
**Council for Trade-Related Aspects of
Intellectual Property Rights**

Original: English/
anglais/
inglés

**MAIN DEDICATED INTELLECTUAL PROPERTY
LAWS AND REGULATIONS NOTIFIED UNDER
ARTICLE 63.2 OF THE AGREEMENT**

BELIZE

The present document reproduces the text¹ of the Industrial Designs Regulations, No. 16 of 2001, as notified by Belize under Article 63.2 of the Agreement (see document IP/N/1/BLZ/2).

**Conseil des aspects des droits de propriété
intellectuelle qui touchent au commerce**

**PRINCIPALES LOIS ET RÉGLEMENTATIONS CONSACRÉES À LA
PROPRIÉTÉ INTELLECTUELLE NOTIFIÉES AU TITRE
DE L'ARTICLE 63:2 DE L'ACCORD**

BELIZE

Le présent document contient le texte¹ du Règlement sur les dessins et modèles industriels, n° 16 de 2001, notifié par le Belize au titre de l'article 63:2 de l'Accord (voir le document IP/N/1/BLZ/2).

**Consejo de los Aspectos de los Derechos de Propiedad
Intelectual relacionados con el Comercio**

**PRINCIPALES LEYES Y REGLAMENTOS DEDICADOS A LA
PROPIEDAD INTELECTUAL NOTIFICADOS EN VIRTUD
DEL PÁRRAFO 2 DEL ARTÍCULO 63 DEL ACUERDO**

BELICE

En el presente documento se reproduce el texto¹ del Reglamento sobre Dibujos y Modelos Industriales N° 16 de 2001, que Belice ha notificado en virtud del párrafo 2 del artículo 63 del Acuerdo (véase el documento IP/N/1/BLZ/2).

¹ In English only./En anglais seulement./En inglés solamente.

BELIZE:

STATUTORY INSTRUMENT

No. 16 of 2001

REGULATIONS made by the Minister responsible for Industrial Designs in exercise of the powers conferred upon him by section 28 of the Industrial Designs Act, Chapter 254 of the Laws of Belize, Revised Edition 2000, and all other powers thereunto him enabling.

(Gazetted 3rd February, 2001.)

PART I

PRELIMINARY

- Short title. 1. These regulations may be cited as the
INDUSTRIAL DESIGNS REGULATIONS, 2001.
- Interpretation. 2. In these regulations, unless the context otherwise requires-
- “applicant” means a person for whom an application is made;
- “application” means an application for registration of an industrial design;
- “Office” means the Intellectual Property Office;
- “Registrar” means the Registrar of Intellectual Property appointed under section 4 of the
CAP. 254. Patents Act.

PART II

REGISTRATION OF INDUSTRIAL DESIGNS

Fees

- Fees set out. 3. The fees to be paid under the Act and these regulations are those fixed in
Schedule I. Schedule I.

- Currency. 4. Payments shall be made in Belizean currency, but the equivalent amount in a foreign currency that is convertible in Belize may be accepted.
- Excess fee. 5. When a fee paid by a person to the Registrar for any purpose exceeds the fee fixed by these regulations for that purpose by more than \$10, the person who paid the fee is entitled to be refunded the amount of excess less \$10.
- Fee refund. 6. 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.
- Refund of advance fee. 7. When a person pays a fee in advance for registration, he is entitled to a refund of the fee, less \$15, if the application is withdrawn.
- Payment of fees. 8.-(1) Fees that are paid by cheque, bank draft or money order shall be forwarded to the Registrar and made payable to him.
- (2) Fees may be paid by cash at the Office.
- Cheques. 9. 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.

Forms

- Form required. 10.-(1) In submitting a document to the Office for any purpose, the person submitting the document must use the form set out in Schedule II that is appropriate for the purpose, but the form may be modified in such manner as is necessary in the circumstances.
- Schedule II. (2) In submitting a document to the Office, one copy only of the document need be submitted.

Replacing documents. Schedule II. Schedule II. 11. If a document that is submitted to the Office differs significantly from the form in Schedule II intended to be used for the purpose of the submission, the Registrar may require that the document be replaced, within a time fixed by the Registrar, by one that conforms to the document required by Schedule II to be used for the purpose.

Paper requirements. 12.-(1) All applications, notices, statements, papers having representations affixed, or other documents authorized or required by the Act or these regulations to be made, left 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.

(2) Each sheet not being a graphic representation must have its short sides at the top and bottom.

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

Page requirements. 13.-(1) The pages of documents, other than graphic representations must be numbered consecutively, preferably at the top of the page.

(2) Page margins must be not less than 2 centimetres.

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

Language of documents. 14.-(1) An application must be in English.

(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.

Photographs, Drawings and Specimens

Graphics requirements. 15. The graphic representations in an application must meet the following requirements-

- (a) the representations are to be on white paper or other material suitable for reproduction;
- (b) the sheets of representations are to be the same size as those used in the application;
- (c) the representations are to be prepared in durable dark lines suitable for reproduction;
- (d) the representations are to appear on only one side of a sheet;
- (e) the representations are to be on a scale sufficiently large to show the features of the design clearly;
- (f) figures in a representation are to be numbered consecutively without regard to the number of sheets in the representation and so far as possible the figures are to be arranged in numerical order; and
- (g) figures in a representation can be continued on subsequent sheets if necessary or several figures can appear on the same page.

Folds, breaks,
etc.

16. Graphic representations in an application must be free of such folds, breaks or creases as render them unsuitable for reproduction.

Photographs.

17. Photographs of an article taken against a neutral background may be used in an application instead of graphic representations if the photographs clearly illustrate the design and can be readily reproduced.

Rules about
specimens.

18.-(1) The Registrar may require that a graphic representation or a photograph be provided instead of a specimen when the size and weight of the specimen makes it difficult to process and store it; and, in any event, a specimen must not exceed one kilogram in weight or thirty centimetres in any dimensions.

(2) Specimens that are perishable or made of dangerous material shall not be submitted to the Office.

PART III

CORRESPONDENCE AND TIME LIMITS

Correspondence

- Communicating with Office. 19. Applications, correspondence related to applications, and all communications intended for the Office shall be mailed to or deposited at the Intellectual Property Office, Belmopan, Belize.
- Mode of communication. 20.-(1) Applications shall be proceeded with, and other communication with the Office effected, by written, typed or printed correspondence; and, unless the Registrar for good reason decides otherwise, no regard need be given to any other mode of communication with the Office.
- (2) When communicating with the Office about an application or registered design, the correspondent shall identify the application or registration clearly, giving such information as the date of filing, kind of product, name of applicant and registration number.
- Communicating from Office. 21. All correspondence from the Office to an applicant shall be sent-
- (a) to the agent of the applicant if an agent is resident in Belize has been appointed;
 - (b) if no agent has been appointed in Belize to the address for service of the applicant in Belize; or
 - (c) to the applicant, if no agent has been appointed in Belize to represent the applicant and the applicant has no address for service filed in the Office.
- Multiple applicants. 22. When, in respect of an application, there is more than one applicant, correspondence shall be conducted-
- (a) with the applicants' agent in Belize if an agent resident in Belize has been named to represent all the applicants;

- (b) with an applicant resident in Belize who has been nominated to represent all the applicants, if no agent resident in Belize has been appointed.

Limited correspondents.

23. The Office shall conduct correspondence concerning an application with only one person, but having regard to regulations 21 and 22.

Address and presumption.

24. A person who corresponds with the Office shall provide his full postal address, and any correspondence sent by the Office to that person at the address so provided shall be deemed to be sent on the date that the records of the Office show it to have been sent.

Address for service.

25. A licensee and a person who is shown on the register as the owner of a design must maintain an address for service in Belize and provide the Registrar with notice of that address for recording in the register.

Time Limits

Filing time.

26. 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.

Replacement of correspondence.

27. 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 whatever date the Registrar determines should apply.

Interruptions of mail.

28. 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 regulations because of an interruption in mail service 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.

29. The Registrar may, in respect of an application, fix a period of time for the doing of any thing for which no time limit is otherwise fixed by the Act or these regulations; 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.

30. When, by an affidavit setting out the relevant facts, the Registrar is satisfied that any time fixed by these regulations 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 of the case.

PART IV

JOINT APPLICANTS, OWNERS AND DESIGNERS

Joint Applicants and Owners

Stricture with regard to withdrawal.

31. When an application that is filed by joint applicants is being proceeded with by one of the joint applicants, it may not be withdrawn without the written permission of all the other joint applicants.

Surrender of joint designs.

32. A design registration that is owned by several persons may not be surrendered under section 12 of the Act without the written permission of all the owners of the design.

Joint Designers

Changes of designers' names.

33. When, after an application has been filed, it appears that the names of one or more creators of the design were improperly included in or omitted from the application, then, if the Registrar is satisfied, by an affidavit setting out all the relevant facts, that a correction should be made, the Registrar may delete or add, as the case requires, the names of those other creators.

Creators not applying.

34. When a design is created by several persons and one or more of them refuses to make an application in respect of the design, or the whereabouts of one or more of the creators cannot be ascertained after a diligent inquiry, the other creators may make an application in respect of that design; and, if the Registrar is satisfied, by an affidavit setting out the relevant facts, that the creators missing from the application either refuse to make application or cannot be located, the creators making the application are entitled to register the design if all other requirements of the Act and these regulations are complied with.

PART V

MISCELLANEOUS

- Correcting errors. 35. A document relating to an application or registration may be corrected if the Registrar is satisfied that the document contains an error of a clerical nature and that its correction would involve no change of substance to the application or registration.
- Providing for deficiencies. 36. Where no provision is made in the Act or these regulations in respect of any matter arising in the administration of the Act, the Registrar may make such directions in respect thereof as he considers necessary.
- Registrar's certificates. 37. -(1) The Registrar may give a certificate, other than a certificate under section 9 of the Act, regarding any entry, matter or thing that he is authorized or required by the Act or these regulations to make or do.
- (2) A person who can show an interest in an entry, matter or thing for which a certificate is required may, by an application in Form No. 9, request the certificate from the Registrar, and the applicant need not disclose his interest unless required by the Registrar to do so.
- (3) In a certificate issued under this provision the Registrar need not include a copy of any design unless a suitable copy of the design accompanies the application for the certificate.
- Inquiries made to Office. 38. The Registrar may acknowledge inquiries made to the Office, but the Registrar need not furnish any applicants or other persons with information that would require a search of the public records of the Office or provide advice on matters concerning the interpretation of the Act or regulations or concerning other questions of law.
- Commencement. 39. These regulations shall come into force on the 4th day of January, 2001.

MADE by the Minister responsible for Industrial Designs this 4th day of January, 2001.

GODFREY SMITH

ATTORNEY GENERAL AND

MINISTER RESPONSIBLE FOR INDUSTRIAL DESIGNS

SCHEDULE I
(Regulation 3)

FEES

	\$	¢
On application for registration:		
for the first design in the application 	100.00	
for each additional design 	50.00	
On granting registration of an industrial design:		
for the first design in the application 	100.00	
for each additional design 	50.00	
On application for a renewal under section 11 (1) of the Act:		
for the first design in the application being renewed 	100.00	
for each additional design 	20.00	
On application for a renewal under section 11 (2) of the Act:		
for the first design in the application being renewed 	150.00	
for each additional design 	20.00	
On application for copies of records in the register 	2.00	per page
On application for the recording of a licence-contract 	50.00	
On application for copies of registrations 	2.00	per page
On application that a transfer of registration be recorded 	40.00	
On application that a change of address be recorded 	15.00	
For certification of any documents 	40.00	

On application for a change in name to be recorded	15.00
On surrender of design	50.00

SCHEDULE II

INDUSTRIAL DESIGNS ACT (CAP. 254)
(Regulation 10)

FORM No. 1

APPLICATION FOR REGISTRATION OF
AN INDUSTRIAL DESIGN

I/We

.....

(give name(s))

whose full postal address(es) is/are respectively

.....

do hereby apply for the registration of an Industrial Design for

.....

(kind of product)

RELEVANT INFORMATION

(use only those headings that are applicable)

ADDRESS FOR SERVICE

AGENT

Name and address

CREATOR(S) OF THE DESIGN-

Complete only if accompanied
by Form No. 2-
name(s) and address(es)

PRIORITY

Indicate date and number of earlier
application(s), the country where
filed, and the name of the applicant(s)
of the priority application(s)

- I/We herewith submit or will
submit within ninety days of
the date of this application a
certified copy of the earlier
application(s) on which priority
is based, and which is/are listed
below:

CLASSES OF PRODUCT

(complete only if applicable)

DESCRIPTION

(give a short description of the visual features of the designs, indicating what parts of it are original)

GRAPHIC REPRESENTATION

(if supplied)

- A photograph, drawing or other graphic representation of the said Industrial Design is hereunto annexed

SPECIMEN

(if supplied)

- A specimen of the article containing said Industrial Design is submitted herewith

EXECUTION

- this application is executed on
.....
at
by (or on behalf of the applicant
by)

.....
(Signature)

DATE SUBMITTED

(indicate date when being sent to the Office)

Note- if this application is filed by an agent it must be accompanied by a power of attorney authorizing the agent to make the application.

INDUSTRIAL DESIGNS ACT (CAP. 254)

FORM No. 2

STATEMENT OF DESIGNER

I/We

(give name(s) and address(es)

of the designer(s))

.....

do hereby declare that I/We created the Industrial Design for

.....

(kind of product as stated in the application for registration)

filed herewith, and request that my/our name(s) and address(es) be entered on the register under section 4 (6) of the Act.

Signature(s).....

.....

INDUSTRIAL DESIGNS ACT (CAP. 254)

FORM No. 3

APPOINTMENT OF AGENT

The undersigned hereby appoints
whose full postal address is as
agent, in respect of an application for an Industrial Design entitled
..... and empowers the appointed agent to sign and amend the
application, to prosecute it, to receive the registration certificate, to effect renewal, and to
withdraw or surrender the application or registration, and ratifies any act done by the appointee in
respect of the application or subsequent registration.

Signed at

this day of 20

.....
.....

(Signature(s))

INDUSTRIAL DESIGNS ACT (254)

FORM No. 4

Registration No.

Date

CERTIFICATE OF REGISTRATION OF
AN INDUSTRIAL DESIGN

The Intellectual Property Office

BELIZE

Whereas a request has been made to the Intellectual Property Office for registration of an Industrial Design, particulars of which are attached hereto, and whereas such request has been found to comply with the Industrial Designs Act, CAP. 254, now therefore be it known that said registration has taken place, granting to the proprietor all the benefits of the Act. The term of protection afforded by the registration is five years from the day of 20

Property rights arising from registration are subject to the conditions contained in the Act, and any adjudication of the Supreme Court affecting those rights.

In testimony whereof this document bears the seal of the Office affixed to it at Belmopan.

Sealed this day of

In the year

Registrar
Intellectual Property Office

INDUSTRIAL DESIGNS ACT (CAP. 254)
(Regulation 10)

FORM No. 5

TRANSFER AND ASSIGNMENTS OF APPLICATION
FOR REGISTRATION

I/We
(name(s) and address(es))

.....
.....
the owner(s) of an application for registration of a design for
.....
filed on
do hereby transfer all my (our) rights in said design to

.....
[name(s) and address(es) indicate also nationalities,
residences and any necessary address for service]
.....

Signed at
on this day of in the year
..... by

(Signature of owner, agent or legal representative)

and at
on this day of in the year
by

(Signature of new owner, or his agent or legal representative)

The prescribed fee of \$ for recording this transfer is submitted herewith
Name and address of new owner's representative for service

Note- This may be modified to make a partial transfer by specifying what is transferred

INDUSTRIAL DESIGNS ACT (CAP. 254)

FORM No. 6

TRANSFER AND ASSIGNMENTS OF A REGISTERED
DESIGN

I/We

(name(s) and address (es))

.....

the registered owner(s) of Industrial Design No.

for a design for

registered on

do hereby transfer all my (our) rights in said design to

.....

[name(s) and address(es) indicate also nationalities,
residences and any necessary address for service]

.....

Signed at

(place)

on this day of in the year

by

(Signature of owner, agent or legal representative)

and at

on this day of in the year

by

(Signature of new owner, or his agent or legal representative)

The prescribed fee of \$ for recording this transfer is submitted herewith, and we
request that the transfer be registered

Name and address of new owner's agent

.....

(Name and address of new owner's representative for service)

Note- This form may be modified to make a partial transfer by specifying what is transferred

INDUSTRIAL DESIGNS ACT (CAP. 254)

FORM No. 7

CHANGE OF NAME

I/We

(name(s) and address(es))

.....

.....

the owner(s) of the application for registration of an industrial design or the registered design identified below wish to have recorded a change in name to

.....

(name(s) and address(es))

.....

.....

The prescribed fee of \$ for registering the change of name is submitted herewith

Registration No.....

Date registered

Date application filed.....

Title of design.....

Signed at.....

on this day of in the year

by

(Signature of owner or agent)

INDUSTRIAL DESIGNS ACT (CAP. 254)

FORM No. 8

RENEWAL OF REGISTRATION OF AN
INDUSTRIAL DESIGN

(under section 11 (1) or (2) of the Act)

I/We
(name(s) and address(es))

.....
.....

the registered owner(s) of the Industrial Design No.

hereby forward the prescribed fee for the renewal of the said Design in accordance with section 11 (1) or (2) of the Act.

Note- This form must be submitted in duplicate

INDUSTRIAL DESIGNS ACT (CAP. 254)
(Regulation 37)

FORM No. 9

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

IN THE MATTER OF¹ the Industrial Designs Act (CAP. 254)

I/We

(name(s) and address(es))

.....
hereby request the Registrar to furnish me (us) with².....
.....

.....
Dated this day of 20

³

⁴

To the Registrar
Intellectual Property Office
BELMOPAN.

Note:

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