



16 March 2016

(16-1562)

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Council for Trade-Related Aspects  
of Intellectual Property Rights

Original: English

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

FIJI: TRADE-MARKS (AMENDMENT) (NO. 2) DECREE 2012

|                         |      |
|-------------------------|------|
| <b>Notifying Member</b> | FIJI |
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**Details of the notified legal text**

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|--|---|
| <b>Title</b>   | Trade-Marks (Amendment) (No. 2) Decree 2012   |
| <b>Subject matter</b>  | Trademarks  |
| <b>Nature of notification</b>  | <input checked="" type="checkbox"/> Main dedicated intellectual property law or regulation<br><input type="checkbox"/> Other law or regulation  |
| <b>Link to legal text</b>  | <a href="http://members.wto.org/crnattachments/2016/IP/FJI/16_0878_00_e.pdf">http://members.wto.org/crnattachments/2016/IP/FJI/16_0878_00_e.pdf</a>   |
| <b>Notification status</b>   | <input type="checkbox"/> First notification<br><input checked="" type="checkbox"/> Amendment or revision to notified legal text<br><input type="checkbox"/> Replacement or consolidation of notified legal text(s)  |
| <b>Previous notification(s) referred to</b>  | <p><a href="#">IP/N/1/FJI/T/1</a> (Trade-Marks Act)<br/> <a href="https://docs.wto.org/dol2fe/Pages/FE_Search/FE_S_S006.aspx?DataSource=Cat&amp;query=@SymbolMatch=IP/N/1/FJI/T/1*&amp;Language=English&amp;Context=ScriptedSearches&amp;languageUIChanged=true#">"https://docs.wto.org/dol2fe/Pages/FE_Search/FE_S_S006.aspx?DataSource=Cat&amp;query=@SymbolMatch=IP/N/1/FJI/T/1*&amp;Language=English&amp;Context=ScriptedSearches&amp;languageUIChanged=true#"</a></p> <p><a href="#">IP/N/1/FJI/T/2</a> (Trade-Marks (Amendment) Decree 2012)<br/> <a href="https://docs.wto.org/dol2fe/Pages/FE_Search/FE_S_S006.aspx?DataSource=Cat&amp;query=@SymbolMatch=IP/N/1/FJI/T/2*&amp;Language=English&amp;Context=ScriptedSearches&amp;languageUIChanged=true#">"https://docs.wto.org/dol2fe/Pages/FE_Search/FE_S_S006.aspx?DataSource=Cat&amp;query=@SymbolMatch=IP/N/1/FJI/T/2*&amp;Language=English&amp;Context=ScriptedSearches&amp;languageUIChanged=true#"</a></p> |
| <b>Brief description of the notified legal text</b>  |   |
| <p>Amends the Principal Act with the inclusion of a new section 14A which prohibits the registration of trade-marks with the word "Fiji" or any word that makes reference or implies geographical origins or words or marks making reference or implying an approval from the State and a body corporate's name or trading name registered under Fiji's Companies Act, unless it has been approved by the Minister. The Amendment Decree also prohibits any party from challenging the Minister's decision under section 14A by way of appeal to any Court, Tribunal, Commission or Adjudicating Body.</p> |   |
| <b>Language(s) of notified text</b>  | English   |
| <b>Date of adoption</b>  |   |
| <b>Entry into force</b>  | 31 July 2012  |

**Notification details**

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| <b>Submission date of notification</b> | 1 and 10 March 2016  |
| <b>Other information</b>               | The Fiji Intellectual Property Office does not have a website at the moment. However, the legal text can be accessed on the Pacific Islands Legal Information Institute (Paclii) website under the hyperlink:<br><a href="http://www.paclii.org/fj/promu/promu_dec/tm2d2012241/">http://www.paclii.org/fj/promu/promu_dec/tm2d2012241/</a> |
| <b>Agency or authority responsible</b> | Ministry of Industry, Trade and Tourism<br>Level 3, Civic Towers, Victoria Parade<br>Suva<br>Fiji  |