



23 June 2022

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**Council for Trade-Related Aspects of
Intellectual Property Rights**

Original: English

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

TRINIDAD AND TOBAGO: THE TRADE MARKS (BORDER
ENFORCEMENT MEASURES) REGULATIONS 2020

Notifying Member	TRINIDAD AND TOBAGO
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Details of the notified legal text

Title	The Trade Marks (Border Enforcement Measures) Regulations 2020
Subject matter	Trademarks; Enforcement
Nature of notification	<input checked="" type="checkbox"/> Main dedicated intellectual property law or regulation <input type="checkbox"/> Other law or regulation
Link to legal text*	https://ip-documents.info/2022/IP/TTO/22_4241_00_e.pdf
Notification status	<input checked="" type="checkbox"/> First notification <input type="checkbox"/> Amendment or revision to notified legal text <input type="checkbox"/> Replacement or consolidation of notified legal text(s)
Previous notification(s) referred to	Not applicable

Brief description of the notified legal text

The Trade Marks (Border Enforcement Measures) Regulations, 2020, which is subject to the negative resolution of Parliament seeks to provide for the effective regulation of border enforcement measures as it pertains to trade marks to ensure the efficient operation of the Trade Marks Act, No. 8 of 2015 ("the Act").

Regulation 1 provides for the citation of the Regulations.

Regulation 2 provides for the interpretation of certain terms used in the Regulations.

Regulation 3 provides for notice to be given to the Comptroller of Customs and Excise (the Comptroller) under section 97(1) of the Act in respect of restricting the importation of infringing goods.

Regulation 4 provides the time and manner of the notice to be given to the Comptroller under section 97(1) of the Act.

Regulation 5 provides for further information and evidence to be submitted to the Comptroller within such time and in such form as the Comptroller may require.

Regulation 6 provides for change of particulars to be submitted to the Comptroller, in writing, within seven days of the change.

Regulation 7 provides for an Officer to refuse to seize goods to which a notice under section 97(1) of the Act relates, if the person who has given notice that infringing goods are expected to be imported fails to comply with any requirement by the Comptroller under these Regulations or any provisions of these Regulations.

Regulation 8 provides for a period not exceeding ten working days for instituting action for a registered trademark.

Regulation 9 provides for a period for extension of retention period not exceeding ten working days after the expiry of the period originally specified.

Regulation 10 provides for disposal of goods under section 102(3) of the Act in a prescribed manner, including destruction, as the Comptroller may from time to time direct, pursuant to the Customs Act, Chap 78:01.

Regulation 11 provides a prescribed period under section 109(3) of the Act of two working days after the Comptroller has given the proprietor of the registered trade mark written notice or where the detained goods are goods that are to be exported from Trinidad and Tobago or are goods in transit within ten working days after the Comptroller has given the proprietor of the registered trade mark written notice referred to in section 109(2) of the Act.

Regulation 12 provides for the commencement of the Regulations.

The Schedule provides for the notice under section 97(1) of the Act.

Language(s) of notified legal text	English
Entry into force	17 June 2020
Other date	

Notification details

Submission date of notification	27 May 2022
Other information	See also document IP/N/1/TTO/2 (the Trade Mark Act, No. 8 of 2015) http://ipo.gov.tt/downloads/Trademark/border_enforcement_measures.pdf
Agency or authority responsible	Intellectual Property Office Office of the Attorney General and Ministry of Legal Affairs 3rd Floor, Capital Plaza 11-13, Frederick Street Port of Spain Republic of Trinidad and Tobago Telephone: +1 (868) 226 4476 Telefax: +1 (868) 226 5160 info@ipo.gov.tt www.ipo.gov.tt

* Links are provided to texts of laws and regulations notified under the TRIPS Agreement in the form supplied by the Member concerned; the WTO Secretariat does not endorse or revise their content.