

*Law & Practice*

## CARIBBEAN: TMclass Anticipates Fresh Interest Following Six New Members Since 2021

Published: September 21, 2022



**Patrick Hely**  
CARIBBEAN IP - Katherine Van  
Deusen Hely, P.L.L.C.  
West Palm Beach, Florida, USA  
Anticounterfeiting Committee  
—Latin America and Caribbean  
Subcommittee

**Verifier**

**Alexandre de Lespinasse**  
Cabinet de Lespinasse  
Port-au-Prince, Haiti  
INTA Bulletins—Latin America and  
Caribbean Subcommittee

On June 13, 2022, Haiti became the latest in a string of Caribbean jurisdictions to join the TMclass program. This follows the recent additions of St. Lucia and Antigua and Barbuda in late 2021. Combined with another set of recent additions in the region last summer, six Caribbean countries have joined since the start of 2021.

The work of CarIPI, the CARIFORUM Intellectual Property and Innovation Project, is behind the trend toward Caribbean participation in TMclass. The European Union funds CarIPI, which is implemented by a partnership between the EU Intellectual Property Office (EUIPO) and intellectual property offices (IPOs) of 16 Caribbean nations, nine of which now participate in TMclass. One anticipates that that number will grow. However, the Bahamas is unlikely to join the system soon because it uses a local classification system. The other 15 CarIPI participants use the Nice Classification system.

Haiti and St. Lucia adopted the Harmonized Database of Goods and Services (HDB) upon joining TMclass. Trinidad and Tobago, which joined in July 2021, also began using the HDB in December 2021. For now, Antigua and Barbuda will use “the alphabetical list of the Nice classification and a supplement of common terms between the [HDB] . . . and the Madrid Goods & Services” according to a CarIPI announcement.

The EUIPO publicizes that 90 national and regional IPOs use TMclass and that 24 IPOs outside the EU use the HDB. Seven of the nine Caribbean participants use the HDB. The CarIPI program also wants to explore adding a harmonized list of region-specific terms that would supplement the HDB.

The TMclass system can be accessed online, including via a region-specific tool that was launched in December 2021. It allows users to verify the classification of goods and services terms, and it translates those terms between 44 different languages.

*Although every effort has been made to verify the accuracy of this article, readers are urged to check independently on matters of specific concern or interest. Law & Practice updates are published without comment from INTA except where it has taken an official position.*