

**NOTIFICATION OF LAWS AND REGULATIONS  
UNDER ARTICLE 63.2 OF THE AGREEMENT**

JAMAICA

The following communication, dated 3 January 2007, is being circulated at the request of the Delegation of Jamaica.

In accordance with its obligations under the TRIPS Agreement, the Government of Jamaica wishes to notify to the TRIPS Council, the status of Jamaica's intellectual property legislation in respect of patents, industrial designs and geographical indications. This is as follows:

Patents and Industrial Designs

The new Patents and Designs Act is still in draft form. The draft bill, when enacted, will replace both the Patent Act, 1857 and the Designs Act, 1937.

The draft bill is currently with the Attorney General's Chambers. It is expected to reflect the WTO General Council Decision of 30 August 2003, on the implementation of Paragraph 6 of the Doha Declaration on TRIPS and Public Health. The comments of the Attorney General's Chambers are expected to be received by the Ministry of Industry, Technology, Energy and Commerce in December 2006. The timetable for the enactment of the Act is the next legislative year 2007/2008.

In addition, the Jamaica Intellectual Property Office (JIPO) has sought the assistance of the Samuelson Law, Technology and Public Policy Clinic, University of Berkeley School of Law, to review the draft bill in light of the three goals that have been identified. These are:

- (i) compliance with international obligations
- (ii) improving Jamaica's ability to benefit from innovation created by its citizens
- (iii) utilizing the flexibilities permitted by International Law to achieve social benefits for Jamaicans.

The final report from the Law School was delivered to the Jamaica Intellectual Property Office (JIPO) and has been circulated to various stakeholders. The report will form the basis of any further drafting instructions to be provided to the Chief Parliamentary Counsel.

Geographical Indications

The Geographical Indications Act was passed in 2004 and has been notified to the WTO Secretariat. The Act is not currently in force as it awaits the passage of Regulations. Regulations are expected to be enacted in the next legislative year 2007/2008.