

How do I register my Trademark in Sint Maarten?

You can file your trademark by filling in a form and paying the necessary legal fees.

A summary of the statutory fees can be found on our website: www.bip.sx.

If you are a trademark representative the simplest way to file is online by using the download application (4.5 MB).

This application will guide you through the form and help you fill it out correctly.

If you are filing on your own you can print or save the pdf of the explanatory notes for a detailed explanation of the form which can be found online. You can print or save the pdf form, fill in the necessary details and send it via email to trademarks@bip.sx. In that case, you will receive a confirmation of receipt within a few days.



For more
information
visit our
website;
www.bip.sx



What does it cost to register a Trademark?

A trademark registration in Sint Maarten is valid for a period of 10 years for a fee of Naf 750/USD 417 up to 3 classes. Each additional class cost Naf 75/USD 42. You can renew your registration at the end of the 10-year period against the same fee. The price of an international trademark varies depending on the number of countries selected at the time of the application.



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TRADEMARK INFORMATION

What is a Trademark?

Your business and your products and/or services have a name or a logo or a combination of the two. These are your trademarks. They point consumers and other customers in the direction of your products and services, symbolize and represent your company and are a financial asset. If you want to prevent others from misusing your trademark, you will have to register.

Why register a Trademark?

A trademark is a company's calling card. This applies not only to large and well-known companies, but to smaller businesses as well. Your trademark allows others to recognize your products and services. Your trademark distinguishes you from others. By registering your trademark, you can protect your trademark by claiming ownership and therefore restricting others from using the name or logo without your permission.

How long is a Trademark valid?

Registering your trademark in the Sint Maarten register at BIP SXM gives you the exclusive right to use the trademark for certain goods (products) and services within Sint Maarten, for a(n) (extendable) period of 10 years.

National Trademark

By registering at BIP SXM you will have the protection of your trademark in Sint Maarten (Dutch part).

International Trademark

Protection is also available for those who (plan to) offer or sell their products or services outside of Sint Maarten. The protection can vary from a single country to worldwide. Through BIP SXM international trademarks are registered with the World Intellectual Property Organization (WIPO).

International Nice Classification

When registering your trademark in Sint Maarten, you are required to choose from the list of goods and services according to the Nice Classification specified by WIPO. This system groups products into 45 classes (classes 1-34 include goods and classes 35-45 services). Those seeking to register a trademark must indicate in which class(es) their goods or services belong. The Nice Classification is recognized by all trademark offices of contracting States, which results in a more streamlined registration of trademarks.

Is my Trademark still available?

We recommend that you execute a trademark search for existing trademarks before registering your trademark.

How can I search for a Trademark?

The online register for Sint Maarten trademarks contains all the requested and registered trademarks which are valid in Sint Maarten. This includes all national and international registered trademarks in Sint Maarten. A trademark search can be executed by yourself or via the assistance of a trademark agent or lawyer. The Bureau for Intellectual Property can also perform a more extensive search upon request against a fee.

The search results can give you an indication as to which trademarks are already registered. Registering a trademark based on search results does not guarantee that a conflict will not arise with a third party. Other rights than registered older trademarks could cause conflicts. This applies particularly to tradenames but also for example to copyrights or design law. It is difficult to predict who might object to your trademark and on what grounds they might object. Your chance of success depends on all the actual and legal circumstances related to the case.