



Island insights

Navigating IP rights in the
Pacific Islands

Last updated August 2024

Contents

Pacific Island countries we offer services in	4
American Samoa	5
Fiji	6
French Polynesia	8
Guam	10
Nauru	11
New Caledonia	13
Niue	15
Northern Mariana Islands	16
Papua New Guinea	17
Pitcairn Islands	19
Samoa	20
Tokelau	22
Tonga	23
Vanuatu	25
Wallis and Futuna	27

Cautionary notice countries	29
Cook Islands	29
Marshall Islands	30
Micronesia	31
Palau	32
Timor-Leste	33
Re-registration UK registrations	34
Kiribati	34
Solomon Islands	35
Tuvalu	36

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

We can help you protect your intellectual property (IP) rights in New Zealand, Australia and the majority of countries in the Pacific Islands. Here is a map including some of the Pacific Island countries we service:



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.

- Capital: Pago Pago
- Official languages: Samoan and English
- Population: 44,620 (2023 est.)
- GDP: USD\$709 Million (2021 est.)
- Key industries: Tuna Fishing and Processing Plants

Fun facts about American Samoa

- **Unique Time Zone:** American Samoa is one of the few places in the world that is 24 hours behind the international date line. This means when it's Monday in most parts of the world, it's still Sunday in American Samoa.
- **No Poisonous Snakes:** There are no native poisonous snakes in American Samoa. This makes the islands a bit more comfortable for those who aren't fond of slithery creatures!

Summary of IP Protection in American Samoa:

Trade marks	Patents	Designs
Trade mark registrations obtained in the US extend to American Samoa.	Patents obtained in the US extend to American Samoa.	Designs obtained in the US extend to American Samoa.

Fiji

Fiji is in the South Pacific Ocean, about two-thirds of the way from Hawaii to New Zealand. It consists of more than 332 islands, of which 110 are permanently inhabited, and more than 500 islets, amounting to a total land area of 18,300km².

- Capital: Suva
- Official languages: Fijian (iTaukei), English, Fiji Hindi
- Population: 951,611 (2024 est.)
- GDP: USD\$4.98 billion (2022 est.)
- Key industries: Tourism and Agriculture (sugar cane, fish, timber)

Fun facts about Fiji

- **Kava ceremonies:** Kava, a traditional drink made from the root of the (yaqona) plant, plays a central role in Fijian ceremonies and social gatherings. It has mild sedative properties and is known for its relaxing effects.
- **Tropical paradise:** With over 300 islands, Fiji offers stunning white sandy beaches, crystal-clear waters, and lush tropical forests. It's a popular destination for honeymooners and vacationers seeking a beautiful escape.
- **Rugby passion:** Rugby Union is the most popular sport in Fiji. The national team, known as the Flying Fijians, is highly regarded internationally and has a strong following both at home and abroad. So much so, Fiji released a \$7 banknote to commemorate Fiji's Rugby 7s gold and bronze medal wins at the Tokyo Olympics 2020.

Summary of IP Protection in Fiji:

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>You can file two types of patent applications in Fiji.</p> <ol style="list-style-type: none"> 1. A national Fijian patent application. 	<p>Design registrations obtained in the UK extend to Fiji.</p>

Fiji uses its own classification system.

You cannot seek registration for services.

A UK re-registration is not examined for absolute or relative grounds.

Fiji is not a member of the Paris Convention.

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.)

Fiji is not a member of the Paris Convention.

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.

- Capital: Papeete
- Official languages: French
- Population: 278, 786 (2022 est.)
- GDP: USD\$6.01 billion (2019 est.)
- Key industries: Tourism, Agriculture and Fishing

Fun facts about French Polynesia

- **Unique Flora and Fauna:** French Polynesia is home to several unique species, including the endangered Polynesian turtle and the native "Tiare Tahiti" flower, which is also used to make the famous Monoi oil.
- **Starry Skies:** Due to its remote location and low light pollution, French Polynesia offers some of the clearest night skies in the world.

Summary of IP Protection in French Polynesia

Trade marks	Patents	Designs
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.	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.	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.

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:

- 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)
- 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.

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:

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

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:

- 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.

Guam

Guam is an organised, unincorporated territory of the United States.

- Capital: Hagåtña
- Official languages: English, Chamorro
- Population: 168,801 (2021 est.)
- GDP: USD\$6.3 billion (2019 est.)
- Key industries: Tourism and US military.

Fun facts about Guam

- **Strategic Location:** Guam serves as an important strategic military base for the United States due to its central location in the Pacific Ocean.
- **Unique Language:** Chamorro, the native language, has been influenced by Spanish and is still widely spoken, especially among older generations.

Summary of IP Protection in Guam:

Trade marks	Patents	Designs
<p>Trade mark registrations obtained in the US extend to Guam. You can also file:</p> <ol style="list-style-type: none">1. A standard trade mark application; or2. 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>

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.

- Capital: Yaren
- Official languages: Nauruan and English
- Population: 10,834 (2020 est.)
- GDP: USD\$150 million (2022 est.)
- Key industries: Phosphate Mining

Fun facts about Nauru

- **Smallest Republic:** Nauru is the world's smallest republic by land area, measuring just 21 square kilometers (8.1 square miles). It's also the third smallest country by population, after Vatican City and Monaco.
- **High GDP per Capita:** At one point, Nauru had one of the highest GDP per capita rates in the world due to its phosphate wealth. However, the depletion of phosphate reserves has led to significant economic challenges.

Summary of IP Protection in Nauru:

Trade marks	Patents	Designs
<p>Trade mark applications in Nauru can cover:</p> <ul style="list-style-type: none"> • Goods and services <p>You cannot file multi class applications.</p> <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>There is no current legislation providing for the registration of designs.</p>

We recommend delaying any patent protection until the position is filled.

New Caledonia

New Caledonia is a special collectivity of France located in the southwest Pacific Ocean, with a total land area of 18.575km².

- Capital: Nouméa
- Official languages: French
- Population: 271,407 (2019 est.)
- GDP: USD\$9.44 billion (2019 est.)
- Key industries: Mining (Nickel), Agriculture, Forestry and Fishing.

Fun facts about New Caledonia

- **Rich Coral Reef:** The barrier reef surrounding New Caledonia is the longest continuous barrier reef in the world and the third largest. The reef is a UNESCO World Heritage Site, known for its incredible biodiversity and vibrant marine life.
- **Kanak Culture:** The Kanak people, the indigenous inhabitants of New Caledonia, have a rich cultural heritage that includes traditional music, dance, and art.

Summary of IP Protection in New Caledonia:

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>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>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>

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.

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.

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.

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.

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.

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.

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.

- Capital: Alofi
- Official languages: Niue, English
- Population: 1,937 (2021 est.)
- GDP: USD\$38 million (2021 est.)
- Key industries: Subsistence Agriculture and the Processing of organic produce for export (taro, coconut, vanilla, and noni juice).

Fun facts about Niue

- **No formal Capital:** Niue does not have an official capital city. Instead, the island is administratively divided into several villages, with Alofi being the largest and the primary administrative center.
- **No Major Rivers:** Niue does not have any major rivers. Instead, its water supply comes from rainfall and underground aquifers. The island relies heavily on rainwater for its freshwater needs.

Summary of IP Protection in Niue

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.

- Capital: Saipan
- Official languages: Carolinian, Chamorro, English
- Population: 55,650 (2022 est.)
- GDP: USD\$1.24 billion (2026 est.)
- Key industries: Tourism

Fun facts about Northern Mariana Islands

- **Tinian's Atomic Bomb History:** Tinian Island was the launch site for the atomic bombs that were dropped on Hiroshima and Nagasaki. The island's North Field was used as the base for the B-29 bombers that carried out these historic missions.
- **American Influence:** As a U.S. territory, the Northern Mariana Islands have American-style infrastructure and services. This includes a mix of American and local influences in food, education, and government.

Summary of IP Protection in Northern 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.

Papua New Guinea

The Independent State of Papua New Guinea (PNG) occupies the eastern half of New Guinea and its offshore islands in Melanesia. Most of the population live in customary communities, with only 18% of its people living in urban centres.

- **Capital:** Port Moresby
- **Official languages:** Tok Pisin, English, Hiri Motu, some 839 living indigenous languages are spoken (about 12% of the world's total); many languages have fewer than 1,000 speakers
- **Population:** 10.14 million (2022 est.)
- **GDP:** USD\$31.604 billion (2022 est.)
- **Key Industries:** Oil and Gas; Mining; Palm oil processing; Construction; Tourism.

Fun facts about Papua New Guinea

- **Cultural Diversity:** Papua New Guinea is one of the most culturally diverse countries in the world, with around 839 living languages spoken. Each ethnic group has its own distinct traditions, languages, and rituals.
- **Biodiversity:** PNG is one of the world's most biologically diverse countries, with a vast array of endemic species of plants and animals. Its rainforests are home to unique wildlife such as tree kangaroos and the elusive Birdwing butterflies.
- **Economy:** Despite a challenging external environment, the economic outlook in PNG remains broadly positive, the economy in PNG is projected to expand by 4.8% in 2024 according to the World Bank's April 2024 forecast.

Summary of IP Protection in PNG

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 	<p>You can file two types of patent applications in Papua New Guinea:</p> <ul style="list-style-type: none"> • A national phase entry from an international PCT application. • A direct national patent application. 	<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>

- colours, shapes, sounds, or smells.

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.

Papua New Guinea is a member of the Paris Convention.

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 kilometers of ocean and have a total land area of 47km². Only one of the four islands (Pitcairn) is inhabited.

- Capital: Adamstown
- Official languages: Pitkern, English
- Population: 35 (2023 est.)
- GDP: NZD\$217,000 (2005 est.)
- Key industries: Tourism and Honey

Fun facts about Pitcairn Islands

- **Bounty Mutineers:** The most famous residents of Pitcairn Island were the descendants of the mutineers from the British ship HMS Bounty. In 1789, the mutineers and their Tahitian companions settled on Pitcairn Island, and their descendants still live there today.
- **No Airport:** There is no airport on Pitcairn Island. The only way to reach the island is by sea, typically via a longboat journey from the supply ship that visits approximately once every three months.

Summary of IP Protection in Pitcairn Islands:

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.

- Capital: Apia
- Official languages: Samoan (Polynesian), English
- Population: 222,382 (2022 est.)
- GDP: USD\$832.945 million (2022 est.)
- Key Industries: Food processing, Building materials, Auto parts.

Fun facts about Samoa

- **International Date Line:** Samoa is one of the first places in the world to see the sunrise each day due to its location near the International Date Line. In 2011, Samoa decided to switch time zones to the west of the Date Line to improve trade relations with Australia and New Zealand, effectively skipping 30 December 2011.
- **Culture of Fa'a Samoa:** The traditional Samoan way of life, known as Fa'a Samoa, is deeply rooted in communal living, respect for elders, and a strong family structure. Chiefs (matai) play a significant role in Samoan society.
- **Tattooing (Tatau):** Traditional Samoan tattooing, called tatau, is a sacred art form passed down through generations. Tattoos are seen as symbols of cultural identity, rank, and societal roles.

Summary of IP Protection in Samoa

Trade marks	Patents	Designs
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.	Samoa's IP legislation was updated in 2011 and the Intellectual Property Act 2011 came into effect on 1 October 2012. You can file two types of patent applications: 1. A standard patent application.	Samoa's IP legislation was updated in 2011 and the Intellectual Property Act 2011 came into effect on 1 October 2012. You can register designs in Samoa for five years, renewable for two further five year periods.

Trade mark applications can cover:

- series trade marks
- goods and services
- more than one class of goods or services
- colours, shapes, sounds, smells or tastes.

Samoa is a member of the Paris Convention.

2. Innovation patents (lower level of inventiveness - similar to an Australian innovation patent).

Samoa is a member of the Paris Convention.

Samoa is a member of the Paris Convention.

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.

- Official languages: English, Tokelauan, Samoan
- Population: 1,500 (2016 est.)
- GDP: USD\$10 million (2017 est.)
- Key industries: Fishing

Fun facts about Tokelau

- **Environmental Challenges:** Due to its low-lying nature, Tokelau is highly vulnerable to the effects of climate change and rising sea levels. The territory is actively engaged in efforts to address and mitigate these environmental challenges.
- **Sustainable Living:** Tokelau is notable for its commitment to sustainability. In 2012, Tokelau became the first territory in the world to achieve 100% of its electricity needs from renewable energy sources, primarily solar power.

Summary of IP Protection in Tokelau:

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 around 170 islands scattered over 700,000km².

- **Capital:** Nuku'alofa
- **Official languages:** Tongan, English
- **Population:** 106,858 (2022 est.)
- **GDP:** USD\$469.228 million (2021 est.)
- **Key Industries:** Tourism, Construction, Fishing

Fun facts about Tonga

- **Kingdom of Tonga:** Tonga is the only remaining monarchy in the Pacific Islands. It has a unique political system where the King holds substantial power, and nobles elect representatives to the Legislative Assembly.
- **Coral Reefs and Marine Life:** Tonga boasts some of the world's most pristine coral reefs and diverse marine life. It's a popular destination for snorkelling, diving, and whale watching (especially humpback whales).
- **Rugby Passion:** Rugby is the national sport of Tonga, and the national Rugby Union team, known as the 'Ikale Tahi (Sea Eagles) and Rugby League team, known as the Mate Ma'a Tonga, enjoys passionate support from Tongans both at home and abroad.

Summary of IP Protection in Tonga

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>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>

Applications cannot cover:

- a series of trade marks
- sounds or smells.

Tonga is a member of the Paris Convention.

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.

- Capital: Port Vila
- Official languages: Bislama, French, English
- Population: 326,740 (2022 est.)
- GDP: USD\$1.064 billion (2023 est.)
- Key industries: Agriculture, Fishing, Tourism

Fun facts about Vanuatu

- **Active Volcanoes:** Vanuatu is known for its volcanic activity. The island of Tanna is home to Mount Yasur, one of the world’s most accessible active volcanoes, where visitors can witness regular eruptions and lava explosions.
- **Land Diving Tradition:** The island of Pentecost is famous for its traditional land diving (Naghol), where men jump from tall wooden towers with only vines tied around their ankles. This rite of passage is believed to ensure a good harvest and fertility.

Summary of IP Protection in Vanuatu:

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>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>

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.

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.

- Capital: Matā'utu
- Official languages: French.
- Population: 15,289 (2009 est.)
- GDP: USD\$188 million (2005 est.)
- Key industries: Subsistence Agriculture

Fun facts about Wallis and Futuna

- **Water Sports:** The Islands are known as one of world's top kitesurfing spots, with other attractions including sea kayaking, Stand Up Paddle-boarding and scuba diving!
- **Limited Tourism:** Tourism in Wallis and Futuna is relatively limited compared to other Pacific destinations. This helps maintain the islands' pristine environment and traditional way of life, but it also means that the territory remains off the beaten path for many travelers.

Summary of IP Protection in Wallis and Futuna:

Trade marks	Patents	Designs
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.	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. Wallis and Futuna is not a member of the European Community. Therefore, a European patent will not automatically extend to Wallis and Futuna.	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. Wallis and Futuna is not a member of the European Community. Therefore, a European design will not automatically extend to Wallis and Futuna.

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.

Cautionary notice countries

A cautionary notice is a public notice published in a local newspaper notifying third parties of the owner's trade mark rights. It may assist in establishing a reputation if required in any court proceedings.

If there is a change in the use of the trade mark, or a change in ownership, a cautionary notice should be published every two years. 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.

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 km² of ocean.

Fun facts about the Cook Islands

- **Coconut-tree:** A government mandate in the Cook Islands states that no building on the island can be taller than a coconut tree. That means you won't see any high-rise buildings along the streets.
- **You can't buy land.** The property system in the mainland works differently. Houses, farms, and other forms of property get handed down from one generation to another. This way, everyone has a home and property of their own.

Summary of IP Protection in the Cook Islands

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>

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.

Fun facts about the Marshall Islands

- Bikini Atoll and Nuclear Testing:** One of the most famous and historically significant aspects of the Marshall Islands is Bikini Atoll. In the mid-20th century, Bikini Atoll was used as a nuclear testing site by the United States. The most notable tests were conducted in 1946 as part of Operation Crossroads, which included the testing of atomic bombs. Today, Bikini Atoll is a UNESCO World Heritage site and serves as a poignant reminder of the Cold War era and its lasting effects on the Pacific Islands.
- World’s largest shark sanctuary.** In 2011 the Republic of the Marshall Islands created the world’s largest shark sanctuary. Officials introduced new legislation to ban commercial shark fishing in all 768,547 sq. miles (1,9990,530 sq. km) of the nation’s waters.

Summary of IP Protection in the Marshall Islands

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>

Micronesia

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 700km² of ocean.

Fun facts about Micronesia

- Chuuk Lagoon Shipwrecks:** One of the most intriguing aspects of Micronesia, specifically in Chuuk State (formerly Truk), is Chuuk Lagoon. During World War II, Chuuk served as a major Japanese naval base. In February 1944, the United States launched Operation Hailstone, a massive air and naval attack on the Japanese fleet stationed there. As a result, numerous Japanese warships and aircraft were sunk, creating what is now one of the world's largest shipwreck graveyards. Today, Chuuk Lagoon is a popular destination for divers who come to explore these submerged relics of World War II history, making it a unique and significant diving site in Micronesia.
- No Army.** Micronesia is one of just 22 countries not to have an army. Instead the USA provides aid and is responsible for Micronesia's defence.

Summary of IP Protection in Micronesia

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>

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.

Fun facts about Palau

- **Jellyfish lake.** Palau is home to Jellyfish Lake, a unique marine lake where millions of golden jellyfish migrate across the lake daily. These jellyfish have evolved without stingers due to the lack of predators in the lake, making it safe and popular for tourists to swim among them.
- **Flag.** It is one of only three countries whose flag is a circle on a flat background. The other two are Japan and Bangladesh. The flag of Palau is a yellow disc on a blue background. The disc represents the moon, and the blue background the ocean. In traditional Palauan culture, a full moon indicates the best time for human activity, and is a symbol of peace and tranquillity.

Summary of IP Protection in Palau

Trade marks	Patents	Designs
<p>There is no current legislation providing for the registration of trade marks in Palau.</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>

We recommend that cautionary notices* be published every two years to provide some protection.

Timor-Leste

Timor-Leste, also known as East Timor, officially the Democratic Republic of Timor-Leste, is a country in Southeast Asia. It comprises the eastern half of the island of Timor, the exclave of Oecusse on the island's north-western half, and the minor islands of Atauro and Jaco. The western half of the island of Timor is administered by Indonesia. The country's size is 14,950 km². Dili, on the north coast of Timor, is its capital and largest city.

Fun facts about Timor-Leste

- **Independence.** It is one of the world's newest countries, gaining independence from Indonesia in 2002. Timor-Leste, also known as East Timor, has a rich cultural heritage influenced by Portuguese colonization and Indonesian occupation, and it is known for its stunning natural landscapes and biodiversity.
- **Coffee.** After petroleum products, coffee is the second largest export. The country is renowned for its high quality arabica coffee which is grown in the mountains and exported to international markets. Coffee plays such a vital role in the agricultural sector that some 20% of households get their income from the industry.

Summary of IP Protection in Timor-Leste

Trade marks	Patents	Designs
<p>There is no current legislation providing for the registration of trade marks in Timor- Leste.</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 Timor-Leste.</p>	<p>There is no current legislation providing for the registration of designs in Timor-Leste.</p>

Re-registration UK registrations

Following the United Kingdom's (UK) exit from the European Union in 2023, this now provides a new opportunity for trade mark owners to extend protection to Kiribati, Solomon Islands and Tuvalu.

These jurisdictions are UK re-registration countries and require a certified copy of a UK registration to secure registered protection. Being re-registration territories, extending rights of UK trade marks is a much-simplified procedure with minimal formality and substantive examination.

If you're currently trading or planning to trade in Kiribati, Solomon Islands, or Tuvalu, securing registered rights is crucial for safeguarding your brand and defending against counterfeiting. Additionally, any changes to your mark in the UK must be reflected in the relevant re-registration countries.

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.

Fun facts about Kiribati

- **Four hemispheres.** Kiribati is the only country in the world that is situated within all four hemispheres. The country's islands are spread out over an immense area of the Pacific Ocean, crossing the equator and extending into both the eastern and western hemispheres. This unique geographical positioning makes Kiribati a fascinating place in terms of time zones and global coordinates.

- **Size of country.** Despite having only a tiny land area of 811 km², Kiribati is spread across an area roughly the size of India.

Summary of IP Protection in Kiribati

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>

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.

Fun facts about the Solomon Islands

- **Saltwater Lagoon.** The Solomon Islands is home to the world's largest saltwater lagoon, known as Marovo Lagoon. This stunning natural wonder is located in the Western Province and is renowned for its crystal-clear waters, vibrant coral reefs, and diverse marine life. It's a popular destination for snorkeling, diving, and eco-tourism, attracting visitors from around the globe to its pristine waters and lush surroundings.
- **Underwater Volcano.** Kavachi is one of the most active submarine volcanoes, after first erupting in 1939. It is named after a sea god of the New Georgia Group islanders and is also referred to locally as Rejo te Kavachi.

Summary of IP Protection in the Solomon Islands

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>

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.

Fun facts about Tuvalu

- **Smallest country.** Tuvalu is one of the smallest countries in the world in terms of both land area and population. It consists of nine small coral atolls scattered across the South Pacific Ocean. Despite its size, Tuvalu is known for its unique culture, strong sense of community, and its efforts in advocating for climate change awareness due to its vulnerability to rising sea levels.

- **Currency.** There are no credit-card facilities or ATMs available in Tuvalu. The Tuvaluan dollar is not an independent currency, but a variation of the Australian dollar. Tuvalu began issuing its own coins in 1976, which circulate alongside Australian coins, and Tuvalu continues to use Australian banknotes.

Summary of IP Protection in Tuvalu

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>



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