

GUYANA

No. 13 of 2008

**REGULATIONS**

**Made Under**

**THE GEOGRAPHICAL INDICATIONS ACT, 2005**

**(ACT No. 15 of 2005)**

IN EXERCISE OF THE POWERS CONFERRED ON ME BY SECTION 26 OF  
THE GEOGRAPHICAL INDICATIONS ACT 2005, I MAKE THE  
FOLLOWING REGULATIONS: -

**ARRANGEMENT OF REGULATIONS**

**REGULATION**

**PART I**

**PRELIMINARY**

1. Citation .
2. Interpretation .
3. Language of Documents and Translations .
4. Signatures by Partnerships, Companies and Associations.
5. Representation by Attorney-at-Law.

**PART II**

**REGISTRATION OF GEOGRAPHICAL INDICATIONS**

6. Application for Registration .

7. Withdrawal of Application .
8. Marking Application .
9. Objection to or Conditional Acceptance of Application .
10. Refusal of Application or Conditional Acceptance to which Applicant Objects .
11. Acceptance of Application .
12. Objection .
13. Registration of Geographical Indication .
14. Cancellation or Rectification of Registration.
15. Publication .

### PART III

#### SPECIAL PROVISIONS CONCERNING TRADE MARKS

16. Refusal or Invalidation of Registration of Misleading Marks .
17. Refusal or Invalidation of Registration of a Mark Conflicting with Certain Geographical Indications .
18. Publication of Invalidation of Registration of Mark.

### PART IV

#### GENERAL

19. Address for Service .
20. Inspection of Register .
21. Entries of Charges in the Register .
22. Corrections of Error .
23. *Extension of Time* .
24. Hearing .

25. Directions as to Furnishing of Documents .

26. Dispensation by the Registrar .

27. Evidence .

28. Administrative Directions .

29. Inquiries at the Office .

30. Annexed Schedule to Forms .

31. Fees .

SCHEDULE I: FORMS

SCHEDULE II: FEES

**PART I  
PRELIMINARY**

- Citation. 1. These Regulations may be cited as the Geographical Indications Regulations, 2008.
- Interpretation. 2. In these Regulations -
- Schedule II. "fee" means the fee prescribed in **Schedule II**;
- Schedule I. "form" means the form set out in **Schedule I**;
- Language of documents and translations. 3. (1) Applications shall be in the English language.
- (2) Any document forming part of an application or submitted to the Registrar pursuant to the Act or these Regulations which is in a language other than English, shall be accompanied by an English translation verified by the translator that the translation is to the best of his knowledge complete and faithful.
- Signatures by partnerships, companies and associations. 4. (1) A document purporting to be signed for or on behalf of a partnership shall contain the names of all the partners in full and shall be signed by all the parties or by any partner qualified to sign, stating that he signs on behalf of the partnership; or by any other person who satisfies the Registrar that he is authorised to sign the document.
- (2) A document purporting to be signed for or on behalf of a body corporate shall be signed by a director or by the Secretary or other principal officer of the body corporate, or by any other person who satisfies the Registrar that he is authorised to sign the document.
- (3) A document purporting to be signed for or on behalf of a person or an association may be signed by any person who satisfies the Registrar that he is duly authorised.
- Representation by Attorney-at-law. 5. (1) The appointment of an Attorney-at-law shall be made by an Authorisation of Agent or such other written form as the Registrar may require and shall be signed by the applicant or, if there are more than one, by each applicant.
- (2) The Authorisation of Agent appointing an Attorney-at-law may be filed together with the application, or within two months from its filing date, and if the appointment is not so made or is not in accordance with section 10(2)

of the Act and paragraph (1), any procedural steps taken by the attorney, other than the filing of the application, shall be deemed not to have been taken.

## PART II REGISTRATION OF GEOGRAPHICAL INDICATIONS

Application for  
registration.  
Form 1

6. (1) The application for the registration of a geographical indication shall be made in **Form 1** and shall be signed by the applicant or an authorised agent.

(2) The application shall indicate the applicant's name, address, nationality and residence.

(3) For the purposes of these Regulation -

- (a) "name" means in the case of an individual, that person's family name and given names, and in the case of a legal entity, its full official designation;
- (b) "address" means the full address of an individual, or in the case of a legal entity, the address of its registered office;
- (c) "nationality" means in the case of an individual, the State of which that person is a national, and in the case of a legal entity, the State under whose laws it is constituted;
- (d) "residence" means the State in which an individual is resident.

Withdrawal of  
application.

7. (1) An application may be withdrawn by written declaration submitted to the Registrar and signed by each applicant or an authorised agent.

(2) The application fee shall not be refunded if the application is withdrawn.

Marking application.

8. (1) Upon receipt, the Registrar shall mark on each document making up the application, the actual date of receipt and the application number consisting of the letters GY, slant, the letters GI, slant, the numbers of the year in which the initial papers were received, slant, and a number allotted in the sequential order in which applications are received and where any corrections or other later filed documents are received on different dates, the Registrar shall also mark their actual date of receipt in the appropriate place of the request for registration of the geographical indication.

(2) The application number allotted under paragraph (1) shall be quoted in all subsequent communications concerning the application.

Objection to or  
conditional acceptance  
of application.

9. (1) Whereupon examination in accordance with section 12 of the Act, the Registrar objects to the application for registration of a geographical indication, he shall notify the applicant in writing of his objections with all the relevant details, and invite the applicant to amend the application, to submit his observations in writing or to apply for a hearing within

two months from the date of the notification; and if the applicant does not comply with the invitation within the set period, he shall be deemed to have withdrawn his application.

(2) Where upon examination in accordance with section 12 of the Act, the Registrar decides to accept the application subject to amendments, modifications, conditions or limitations; he shall communicate the decision to the applicant in writing.

(3) Where the applicant objects to the amendments, modifications, conditions or limitations referred to in paragraph (2), he shall, within two months from the date of the communication, request a hearing in writing or submit his observations in writing.

(4) Where the applicant does not object to the amendments, modifications, conditions or limitations referred to in paragraph (2), he shall notify the Registrar in writing and amend his application accordingly.

(5) Where the applicant does not respond within the set period, he shall be deemed to have withdrawn his application.

(6) Upon receipt of a request for hearing, the Registrar shall give the applicant at least one month's notice in writing of the date and time when he may be heard.

Refusal of application or conditional acceptance to which applicant objects.

10. (1) Where after a hearing or after consideration of the applicant's amendments or observations in writing, the Registrar refuses the application or accepts it subject to any amendments, modifications, conditions or limitations to which the applicant objects, he shall communicate his decision to the applicant in writing.

(2) The applicant may, within one month from the date of the communication referred to under paragraph (1) and upon payment of the prescribed fee, request the Registrar to state in writing the grounds of his decision and the material used by him in arriving thereat.

Acceptance of application.

11. (1) Where the Registrar accepts the application unconditionally or accepts it subject to any conditions or limitations to which the applicant does not object, he shall so notify the applicant, requesting him to pay the publication fee within one month from the date of the notification.

(2) Where the publication fee referred to in paragraph (1) is paid within the time limit prescribed, the Registrar shall proceed to publish the application setting out -

- (a) the geographical indication for which registration is sought;
- (b) the name, address and nationality of the individual or legal entity filing the application, and the capacity in which the applicant is applying for registration;

- (c) the name and address of any agent;
- (d) the address for service if an agent has not been appointed in accordance with section 10(2) of the Act and regulation 5;
- (e) the demarcation of the geographical area to which the geographical indication applies;
- (f) the goods for which the geographical indication is used;
- (g) the quality, reputation or other characteristic of the goods for which the geographical indication is used, and any conditions under which the indication may be used;
- (h) the filing date and number of the application.

(3) Where the publication fee referred to in paragraph (1) is not paid within the specified time limit, the application shall be considered withdrawn.

Objection.  
Form 2

12. (1) The notice of objection, under section 13(1) of the Act shall be given in **Form 2** within three months of the date of the publication referred to in regulation 11(2) and shall be accompanied by the prescribed fee and any supporting evidence.

- (2) The counter-statement referred to in section 13(3) of the Act
- (a) shall be subject to the payment of the prescribed fee;
  - (b) shall be given within three months of the date on which the notice of objection is sent to the applicant;
  - (c) shall be in writing, stating the grounds upon which the applicant relies for his application; and
  - (d) shall be accompanied by any supporting evidence.

(3) The request for a hearing under section 13(4) of the Act shall be made to the Registrar in writing at any time after the filing of the notice of objection, but not later than one month after the expiry of the prescribed period for filing the counter-statement.

(4) The Registrar shall give the parties at least one month's written notice of the date set for the hearing; and each party shall, within that period, pay the prescribed fee for the hearing.

(5) Where the objector or the applicant does not reside or carry on business in Guyana, the Registrar may require him to give security for the costs of the objection proceedings for such amount as the Registrar thinks fit.

(6) Where the Registrar decides to register the geographical indication, under section 14(1) of the Act, he shall notify any objector and the applicant in writing, stating the reasons for his decision and, in the case of the applicant, requesting him to pay the registration fee within one month from the date of the notification.

(7) Where the Registrar decides to refuse to register the geographical indication, under section 14(2) of the Act, he shall notify the objector and the applicant in writing, stating the reasons for his decision.

Registration of  
geographical indication.

13. (1) Subject to the payment of the registration fee within the period prescribed in regulation 12(6), the Registrar shall register the geographical indication in accordance with section 14(1) of the Act and this Regulation.

(2) The registration of the geographical indication shall include

- (a) the geographical indication registered;
- (b) the demarcation of the geographical area to which the geographical indication applies;
- (c) the name and address of the individual or legal entity in which name the indication is registered;
- (d) the name and address of any agent;
- (e) the address for service if an agent has not been appointed in accordance with section 10(2) of the Act and regulation 5;
- (f) the goods for which the geographical indication is used;
- (g) the quality, reputation or other characteristic of the goods for which the geographical indication is used and any conditions under which the indication may be used; and
- (h) the filing date and number of the application as well as the date of registration.

3) The publication of the reference to the registration of a geographical indication shall contain the particulars prescribed in paragraph (2).

Form 3

(4) The certificate of registration of the geographical indication shall be issued in the **Form 3**.



Cancellation or  
rectification of  
registration.

14. (1) The publication referred to in section 16(2)(b) of the Act shall

- (a) identify the geographical indication by setting out the particulars referred to in regulation 13(2);
- (b) identify the person who, or authority which, has applied for the cancellation or rectification of the registration of the geographical indication, by setting out the name and address of the person or authority, and of the representative or any agent; and
- (c) specify the period within which the persons having the right to use the geographical indication under section 15 of the Act may apply to join in the proceedings.

(2) The period to be specified by the Court under section 16(3) of the Act shall not be less than one month from the date of the notice or publication, as the case may be.

(3) The Registrar when notified of a decision of the Court shall record it and publish a notice of the decision as soon as possible.

(4) Where the Court makes an order to cancel or rectify the registration of the geographical indication, the person in whose favour such order has been made shall forthwith serve on the Registrar a certified copy of such order and the Registrar shall, cancel the registration or rectify it in accordance with, and in the manner specified in the Court's decision, as the case may be.

(5) The publication under paragraph (3) of the reference to the cancellation or rectification of the registration of a geographical indication shall –

(a) identify the geographical indication by setting out the particulars referred to in regulation 13(2);

(b) indicate that the registration of the geographical indication has been cancelled or rectified, as the case may be, and, if rectified, specify the manner in which the registration has been so rectified; and

(c) cite the decision of the Court by which the registration of the geographical indication has been cancelled or rectified.

Publication.

15. Particulars of geographical indications and other proceedings under the Act and any other information required to be published under the Act or these Regulations shall be published in accordance with the direction of the Registrar.

**PART III**  
**SPECIAL PROVISIONS CONCERNING TRADE MARKS**

Refusal or invalidation of registration of misleading marks.  
**Form 4.**

16. (1) The request, under section 23 of the Act, to refuse or to invalidate the registration of a misleading trade mark shall be made in **Form 4** and shall be subject to the payment of the prescribed fee and the procedure set out in regulation 12 shall apply *mutatis mutandis*.

(2) Where the Registrar on his own motion decides to refuse or invalidate the registration of a trade mark pursuant to section 23 of the Act, he shall, in writing, notify the registered owner of the mark, stating the reasons for his decision and giving him at least one month to submit a counter-statement and to request a hearing.

(3) Where a hearing is requested, the Registrar shall give the registered owner of the trade mark at least one month's written notice of the date set for the hearing, and the registered owner shall, within that period, pay the prescribed fee for the hearing.

(4) The Registrar shall notify the registered owner under paragraph (3) in writing of his final decision, stating the reasons therefore.

Refusal or invalidation of registration of a mark conflicting with certain geographical indications.  
**Form 5.**

17. (1) The request under section 24 of the Act to refuse or to invalidate the registration of a trade mark which conflicts with a geographical indication for wines and spirits, shall be made in **Form 5**, and shall be subject to the payment of the prescribed fee; and the procedure set out in regulation 12 shall apply *mutatis mutandis*.

(2) Where the Registrar on his own initiative decides to refuse or invalidate the registration of a trade mark pursuant to section 24 of the Act, he shall, in writing, so notify the registered owner of the mark stating the reasons for his decision and giving him at least one month to submit a counter-statement and to request a hearing.

(3) Where a hearing is requested, the Registrar shall give the registered owner of a trade mark at least one month's written notice of the date set for the hearing and the registered owner shall within that period, pay the prescribed fee for the hearing.

(4) The Registrar shall notify the registered owner of the trademark in writing of his final decision stating the reasons for his decision.

Publication of invalidation of registration of mark.

18. (1) The Registrar shall record and publish a reference to the invalidation of the registration of a trade mark pursuant to section 23 or 24 of the Act.

(2) The publication of the reference to the invalidation of the registration of the trade mark pursuant to section 23 or 24 of the Act shall include -

- (a) the representation of the trade mark;
- (b) the registration number of the trade mark;
- (c) the name and address of the registered owner;
- (d) the date of registration;
- (e) the list of goods and services in respect of which the trade mark was registered with an indication of the corresponding class or classes of the International Classification; and
- (f) an indication of the grounds on which the registration of the trade mark has been invalidated.

#### PART IV GENERAL

- Address for service. 19. (1) There shall be furnished to the Registrar -
- (a) by every applicant for the registration of a geographical indication, an address for service in Guyana for the purpose of his application; and
  - (b) by every person concerned in any proceedings to which these Regulations relate, including the applicant for, or the owner of a geographical indication, an address for service in Guyana, and the address so furnished or, where another address being an address in Guyana has been furnished in place thereof, that address, shall be treated for the purposes of that application or those proceedings, as the address of that applicant or, of that person as the case may be.
- (2) Where an agent has been appointed in accordance with section 10(2) of the Act and regulation 5, the address of the agent shall, for all purposes connected with the Act and these Regulations, be treated as the address to which communications to the person who appointed the agent shall be transmitted.
- Inspection of register. 20. Inspection of the Register shall be subject to payment of the prescribed fee and requests for certified copies of extracts from the Register or for copies of documents, shall be made to the Registrar in writing, and shall be subject to payment of the prescribed fee.
- Entries of charges in the register. 21. The Registrar shall cause to be entered in the Register in respect of every geographical indication the information indicated in regulation 13(2) as well as any change with respect to that information, in particular, any change in the name, address or address for service indicated therein.
- Corrections of error. 22. Corrections of errors, referred to in section 17 of the Act -
- (a) may be made by the Registrar either upon receipt of a request in

writing and subject to such terms as he may consider appropriate, or on his own initiative;

(b) shall be communicated in writing to all interested persons; and

(c) where considered necessary, shall be published in the *Official Gazette* by the Registrar.

Extension of time. 23. The request for an extension of time, referred to in section 18 of the Act shall be subject to the payment of the prescribed fee.

Hearing. 24. (1) The Registrar shall, before exercising adversely in respect of any person, any discretionary power given to him by the Act or these Regulations, notify that person in writing of the opportunity to be heard thereon, and shall indicate a time limit of not less than one month for filing a request for a hearing.

(2) The request for a hearing shall be in writing and shall be subject to payment of the prescribed fee.

(3) Upon receiving a request for hearing, the Registrar shall give the person applying and any other interested person, at least one month's notice in writing of the date and time of the hearing.

(4) After hearing any party desiring to be heard, the Registrar shall decide the matter and shall notify all parties of this decision: and if any party so desires, shall give his reason for the decision.

Directions as to furnishing of documents. 25. At any stage of any proceedings before the Registrar, he may direct that such documents, information or evidence as he may require, be furnished within such period of time as he may fix.

Dispensation by the registrar. 26. Where under these Regulations any person is required to do any act or thing or any document or evidence is required to be produced or filed, and it is shown to the satisfaction of the Registrar that from any reasonable cause that person is unable to do that act or thing or that that document or evidence cannot be produced or filed, the Registrar may, upon the production of such evidence and subject to such terms as he thinks fit, dispense with the doing of any such act or thing, or the production or filing of such document or evidence.

Evidence. 27. (1) Evidence under these Regulations may be given by statutory declaration or affidavit.

(2) The Registrar may, if he thinks fit in any particular case, take oral evidence *in lieu* of or in addition to evidence referred to under paragraph (1) and shall allow any witness to be cross-examined on his affidavit or declaration.

Administrative directions.

28. Where no provision is made in the Act or these Regulations in respect of any matter arising in the administration of the Act, the Registrar may give such directions in respect thereof as he considers necessary in the circumstances.

Inquiries at the office.

29. The Registrar may acknowledge inquiries made to the Office of the Registrar of Deeds but need not furnish the applicant or any other person with information that would require a search of the public records of the Office, or provide advice on matters concerning the interpretation of the Act or these Regulations, or concerning other questions of law.

Annexed Schedule to Forms.

30. (1) Where any information required to be set out in a form furnished by the Registrar is too lengthy to be set out in the space provided, the person completing the form may, subject to paragraph (2), incorporate the information in the form by setting out in the space provided in the form, the following sentence: "The annexed Schedule is incorporated in this form", and by annexing the information to the form as that Schedule.

(2) A separate Schedule is required in respect of each item that is incorporated in a form by reference pursuant to paragraph (1).

Fees.  
Schedule II.

31. The fees prescribed in **Schedule II** are payable in respect of the matters arising under the Act and these Regulations.

SCHEDULE I

FORMS

Form 1

Reg. 6(1)

Application for Registration of Geographical Indication

GUYANA

Geographical Indications Act  
(Act 15 of 2005)

APPLICATION FOR REGISTRATION OF  
GEOGRAPHICAL INDICATION

To: The Registrar  
Office of the Registrar of Deeds  
Guyana

For Official Use

Date of Receipt by the Office of  
the Registrar of Deeds:

APPLICATION No.:

(Office's Stamp)

Fees received on:

Gazette Details

Application is made for registration of the geographical indication (details of which  
accompany this Form) in the name of the Applicant(s) acting in the capacity of\*.....  
The particulars required for the purposes of the Application are set out below.

PARTICULARS

I. \*\*APPLICANT(S)

Name(s): .....

Address(es):.....

Mailing Address (if any):.....

Nationality: ..... Country of residence .....

Tel. No.:

E-mail Address (if any):

Fax No.:

\*\*Particulars are contained in the Annexed Schedule that is incorporated in this Form.

\* State capacity in accordance with section 11 of the Act.

\*\* If the space is insufficient, the particulars should be set out in a separate document, which should be identified as the "Annexed Schedule" in accordance with Regulation 30.

Address for service in Guyana:

## II. ATTORNEY-AT-LAW<sup>a</sup>

The following (Attorney-at-law) has been appointed by the applicant in the Authorisation of Agent accompanying this Form to be filed within 2 months from the filing of the application for registration (Regulation 5(2))

Name: .....

Address: .....

Tel. No.: ..... E-mail address (if any): ..... Fax No.: .....

## III. GEOGRAPHICAL INDICATION

The geographical indication for which registration is sought is the following:

## IV. GEOGRAPHICAL AREA<sup>b</sup>

The following is the demarcation of the territory of the country, or region, or locality in that territory, to which the geographical indication applies, and from which the goods for which the geographical indication is used originate:

Additional information in graphic form, maps, etc. accompanies this Form and is contained in the Annexed Schedule which is incorporated in this Form.

<sup>a</sup> Where an Attorney-at-law has been appointed, the address of the Attorney-at-law shall be treated as the address to which any communication shall be transmitted (Regulation 19(2)).

## V. GOODS<sup>b</sup>

The goods for which the geographical indication is used are the following:

VI. QUALITY, REPUTATION OR OTHER CHARACTERISTICS<sup>b</sup>

The quality, reputation or other characteristics of the goods for which the geographical indication is used, and any conditions under which the indication may be used, are the following:

Additional information is contained in the Annexed Schedule, which is incorporated in this Form.

VII. FEES

accompanying this Form

VIII. SIGNATURE (S) ..... (Applicant(s)^) Date.....

TO BE FILLED IN BY THE REGISTRAR

Date of receipt of corrections and later filed papers completing the application:

<sup>b</sup> If any of the boxes is not large enough to contain information to be furnished, the information should be set out in a separate document which should be identified as the "Annexed Schedule" in accordance with regulation 30.

<sup>c</sup> Type name(s) under signature(s). The typed names and signatures of all applicants should appear (one below the other).



Form 2

Regs.12 (1)

Notice of Objection to Registration of Geographical Indication

GUYANA

Geographical Indications Act  
(Act 15 of 2005)

NOTICE OF OBJECTION TO REGISTRATION  
OF GEOGRAPHICAL INDICATION

For Official Use

I.

IN THE MATTER OF:

Application No .....for Registration of Geographical  
Indication

Notice of objection received  
on:

Filing Date of Application:

Fees received on:

Published in the periodical of the ..... day of ..... 20 ....  
No. .... page .....

II. OBJECTOR(S)

Name(s):

Address(es): .....

\* Additional information is contained in the Annexed Schedule that is incorporated in this Form.  
\*\* Address for service in Guyana

\* If the space is insufficient, the particulars should be set out in a separate document,  
which should be identified as the "Annexed Schedule" in accordance with Section 30.

\*\* Where an Attorney-at-law has been appointed, the address of the Attorney-at-law  
shall be treated as the address to which communication shall be transmitted  
(Regulation 19(2)).

III. GROUNDS FOR OBJECTION:

The Grounds for objection are as follows:

Additional information is contained in the Annexed Schedule, which is incorporated   
in this Form.

Supporting evidence accompanies this Form

IV. ATTORNEY-AT-LAW

The following Attorney-at-law has been appointed by the applicant in the Authorisation of Agent accompanying this Form

Name: .....

Address: .....

Tel. No.:

E-mail address (if any):

Fax No.:

V. FEES

accompanying this Form

VIII. SIGNATURE (S) ..... (Applicant(s)<sup>c</sup>) Date.....

<sup>b</sup> If any of the boxes is not large enough to contain information to be furnished, the information should be set out in a separate document which should be identified as the "Annexed Schedule" in accordance with Regulation 30.

<sup>c</sup> Type name(s) under signature(s). The typed names and signatures of all applicants should appear (one below the other).

Form 3

Reg. 13(4)

Certificate of Registration of Geographical Indication

GUYANA

Geographical Indications Act  
(Act 15 of 2005)

CERTIFICATE OF REGISTRATION OF  
GEOGRAPHICAL INDICATION

In accordance with section 14(1) of the Act and Regulation 13(4), it is hereby certified  
that a geographical indication having the Registration No.  
.....has been registered in the name(s) of:

Name(s): .....

Address(es): .....

on ..... in respect of a geographical indication registered pursuant to an application  
(date)

filed on: .....  
(date)

being a geographical indication used for: .....  
(goods)

and which applies to: .....  
(geographical area)

A description of the quality, reputation or other characteristic of the goods for which the  
geographical indication is used and any conditions under which the indication may be used  
accompanies this certificate.

Date: .....

Registrar

Form 4

Reg. 16(1))

Request to Refuse or Invalidate Registration of Misleading Mark

GUYANA

Geographical Indications Act  
(Act 15 of 2005)

REQUEST TO REFUSE OR INVALIDATE  
REGISTRATION OF MISLEADING MARK

I. IN THE MATTER OF:

Application for Registration/Registration No. of Mark: Filing/Registration

Date:

For Official Use

Request received  
on:

Application/Registration<sup>\*</sup> Published in the periodical

Fees received on:

.....

(No.)

(Page)

(Date)

II. APPLICANT(S)<sup>a</sup>

Name(s): .....

Address(es): .....

.....

Additional information is contained in the Annexed Schedule that is incorporated in this Form.

<sup>b</sup>Address for service in Guyana:

<sup>\*</sup>Delete whichever does not apply.

<sup>a</sup> If there is more than one person or competent authority, together, requesting the refusal or invalidation of the registration of the trade mark, the data concerning each applicant must appear in this box or, if the space is not sufficient, the information should be set out in a separate document which should be identified as the "Annexed Schedule" in accordance with regulation 30.

<sup>b</sup> Where an Attorney-at-law has been appointed, the address of the Attorney-at-law shall be treated as the address to which communication shall be transmitted Regulation 19(2).

III. GROUNDS FOR REQUEST

The grounds for request to refuse or to invalidate the registration of the above identified mark are as follows:

Additional information is contained in the Annexed Schedule, which is incorporated in this Form.

Supporting evidence accompanies this Form

IV. ATTORNEY-AT-LAW

The following Attorney-at-law has been appointed by the applicant in the Authorisation of Agent accompanying this Form

Name: .....

Address: .....

.....

Tel. No.:                      E-mail Address (if any):                      Fax No.:

V. FEES accompanying this Form

VI. SIGNATURE(S) ..... (Applicant(s)/Attorney<sup>d</sup>) .....

Date

<sup>c</sup> If any of the boxes is not large enough to contain the information to be furnished, the information should be set out in a separate document which should be identified as the "Annexed Schedule" in accordance with section 30.

<sup>d</sup> Type name(s) under signature and delete whichever does not apply. The typed names and signatures of all applicants should appear (one below the other).

Form 5

Reg. 17(1)

Request to Refuse or Invalidate Registration of a Mark Conflicting with a Geographical Indication for Wines and Spirits

GUYANA

Geographical Indications Act (Act 15 of 2005)

REQUEST TO REFUSE OR INVALIDATE REGISTRATION OF A MARK CONFLICTING WITH A GEOGRAPHICAL INDICATION FOR WINES AND SPIRITS

I. IN THE MATTER OF:		For Official Use  Request received on:  Fees received on:
Application for Registration/Registration No. <sup>a</sup> of Mark:		
Filing/Registration <sup>a</sup>		
Date:		
Application/Registration <sup>a</sup> Published in the periodical		
(No.)	(Page)	(Date)

II. APPLICANT(S)<sup>a</sup>

Name(s): .....

Address(es): .....

Additional information is contained in the Annexed Schedule which is incorporated in this Form.

<sup>b</sup>Address for service in Guyana:

<sup>a</sup> Delete whichever does not apply.

<sup>a</sup> If there is more than one person or competent authority, together, requesting the refusal or invalidation of the registration of the trade mark, the data concerning each applicant must appear in this box or, if the space is not sufficient, the information should be set out in a separate document which should be identified as the "Annexed Schedule" in accordance with regulation 30.

<sup>b</sup> Where an Attorney-at-law has been appointed, the address of the Attorney-at-law shall be treated as the address to which communication shall be transmitted. Regulation 19(2)).

III. GROUNDS FOR REQUEST<sup>c</sup>

The grounds for request to refuse or to invalidate the registration of the above identified mark are as follows:

Additional information is contained in the Annexed Schedule, which is incorporated in this Form.

Supporting evidence accompanies this Form

IV. ATTORNEY-AT-LAW

The following Attorney-at-law has been appointed by the applicant in the Authorisation of Agent accompanying this Form

Name: .....

Address: .....  
.....

Tel. No.: ..... E-mail Address (if any): ..... Fax No.: .....

V. FEES accompanying this Form

VI. SIGNATURE(S) ..... (Applicant(s)/Attorney<sup>d</sup>) .....

(Date)

<sup>c</sup> If any of the boxes is not large enough to contain the information to be furnished, the information should be set out in a separate document which should be identified as the "Annexed Schedule" in accordance with regulation 30.

<sup>d</sup> Type name(s) under signature and delete whichever does not apply. The typed names and signatures of all applicants should appear (one below the other).


## SCHEDULE II

Reg. 31

## FEES

MATTER OR PROCEEDING	Fee \$
1. Application for registration of geographical indication	15 000.00
2. Request for hearing	3 500.00
3. Request to the Registrar to state in writing, grounds of decision to refuse application or to accept it subject to conditions	1500.00
4. Publication fee	2 000.00
5. Notice of objection to registration of geographical indication	3 000.00
6. Counter-statement to notice of objection	3 000.00
7. Registration fee	50 000.00
8. Request to refuse or to invalidate the registration of a misleading trademark	7 000.00
9. Request to refuse or to invalidate the registration of a trademark which conflicts with a geographical indication for wines and spirits	7 000.00
10. Inspection of Register	500.00
11. Request for certified copies of extracts from Register or for copies of documents (per page)	100.00 per printed page and 500.00 to certify
12. Request for correction of error	5000.00
13. Request for extension of time	4 000.00

Made this \_\_\_\_ day of May 2008.

  
Minister of Foreign Trade and  
International Cooperation.