

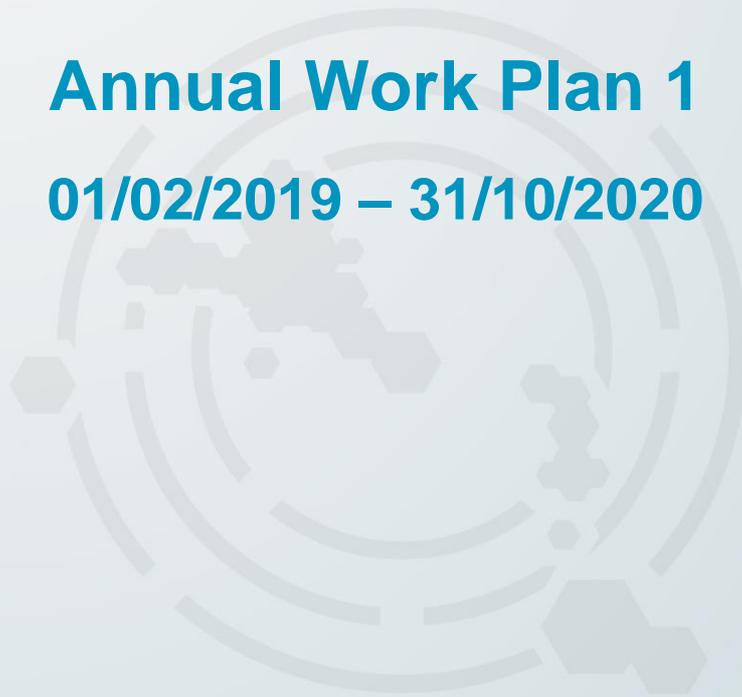


# CARIFORUM Intellectual Property Rights & Innovation



## Annual Work Plan 1

01/02/2019 – 31/10/2020



Funded by the European Union

CARIFORUM



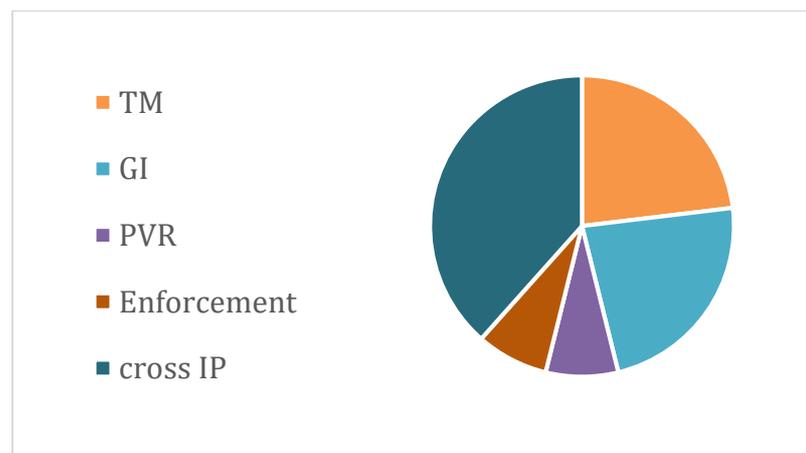
EU-CARIFORUM Regional project, funded by the European Union and implemented by the European Union Intellectual Property Office (EUIPO)

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## ANNUAL WORK PLAN 1

The first AWP covers nine months of implementation, from 1<sup>st</sup> February to 31<sup>st</sup> October 2020, to timely coincide with the reporting period of the projects' first 12 months (from 01/11-31/10/2019, comprising three months inception plus 9 months implementation).

The distribution of AWP1 activities over the different IPR tackled by this action is: 3 on trade marks, 3 on GIs, 1 on PVR, 1 on enforcement and 5 cross IPR (covering several IPR mainly trade marks, designs, GI, PVR).



## ABSTRACT OF ACTIVITIES

### 1. Policy-level project launch and promotion of importance of IPR

Heightening awareness of the contribution of the full range of IPR (Intellectual Property Rights) to economic and social development is a primary goal of this project. There is a specific need to reinforce the commitment from policy makers by outlining the value IP can have for economic development in the region. To enhance awareness of policy makers on the importance of IPR for economic development and innovation, and at the same time to enhance their commitment towards the Economic Partnership Agreement (EPA) implementation, CarIPI will organise a project launch in the margins of a relevant high-level event taking place in the region in 2020.

### 2. Specialized training on TMs for IPO staff

CarIPI will support the participation of CF IP Offices in a specialized training in the area of trade mark (TM) examination, organised in 2 sub-regional workshops, one of which will be focusing on examination of non-traditional trade marks, Madrid and STLT systems, while the other will give special attention to examination procedures for absolute and relative grounds.

### 3. Specialized training on GIs for IPO staff

There is need for strengthening the capacity of GI examination in the region, in order to guarantee that potential applications can be processed in due time and according to defined quality standards. GI holders from the region have experienced difficulties

when applying for the registration of their GI in the EU, and this might in part be due to diverging GI examination practices. Enhancing the skills of GI examiners in the region, and providing them with basic examination guidelines, will help GI holders in the region when extending their rights internationally. In this regard, CarIPI will organise a training directed at GI examiners from the CF IP offices, in two sub-regional workshops. How to examine the product specifications of a GI, together with technical aspects regarding the relations between GIs and TMs, and common GIs enforcement issues, are some of the topics which will feature during the training.

#### **4. Registration Framework for Plant Variety Rights**

Strengthening of the institutional framework together with capacity building and training in Plant Varieties Rights (PVR) is listed as priority for many IP Administrations of the CARIFORUM countries. The region is strong on research in plant breeding and plant varieties, but evidence has shown that plant varieties developed in the region, are often registered and exploited elsewhere. Within this activity, CarIPI will at first support the implementation of a registration framework for PVR in the Dominican Republic, in conformity with UPOV and the national legislation. The documentation prepared for this activity, as well as the practical experience of “the Dominican Republic case” will be then shared with other IP Offices, and replicated as appropriate.

#### **5. Regional TM database pilot integrations - and IT tools workshop**

Open access to the IP registers will provide immediate tangible benefits to the users of the IP system in CARIFORUM, such as quality and reliability, access to information, among others. One of the main project results will be the regional CARIFORUM IP portal, providing a gateway to the national IP offices and IP resources available in the region, and inter-connecting databases and tools that provide information on registered rights in the different CS in a similar format. As a first step towards this objective, CARIFORUM IP registers need to be integrated in the EUIPN flagship tools ([TMview](#), [DesignView](#)), used in more than 70 countries worldwide. The activity envisages a sub-regional workshop to enhance the skills of IPO IT staff and prepare the integrations of the said relevant tools by means of knowledge and experience sharing and technical hands-on sessions.

#### **6. Develop a common classification of goods and services database (TMClass)**

Classification of goods and services is a core element of trade marks, and a step where significant efficiency gains can be reached by using pre-agreed terms and existing classification tools. Through this activity, CarIPI will support CS to develop a CARIFORUM common database to show the accepted nomenclature of goods and services/product indications for the purposes of IP registrations in the different CS, and to implement adequate tools that help both examiners and users in the registration process, making it more user-friendly, quicker and more efficient.

#### **7. Regional IP Portal - proposal and exit strategy**

A regional IP portal will contribute to enhance transparency and awareness on IP in the region, can help to generate policy impetus and bring about stronger regional integration in the medium-term, paving the way for further harmonisation efforts.

During 2020, a first draft technical proposal – along with an exit strategy proposal for the IP portal will be prepared and presented to the sub-Project Steering Committee. The proposal will be based on lessons learnt from the ASEAN Regional Tools and other initiatives that EUIPO has implemented in the past.

## **8. Creation of a regional GI database**

Caribbean GIs and specialty products need to be promoted in order to achieve higher presence in international markets, particularly in the EU where consumers are willing to pay higher prices for origin-linked products. Building on the experience with similar databases for ASEAN and African stakeholders (Africa.gidatabase.com), the project will support the creation of a CARIFORUM regional GI database to provide visibility to the Caribbean speciality products, which could include registered and potential GIs, as well as relevant certification marks, if so desired.

## **9. IPR Enforcement seminar for customs officials**

In a view of enhancing the skills and knowledge of enforcement officials in CS in support of combating counterfeiting and piracy, along with raising awareness on the current challenges in the field, the project aims to provide for training opportunities on IPR enforcement in the region. This year's regional seminar will enable CARIFORUM participants to discuss procedural aspects of intellectual property rights in infringement cases, and discuss practical legal questions with prosecutors and other enforcement professionals peers from the CF region and the EU.

## **10. Review of draft IP legislation**

Under this activity, the project will provide those countries that are working on legal reforms, with support for legal drafting and/or quality review of legal texts focusing mainly on trade marks, designs, and GIs, making sure TRIPS, EPA and/or international treaties are taken into account appropriately. The work carried out under this activity will be coordinated with other actors and programmes that provide support in this area, to avoid duplication. Countries like Suriname, Bahamas, St. Kitts and Nevis, and Dominica have already expressed the need for legal drafting support in 2020.

## **11. Sub-PSC and Trade Mark Task Force meeting**

In the globalised world, where more and more firms operate across national borders, regional and international convergence of IP laws are key facilitators. It has been recognised that measures and policies to be taken at the regional level are necessary, not only to fully attain the objectives of the EPA, but to facilitate CS companies and MSMEs when expanding their business in the region and beyond. In this context, CarIPI will facilitate the creation of a *Trade mark Task Force* in view of taking concrete steps towards the convergence of practices and soft law on certain aspects of TM administration, including the agreement on elements of common practice, such as common classification tools, filing forms, and interpretation of specific requirements. After the setup of the Task Force (determined during the 1st sub-PSC meeting in Barbados), discussions on the preliminary results and possible initiatives will be held during the sub-PSC and Trade Mark Task Force meeting of October 2020.

## **12. Support on IPR for business – focus on branding, TM and designs and origin-linked products**

This activity reflects the fundamental need to stimulate the private sector (especially SMEs, micro-enterprises and indigenous communities), to create, protect and manage their own value chains and use IPR as a competitive tool. Particular focus will be placed on designs and trade marks, identifying products with high potential and assisting local private sector entities in deploying strategies for their protection and value creation. Through this activity, CarIPI will assist (potential) GI holders to effectively implement their IPR and business strategies. Synergies with other initiatives in the region will be exploited for enhanced impact.

## **13. Support to GI producers**

Geographical indications (GIs) increase revenues for local producers and satisfy the needs of more conscious and demanding customers. They can lead to higher and more stable export earnings, and can make a positive contribution to rural development, the preservation of diversity, the quality of products and local jobs. The effective use of GIs in the marketing of origin-linked products by CARIFORUM producers has a number of advantages. As most producers in CS operate at a relatively small scale, the higher prices that consumers, particularly in the EU, are willing to pay for such products helps to overcome the challenges of such small scale production. This activity aims to follow-up on the GI workshops funded by the EU, conducted in the region in early 2020, and provide further support to a selected number of GI associations/producers in their GI registration and internationalisation process.