ANGUILLA

REVISED REGULATIONS OF ANGUILLA

under

LAYOUT-DESIGNS (TOPOGRAPHIES) OF INTEGRATED CIRCUITS ACT R.S.A. c. L31

Showing the Law as at 15 December 2006

This Edition was prepared under the authority of the Revised Statutes and Regulations Act, R.S.A. c. R55 by the Attorney General as Law Revision Commissioner.

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Revised Regulations of Anguilla: L31-1

LAYOUT-DESIGNS (TOPOGRAPHIES) OF INTEGRATED CIRCUITS ACT (R.S.A. c. L31)

LAYOUT-DESIGNS (TOPOGRAPHIES) OF INTEGRATED CIRCUITS REGULATIONS

Note: These Regulations are enabled under section 18 of the Layout-Designs (Topographies) of Integrated Circuits Act, R.S.A. c. L31.

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Interpretation

1. In these Regulations—

"Act" means the Layout-Designs (Topographies) of Integrated Circuits Act;

"$" means a dollar in the currency of the United States of America.

Fees

2. The fees to be paid in respect of matters arising under the Act or these Regulations are set out in Schedule 1.

Forms

3. (1) The forms referred to in these Regulations are set out in Schedule 2.

(2) Documents required or authorized by the Act or these Regulations to be sent to the Registrar may be transmitted to the Registrar by telefacsimile or electronic mail, and the date of filing shall be the date of transmission, provided that the original of the document so transmitted is filed with the Registrar within 1 month of its transmission**.**

Language of documents and translations

4. Applications shall be completed in the English language and any document forming part of an application or submitted to the Registrar pursuant to the Act or these Regulations that is in a language other than English shall be accompanied by an English translation verified by the translator that the translation, is to the best of his knowledge, complete and faithful.

Indication of name, address, nationality and residence

5. (1) Names of natural persons shall be indicated by the person's surname and given names and the names of legal entities shall be indicated by their full, official designations.

(2) Addresses shall be indicated in such a way as to satisfy the customary requirements for prompt postal delivery at the indicated address and, in any case, shall consist of all the relevant administrative units, including the street address, if any.

(3) Nationality shall be indicated by the name of the State of which a person is a national and legal entities shall indicate the name of the State under whose laws they are constituted and the address of their Registered Office.

(4) Residence shall be indicated by the name of the State of which a person is a resident or the State that is a legal entity's principal place of business.

Signatures by partnerships, companies and associations

6. (1) A document purporting to be signed for or on behalf of a partnership shall contain the names of all the partners in full and shall be signed by all the partners or by any partner qualified to sign, stating that he signs on behalf of the partnership, or by any other person who satisfies the Registrar that he is authorized to sign the document.

(2) A document purporting to be signed for or on behalf of a body corporate shall be signed by a director or by the secretary or other principal officer of the body corporate or by any other person who satisfies the Registrar that he is authorized to sign the document and shall bear the seal of the body corporate, if any.

(3) A document purporting to be signed for or on behalf of an association of persons may be signed by any person who satisfies the Registrar that he is duly authorized.

(4) The Registrar may, whenever he deems it necessary, request evidence of authorization to sign.

Representation by agent

7. (1) The appointment of an agent shall be by an authorization of agent which shall be made on Form No. 4 and signed by the applicant or, if there are more than one, by each applicant.

(2) The authorization of agent shall be filed together with the application or not later than 1 month after the filing date and, if the appointment is not thus made and is not in accordance with section 12 of the Act and subsection (1), any procedural steps taken by the agent, other than the filing of the application, shall be deemed not to have been taken.

Application for registration of a layout-design

8. (1) The application for the registration of a layout-design shall be made on Form No. 1 and shall be signed by each applicant or agent.

(2) The application shall indicate each applicant's name, address, nationality and residence.

(3) Where the applicant is the creator, the request shall contain a statement to that effect and, where he is not, it shall indicate each creator's name and address and be accompanied by a statement justifying the applicant's right to the registration of the layout-design.

(4) The brief and precise designation of the layout-design referred to in section 7(3)(a) of the Act shall consist of the title of the layout-design indicating the matter to which it relates or indicating the field to which the article in which it is intended to be incorporated, or has been incorporated, relates.

(5) Where the application was accompanied by a copy of the layout-design, the applicant shall file a drawing thereof within a period of one month.

Withdrawal of application

9. (1) The application may be withdrawn by written declaration submitted to the Registrar and signed by each applicant.

(2) The application fee shall not be refunded if the application is withdrawn.

Marking application

10. (1) Upon receipt, the Registrar shall mark, on each document making up the application, the actual date of receipt and the application number consisting of the letters AI, slant, the letters IC, slant, the numbers of the year in which the initial papers were received, slant and a five-digit number allotted in the sequential order in which applications are received and where any corrections or other later filed documents are received on different dates, the Registrar shall also mark their actual date of receipt in the appropriate place on the application for registration of the layout-design.

(2) The application number allotted under subsection (1) shall be quoted in all subsequent communications concerning the application.

According and notifying filing date

11. (1) The Registrar shall examine whether the application fulfills the requirements set out in section 7 of the Act and section 8 of these Regulations and where applicable sections 4, 6 and 7 of the Regulations.

(2) Where the Registrar finds that the application did not, at the time of receipt, fulfill the requirements referred to in subsection (1), he shall invite the applicant to file the required correction.

(3) The invitation to file any correction shall be in writing and it shall specify the correction or corrections required and request that these be filed within 2 months from the date of the invitation, together with the payment of the prescribed fee.

(4) Where the Registrar accords a filing date, he shall notify the applicant in writing of the filing date and, if the application is treated as if it had not been filed, under section 7(8) or (10) of the Act, the Registrar shall notify the applicant in writing, stating the reasons therefor.

(5) Where the conditions set out in sections 2(2) and (3) of the Act are not fulfilled, the Registrar shall reject the application and notify the applicant in writing, stating the reasons therefor.

(6) Where the Registrar finds that the conditions set out in sections 7(2) and (3) of the Act and the Regulations pertaining thereto are not fulfilled, he shall invite the applicant in writing to file the required correction within 2 months from the date of the invitation, together with the payment of the prescribed fee and, if the applicant does not comply with the invitation to correct a deficiency, or where, despite corrections submitted by the applicant, the Registrar is of the opinion that the conditions are not fulfilled, he shall reject the application and notify the applicant in writing stating the reasons therefor.

(7) Refusal of the application shall not affect its filing date which shall remain valid.

(8) The Registrar shall notify the applicant in writing of his decision to grant or to refuse the application, and, in the case of a decision to grant the application, he shall request the applicant to pay the registration and publication fee within 1 month from the date of the notification.

Registration; publication; issuance of certificate

12. (1) Subject to the payment of the registration and publication fee within the period prescribed in section 11(3), the Registrar shall register the layout-design in accordance with section 8(2) of the Act and this section, publish a reference to the registration and issue to the applicant a certificate of registration.

(2) The Registrar shall allot to each layout-design he registers, a number in the sequential order of registration.

(3) The registration of a layout-design shall include, in addition to the particulars specified in section 8(3) of the Act, a copy or drawing thereof, subject to section 7(3)(d) of the Act, and shall specify—

(a) the name and address of the registered owner;

(b) the name and address of the agent, if any;

(c) the name and address of the creator, except where he has asked not to be named in the registration; and

(d) the date of the first commercial exploitation, anywhere in the world, of the layout-design or an indication that such exploitation has not yet commenced.

(4) The publication of the reference to the registration of a layout-design, under subsection (1), shall contain the particulars specified in subsection (3).

(5) The certificate of registration of a layout-design shall be issued in Form No. 2.

Entries in register

13. The Registrar shall cause to be entered in the register in respect of every layout-design, in addition to the information indicated in section 12(3)—

(a) the address for service;

(b) the date on which the layout-design registration expired or was surrendered or cancelled;

(c) upon receipt of a request made on Form No. 5 and subject to payment of the prescribed fee, any change in name or address;

(d) any change in ownership or address for service in accordance with section 14 or 15; or

(e) the fact that a license contract has been concluded and recorded pursuant to section 10 of the Act.

Change in ownership

14. (1) The request, under section 10 of the Act, for the recording of a change in ownership of a layout-design registered under the Act, or of an application therefor, shall be made to the Registrar on Form No. 3 and shall be subject to payment of the prescribed fee.

(2) The publication of the change in ownership shall specify—

(a) the number of the application or registration concerned;

(b) the filing date, the date, if any, of first commercial exploitation, anywhere in the world, and the date of registration;

(c) the owner and the new owner; and

(d) the nature of the change in ownership.

(3) A license contract submitted for recording under section 10(3) of the Act shall be accompanied by the prescribed fee.

Address for service

15. (1) There shall be furnished to the Registrar—

(a) by every applicant for the registration of a layout-design, an address for service in Anguilla for the purpose of the application; and

(b) by person (including the applicant for, or the owner of, a layout-design) concerned in any proceedings to which these Regulations relate, an address for service in Anguilla;

and the address so furnished or, where another address (being an address in Anguilla) has been furnished in place thereof, that address shall be treated for the purposes of that application or those proceedings, as the case may be, as the address of that applicant or, as the case may be, of that person.

(2) Where an agent has been appointed in accordance with section 12 of the Act and section 7, the address of the agent shall, for all purposes connected with the Act and these Regulations, be treated as the address to which communications to the person who appointed the agent shall be transmitted.

Excluded days

16. When the last day for doing any act or taking any proceeding falls on a day when the Companies and Intellectual Property Registry is not open to the public for business, it shall be lawful to do the act or to take the proceeding on the day when the Registry is next open for business.

Consultation of Register; extracts and copies of documents

17. Consultation of the Register shall be subject to payment of the prescribed fee and requests for certified copies of extracts from a Register or, subject to section 18, for copies of documents shall be made to the Registrar in writing and shall be subject to payment of the prescribed fee.

Inspection of licences

18. The file relating to a license contract may be inspected and extracts obtained therefrom only with the written permission of the licensor and licensee.

Correction of errors

19. (1) The Registrar may correct any error of translation or transcription, clerical error or mistake in any application or document filed with the Companies and Intellectual Property Registry or in any matter recorded pursuant to the Act or these Regulations.

(2) Correction of errors may be made by the Registrar upon receipt of a request in writing and subject to payment of the prescribed fee and to such terms as he may consider appropriate, or on his own initiative.

(3) Corrections made shall be communicated in writing to all interested persons and, where considered necessary by the Registrar, shall be published by the Registrar.

Hearing

20. (1) Before exercising adversely to any person any discretionary power given to the Registrar by the Act or these Regulations, the Registrar shall notify such person in writing of the opportunity to be heard thereon and indicating a time limit, which shall not be less than 1 month, for filing a request for a hearing.

(2) The request for a hearing shall be in writing and shall be subject to payment of the prescribed fee.

(3) Upon receiving a request for hearing, the Registrar shall give the person requesting the hearing, and any other interested person no less than 2 weeks' notice in writing of the date and time of the hearing.

Service by mail

21. Any notice, application or other document sent to the Registrar by mail shall be deemed to have been given, made or filed at the time when it would be delivered to the Registrar in the ordinary course of the mail and in proving such sending, it shall be sufficient to prove that the letter containing such notice, application or other document was properly addressed and sent by registered mail.

Extension of time limit

22. The time prescribed by these Regulations for doing any act or taking any proceeding thereunder may be extended by the Registrar, if he thinks fit, upon such notice and upon such terms as he may direct; and such extensions may be granted although the time for doing such act or taking such proceeding has already expired.

Direction as to furnishing of documents

23. At any stage of any proceedings before the Registrar, he may direct that such documents, information or evidence as he may require be furnished within such time as he may fix.

Correction of irregularities

24. Any irregularity in procedure before the Registrar may be rectified on such terms as he may direct.

Dispensation by the Registrar

25. Where, under these Regulations, any person is to do any act or thing or any document or evidence is required to be produced or filed and it is shown to the satisfaction of the Registrar that, for any reasonable cause, that person is unable to do that act or thing or that the document or evidence cannot be produced or filed, the Registrar may, upon the production of such evidence and subject to such terms as he thinks fit, dispense with the doing of any such act or thing or the production or filing of such document or evidence.

Evidence

26. (1) Where under these Regulations evidence may be filed, it shall be by statutory declaration or affidavit.

(2) The Registrar may, if he thinks fit, in any particular case, take oral evidence in lieu of or in addition to the evidence referred to in subsection (1) and shall allow any witness to be cross-examined on his declaration or affidavit.

Statutory declarations and affidavits

27. (1) Any statutory declaration or affidavit filed under the Act or these Regulations shall be made before any officer authorized by law in any part of Anguilla to administer on oath for the purpose of any legal proceedings.

(2) Statutory declarations or affidavits made outside Anguilla shall be made before a Consul or Notary Public.

Publication

28. Particulars of layout-designs of integrated circuits and other proceedings under the Act and any other information required to be published under the Act or these Regulations shall be published monthly in a periodical, unless the Registrar otherwise directs.

Administrative directions

29. Where no provision is made in the Act or these Regulations in respect of any matter arising in the administration of the Act, the Registrar may give such directions in respect thereof as he considers necessary in the circumstances.

Citation

30. These Regulations may be cited as the Layout-Designs (Topographies) of Integrated Circuits Regulations, Revised Regulations of Anguilla L31-1.

SCHEDULE 1

(Section 2)

FEES

	Matter or Proceeding	**Amount ($US)**	**Corresponding Form**
1.	Application fee	$200.00	Form No. 1
2.	Correction of application in order to comply with requirements for according filing date	$20.00	
3.	Correction of application in order to comply with formal requirements	$20.00	
4.	Registration and publication fee	$100.00 plus fee payable to publisher	
5.	Request for recording of change in ownership	$100.00	Form No. 3
6.	Submission of licence contract for recording	$100.00	
7.	Inspection of register	$25.00	
8.	Certified copies of documents	$5.00 per printed page and $10.00 to certify	
9.	Request for correction of error	$20.00	
10.	Request for hearing	$100.00	
11.	Change of name or address	$100.00	Form No. 5

SCHEDULE 2

(Section 3)

FORMS

REGISTRAR'S OFFICE, ANGUILLA

FORM NO. 1 (Section 8(1))

For Official Use

Date of Receipt by Registrar's Office:

APPLICATION No.:

(Office's Stamp)

LAYOUT-DESIGNS (TOPOGRAPHIES) OF INTEGRATED CIRCUITS ACT

APPLICATION FOR REGISTRATION OF LAYOUT-DESIGN

To: The Registrar
Anguilla

FILING DATE:

Applicant's or Representative's File Reference:

THE APPLICANT(S) REQUEST(S) THAT THE FOLLOWING LAYOUT-DESIGN BE REGISTERED:

I. APPLICANT(S)

Additional information is contained in the supplemental box ☐

Name (Surname first, if applicable):

Address(es):

Nationality:

State of residence or principal place of business:

Telephone Number: Facsimile Number: Email:

Address for service in Anguilla:

Telephone Number: Facsimile Number: Email:

I am not the creator or an agent for the creator and a statement justifying my right to register the layout-design is attached.

II. CREATOR(S) (If different from Applicant(s). The data concerning each creator must appear in this box or, if the space is insufficient, in the supplemental box.) Additional information is contained in supplemental box

Name (Surname first, if applicable):

Address:

Nationality:

State of residence or principal place of business:

Telephone: Facsimile: Email:

I do not wish to be named in the registration and a written declaration to that effect and signed by me

accompanies this Form

will be furnished within 2 months of the filing of this Form

III. AGENT*

The following agent has been appointed by the applicant(s) in the authorization of Agent

☐ accompanying this Form ☐ to be filed within 1 month from the filing of this Form

Name:

Address:

Telephone Number: Facsimile Number: Email:

IV. REPRESENTATIONS OF THE LAYOUT-DESIGN

This Form is accompanied by:

☐ four copies** of the layout-design;

☐ four copies** of the layout-design allowing the identification of the layout-design, whereby such parts of the copies that relate to the manner of the manufacture of the integrated circuit have been omitted in accordance with section 7(3)(d) of the Act;

☐ four drawings** of the layout-design;

---

* *Where an agent has been appointed, the address of the agent shall be treated as the address to which communications shall be transmitted.*

** *Where the application is accompanied by a copy of the layout-design, a drawing thereof shall be filed within the period prescribed in section 8(5).*

☐ four drawings** of the layout-design allowing the identification of the layout-design, whereby such parts of the drawings which relate to the manner of manufacture of the integrated circuit have been omitted in accordance with section 7(3)(d) of the Act.

V. DESIGNATION (Title of the layout-design indicating, pursuant to section 8(4), the matter to which it relates or the field to which the article in which it is intended to be incorporated, or has been incorporated, relates.)

VI. COMMERCIAL EXPLOITATION

☐ The layout-design has already been commercially exploited in

Date of first commercial exploitation:

☐ The layout-design has not yet been commercially exploited, anywhere in the world

---

VII. FEES

☐ Fees accompany this Form

VIII. SUPPLEMENTAL BOX†

IX. SIGNATURE ..... ……..…
(Applicants/Agents)‡ (Date)

…..... ……
(Applicants/Agents) ‡ (Date)

TO BE FILLED IN BY THE REGISTRAR

i. Date Application received:

ii. Date of receipt of corrections and later filed papers completing the application:

iii. Date fees received:

---

† *Use this box if any of the boxes is not large enough to contain information to be furnished. Indicate the boxes continued in this box by their Roman numerals and title (e.g., "II. APPLICANT(S) (continued)")*

‡ *Type name(s) under signature and delete whichever does not apply.*

REGISTRAR'S OFFICE, ANGUILLA

FORM NO. 2 (Section 12(5))

LAYOUT-DESIGNS (TOPOGRAPHIES) OF INTEGRATED CIRCUITS ACT

CERTIFICATE OF REGISTRATION OF LAYOUT-DESIGN

In accordance with section 8 of the Act and section 12 of the Regulations, it is hereby certified that a layout-design having the registration No……has been registered for:

Name:

Address:

on .....…… (date), in respect of a layout-design registered pursuant to an application for registration of that layout-design, having the following:

Filing date:

Date of that first commercial exploitation:

being a layout-design for:

…….....
(title)

created by:

Name(s):

Address(es):

☐ A drawing of the layout-design accompanies this Certificate

Dated this ..... day of .....……..... .

.....……
Registrar

_____

REGISTRAR'S OFFICE, ANGUILLA

FORM NO. 3 (Section 14(1)) For Official Use

LAYOUT-DESIGNS (TOPOGRAPHIES)
OF INTEGRATED CIRCUITS ACT

RECORDING OF CHANGE IN OWNERSHIP Received on:

To: The Registrar
Anguilla

I. IN THE MATTER OF:

☐ Application for registration of Layout-Design No. Filing Date:

Date of first commercial exploitation:

☐ Layout-Design No: Date of Registration:

II. APPLICANT(S) OWNER(S) *

Name:

Address:

Telephone Number: Facsimile Number: Email:

III. REQUEST

The Registrar is hereby requested to record the change in ownership of the above-identified

……..... *

*

The present applicant(s)/owner(s) * is/are identified above.

The new applicant(s)/new owner(s)* is/are identified below.

IV. NEW APPLICANT(S)/NEW OWNER(S)*

Name:

Address:

Address for service in Anguilla:

---

* *Delete whichever does not apply*

** *Indicate application or title concerned*

Nationality:

Residence or principal place of business:

Telephone Number: Facsimile Number: Email:

Address for service in Anguilla:

Telephone Number: Facsimile Number: Email:

V. ADDITIONAL INFORMATION

The following items accompany this Form:

- ☐ the original or a certified copy of the document evidencing the change of ownership, signed by or on behalf of the contracting parties
- ☐ other documents evidencing the change in ownership (specify)
- ☐ fees
- ☐ other (specify)

VI. SIGNATURES

....
(New Applicant(s)/New Owner(s)/Agent*) (Date)

....
(New Applicant(s)/New Owner(s)/Agent*) (Date)

....
(Applicant(s)/Owner(s)/Agent*) (Date)

....
(Applicant(s)/Owner(s)/Agent*) (Date)

* *Delete whichever does not apply and type name(s) under signature*

REGISTRAR'S OFFICE, ANGUILLA

FORM NO. 4 (Section 7(1))

For Official Use

Received on:

LAYOUT-DESIGNS (TOPOGRAPHIES)
OF INTEGRATED CIRCUITS ACT

AUTHORISATION OF AGENT

To: The Registrar
Anguilla

I. APPOINTMENT

The undersigned hereby appoints as his representative the person identified in item III.

II. NAME OF THE PERSON MAKING THE APPOINTMENT

III. REPRESENTATIVE

Name:

Address:

Telephone Number: Facsimile Number: Email:

IV. APPLICATION(S) AND/OR REGISTRATION(S) CONCERNED

This authorization of agent concerns the following application(s) and/or registration(s):

☐ If the spaces are not sufficient, check this box and provide the information on an additional sheet.

V. SIGNATURE OR SEAL

Name of the natural person who signs or whose seal is used:
Date of signature or of sealing:
Signature or seal:

VI. ADDITIONAL SHEETS AND ATTACHMENTS

☐ Check this box if additional sheets and/or attachments are enclosed and indicate the total number of such sheets and/or attachments:

REGISTRAR'S OFFICE, ANGUILLA

FORM NO 5 (Section 13(c)) For Official Use

LAYOUT-DESIGNS (TOPOGRAPHIES) OF INTEGRATED CIRCUITS ACT Received on:

CHANGE OF NAME OR ADDRESS

To: The Registrar
Anguilla

I. IN THE MATTER OF:

Layout Design No: ……

Date registered: ……

Date application filed: ……

Title of design: ……

II. REQUEST FOR CHANGE OF NAME OR ADDRESS

I/We ……...

……

…… *(name(s) and address(es))*

the owner (s) of the application for registration of a layout design or the registered design identified above wish to have recorded a change in name/address to:

……

…… *(name(s) and address(es))*

The prescribed fee of $ ..... for registering the change of name/address is submitted herewith.

III. SIGNATURES

…..... …..
(Applicant/Agent) (Date)