
Fourth Session Fifth Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 5 of 1999

[L.S.]

AN ACT to validate the effect of certain international applications under the Patent Co-operation Treaty designating Trinidad and Tobago.

[Assented to 26th March, 1999]

WHEREAS on the 10th day of March, 1994 Trinidad and Tobago became a party to the Patent Co-operation Treaty and, as of that date, could be designated in any international application under the Treaty:

Preamble

And whereas under Article 11(3) of the said Treaty, it is provided that international applications fulfilling the requirements under the said Treaty and being accorded an international filing date shall have the effect of a regular national application in each designated State as of the international filing date, which date shall be considered to be the actual filing date in each designated State:

Act No. 21 of 1996

And whereas on the 1st day of December, 1997 the Patents Act, 1996 gave effect to the Patent Co-operation Treaty the Regulations under the Treaty and the Administrative Instructions under those Regulations:

And whereas it is necessary and expedient to put beyond doubt that any international applications under the said Treaty designating Trinidad and Tobago filed between the 10th day of March, 1994 and the 1st day of December, 1997 has the effect provided for in Article 11(3) of the said Treaty:

Enactment

ENACTED by the Parliament of Trinidad and Tobago as follows:—

Short title

1. This Act may be cited as the Patents (Validation of International Applications filed under the Patent Co-operation Treaty) (No. 2) Act, 1999.

Applications filed under the Patent Co-operation Treaty to be treated as an application under the Patents Act, 1996

2. Notwithstanding any rule of law to the contrary any international application under the Patent Co-operation Treaty designating Trinidad and Tobago filed between the 10th day of March, 1994 and the 1st day of December, 1997 fulfilling the requirements under the said Treaty and being accorded an international filing date, shall be treated as a patent application under the Patents Act, 1996, as of the international filing date, which date shall be considered to be the actual filing date in Trinidad and Tobago.

3. Notwithstanding any rule of law to the contrary any international applications referred to in section 2 shall be deemed to have been lawfully and validly filed and no legal proceedings or other action whether pending or not shall be entertained in respect of the validity of the filing of such applications for the reason that any such application has been filed before the day on which the Patents Act, 1996 entered into force.

Validation of
applications filed
under the Patent
Co-operation Treaty

Passed in the Senate this 23rd day of February, 1999.

N. COX
Clerk of the Senate

Passed in the House of Representatives this 19th day of March, 1999.

J. SAMPSON-JACENT
Clerk of the House