



A guide to our services in the

Pacific Islands

Contents

Why choose AJ Park	4
What and where are the Pacific Islands?	5
Countries in the Pacific region we offer services in	6
American Samoa	7
Cook Islands	8
Fiji	9
French Polynesia	10
Guam	12
Kiribati	13
Marshall Islands	14
Micronesia (Federated States of)	15
Nauru	16
New Caledonia	17
Niue	18
Northern Mariana Islands	19
Palau	20

Papua New Guinea	21
Pitcairn Islands	23
Samoa	24
Solomon Islands	26
Tokelau	27
Tonga	28
Tuvalu	30
Vanuatu	31
Wallis and Futuna	33
What is a cautionary notice?	34

AJ Park: The preferred choice for IP protection in the Pacific region

For 125 years, AJ Park has supported local and international clients in the Australian and New Zealand markets.

As international trade developed, we noticed an increased need for strong and experienced representation throughout the Pacific Islands.

We have extensive experience protecting intellectual property rights throughout the Pacific Islands, and have built strong relationships with the local registries and agents.

In addition to New Zealand and Australia, we offer patent, design and trade mark services in the following Pacific Island countries/territories:

- American Samoa
- Cook Islands
- Fiji
- French Polynesia (including Tahiti)
- Guam
- Kiribati
- Marshall Islands
- Micronesia (Federated States of)
- Nauru
- New Caledonia
- Niue
- Northern Marianas
- Palau
- Papua New Guinea
- Pitcairn Islands
- Samoa
- Solomon Islands
- Tokelau
- Tonga
- Tuvalu
- Vanuatu
- Wallis and Futuna.

This guide sets out the countries in which we act, the types of intellectual property protection available in each territory, and our costs.

Our portfolio management services can be tailored to your specific requirements to cover any countries in the Pacific Islands in addition to Australia and New Zealand.

The disbursements shown are an estimate of official fees and are responsive to exchange rates. They do not include bank fees, courier costs, postage and handling.

For patents and designs, local agents' fees are additional to the costs set out. They can vary, and may in some cases exceed our own fees. We can usually provide an estimate of these costs before filing.

What and where are the Pacific Islands?

The Pacific Islands comprise over 20,000 islands in the Pacific Ocean.

Most of the Pacific Islands lying south of the Tropic of Cancer are collectively referred to as Oceania, although Oceania is sometimes defined as also including Australasia.

The Pacific Islands are traditionally grouped into three divisions—Melanesia, Micronesia and Polynesia.

- Melanesia (meaning black islands) includes islands south of the equator (eg, New Caledonia, Vanuatu, Fiji and the Solomon Islands).
- Micronesia (meaning small islands) includes the Northern Marianas, Guam, Palau, the Marshall Islands, Kiribati, Nauru and the Federated States of Micronesia. Most of these lie north of the equator.
- Polynesia (meaning many islands) includes islands mostly south of the equator eg, the Samoan Islands (divided between the independent state of Samoa and American Samoa), Tonga, Tuvalu, the Cook Islands, Wallis & Futuna, Tokelau, Niue, and French Polynesia.

Map of the countries in which we offer services in the Pacific region

We can help you protect your intellectual property rights in Australia, New Zealand and the majority of countries in the Pacific Islands.



American Samoa

American Samoa is an unincorporated territory of the United States located in the South Pacific, southeast of Samoa. It consists of five main islands and two coral atolls.

Trade marks	Patents	Designs
<p>Trade mark registrations obtained in the US extend to American Samoa.</p> <p>You can also file trade mark applications in American Samoa.</p> <p>Applications can cover:</p> <ul style="list-style-type: none"> • Goods and services • More than one class of goods or services <p>American Samoa is not a member of the Paris Convention.</p>	<p>Patents obtained in the US extend to American Samoa.</p>	<p>Designs obtained in the US extend to American Samoa.</p>

Fees (US\$)			
Trade marks	Agency	Disb	Total
Application for standard registration in one class	\$750	\$66	\$816
- each additional class	\$350	\$10	\$360
Registration	\$300	\$56	\$356
- each additional class	\$125		\$125

Cook Islands

The Cook Islands are in the South Pacific Ocean, about half way between Hawaii and New Zealand. There are 15 major islands with a total land area of 240km² spread over 2.2 million square kilometres of ocean.

Trade marks	Patents	Designs
<p>There is no current legislation providing for the registration of trade marks in the Cook Islands. However, trade marks registered in New Zealand under the 1953 or earlier Acts will be effective.</p> <p>If no New Zealand registration under the 1953 or earlier Acts, we recommend that cautionary notices* be published every two years to provide some protection.</p>	<p>There is no current legislation providing for the registration of patents in the Cook Islands. However, patents registered in New Zealand under the 1953 or earlier Acts will be effective.</p>	<p>Design registrations obtained in New Zealand extend to the Cook Islands.</p>

Fees (US\$)			
Cautionary notices	Agency	Disb	Total
Publication (or renewal) of cautionary notice	\$625	from \$300	from \$925

Fiji

Fiji is in Melanesia in the South Pacific Ocean. There are more than 332 islands, of which 110 are permanently inhabited, and more than 500 islets, amounting to a total land area of 18,300km². The two major islands, Viti Levu and Vanua Levu, account for 87% of the population. The capital and largest city, Suva, is on Viti Levu.

Trade marks	Patents	Designs
<p>You can file two types of trade mark applications in Fiji.</p> <ol style="list-style-type: none"> 1. A standard trade mark application. 2. A trade mark application based on a UK registration. <p>You cannot file multiclass applications.</p> <p>Fiji uses its own classification system.</p> <p>You cannot seek registration for services.</p> <p>Fiji is not a member of the Paris Convention.</p>	<p>You can file two types of patent applications in Fiji.</p> <ol style="list-style-type: none"> 1. A national Fijian patent application. 2. A patent application based on a UK registration within three years of the date of issue of the UK patent. (It is unclear if an EP (UK) patent can form the basis of a patent application in Fiji.) <p>Fiji is not a member of the Paris Convention.</p>	<p>Design registrations obtained in the UK extend to Fiji.</p>

Fees (US\$)			
Trade marks	Agency	Disb	Total
Application for registration	\$1,240	\$210	\$1,450
Examination	From \$550		From \$550
Acceptance and advertisement	From \$320	\$357	From \$677
Registration	\$300	\$76	\$376
Patents			
Application for registration of a patent	\$1,500	\$171	\$1,671

French Polynesia

French Polynesia is an overseas collectivity of the French Republic. It consists of six groups of Polynesian islands composing of approximately 130 geographically dispersed islands and atolls stretching over more than 2,000km in the South Pacific Ocean. Its total land area is 4,167km². Tahiti is the most populous island.

Trade marks	Patents	Designs
<p>French Polynesia transferred responsibility for trade mark administration to a local Polynesian administration in May 2013. New legislation was passed and came into force in 2014, but details of the process are not yet available.</p> <p>Until details of the new legislation and process are available, owners of French national trade mark registrations need to check whether their trade marks automatically extend to French Polynesia. A French national trade mark registration will extend to French Polynesia if the registration complies with all the following steps that apply:</p> <ul style="list-style-type: none"> • the national trade mark registration was filed before 3 March 2004 • the national trade mark registration was filed between 3 March 2004 and 31 January 2014, and the applicant has filed a request for recognition with the French Polynesian local authority (by 1 September 2015) 	<p>French Polynesia transferred responsibility for patent administration to a local Polynesian administration in May 2013. New legislation was passed and came into force in 2014, but details of the process are not yet available.</p> <p>Until details of the new legislation and process are available, owners of French patent registrations need to check whether their rights automatically extend to French Polynesia. A French patent registration will extend to French Polynesia if the registration complies with all the following steps that apply:</p> <ul style="list-style-type: none"> • the French patent registration was filed before 3 March 2004 • the French patent registration was filed between 3 March 2004 and 31 January 2014, and the applicant has filed a request for recognition with the French Polynesian local authority (by 1 September 2015) 	<p>French Polynesia transferred responsibility for design administration to a local Polynesian administration in May 2013. New legislation was passed and came into force in 2014, but details of the process are not yet available.</p> <p>Until details of the new legislation and process are available, owners of French design registrations need to check whether their rights automatically extend to French Polynesia. A French design registration will extend to French Polynesia if the registration complies with all the following steps that apply:</p> <ul style="list-style-type: none"> • the French design registration was filed before 3 March 2004 • the French design registration was filed between 3 March 2004 and 31 January 2014, and the applicant has filed a request for recognition with the French Polynesian local authority (by 1 September 2015) • the French design registration was filed or renewed after 1 February 2014 and the applicant asked for the registration to extend to French Polynesia.

- the national trade mark registration was filed or renewed after 1 February 2014 and the applicant asked for the registration to extend to French Polynesia.
- the French patent registration was filed or renewed after 1 February 2014 and the applicant asked for the registration to extend to French Polynesia.

Guam

Guam is an organised, unincorporated territory of the United States. It is the largest and southernmost of the Mariana Islands in Micronesia with a total land area of 544km².

Trade marks	Patents	Designs
<p>Trade mark registrations obtained in the US extend to Guam. You can also file two types of trade mark applications in Guam.</p> <ol style="list-style-type: none"> 1. A standard trade mark application. 2. A re-registration of a US registration. <p>Applications can cover:</p> <ul style="list-style-type: none"> • a series of trade marks • goods and services • more than one class of goods or services. <p>Guam is not a member of the Paris Convention.</p>	<p>Patents obtained in the US extend to Guam.</p>	<p>Designs obtained in the US extend to Guam.</p>

Fees (US\$)			
Trade marks	Agency	Disb	Total
Application for standard registration in one class	\$950	\$160	\$1,100
- each additional class	\$350	\$110	\$460
Examination	From \$530		From \$530
Acceptance and advertisement	\$320		\$320
- each additional class	\$135		\$135
Registration	\$300		\$300
- each additional class	\$125		\$125

Kiribati

Kiribati, a member of the Commonwealth, comprises 33 atolls and reef islands and one raised coral island. It is divided into three island groups—Gilbert Islands, Line Islands, and Phoenix Islands. Kiribati's islands are dispersed over 3.5 million square kilometres, with a total land area of 800km².

Trade marks	Patents	Designs
<p>A trade mark application must be based on a UK registration.</p> <p>Applications can cover:</p> <ul style="list-style-type: none"> • a series of trade marks • goods and services • colours, shapes, sounds, or smells. <p>You cannot file multiclass applications.</p> <p>Kiribati is not a member of the Paris Convention.</p>	<p>A patent application must be based on a UK patent.</p> <p>The owner of a UK patent can apply for registration of the UK patent in Kiribati within three years of the date of issue in the UK. It is unclear if an EP (UK) patent can form the basis of a patent application in Kiribati.</p> <p>Kiribati is not a member of the Paris Convention.</p>	<p>UK design registrations are protected in Kiribati.</p>

Fees (US\$)			
Trade marks	Agency	Disb	Total
Application for registration	\$950	\$173	\$1123
Patents			
Application for registration	\$1,500	\$160	\$1,660
Registration	\$300	\$56	\$356

Marshall Islands

The Marshall Islands (officially the Republic of the Marshall Islands) comprise 1,156 individual islands and islets spread out over 24 low-lying coral atolls. This country is part of the larger island group of Micronesia. The Marshall Islands have a total land area of 180km².

Trade marks	Patents	Designs
<p>There is no current legislation providing for the registration of trade marks in the Marshall Islands.</p> <p>We recommend that cautionary notices* be published every two years to provide some protection.</p>	<p>There is no current legislation providing for the registration of patents in the Marshall Islands.</p>	<p>There is no current legislation providing for the registration of designs in the Marshall Islands.</p>

Fees (US\$)			
Cautionary notices	Agency	Disb	Total
Publication (or renewal) of cautionary notice	\$625	from \$300	from \$925

Micronesia (Federated States of)

The Federated States of Micronesia (sometimes referred to as the Caroline Islands) is an independent sovereign nation and a United States associated state. It consists of four states spread across the Western Pacific Ocean. Together, the states comprise over 600 islands with a combined land area of 700km². Although the total land area is quite small, the islands are spread over more than 2.6 million square kilometres of ocean.

Trade marks	Patents	Designs
<p>There is no current legislation providing for the registration of trade marks in the Federated States of Micronesia.</p> <p>We recommend that cautionary notices* be published every two years to provide some protection.</p>	<p>There is no current legislation providing for the registration of patents in the Federated States of Micronesia.</p>	<p>There is no current legislation providing for the registration of designs in the Federated States of Micronesia.</p>

Fees (US\$)			
Cautionary notices	Agency	Disb	Total
Publication (or renewal) of cautionary notice	\$625	from \$650	from \$1,275

Nauru

Nauru (officially the Republic of Nauru) is an island country in Micronesia with a total land area of 21km². It is the smallest state in the South Pacific.

Trade marks	Patents	Designs
<p>Trade mark applications in Nauru can cover:</p> <ul style="list-style-type: none"> • Goods and services • More than one class of goods or services. <p>Nauru allows claims to convention priority from applications in countries deemed to be a convention country under the regulations, but is not a member of the Paris convention.</p>	<p>A Nauruan patent application can be filed from a:</p> <ol style="list-style-type: none"> 1. Pending Australia, US or UK application 2. Granted Australian, US or UK patent within three years of the grant of that patent. <p>However, the position of the Registrar of Patents is vacant and patent applications are not advancing.</p> <p>We recommend delaying any patent protection until the position is filled.</p>	<p>There is no current legislation providing for the registration of designs.</p>

Fees (US\$)			
Trade marks	Agency	Disb	Total
Application for standard registration in one class	\$750	\$66	\$816
- each additional class	\$350	\$10	\$360
Registration	\$300	\$56	\$356
- each additional class	\$125		\$125

New Caledonia

New Caledonia is a special collectivity of France located in the southwest Pacific Ocean, with a total land area of 18,575km².

Trade marks	Patents	Designs
<p>A new government was established in New Caledonia on 1 July 2013. Any French legislation that automatically extended to New Caledonia no longer applied, including the trade marks legislation.</p> <p>On 27 August 2013, the New Caledonian government adopted a draft law on the temporary protection of IP rights. This definite local IP law was expected to be in force from 1 July 2014, but we have not received any details on this legislation.</p> <p>Until the new IP law is in place, the New Caledonian government has confirmed that French IP rights, including French national trade marks applied for or registered as from 1 July 2013 extend to New Caledonia.</p> <p>We therefore recommend that you file a national application in France or designate France in an international registration to achieve registered protection that extends to New Caledonia. A CTM will not extend to New Caledonia.</p>	<p>A new government was established in New Caledonia on 1 July 2013. Any French legislation that automatically extended to New Caledonia no longer applied, including the patents legislation.</p> <p>On 27 August 2013, the New Caledonian government adopted a draft law on the temporary protection of IP rights. This definite local IP law was expected to be in force from 1 July 2014, but we have not received any details on this legislation.</p> <p>Until the new IP law is in place, the New Caledonian government has confirmed that French IP rights, including French national patents applied for or registered as from 1 July 2013 extend to New Caledonia.</p> <p>We therefore recommend that you file a national patent application in France to achieve registered protection that extends to New Caledonia. A European patent will not extend to New Caledonia.</p>	<p>A new government was established in New Caledonia on 1 July 2013. Any French legislation that automatically extended to New Caledonia no longer applied, including the designs legislation.</p> <p>On 27 August 2013, the New Caledonian government adopted a draft law on the temporary protection of IP rights. This definite local IP law was expected to be in force from 1 July 2014, but we have not received any details on this legislation.</p> <p>Until the new IP law is in place, the New Caledonian government has confirmed that French IP rights, including French national designs applied for or registered as from 1 July 2013 extend to New Caledonia.</p> <p>We therefore recommend that you file a national design application in France to achieve registered protection that extends to New Caledonia. A European design will not extend to New Caledonia.</p>

Niue

Niue is an island country in the South Pacific Ocean, east of Tonga. It has a total land area of 260km². Niue is a self-governing state in free association with New Zealand, and most of its diplomatic relations are conducted by New Zealand on its behalf.

Trade marks	Patents	Designs
Trade mark protection obtained in New Zealand extends to Niue.	Patent protection obtained in New Zealand extends to Niue.	Design protection obtained in New Zealand extends to Niue.

Northern Mariana Islands

The Northern Mariana Islands has Commonwealth status and is one of five inhabited American insular areas. It consists of 15 islands in the northwestern Pacific Ocean, with a total land area of 475km². The Northern Mariana Islands and Guam form the Mariana Islands.

Trade marks	Patents	Designs
Trade Mark protection obtained in the US extends to Northern Mariana Islands.	Patent protection obtained in the US extends to Northern Mariana Islands.	Design protection obtained in the US extends to Northern Mariana Islands.

Palau

The Republic of Palau is an island country in the western Pacific Ocean. It is geographically part of the larger island group of Micronesia. Palau is spread across 250 islands forming the western chain of the Caroline Islands. It has a total land area of 460km².

Trade marks	Patents	Designs
<p>There is no current legislation providing for the registration of trade marks in Palau.</p> <p>We recommend that cautionary notices* be published every two years to provide some protection.</p>	<p>There is no current legislation providing for the registration of patents in Palau.</p>	<p>There is no current legislation providing for the registration of designs in Palau.</p>

Fees (US\$)			
Cautionary notices	Agency	Disb	Total
Publication (or renewal) of cautionary notice	\$625	from \$650	from \$1,275

Papua New Guinea

The Independent State of Papua New Guinea occupies the eastern half of New Guinea and its offshore islands in Melanesia. It has a total land area of 462,800km². Most of the population live in customary communities, with only 18% of its people living in urban centres. Strong growth in Papua New Guinea's mining and resource sector has led to the country becoming the sixth fastest-growing economy in the world.

Trade marks	Patents	Designs
<p>Trade mark applications in Papua New Guinea can cover:</p> <ul style="list-style-type: none"> a series of trade marks goods and services. <p>Applications cannot cover:</p> <ul style="list-style-type: none"> more than one class of goods or services colours, shapes, sounds, or smells. <p>Papua New Guinea is a member of the Paris Convention and convention priority can be claimed, but the trade mark legislation has not been updated to allow claims to convention priority.</p>	<p>You can file two types of patent applications in Papua New Guinea:</p> <ol style="list-style-type: none"> A national phase entry from an international PCT application. A direct national patent application. <p>Papua New Guinea is a member of the Paris Convention.</p>	<p>You can file a design registration in Papua New Guinea. Registration lasts five years after the filing date and is renewable for two further periods of five years, making a total duration of 15 years.</p> <p>Papua New Guinea is a member of the Paris Convention.</p>

Fees (US\$)			
Trade marks	Agency	Disb	Total
Application for registration	\$750	\$269	\$1,019
- each additional application (for same mark in different classes)	\$750	\$180	\$930
Examination	From \$550		From \$550
Acceptance and advertisement	\$320	\$207	\$527
Registration	\$300		\$300

Patents			
Application for registration	\$1,500	\$500	\$2,000
Designs			
Application for registration	\$825	\$300	\$1,125

Pitcairn Islands

The Pitcairn Islands are a group of four volcanic islands in the southern Pacific Ocean that form the last British Overseas Territory in the Pacific. The four islands are spread over several hundred kilometres of ocean and have a total land area of 47km². Only one of the four islands (Pitcairn) is inhabited.

Trade marks	Patents	Designs
There is no current legislation providing for the registration of trade marks in the Pitcairn Islands.	There is no current legislation providing for the registration of patents in the Pitcairn Islands.	There is no current legislation providing for the registration of designs in the Pitcairn Islands.

Samoa

Samoa (formerly known as Western Samoa) is a country encompassing the western part of the Samoan Islands in the South Pacific Ocean. The two main islands of Samoa are Upolu and Savari'i, one of the biggest islands in Polynesia. The capital city, Apia, is situated on the island of Upolu. The total land area of Samoa is 2,821km².

Trade marks	Patents	Designs
<p>Samoa's IP legislation was updated in 2011 and the Intellectual Property Act 2011 came into effect on 1 October 2012. All trade mark applications filed under the previous act will remain in force as if they were filed under the new act.</p> <p>Trade mark applications can cover:</p> <ul style="list-style-type: none"> • series trade marks • goods and services • more than one class of goods or services • colours, shapes, sounds, smells or tastes. <p>Samoa is a member of the Paris Convention.</p>	<p>Samoa's IP legislation was updated in 2011 and the Intellectual Property Act 2011 came into effect on 1 October 2012.</p> <p>You can file two types of patent applications:</p> <ol style="list-style-type: none"> 1. A standard patent application. 2. Innovation patents (lower level of inventiveness - similar to an Australian innovation patent). <p>Samoa is a member of the Paris Convention.</p>	<p>Samoa's IP legislation was updated in 2011 and the Intellectual Property Act 2011 came into effect on 1 October 2012.</p> <p>You can register designs in Samoa for five years, renewable for two further five year periods.</p> <p>Samoa is a member of the Paris Convention.</p>

Fees (US\$)			
Trade marks	Agency	Disb	Total
Application for registration in one class	\$950	\$455	\$1,405
- each additional class	\$350	\$136	\$486
Examination	From \$550		From \$550
Acceptance and advertisement	\$320		\$320
- each additional class	\$135		\$135
Registration	\$300		\$300
- each additional class	\$125		\$125

Patents

Application for registration of a patent	From \$1,500	\$260	From \$1,760
--	--------------	-------	--------------

Designs

Application for registration of a design	\$825	\$825	\$1,185
--	-------	-------	---------

Solomon Islands

Solomon Islands is a sovereign country consisting of a large number of islands. The country's capital is Honiara. Solomon Islands should not be confused with 'the Solomon Islands' archipelago, which is a collection of Melanesian islands that includes Solomon Islands and Bouganville Island. Solomon Islands covers a land area of 28,400km².

Trade marks	Patents	Designs
<p>A trade mark application must be based on a UK registration. However, it is not possible to rely on a Madrid registration designating UK as the basis for a Solomon Islands trade mark application.</p> <p>Applications can cover:</p> <ul style="list-style-type: none"> • goods and services • more than one class of goods or services • a series of trade marks • colours, shapes, sounds, or smells. <p>Solomon Islands is not a member of the Paris Convention.</p>	<p>A patent application must be based on a UK patent. The owner of a UK patent can apply for registration of the UK patent in Solomon Islands within three years of the date of grant of the UK patent.</p> <p>It is unclear if an EP (UK) patent can form the basis of a patent application in Solomon Islands.</p> <p>Solomon Islands is not a member of the Paris Convention.</p>	<p>Registration of a design in the UK extends to Solomon Islands.</p>

Fees (US\$)			
Trade marks	Agency	Disb	Total
Application for registration in one class	\$950	\$292	\$1,242
- each additional class	\$350		\$350
Registration	\$300		\$300
- each additional class	\$125		\$125
Patents			
Application for registration of a patent	\$1,500	\$300	\$1,800

Tokelau

Tokelau consists of three tropical coral atolls covering a total land area of 10km². Its capital rotates yearly between the three atolls. Tokelau is a territory of New Zealand, and is sometimes referred to by its older colonial name, the Union Islands.

Trade marks	Patents	Designs
Trade mark registrations achieved in New Zealand extend to Tokelau. However, an international designation in New Zealand under the Madrid Protocol does not automatically extend to Tokelau.	There is no current legislation providing for the registration of patents in Tokelau.	Design registrations achieved in New Zealand extend to Tokelau.

Tonga

Tonga, officially the Kingdom of Tonga, is a Polynesian sovereign state comprising 177 islands scattered over 700,000km². It covers a total surface area of 750km².

Trade marks	Patents	Designs
<p>The current Trade Marks Act in Tonga came into force in 2000. All trade mark registrations achieved under the previous act were cancelled under the new legislation.</p> <p>Trade mark applications in Tonga can cover:</p> <ul style="list-style-type: none"> • goods and services • more than one class of goods or services • colours and shapes. <p>Applications cannot cover:</p> <ul style="list-style-type: none"> • a series of trade marks • sounds or smells. <p>Tonga is a member of the Paris Convention.</p>	<p>The Industrial Property Act 1994 allowed for the grant of patents in Tonga for the first time in Tonga. A patent can be granted for 20 years but it is subject to annual renewal fees.</p> <p>Tonga is a member of the Paris Convention.</p>	<p>The Industrial Property Act 1994 also allowed for the registration of industrial designs for the first time in Tonga.</p> <p>An industrial design can be registered for five years and can be renewed for two further five year periods.</p> <p>Tonga is a member of the Paris Convention.</p>

Fees (US\$)			
Trade marks	Agency	Disb	Total
Application for registration in one class	\$950	\$435	\$1,385
- each additional class	\$350	\$93	\$443
Examination	From \$550		From \$550
Acceptance and advertisement	\$320		\$320
- each additional class	\$135		\$135
Registration	\$300		\$300
- each additional class	\$125		\$125

Patents

Application for registration of a patent	From \$1,500	\$283	From \$1,783
--	--------------	-------	--------------

Designs

Application for registration of a design	From \$1,225	\$75	From \$1,300
--	--------------	------	--------------

Tuvalu

Tuvalu (formerly known as the Ellice Islands) is a Polynesian island nation halfway between Hawaii and Australia. It comprises three reef islands and six atolls with a total land area of 26km².

Trade marks	Patents	Designs
<p>A trade mark application must be based on a UK registration. However, you cannot rely on a CTM as the basis for a Tuvaluan trade mark registration.</p> <p>The Office of the Attorney-General may accept a Madrid registration designating the UK as the basis for a Tuvaluan trade mark application, but this is yet to be tested.</p> <p>Applications can cover:</p> <ul style="list-style-type: none"> • multiple classes • goods and services • a series of trade marks • colours, shapes, sounds, or smells. <p>Tuvalu is not a member of the Paris Convention.</p>	<p>A patent application must be based on a UK patent.</p> <p>An application must be filed within three years of the date of issue of the UK patent.</p> <p>It is unclear if an EP (UK) patent can form the basis of a patent application in Tuvalu.</p> <p>Tuvalu is not a member of the Paris Convention.</p>	<p>Registration of a design in the UK extends to Tuvalu.</p>

Fees (US\$)			
Trade marks	Agency	Disb	Total
Application for registration in one class	\$950	\$418	\$1,368
- each additional class	\$350	\$253	\$603
Registration	\$300		\$300
- each additional class	\$125		\$125
Patents			
Application for registration of a patent	\$1,500	\$340	\$1,840

Vanuatu

Vanuatu (officially the Republic of Vanuatu) is a group of more than 80 islands, about 65 of which are inhabited. Its total area is roughly 12,274km² with a land area of roughly 4,700km².

Trade marks	Patents	Designs
<p>Trade mark applications in Vanuatu can cover:</p> <ul style="list-style-type: none"> more than one class of goods or services colours, shapes, sounds or smells. <p>Applications cannot cover a series of trade marks.</p> <p>Vanuatu allows claims to convention priority from applications in countries deemed to be a convention country under the regulations, but is not a member of the Paris convention.</p>	<p>The Patents Act 2003 came into force in 2011, and it is now possible to file independent patent applications in Vanuatu.</p> <p>A patent can be granted for 20 years but it is subject to annual renewal fees.</p> <p>Vanuatu allows claims to convention priority from applications in countries deemed to be a convention country under the regulations, but is not a member of the Paris convention.</p>	<p>The Designs Act 2003 came into force in 2011 and allowed the registration of designs for the first time in Vanuatu.</p> <p>A design can be registered for 10 years and is renewable for one further 10 year period.</p> <p>Vanuatu allows claims to convention priority from applications in countries deemed to be a convention country under the regulations, but is not a member of the Paris convention.</p>

Fees (US\$)				
Trade marks	Agency	Disb	Total	
Application for registration in one class	\$950	\$450	\$1,400	
- each additional class	\$350	\$53	\$403	
- claiming convention priority	\$155	\$100	\$255	
Examination	From \$550		From \$550	
Acceptance and advertisement	\$320		\$320	
- each additional class	\$135		\$135	
Registration	\$300		\$300	
- each additional class	\$125		\$125	
Patents				
Application for registration of a patent	\$1,500	\$540	\$2,040	

Designs

Application for registration of a design	From \$825	\$550	From \$1,375
--	------------	-------	--------------

Wallis and Futuna

Wallis and Futuna (officially the Territory of the Wallis and Futuna Islands) is a French island collectivity in the South Pacific. It is not part of French Polynesia or even contiguous with it. It is made up of three main volcanic tropical islands and a number of tiny islets. It is split into two island groups that lie about 260km apart. Its total land area is 142km².

Trade marks	Patents	Designs
<p>Trade mark registrations achieved in France extend to Wallis and Futuna. We recommend clients file a national application in France (or a Madrid application designating France) to achieve registered protection that extends to Wallis and Futuna.</p> <p>Wallis and Futuna is not a member of the European Community. Therefore, a CTM (or a Madrid application designating a CTM) will not automatically extend to Wallis and Futuna.</p>	<p>Patents achieved in France extend to Wallis and Futuna. We recommend clients file a national application in France to achieve patent protection that extends to Wallis and Futuna.</p> <p>Wallis and Futuna is not a member of the European Community. Therefore, a European patent will not automatically extend to Wallis and Futuna.</p>	<p>Designs achieved in France extend to Wallis and Futuna. We recommend clients file a national application in France to achieve design protection that in Wallis and Futuna.</p> <p>Wallis and Futuna is not a member of the European Community. Therefore, a European design will not automatically extend to Wallis and Futuna.</p>

What is a cautionary notice?

A cautionary notice is a public notice published in a local newspaper notifying third parties of the owner's trade mark rights.

A cautionary notice is not legally enforceable, but could act as a deterrent if any third party is considering adopting the same or similar trade mark in that jurisdiction. A cautionary notice may assist in establishing a reputation if required in any court proceedings.

A cautionary notice should be published every two years if there is a change in the use of the trade mark, or a change in ownership. Circumstances may justify a shorter period between each publication.

A cautionary notice can cover:

- multiple trade marks
- multiple classes (but no classification system of course)
- goods and services
- colour, shape, sound, and smell trade marks
- series trade marks.



Thank you

AJPark

ajpark.com

Auckland

Level 14
Aon Centre
29 Customs Street
West Auckland 1010
New Zealand

T. +64 9 356 6996

Wellington

Level 22
Aon Centre
1 Willis Street
Wellington 6011
New Zealand

T. +64 4 473 8278