Bonaire, Saint Eustatius and Saba (BQ)

Capital: Kralendijk (Bonaire)

Official language(s): Dutch, Papiamentu

Official Currency: U.S. Dollar (USD)

Population: 18,413 (2014) Bonaire, 4,020 Sint Eustatius (2014) , 1,846 Saba (2014)

Geography

Bonaire, Sint Eustatius and Saba are Caribbean islands of the Lesser Antilles. While Bonaire is part of the southern island chain of the Leeward Antilles, Sint Eustatius and Saba are situated in the northern island chain of the Leeward Islands. Saba is the smallest island of the Netherlands (5 square km) with very low population.

Legal System

Bonaire, Sint Eustatius and Saba (BES Islands) formerly were part of the Netherlands Antilles and have become ‘public bodies’ (openbare lichamen) of the Netherlands after the dissolution of the Netherlands Antilles in 2010. In practice they function as Dutch municipalities. Laws and regulations are currently, to a large extent, based on the laws of the former Netherlands Antilles and will gradually be replaced by new legislation based on Dutch laws.

Trademark Law

Trademarks are protected under the BES Trademark Act (Wet Merken BES). CarubIE, a separate department of the Benelux Office for Intellectual Property (BOIP) in The Hague, handles trademark registration for the BES Islands under the authority of the Department of the Caribbean Netherlands (Rijksdienst Caribisch Nederland). The Nice classification of goods and services has been adopted. The exclusive rights to a mark are acquired by filing an application. Owners of former Netherlands Antilles trademark rights had to confirm their rights prior to October 2011 in order to maintain their rights in the BES Islands. A trademark registreation is valid for 10 years and can be renewed for consecutive 10-year periods. Benelux trademark registrations and European Union Trademarks do not grant protection in the BES Islands. The BES Islands can be designated in an International Registration (country code BQ). The applicable law does not provide for an opposition procedure.

Contributed by
Landmark Trademark Protection, Louise Kwant, Amersfoort, Netherlands

History

After a Spanish period, Bonaire was conquered by the Dutch in 1636. In the same year, the Dutch West India Company took Sint Eustatius into possession. Saba was initially claimed by the French in 1635. In the latter 1630s, the Dutch Governor of Sint Eustatius sent Dutch families over to colonise Saba. Since 1678 the island of Bonaire fell together with Sint Eustatius and Saba under the direct command of the Dutch West India Company, with a Commander stationed on Sint Eustatius to govern all three islands. In 1954 the six islands Aruba, Bonaire, Curaçao, Saba, Sint Maarten and Sint Eustatius were united as the Netherlands Antilles. They were granted self-rule, but remained a Dutch protectorate. Aruba seceded the Netherlands Antilles in 1986 and the Netherlands Antilles were completely dissolved in 2010.

Politics

The BES Islands are integral parts of the Netherlands. They are however not part of the European Union and therefore not subject to European Union Law. The islands' residents have the same rights as Dutch citizens. They are entitled to vote in Dutch national and European elections.

Economy

Bonaire’s economy is mainly based on tourism. The island caters mainly to scuba divers and snorkelers. Bonaire is world renowned for its excellent scuba diving and is consistently rated among the best diving locations in the world. Bonaire’s vehicle licence plates bear the logo ‘Divers Paradise’. The island is also consistently recognised as one of the best destinations for snorkeling. Tourism is also the mainstay of Sint-Eustatius' economy. In Saba, tourism was slow to develop because the island is a dormant volcano with rocky shores and only one beach. The island has become known for its eco-tourist opportunities, such as scuba diving, rock climbing, and hiking.

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