

CAYMAN ISLANDS



Trade Marks Act, 2016

(Act 31 of 2016)

**TRADE MARKS (CUSTOMS AND
BORDER CONTROL) REGULATIONS,
2025**

(SL 61 of 2025)

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PUBLISHING DETAILS



CAYMAN ISLANDS**Trade Marks Act, 2016****(Act 31 of 2016)****TRADE MARKS (CUSTOMS AND BORDER CONTROL) REGULATIONS, 2025****(SL 61 of 2025)****Arrangement of Regulations**

Regulation	Page
1. Citation and commencement	5
2. Form of notice.....	5
3. Fee.....	5
4. Copy of certificate of registration of trade mark.....	6
5. Security may be required.....	6
6. Indemnification of Director of Customs and Border Control.....	6
7. Notification of change	6
8. Withdrawal of notice	6
SCHEDULE	8
(Regulation 2)	8

CAYMAN ISLANDS**Trade Marks Act, 2016****(Act 31 of 2016)****TRADE MARKS (CUSTOMS AND BORDER CONTROL) REGULATIONS, 2025****(SL 61 of 2025)**

In exercise of the powers conferred by section 70(1) of the Trade Marks Act, 2016, the Cabinet makes the following Regulations —

Citation and commencement

1. (1) These Regulations may be cited as the Trade Marks (Customs and Border Control) Regulations, 2025.
- (2) These Regulations come into force on the date following the expiration of six months after the date of publication of these Regulations.

Form of notice

2. A notice given to the Director of Customs and Border Control under section 61 of the Act shall be in the form set out in the Schedule and a separate notice shall be given in respect of each trade mark.

Fee

3. A fee of two hundred dollars shall accompany the notice to the Director of Customs and Border Control.

Copy of certificate of registration of trade mark

4. The person who gives the notice under regulation 2 shall furnish to the Director of Customs and Border Control —
- (a) a copy of the certificate of registration for the trade mark specified in the notice at the time the notice is given; or
 - (b) evidence as may reasonably be required to establish, either at the time that the notice is given or at the time that the goods to which the notice relates are imported —
 - (i) the person's ownership of a licence to use the registered trade mark;
 - (ii) that the goods detained are infringing goods, infringing material or infringing articles; and
 - (iii) in the case of a person who has signed the notice as the registered agent, that the person is in fact the registered agent.

Security may be required

5. The person who gives the notice under regulation 2 shall give —
- (a) security; or
 - (b) further security,

within the time and in the manner, whether by bond or by deposit of a sum of money, as the Director of Customs and Border Control may require, in respect of any liability or expense which the Director of Customs and Border Control may incur as a result of the detention of any article or anything done to an article that is detained.

Indemnification of Director of Customs and Border Control

6. The person who gives the notice under regulation 2 shall indemnify the Director of Customs and Border Control against any liability and expense referred to in regulation 5 whether or not security is given.

Notification of change

7. The person who gives the notice under regulation 2 shall notify the Director of Customs and Border Control in writing of any change in the ownership of the registered trade mark specified in the notice, or any other change affecting the notice, within fourteen days of the change.

Withdrawal of notice

8. Notwithstanding regulation 7, the notice under regulation 2 shall be considered as withdrawn —
- (a) on the expiry of fourteen days from any change in ownership of the registered trade mark specified in the notice, whether notified to the



Director of Customs and Border Control in accordance with regulation 7 or not; or

- (b) if the person giving the notice has failed —
 - (i) to comply with a requirement of these Regulations; or
 - (ii) to pay the fee referred to in regulation 3.

SCHEDULE

(Regulation 2)

NOTICE REQUESTING INFRINGING GOODS, INFRINGING MATERIAL OR INFRINGING ARTICLES TO BE TREATED AS PROHIBITED GOODS

Please read these notes carefully before completing this notice.

1. This notice may only be given by the owner of the registered trade mark, a licensee or the authorized agent of either the owner or a licensee.
2. A separate notice must be given in respect of each registered trade mark.
3. The period specified in Part 1 shall not exceed 5 years and shall not extend beyond the period for which the trade mark is registered.
4. A fee of \$200 is payable when submitting this notice. If paying by cheque, the cheque shall be made payable to the “Director of Customs and Border Control”.
5. A copy of the certificate of registration for the trade mark specified in Part 2 of this Schedule shall accompany this notice.
6. The person giving this notice shall indemnify the Director of Customs and Border Control against any liability or expense which the Director of Customs and Border Control may incur as a result of detaining any article or anything done to an article detained as a result of this notice. The person may be required to give the Director of Customs and Border Control security in respect of any such liability or expense. The person will be informed when this is required.
7. Part 3 is not obligatory, however please provide information where it is available.

Part 1

Request that infringing goods, infringing material or infringing articles be treated as prohibited goods

Complete either Section A or Section B

Section A: Where request is made by the proprietor of the registered trade mark

I,

(Full name of signatory in block letters)

of.....

(Address of signatory)



give notice that I am the proprietor of the registered trade mark specified below which is registered under the Trade Marks Act, 2016 and I request that any infringing goods, infringing material or infringing articles be treated as prohibited goods for the period — starting on

and ending on

Section B: Where request is made by a licensee or registered agent

I,

(Full name of signatory in block letters)

of.....

(Address of signatory)

am the *licensee/registered agent (*please delete the inappropriate title) of the proprietor of the registered trade mark and I give notice that

.....

(Name of the proprietor of the registered trade mark)

of.....

(Address of proprietor of registered trade mark)

is the proprietor of the registered trade mark specified below which is registered under the Trade Marks Act, 2016 and I request that any infringing goods, infringing material or infringing articles be treated as prohibited goods for the period —

starting on

and ending on

Part 2

Particulars of Registered Trade Mark

Registration No.: _____

Trade Mark: _____

Class Numbers: _____

Goods and services protected: _____

Application date: _____

Registration date: _____

Renewal/Expiry date: _____

Proprietor name and address: _____

Authorized Agent name and address: _____



Part 3

Details of expected importation

- (a) Date of expected importation _____
- (b) Place of customs declaration _____
- (c) Place of unloading _____
- (d) Country of origin _____
- (e) Country from which goods consigned _____
- (f) Bill of lading/air waybill/consignment reference number _____
- (g) Name of ship/aircraft flight number/vehicle registration number

- (h) Name and address of importer/consignee _____

- (i) Tariff classification and commodity code _____

Part 4

Declaration of signatory

I declare that the information given by me in this notice is true.

Signature Date

(*Proprietor/licensee/registered agent of proprietor of registered trade mark) (*Please delete inappropriate titles).



Part 5

Addressee

Please send the completed notice, enclosing the fee and a copy of the certificate of registration of the trade mark, to —

Director of Customs and Border Control
H.M. Customs and Border Control Department
P.O. Box 898 H.M. Customs and Border Control
42 Owen Roberts Drive
George Town
Grand Cayman
Cayman Islands
KY1-1103

Made in Cabinet the 12th day of December, 2025.

Kim Bullings
Clerk of the Cabinet

