs, or copyright account for 70% or more of a business' perceived net value. The reported brand value of Uber in

As a result of work done since 2020, JIPO is now promoting several results from the technical assistance generated under the four main components, including the digitization of the IP registers at the JIPO, training of businesses and support organizations in Intellectual property monetization, valuation and the design of toolkits which can be used to improve the understanding and capacity of persons involved in the Intellectual property and financial sectors in how to commercialise, monetize and value intellectual property and the assets generated from IP.

Importantly, recognizing the major gaps and barriers affecting the ability of MSMEs to use their intellectual property as collateral to obtain financing, we are now in the process of conducting a pilot programme to test the conditions under which Micro, Small and Medium size businesses can use their intellectual property as collateral to obtain financing in Jamaica. Several Commercial banks have been working in partnership with the JIPO since March 2022 to work with MSMEs who have an intellectual property portfolio forming intangible assets which have been valued and presented as collateral in loan applications.

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celebrates with Jamaica Intellectual Property Office

IP Week 2022

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JAMAICA TO THE WORLD- JAMAICA JOINS THE MADRID PROTOCOL CONCERNING THE INTERNATIONAL REGISTRATION OF TRADE MARKS



Adrienne Thompson

On 27 December 2021, the Government of Jamaica deposited its instrument of accession to join the Madrid Protocol, making it the 110th member of the multinational trade mark registration system. The Madrid Protocol (Madrid) entered into force for Jamaica on March 27, 2022. Jamaica joins Antigua and Barbuda and Trinidad and Tobago as the other CARICOM states with membership in the Madrid system.

Centrally administered by the World Intellectual Property Organization (WIPO), a specialized agency of the United Nations responsible for promoting the protection of Intellectual Property (IP) throughout the world, the Madrid system provides a one-stop solution to register and manage trade marks worldwide. It gives trade mark owners the possibility of having their trade marks protected in up to 128 territories of the 112 members to the Protocol, through a single application filed with their national IP office.

Under Madrid, a local trade mark owner seeking to protect a trade mark in multiple international jurisdictions can file one application, in one language and pay one set of fees for an international registration effective in the various countries selected by the trade mark owner. Madrid has been ratified by most European countries, the USA, Canada, China and many other countries around the world with its members

representing more than 80% of world trade, with potential for expansion as its membership grows.

Local businesses who desire to market and distribute products and services internationally can now access trade opportunities under International Agreements to which Jamaica is signatory while ensuring their brands are protected worldwide using Madrid. Foreign companies doing business in Jamaica will now be able to easily seek trade mark protection in Jamaica using Madrid by simply designating Jamaica in their international trade mark applications.

Under Madrid, filing an international application is equivalent to filing a bundle of national applications, effectively saving trade mark owners time and money. Trade mark owners benefit from reduced expenses on foreign trade mark lawyers, translations in multiple languages and protracted IP administrative procedures in several countries.

In order to file an international application in Jamaica through the Jamaica Intellectual Property Office, you must 1) have a business in, reside in, or be a national of Jamaica and 2) have a local trade mark application or registration at JIPO. To fill in your international application form (MM2), you may use the Madrid Application Assistant (<https://www.wipo.int/madrid/application-assistant>).

Once you have filled in the MM2 form, you may file it at JIPO with a handling fee of \$15,000 dollars. Applicants may send the completed international application to JIPO electronically via email address to madridfilings@jipo.gov.jm. For further information, please contact JIPO at 876-946-1300 or at info@jipo.gov.jm.

HOW JIPO IS “STRENGTHENING THE INTELLECTUAL PROPERTY ECOSYSTEM TO IMPROVE THE BUSINESS CLIMATE IN JAMAICA”.

This project has benefited from the oversight and advisory support of the multi-sectoral Project Steering Committee comprising representatives from the public, private and international development sectors. Members from the Planning Institute of Jamaica, Ministries of Industry Investment & commerce and Financing and Public Service, the Development Bank of Jamaica, the Jamaica Banker's Association, the Bank of Jamaica, Jamaica Chamber of Commerce,

Private Sector Organization of Jamaica, Small Business Association of Jamaica have been working with the JIPO and the IDB, Compete Caribbean and Caribbean Development Bank to ensure that beyond the lifetime of the Project, there is an agreed sustainability strategy and mechanisms to continue to build upon the results which are gained when the project closes in 2022.

As we celebrate IP Week 2022, the JIPO is committed to ensuring that a strengthened

IP ecosystem will soon mean that MSMEs are better positioned to contribute to building generational wealth and contributing to national development through leveraging their core intellectual property and the assets to be generated therefrom.

For more information, contact the Project Manager, Ms. Kayanne Anderson Esq. at projectmanager@jipo.gov.jm.

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**JAMMS joins JIPO and the Global Community in Celebrating...
INTELLECTUAL PROPERTY (IP) WEEK
April 23 - May 1, 2022**

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“IP and Youth, Innovating for A Better Future”

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UTILITY MODELS- A NEW FEATURE OF THE PATENTS AND DESIGNS ACT, 2020

Written by: Mr. Jason Wongsam, Assistant Patent Manager



Mr. Jason Wongsam

The Patents and Designs Act 2020, became effective on February 11, 2022 and repeals the Patents Act 1857. This new Act brought Jamaica's patent system into the 21st century and bringing with it a number of changes which includes a new type of intellectual property right for Jamaica called a "Utility Model".

There is no clear definition for what a utility model is as this may differ from country to country. A utility model as defined by the

World Intellectual Property Organization, as "protection for new technical innovations for a product". The model provides exclusive right to prevent others from commercially exploiting the invention or innovation for ten (10) years. During the term of protection, the inventions and innovations cannot be commercially used, distributed, imported or sold by others without the rights holders' consent. This can be commercialized by a license, an assignment or partial assignment.

Utility models are considered particularly useful for protecting inventions that make small, incremental improvements, and adaptations of existing products or that have a short commercial life. The requirements for obtaining a utility model are less stringent than that of a patent. The requirement or standards that have to be met are to be new and novel and industrial applicability.

In order to obtain utility model protection, an application must be filed with the Jamaica Intellectual Property Office in which the right granted would be limited to Jamaica. The contents of a utility model application should consist of claims, a description, an abstract and drawings when necessary. The cost for obtaining utility models are lower than that for a patent registration.

The objective for providing utility model protection is to protect inventions and innovations that do not qualify as patents. The protection provides incentives to inventors by offering them legal rights to exploit and commercialise their inventions. This new feature of the Patents and Designs Act 2020, can and will be of significant benefit to our Jamaican inventors and provides a new platform for development.

HIGHLIGHTS FROM JIPO ESSAY COMPETITION 2021



Registration Officer, Chantau White, performing at the JIPO essay competition award ceremony



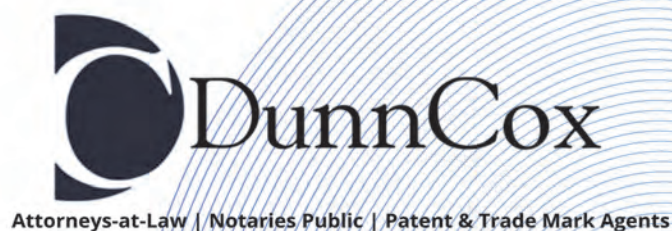
Listening attentively at JIPO essay competition award ceremony 2022



1st place winner in tertiary category - Left: CAROL MADU, UWI receiving her certificate from Dr. Marcus Goffe, Deputy Director/Legal Counsel, JIPO



1st place winner in primary category - BRYCE WILSON, Bright Beginnings Educational Centre, receives his trophy from the Executive Director, JIPO Lilyclaire Bellamy



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IP WEEK 2022 PHOTO HIGHLIGHTS



Human Resource Branch: left: Miss Beverley Boreland, Kiman Higgins, HR Director (acting), Ms. Shauna Morgan and Miss Carlette McIntosh



Robert Talbert, Manager, ICT Branch



Dr. Marcus Goffe, Deputy Director/Legal Counsel



Ms. Shauna Morgan, Receptionist, assists a customer.



Kiman Higgins, Human Resource Director (acting)



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International Trademark System -
register your trademark in any
jurisdiction that is party to the Protocol
covering 128 countries - a single
application filed in one language, a
single payment in one currency



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Jamaica's Business Ministry...Growing and Sustaining Industries

IP WEEK 2022 PHOTO HIGHLIGHTS



Management Staff: Front Row: Executive Director, Lilyclaire Bellamy. Back row left to right Miss Shantal English, Manager, Copyright and Related Rights Branch, Jason Wongsam, Asst. Patent Manager, Kiman Higgins, HR Director (acting) Ms. Adrienne Thompson, Manager, Trade Marks, Designs and Geographical Indications Branch, Mr. Herman Dawson, Asst. Manager, Trade Marks, Designs and Geographical Indications Branch, Dr. Marcus Goffe, Deputy Director/ Legal Counsel and Mr. Robert Talbert, Manager, ICT Branch



JIPO Staff: front row left: Mrs. Nicole Ballentyne Lyn, Ramon Hughes, Mrs. Mary Montague, Lilyclaire Bellamy, Executive Director, Dr. Marcus Goffe, Deputy Director/Legal Counsel, Ms. Shadine Stewart and Ms. Carlette McIntosh Second row: left: Ms. Adrienne Thompson, Jason Wongsam, Ms. Shauna Morgan, Miss Atara Reid, Miss Beverley Boreland, Miss Zodian Farquharson and Ms. Cloverlyn Douglas back row: left: Winston Francis, Kiman Higgins, Glynis Young, Robert Talbert, Shantal English, Chantau White, Jada Wint and Herman Dawson.



Trade Mark Staff left front row: Winston Francis, Mrs. Nicole Ballentyne Lyn, Herman Dawson, Assist. Patent Manager, Mrs. Mary Montague and Miss Atara Reid Back row left: Ms. Adrienne Thompson, Manager, Mrs. Chantau Taylor, Ramon Hugh, Zodian Farquharson and Cashier, Miss Jada Wint.



Legal and Corporate Relations Branch- Copyright Unit, left: Dr. Marcus Goffe, Deputy Director/Legal Counsel, Ms. Glynis Young, Legal Assistant, Ms. Cloverlyn Douglas, Secretary, Copyright Unit and Miss Shantal English, Manager, Copyright and Related Rights Unit.

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Intellectual Property Week
 and **WIPO's World Intellectual Property Day**

Under the theme
**IP and Youth:
 "Innovating for a Better Future"**

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THANK YOU!



The Jamaica Intellectual Property Office wishes to thank you for your contribution and participation in IPWeek 2022.

We wish to recognise our staff and their families for supporting the activities of the week.

To the legal fraternity, our associates, stakeholders and customers, ministries, departments and agencies, your continued support of the work of the intellectual property office is appreciated.

We acknowledge also our

international, regional and local partners including the World Intellectual Property Organization, the United States Embassy, Kingston, the European Union Intellectual Property Office, our regional colleagues, and our parent ministry the Ministry of Industry,

Investment and Commerce, our Ministers and Permanent Secretary with whom we have worked closely.

We look forward to your support as we implement the Madrid Protocol, the Patent Cooperation Treaty and the Hague System for the

International Registration of Industrial Designs

Thank you from the Management and Staff of the Jamaica Intellectual Property Office

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HIGHLIGHTS OF IP WEEK 2022



From left: Mr. Joe James, Economic/Commercial Officer, U.S. Embassy, Kingston, Hon. Dr. Norman Dunn, State Minister, Ministry of Industry, Investment and Commerce, Executive Director JIPO, Lilyclaire Bellamy and Chairman of the JIPO Advisory Board, Mrs. Debby Ann Salmon. We are sorting through for a pic/s of Minister Hill for the second page.



From left Minister of Industry, Investment and Commerce, Senator, the Hon. Aubyn Hill and Mrs. Hill along with JIPO staff, worshipping at the IP Week 2022 Church Service, held at the Transformed Life Church on April 24.



Staff members of the JIPO and their families along with Pastor Dwight Fletcher and Mrs. Fletcher and Pastor Paul Russell of the Transformed Life Church.