STATES OF JERSEY

EXTENSION TO JERSEY OF THE PCT, HAGUE AGREEMENT, MADRID PROTOCOL AND NICE AGREEMENT (P.117/2025): COMMENTS

Presented to the States on 30th January 2026
by the Economic and International Affairs Scrutiny Panel

STATES GREFFE

COMMENTS

Background

The Extension to Jersey of the Patent Cooperation Treaty (the PCT), Hague Agreement, Madrid Protocol and Nice Agreement [P.117/2025] (hereafter referred to as "the Treaties") was lodged *au Greffe* on 22nd December 2025 by the Minister for External Relations (hereafter referred to as "the Minister"). This proposition is scheduled for debate at the States' sitting commencing 3rd February 2026.

Following the States Assembly's approval of the Draft Patents Law, Registered Designs Law (Jersey) Amendment Regulations 202- [P.48/2024] and the Draft Trade Marks (Jersey) Law 202- [P.86/2025], which advances the modernisation of Jersey's intellectual property (IP) framework, this proposition seeks approval to request the extension of the following Treaties from the United Kingdom of Great Britain and Northern Ireland to the Bailiwick of Jersey:

- the Patent Cooperation Treaty (the PCT);
- the Geneva Act (1999) of the Hague Agreement Concerning the International Registration of Industrial Designs (the Hague Agreement);
- the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (the Madrid Protocol); and
- the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (the Nice Agreement).

Panel Observations

The Economic and International Affairs Scrutiny Panel has been kept informed of the rationale for seeking the extension of these treaties through updates provided at its public quarterly hearings, as well as through dedicated officer-led briefings. The Panel considers the extension of the treaties to Jersey to be an essential step in modernising the Island's intellectual property framework.

The Panel has already highlighted, in Comments presented on [P.48/2024] and [P.86/2025], the advantages of extending the treaties referenced in the draft Report. With regards to the Madrid Protocol in particular, the Panel notes that extending this treaty to Jersey could provide significant practical benefits. Inclusion would allow foreign businesses to designate Jersey more easily when seeking international trademark protection, potentially increasing the Island's visibility and attractiveness as a jurisdiction for brand registration. Concurrently, it would give Jersey based businesses a more streamlined and cost-effective route to securing trademark protection in multiple overseas markets, supporting their ability to expand and compete internationally.

The Panel requested clarification on how the outcomes and benefits of Jersey's participation in these treaties would be monitored. Officers advised that a general impact assessment had been undertaken as part of the wider IP modernisation programme to evaluate the expected costs and revenues of establishing a potential trademark registry in Jersey. The assessment, based on available data and key assumptions, modelled the projected income and expenditure of a new primary IP registry, drawing on evidence from comparable jurisdictions.

The Panel also asked about Jersey's accession to the treaties and whether the Minister will publish related reporting. It was explained that the Jersey Financial Services Commission already produces an annual report, and once the new IP Registry is operational, its performance and statistical data will be included. This will cover the trademark registry and local patent and design re-registrations. Data on international patent and design registrations designating the UK will continue to be available through UK IPO and WIPO statistical reports

Conclusion

The Panel reiterates, as highlighted in its comments on [P.48/2024], that the extension to Jersey of treaties such as these support the delivery of the Common Strategic Policy priority to reduce red tape, expand opportunities for business, and enhance Jersey's international reputation.[1] Therefore, the Panel supports this Proposition as a necessary step in advancing the Island's intellectual property framework.

[1] Common Strategic Policy 2024 to 2026