

Intellectual Property Caribbean Association (IPCA)

IPCA Annual General Meeting Report dated 9 November 2024

The 10th AGM of the intellectual Property Caribbean Association (IPCA) took place on Saturday 9 November 2024 from 9.00 am to 10.30 am at the Grand Cayman Marriott Beach Resort, West Bay Road, Grand Cayman. In attendance at the event were 25 representatives from 17 firms in 13 countries across the Caribbean, as well as representatives from the Anguilla Financial Services Commission, the Bureau for Intellectual Property, Curacao, and the Cayman Islands Intellectual Property Office,

Welcome Remarks

The meeting began at 9.15 am and was led by director, Huw Moses. He extended a warm welcome to all attendees and noted that the association was celebrating its 10th Anniversary by holding the meeting in the country where IPCA was incorporated as a not for profit company. Back in 2014 an email had been sent to numerous IP practitioners in the Caribbean to ascertain the level of interest in forming a Caribbean organisation to promote IP rights and to create a forum for better communication and collaboration amongst IP practitioners. This led to the inaugural meeting being held in Miami on 22 November 2014 when 48 representatives from 37 firms in 21 countries attended.

The current membership is comprised of 56 members from 25 countries of which 49 were voting members and 7 non-voting Registry members. Huw identified that members were currently being sought for Bermuda, the Caribbean Netherlands, Cuba, Dominica, Guatemala, Honduras, Nicaragua, U.S. Virgin Islands and Venezuela.

Since the last Annual General Meeting in 2023 several events had been held. These included in April 2024 an online webinar entitled “IP and the SDGS in the Caribbean” and the IPCA meeting at INTA where there was a Panel Discussion on “Enforcement and Anti-Counterfeiting within the Caribbean Region” moderated by Jose Santana with panel speakers, Mikhail Jackson and Keesha Fleming Lake.

Huw thanked the current Directors and Secretary, the Committee chairs and committee members for their hard work and support during the past year.

Huw stressed the importance of both increasing membership and the number of members actively participating in IPCA activities both in terms of Committee participation and the holding of events. Huw challenged the members to come up with ideas and to hold events in their countries to promote the objectives of IPCA and noted that funding existed to provide support subject to Board approval.

Formal AGM

The minutes of the formal AGM meeting can be found in a separate document.

Discussion

The Board reported that it had been decided to update both the IPCA website and the brochure to include new photographs.

There was some discussion regarding the preferred location of future AGM's following the matter being raised by Leonne Theodore-John. Some felt that for costs and accessibility reasons the next AGM should revert to its normal US based location whilst others felt that if it were possible other Caribbean destinations should be explored. Historically, the AGM had been in Miami except for the 5th and 10th Annual General Meetings. The Board agreed to review.

Panel

A Panel Discussion was held on the topic of "*The intersection of Artificial Intelligence and Intellectual Property Rights, Implications for Innovation and Regulation in the Caribbean.*" The Panel discussion was led by Fanta Punch and Mrinali Menon. Before the start of the discussion, Patenska Nahemie Pierre Saint from Haiti, the first prize winner of the 2024 Essay Competition and Solange Joseph from Trinidad and Tobago, the second prize winner of the 2024 Essay Competition spent 15 minutes each presenting the key points of their respective essays.

Further questions from the floor arising out the Panel Discussion took place after the Committee Reports. A copy of the slides from the presentation are available on the website.

Committee Reports

Education & Training (The Dolphin Team)

Elleson Fraenk spoke on behalf of herself and co-chair Louise Malcolm. Elleson reported on the 2024 Essay competition.

The Education and Training Committee received 11 entries in this year's IPCA Essay Competition. The submissions were from: Barbados (1), Cayman (1), Dominican Republic (1), Haiti (1), Jamaica (2), Suriname (2), Trinidad (2), unknown (1). There was 1 submission in French (with an English translation), the remainder all being in English.

The topic for this year was: "*The Intersection of Artificial Intelligence and Intellectual Property Rights: Implications for Innovation and Regulation in the Caribbean.*" After the formalities check, unfortunately 2 submissions had to be disqualified as the participants did not meet the eligibility requirements.

The remaining submissions were sent to the judges who for this year were:

1. Camille Garrison - Hart Muirhead Fatta – Jamaica
2. Fanta Punch - M. HAMEL-SMITH & CO – Trinidad & Tobago

3. Mrinali Menon – HSM IP – Cayman Islands

The two submissions with the highest combined scores were from:

- (i) Patenska Nahemie Pierre Saint – Student - Université Quisqueya, – Haiti
 - Title of the essay: "Intelligence Artificielle et Propriété Intellectuelle dans les Caraïbes : Préserver l'Identité Culturelle à travers une Rémunération Équitable pour les Créateurs de Données" (Artificial Intelligence and Intellectual Property in the Caribbean: Preserving Cultural Identity through Fair Compensation for Data Creators)
- (ii) Solange Joseph – Student – The University of the West Indies – Trinidad & Tobago.
 - Title of the essay: " Artificial Intelligence and Intellectual Property in Trinidad and Tobago: The Potential for Change?".

Like last year, the score for the 3rd place was closely behind that of the 2nd and, on the recommendation of the Committee, the Board decided, as we did last year, to give an award to the 3rd place this year of US\$750.

The Committee was keen to continue the Essay Competition in 2025 with a possible extension to include a separate competition for High School students.

The Committee was also giving consideration to running a webinar on the same subject as the Panel Discussion but targeting students and/or start-up businesses. There was a proposal for a IP webinar aimed at “marketeers” on IP rights generally.

Legislative and Registry Liaison (Coconut Team)

The Chair, Joanne Wood Ratray, was unable to attend but Gedeona A. Maduro one of the Committee members, reported on the progress of their questionnaire on Nice Classification and other matters. They were planning to meet again on 3 December 2024 to finalise the questionnaire format and content.

Enforcement and Anti-Counterfeiting (Turtle Team)

Jose Santana, Board Liaison to the Committee reported in the absence of the Committee Chair, Mikhail Jackson. When trying to educate regarding the risks of use of counterfeit goods it was noted that more traction might be achieved if there was a focus on health care issues rather than high end fashion fakes. The Committee saw the need to engage the authorities of jurisdiction to show what can be done to restrain counterfeiting and develop policies provide resources to some countries where there was counterfeit activity to enable more effective enforcement.

A further survey was planned to elicit information on how member countries address online counterfeiting. In the Dominican Republic legislation had been introduced which provided that all IP laws applied to digital environments.

Marketing (Conch Team)

Jessica Ward, as the Board Liaison, reported in the absence of a Committee Chair. She urged members and other Committees to send information to the Marketing Committee to aid content creation for the website and social media. She recognised the input at the meeting from Alexander Fleming Lake who had ideas for updating the website, using Instagram in new ways, etc. He made interesting observations from the standpoint of a younger generation which it was agreed IPCA needed to embrace for many reasons, including succession planning and the engagement of non-IP professionals. He suggested that a resource such as “Canvas” could be used to assist with the production of flyers and other marketing resources and incorporating a “Chatbox” helper on the web site to address FAQ’s.

AOB

Attendees were encouraged to send any photographs taken at the HSM sponsored Reception the previous day or the AGM meeting itself to the Secretary at admin@ipca.website

Camille Garrison asked whether it would be possible for the Board to consider issuing Certificates of Attendance. (The Board in a meeting subsequent to the AGM concluded it would not issue Attendance Certificates as a matter of course to all attendees given the additional administrative burden but was happy to receive and process any individual member requests provided IPCA did not need to apply for recognition to the entity running the CPE scheme.)

Gedeona Naduro of the Bureau for intellectual property, Curacao, presented an original painting to IPCA which was received by Huw Moses to the surprise and delight of the members attending. The painting by Jean Girigori, a Dominican painter based in Curacao, appears on the website event photographs.

Leonne Theodore-John noted that special thanks needed to be given to Kim Rough-Moses, the Secretary for the time spent planning and organizing the AGM.

The next meeting, currently organized, will be at the INTA Annual Meeting in San Diego, California, USA, in May 2024.