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“Certificate of Intellectual Property Residence” - June 28, 2011 Update

Anguilla was the first country to announce a “Certificate of Intellectual Property Residency” (“CIPR”). See <http://www.anguilla-counts.ai/press.pdf>

The Intellectual Property (IP) community is embracing this new common law instrument with enthusiasm and is sending many excellent suggestions as to how its effectiveness and value can continue to be enhanced.

In utilizing the CIPR, it is important to recognize that it does not compete, interfere, obviate, or limit the authors or developers of Intellectual Property regarding the establishment of “protection” through global legal conventions for patents, trademarks, copyrights or any methods of preventing others from violating their rights.

The CIPR’s purpose is to help establish the 1) date, 2) residence and 3) ownership of any Intellectual Property which one may wish to have on file at the Government of Anguilla Registry.

The benefits of so doing are manifold and the list is growing with each additional application.

- the value, importance and accumulation of higher knowledge and intangibles is rising exponentially and the residence of those assets needs to be identified and recorded.
- there is no delay or long processing time to file a CIPR whereas patents take years to perfect.
- the filing and dating of a registry stamp ensure certainty of the time and residence.
- disclosure of the filing is not “public” unless desired by the owner or required by law.
- any filing can and should contain accounting statements showing how the value was established at the time as well as the identities of the originator/seller(s) and buyer(s).
- the CIPR is a useful vehicle in which to include any formal valuator’s reports.
- there is no requirement for prior patent, trademark, etc. registrations although those should be included in the CIPR filing package if they do already exist.
- the complex definitions of drug formulations, intricate engineering detail, etc. are essential in patent applications but are not required to simply certify a date and residence of the CIPR event.
- the time and cost of registering a CIPR are minimal.
- having a CIPR may be important in fund raising to demonstrate the tax, legislative, or other advantages of its Anguillian residence.
- Anguilla-Counts has developed a small cohort for focus groups/pilots/testing for IP, thereby establishing a further basis for residence of the resultant intangible (or tangible) property if required.
- updating of the CIPR is at the discretion of the owner.

Recent industry focus on the accumulation of large patent portfolios or "patent trolling" suggests other unique advantages of the CIPR wherein such assets may require a safe, neutral holding jurisdiction at the time of acquisition so as to lock in the cost base in a zero tax location.

Anguilla-Counts, Inc. is a not-for-profit company formed with the intent of drawing together virtually all Anguillians as stakeholders in attracting, conceiving, developing, testing, and implementing IP in Anguilla because of our "model" size and unique characteristics. Our aim is to encourage and support Centers of Excellence in many of the six current global technology revolutions - info, nano, bio, socio/cogno, robo and energy.

Span-Hansa Group Limited (associated with Anguilla-Counts, Inc.) is a licensed "Companies Management Company", duly authorized to provide these certification services as well as to facilitate patent, trademark or copyright filings in Anguilla and for any accompanying corporate formations or management of same.

Other historical Anguillian "firsts" in international business are enumerated at the Website:
http://anguilla-counts.ai/news-detail.php?article_id=13

For more information, contact your Intellectual Property attorneys or Lynwood Bell at
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