

## BVI to update Intellectual Property laws

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As the British Virgin Islands continues to play a vital role in facilitating global trade and investment, it turns its attention to helping its more than 60,000 new companies per year build a business environment where innovation can be a key economic driver. Towards this end, the BVI Financial Services Commission (the "FSC"), which is the public body with responsibility for, among other things, administering the intellectual property laws of the BVI, announced on 5 January 2010 the establishment of a Focus Group to review and revise the existing IP laws.

According to the press release from the FSC, the establishment of the Focus Group is with a view to "making recommendations for legislative revision that are in concert with recent developments in the field and industry." The FSC sought to bring together both private and public sector leaders and the 8 member Focus Group includes 3 Queen's Counsels and the FSC's Director of Corporate Affairs who is also the Registrar of Trade Marks and Patents.

Among the members of the Focus Group is the head of Harneys' intellectual property practice group, Jamal S Smith, who welcomes this initiative as an opportunity to address many issues that have been of concern to clients, such as company names dispute resolution, the protection of service marks and well-known marks, border measures for counterfeit and pirated goods and the assignment of rights with or without the goodwill of a business, among others. The Focus Group is expected to be inaugurated in February and complete its work by 31 December 2010.

*For more information about the development of intellectual property laws in the BVI, please contact Jamal S Smith ([jamal.smith@harneys.com](mailto:jamal.smith@harneys.com)).*