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

Trinidad and Tobago: The Trade Marks (Border   
Enforcement Measures) Regulations 2020

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| **Notifying Member** | | **Trinidad and Tobago** |
| **Details of the notified legal text** | | |
| **Title** | | The Trade Marks (Border Enforcement Measures) Regulations 2020 |
| **Subject matter** | | Trademarks; Enforcement |
| **Nature of notification** | | [X] Main dedicated intellectual property law or regulation  [  ] Other law or regulation |
| **Link to legal text[[1]](#endnote-1)** | | <https://ip-documents.info/2022/IP/TTO/22_4241_00_e.pdf> |
| **Notification status** | | [X] First notification  [  ] Amendment or revision to notified legal text  [  ] Replacement or consolidation of notified legal text(s) |
| **Previous notification(s) referred to** | | Not applicable |
| **Brief description of the notified legal text**  The Trade Marks (Border Enforcement Measures) Regulations, 2020, which is subject to the negative resolution of Parliament seeks to provide for the effective regulation of border enforcement measures as it pertains to trade marks to ensure the efficient operation of the Trade Marks Act, No. 8 of 2015 ("the Act").  Regulation 1 provides for the citation of the Regulations.  Regulation 2 provides for the interpretation of certain terms used in the Regulations.  Regulation 3 provides for notice to be given to the Comptroller of Customs and Excise (the Comptroller) under section 97(1) of the Act in respect of restricting the importation of infringing goods.  Regulation 4 provides the time and manner of the notice to be given to the Comptroller under section 97(1) of the Act.  Regulation 5 provides for further information and evidence to be submitted to the Comptroller within such time and in such form as the Comptroller may require.  Regulation 6 provides for change of particulars to be submitted to the Comptroller, in writing, within seven days of the change.  Regulation 7 provides for an Officer to refuse to seize goods to which a notice under section 97(1) of the Act relates, if the person who has given notice that infringing goods are expected to be imported fails to comply with any requirement by the Comptroller under these Regulations or any provisions of these Regulations.  Regulation 8 provides for a period not exceeding ten working days for instituting action for a registered trademark.  Regulation 9 provides for a period for extension of retention period not exceeding ten working days after the expiry of the period originally specified.  Regulation 10 provides for disposal of goods under section 102(3) of the Act in a prescribed manner, including destruction, as the Comptroller may from time to time direct, pursuant to the Customs Act, Chap 78:01.  Regulation 11 provides a prescribed period under section 109(3) of the Act of two working days after the Comptroller has given the proprietor of the registered trade mark written notice or where the detained goods are goods that are to be exported from Trinidad and Tobago or are goods in transit within ten working days after the Comptroller has given the proprietor of the registered trade mark written notice referred to in section 109(2) of the Act.  Regulation 12 provides for the commencement of the Regulations.  The Schedule provides for the notice under section 97(1) of the Act. | | |
| **Language(s) of notified legal text** | | English |
| **Entry into force** | | 17 June 2020 |
| **Other date** | |  |
| **Notification details** | | |
| **Submission date of notification** | 27 May 2022 | |
| **Other information** | See also document [IP/N/1/TTO/2](https://docs.wto.org/dol2festaff/Pages/SS/directdoc.aspx?filename=q:/IP/N/1TTO2.pdf&Open=True) (the Trade Mark Act, No. 8 of 2015)  <http://ipo.gov.tt/downloads/Trademark/border_enforcement_measures.pdf> | |
| **Agency or authority responsible** | Intellectual Property Office  Office of the Attorney General and Ministry of Legal Affairs  3rd Floor, Capital Plaza  11-13, Frederick Street  Port of Spain  Republic of Trinidad and Tobago  Telephone: +1 (868) 226 4476  Telefax: +1 (868) 226 5160  [info@ipo.gov.tt](mailto:info@ipo.gov.tt)  [www.ipo.gov.tt](http://www.ipo.gov.tt) | |

1. Links are provided to texts of laws and regulations notified under the TRIPS Agreement in the form supplied by the Member concerned; the WTO Secretariat does not endorse or revise their content. [↑](#endnote-ref-1)