



BELIZE

**PATENTS ACT
CHAPTER 253**

REVISED EDITION 2000
SHOWING THE LAW AS AT 31ST DECEMBER, 2000

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Laws of Belize, Revised Edition 1980 - 1990.

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~~(3) The Registrar of the Supreme Court shall notify the Registrar of the decision of the Court to invalidate a utility model certificate and the Registrar shall forthwith record it and publish a reference thereto in the Journal.~~

~~53. (1) At any time before the grant or refusal of a utility model certificate, an applicant may, upon payment of the prescribed fee, convert his application for a utility model certificate into an application for a patent, and the latter application shall be accorded the filing date of the initial application.~~

Conversion of application for utility model certificate.

~~(2) No person may convert an application under subsection (1) more than once.~~

PART XIII

International Arrangements

54. The provisions of any international treaty in respect of industrial property to which Belize is party shall apply to matters dealt with by this Act and, in case of conflict with the provisions of this Act, shall prevail over the latter.

Application of treaties.

55.-(1) The Patent Cooperation Treaty (referred to in this section as “the Treaty”), the Regulations made thereunder, and the Administrative Instructions made under those Regulations shall be given full effect.

Implementation of Patent Cooperation Treaty.

(2) Where reference is made in this section to the Treaty, such reference shall include the Regulations and Administrative Instructions referred to in subsection (1).

(3) The Intellectual Property Office shall process international applications in accordance with the provisions of the Treaty, and in accordance with the provisions of this Act and the Regulations made thereunder.

(4) Where the provisions of this Act and the Regulations made thereunder conflict with those of the Treaty, the provisions of the Treaty shall prevail.

(5) An international application designating Belize shall, subject to this section, be treated as an application for a patent or a utility model certificate filed under this Act having, as its filing date, the international filing date accorded under the Treaty.

(6) The Intellectual Property Office shall act as a receiving Office in respect of any international application filed with it by a resident or national of Belize.

(7) An international application filed with the Intellectual Property Office as receiving Office shall be filed in a prescribed language and the prescribed transmittal fee shall be paid to the Registrar within one month of the date of receipt of the international application.

(8) The Intellectual Property Office shall act as a designated office in respect of an international application in which Belize is designated for the purposes of obtaining a national patent or a utility model certificate under this Act.

(9) The Intellectual Property Office shall act as an elected Office in respect of an international application in which Belize is designated as referred to in subsection (8) if the applicant elects Belize for the purposes of an international preliminary examination under Chapter II of the Treaty.

(10) The Intellectual Property Office, as designated Office or elected Office, shall not commence the processing of an international application before the expiration of the time limit referred to in subsection (11) except if the applicant complies with the requirements of that subsection and files, with the Intellectual Property Office, an express request for the early commencement of such processing.

(11) The applicant in respect of an international application designating Belize shall, before the expiration of the time limit applicable under Article 22

or 39 of the Treaty, or of such later time limit as may be prescribed in the Regulations—

- (a) pay the prescribed fee to the Intellectual Property Office; and
- (b) if the international application was not filed in, and has not been published under the Treaty as a translation into, a prescribed language, file, with the Intellectual Property Office, a translation of the international application, containing the prescribed contents, into such language.

(12) Where the applicant does not comply with the requirements of subsection (11) within the time limit referred to in that subsection, the international application shall be considered as having been withdrawn for the purposes of this Act.

(13) In this section, the terms “designate”, “designated Office”, “elected Office”, “international application”, “international filing date”, “international preliminary examination” and “receiving Office” have the same meanings as in the Treaty.

56.-(1) Judicial notice shall be taken of the Paris Convention, the Patent Cooperation Treaty, or any other industrial property Convention or Treaty to which Belize may become party, and of any bulletin, journal or gazette published under such Convention or Treaty.

Judicial notice of certain treaties.

(2) Any document referred to in any such bulletin, journal or gazette shall be admissible as evidence of any instrument or other act thereby communicated, or of any institution established by or having functions under any Convention or Treaty referred to in subsection (1).