

# Intellectual Property Caribbean Association (IPCA)

## *IPCA at INTA 2015 Meeting Report*

The first meeting of the newly formed Intellectual Property Caribbean Association (IPCA) took place on Sunday, 3<sup>rd</sup> May, 2015 during the International Trademark Association's (INTA) Annual Meeting in San Diego, California, USA. The meeting was held in Aqua E, on the 3<sup>rd</sup> Floor of the Hilton San Diego Bay Front Hotel from 9-11.00 a.m. and was led by Mr. Huw St. John Moses OBE of HSM IP in the Cayman Islands.

The meeting was divided into two parts: The first hour, from 9-10 a.m. was for members only, then following a coffee break at 10.15 a.m. the meeting was opened to prospective members and guests with the opportunity for networking.

### **Member's Session**

In attendance were 30 representatives from 24 firms from 17 countries from the Caribbean.

For the benefit of new members Huw opened the meeting with a brief recap of the history of IPCA. He hoped that as word spread about the Association membership would grow to see each Caribbean jurisdiction represented and a membership of 100 plus firms so that IPCA could be a real influencing force in the region. IPCA currently has 39 members representing 22 Caribbean countries.

Huw then advised the members that IPCA had been incorporated in the Cayman Islands on 24<sup>th</sup> April, 2015 as a company limited by guarantee, with initially himself as the sole director and Kim Rough-Moses as Secretary.

Membership Certificates were available for members to collect at the meeting and a copy of the Certificate of Incorporation, Memorandum of Association and Articles of Association would be circulated post INTA.

The first Annual General Meeting was scheduled to be held in November 2015 in Florida when a Board of Directors may be appointed. In the interim Huw said that he would welcome any suggestions on changes to the M&A or on establishing more detailed rules or regulations governing IPCA's internal processes.

On his return to Cayman Huw confirmed that he would be endeavoring to open a bank account for IPCA and suggested that, for practical reasons, the signatories on the account be the members resident in the Cayman Islands, with each having sole unlimited signing authority. In due course he anticipated that some or all of the directors would be signatories to the account and appropriate limits imposed for single and dual signatures. He also aimed to establish a merchant account for IPCA so that it can receive payments directly rather than through HSM IP Ltd.

It was hoped that the Government fee for registration would be refunded as the Association was not-for-profit.

The meeting then focused on updates from the various committees.

### **Committee Reports**

- **Marketing**

Huw advised the members of the committee that he was hoping that the website would be operational by September 2015, so it was important that a choice be made quickly as to a suitable domain name. Several domain names were considered, including [www.ipca.website](http://www.ipca.website). Huw offered to look into the availability of [ipca.website](http://ipca.website) and report back. If it was not available then a short list of options would be circulated by Alvaro Ramirez of B&R Latina in Colombia and a decision made.

Huw asked for volunteers for a small group to set-up the website and suggested that members critique it after it had been launched as consulting with the full membership during the development phase was impractical.

- Legislation & Registry Liaison

Abraham Thoppil of Maples & Calder in the Cayman Islands said that the committee had met via a conference call and were considering the scope and mandate of their committee. He hoped that the committee would have a representative from each country and anticipated having further information to share at the AGM. Safiya Roberts of Roberts & Co Inc. in Antigua reported that Antigua had already adopted the Madrid Protocol. Brien de Gannes of J.D. Sellier + Co. in Trinidad & Tobago said he would like to be on the committee as his country had had new laws passed (but not yet in force) that envisaged the application of the Madrid Protocol in Trinidad. The committee would consider what role it could play in lobbying in this regard.

Olive Ranchand of Fitzwilliam, Stone, Furness-Smith & Morgan in Trinidad queried how non-English speaking countries would be represented. Huw suggested that if there were one representative from each country then sub-committees could be formed if, for example, Spanish speaking members had specific issues.

- Enforcement & Anti-counterfeiting

Fanta Punch of M. Hamel-Smith & Co, in Trinidad & Tobago said that she was willing to head up this committee and welcomed support from the members. Huw said that he would try to get someone from Cayman involved, especially re: anti-counterfeiting.

- Education & Training

Fanta Punch of M. Hamel-Smith & Co, in Trinidad & Tobago said that she would be working on a draft mandate for the committee and made a plea for more members to participate.

- Membership

Huw said that at this stage all members were *de facto* members of the Membership Committee and asked that everyone find one new member to increase the number of members by the AGM.

Huw than asked that anyone interested in joining a committee contact either Kim or himself so they could be put in touch with other members of that committee. He also suggested that each committee meet two or three times before the AGM.

In conclusion Huw said that it was critical that everyone played their part to make IPCA work.

The meeting was then adjourned for the coffee break after which approximately a dozen prospective members and guests were welcomed by Huw and invited to meet and chat with the members.

The meeting ended at 11.00 a.m.

Report prepared by:  
Huw St. J. Moses OBE  
Director  
IPCA

Buckingham Square, 720 West Bay Road, PO Box 31726, Grand Cayman KY1-1207, Cayman Islands  
Direct Tel: +1 345 815 7400