

Dear Trademark Representatives,

We appreciate your continued engagement as we kick off the first edition of 2024. In this issue of the BIP SXM newsletter, we would like to highlight an important matter regarding the 'correction of data' within the Sint Maarten Trademark Register.

During the start-up phase of BIP SXM, we embarked on a mission to gather all pertinent data regarding trademark rights valid in Sint Maarten. With a commitment to facilitating businesses and safeguarding intellectual property rights, this endeavor was essential. To ensure accuracy and reliability, BIP SXM obtained official publications from the Bureau for Intellectual Property Curacao (BIP CW) spanning from January 2001 to October 2015.

Through our diligent efforts, the online register was created. This invaluable resource has since served as a repository of trademark rights valid in Sint Maarten. For startups, innovators, and businesses venturing into the Sint Maarten market or those already established on Sint Maarten, the BIP SXM register serves as a valuable tool to conduct research, assess trademark availability, or to protect your intellectual property rights.

BIP SXM remains committed to working together with the trademark representatives for the benefit of the trademark holders and the public at large. In light of this, we hereby would like to take this opportunity to remind you of a few possible corrections that may require your further attention. Your diligence in addressing these potential corrections is greatly appreciated as it contributes to the overall integrity and efficiency of our services.

**Important notice:**

1. Please be informed that effective April 1st, 2026, no amendments to trademarks filed after October 1st, 2015, will be processed, as the renewal cycle for these trademarks will have concluded.
2. At the time of building the online register the following assumptions were made and decisions were taken.

Best regards,

Vincentia Rosen-Sandiford  
Director  
Bureau for Intellectual Property Sint Maarten



*The Bureau for Intellectual Property Sint Maarten (the Bureau) is an independent governing body and public service provider in the field of Intellectual Property, incorporated by law on October 1st, 2015. The services of the Bureau are aimed at securing IP rights for individuals, entrepreneurs and (larger) companies that are established nationally, regionally, and internationally, doing business, or creating and selling (artistic) works in or from Sint Maarten.*

*The Bureau maintains a neutral position towards the public. One of its main tasks is to provide information on all procedural aspects relating to intellectual property rights on Sint Maarten, namely trademarks, copyrights and patents. Given the fact that the Bureau is neutral and objective in its service to all entrepreneurs, individual (legal) advice is prohibited.*

*Mrs. Vincentia Rosen-Sandiford is the Director of the Bureau since its inception. During her professional career she has worked in both the private and public sector. Besides her talent for business and change management, she is passionate about increasing IP awareness in and for Sint Maarten.*

## Correction of data in the Sint Maarten Trademark Register

### Numbering

- At the time of the dismantling of the Netherlands Antilles (10/10/2010), the trademark registers for Curaçao and Sint Maarten were separated. BIP CW decided at that time to apply a different range of numbers for both of the registers. The numbers used for the Curaçao register continued after the highest number given to the trademark that was last registered for the Netherlands Antilles as a whole.
  - For the trademarks valid in Sint Maarten a new range of numbers were created. BIP SXM continues to use these new Sint Maarten numbers given by BIP CW for the trademarks valid in Sint Maarten.
    - Numbers in the range between 1-13582 are used for trademarks filed in the Netherlands Antilles between 01/01/2001 and 10/10/2010;
    - Numbers higher than 13582 are used for Sint Maarten applications filed after 10/10/2010. This range of numbers according to the publications by BIP CW ended at number 14913 by or around September 2015;
    - However, an exception was made for trademarks that were given a number with a letter as suffix. E.g.: In cases where trademarks were split (partial transfers), BIP CW gave the two resulting trademarks the same number and added a letter A for the part that was split from the original registration. The Sint Maarten trademark database cannot process numbers with suffixes. As a result, those trademarks that used to have a number with a suffix were given a new number. The trademark owners involved or their representatives were informed of the new number given to their registration. These numbers range between 14989 and 14999.
    - The last update of the register, before the launch of BIP SXM on October 1st, 2015, contains all the data previously published by BIP CW for Sint Maarten.
  - Applications for Sint Maarten trademarks filed at BIP SXM under the new Sint Maarten legislation were given a number in the range starting with registration number 15000.
- BIP SXM did not maintain a separate numbering system for an application, registration or renewal of a trademark.
  - A table displaying the conversion from the numbers used for the registration under the Netherlands Antilles' legislation into Sint Maarten trademark numbers, as well as changes made to Sint Maarten numbers with a suffix by BOIP, [is available in PDF format](#).
  - As stated above, BIP SXM utilizes the Sint Maarten numbers assigned by BIP CW or BOIP for trademarks. However, it's important to note that numbers used between 01/01/2001 and 10/10/2010 are provided on registration copies as a convenience for users. Kindly note that these numbers are no longer utilized by the Bureau. When submitting requests concerning a specific trademark, we kindly ask that you use the designated Sint Maarten numbers.
- ### Lists of goods and services
- Whilst building the online register, BOIP discovered that some trademarks were recorded without a specification of goods and services. In these cases, only class numbers were mentioned. These lists of goods and services needed to be specified, and the goods and services for which the trademark was used had to be explicitly stated. While BOIP decided not to fill in these lists at its own initiative, for example by inserting the Nice class heading, it's worth noting that the responsibility for this lies with the trademark owner and/or the trademark representative. In these cases, the class numbers mentioned were duly recorded, with the list per class labeled as: "To be specified". BIP SXM would appreciate trademark owners or their representatives to approach the Bureau (via e-mail to: [trademarks@bip.sx](mailto:trademarks@bip.sx)). Please mention as subject: ("request for correction of data") in order to specify the lists of goods and services. BIP SXM will ask for specification at the time of renewal of aforementioned trademarks.
  - At the time of renewal, trademark owners or their representatives were also required to file a translation into English if a list of goods and services was in Dutch, Spanish or Papiamentu. Filing a translation was also possible before the renewal of the trademark. Presently, the trademark register is entirely in English; it remains the sole language accepted for new applications with BIP SXM.
- In a number of trademarks, lists of goods and services were recorded consolidated: the goods and services were mentioned in one list following an enumeration of the class numbers they should be classified in. In these cases, BOIP decided to mention each class separately and inserted the complete consolidated list with each class. In these cases, BIP SXM asked for specification of the goods and services per class at the time of renewal of the aforementioned trademarks. BIP SXM would appreciate trademark owners or their representatives to approach the Bureau with their request(s) for correction of data (via e-mail to: [trademarks@bip.sx](mailto:trademarks@bip.sx)). Kindly mention as subject: ("request for correction of data").
- ### Lapsed rights
- BIP CW published the fact that trademarks were lapsed or renewed. All trademarks that were published as lapsed were not included in the online register. All trademarks published as renewed were included. If an owner of a trademark or a representative notice that a trademark was mistakenly not included in the register, they are invited to contact BIP SXM (via e-mail at: [trademarks@bip.sx](mailto:trademarks@bip.sx)) and to kindly mention as subject: ("request for correction of data") to resolve this matter.
- ### Changes and renewals
- BOIP also processed all changes and renewals recorded for Sint Maarten and published by BIP CW in the publications of December 2014 through October 2016. BOIP adjusted the Sint Maarten register and incorporated these changes and renewals. However, these are published as corrections of the initially recorded data since these renewals and changes were recorded by BIP CW before the entering into force of the Sint Maarten Trademark Ordinance.
- ### Transition
- When the Sint Maarten Trademark Ordinance entered into force, some files were still being handled by BIP CW. They had already been requested at BIP CW before October 1st, 2015 but were not yet completed at that time. These files were completed through a joint effort of both organizations. BIP SXM/BOIP asked the representatives to complete the missing data and/or fulfil the missing actions and BIP CW has subsequently finalized the files. After that, BIP CW informed BIP SXM of the latest changes to the register and handed over the completed files.

- Since these requests were introduced before October 1st, 2015, BIP SXM cannot publish them as changes or renewals. The recordal dates of these acts lay at a point in time before BIP SXM existed. Therefore, these files were recorded into the Sint Maarten register as corrections of the register.

#### Earlier rights

- In 2001, when the Netherlands Antilles 'Merkenlandsverordening 1995' entered into force, trademark owners needed to reconfirm their rights during the first year. Owners could, with these reconfirming applications, indicate the existence of earlier rights with validity in the Netherlands Antilles under the old legislation.
- At the time of registration of the reconfirming applications, these earlier rights claimed were not published. However, in more recent years, these dates of protection before 2001 were published with renewals either as "date of registration" or "date of depot" under code 15 of the renewal.
- BOIP added these dates published under code 15. They are mentioned with trademarks applied for in 2001 after the sentence: "Protected under the legislation applicable in the Netherlands Antilles before 2001 since: [dd month yyyy]". Please note that BOIP only mentions the oldest date. If for example, an earlier date of registration with an even earlier priority date was recorded, only the priority date is mentioned.
- Please note that BOIP did not manage to retrieve all the dates of protection before 2001. If an owner of a trademark or a representative observes that an earlier right was overlooked, they are invited to contact BIP SXM (via e-mail at: [trademarks@bip.sx](mailto:trademarks@bip.sx)). Please mention as subject: ("request for correction of data") to resolve this matter. BOIP will request additional information during the renewal process for trademarks applied for in 2001, particularly in cases where the trademark did not lapse after a ten-year interval.

#### Incorrect Data

- Given the method utilized in constructing the Sint Maarten trademark register, BIP SXM could not guarantee that the initially recorded data was fully correct and that no trademarks were overlooked. Trademark owners or their representative who notice a mistake in the recorded data or a missing trademark are invited to contact BIP SXM (via e-mail at: [trademarks@bip.sx](mailto:trademarks@bip.sx)). Kindly mention as subject: ("request for correction of data" to resolve this matter. We apologize for any incorrect data and look forward to receiving your feedback.

We look forward to your positive feedback, engagement and if needed requests for corrections.

#### Disclaimer

*The Bureau is not a regulatory body and therefore does not have any law enforcing authorities. By law, the Bureau can only carry out tasks pertaining to the registration of trademarks, provide information to the public regarding intellectual property, and thereto related matters. The Bureau's position is neutral. Given the fact that the Bureau must serve all entrepreneurs, it cannot take the side of one party in a conflict, since this would automatically result in no longer being able to serve all. The Bureau cannot act against any infringement of intellectual property rights or the suspicion thereof. Furthermore, the law does not provide for any instruments for the Bureau to conduct any procedures in relation to infringement or dispute settlement. In the event of any (suspected) infringement, a lawsuit should be filed with the civil court by the owner of the intellectual property rights.*

## Vol 1 – 2024 Event Calendar

📅 IP Events Calendar	📍 Location	🌐 Website
18/04 19/04 The IPR Gorilla: The IP and Litigation Gorilla Conference Dubai 2024	Pullman Dubai Downtown	<a href="http://www.theiprgorilla.com">www.theiprgorilla.com</a>
29/04 WIPO: LESI Annual Conference – WIPO Mock Mediation of a Licensing Dispute	Spain	<a href="http://www.wipo.int">www.wipo.int</a>
18/05 22/05 INTA: 2024 Annual Meeting	Atlanta, Georgia, USA	<a href="http://www.inta.org">www.inta.org</a>
21/05 IPCA: Half yearly meeting	Atlanta, Georgia, USA	<a href="http://www.ipca.website">www.ipca.website</a>
30/05 WIPO: Dispute Resolution in the eSports Industry	Switzerland, Hybrid	<a href="http://www.wipo.int">www.wipo.int</a>

\* This list is not exhaustive.

