



# THE VIRGIN ISLANDS Official Gazette

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### USING THE GAZETTE

The Virgin Islands Official Gazette is the official newspaper of the Government of the Virgin Islands. It is published weekly on Thursdays. Extraordinary editions are published as and when required.

Closing time for lodging notices is 12 noon on Monday in the week prior to publication. Early deadlines apply in cases of public holidays. Please refer to the schedule of deadlines at the back of the Gazette for specific deadlines. Late notices are accepted at the publisher's discretion only.

Notices must be accompanied by payment and written instructions. All dates, proper names, and signatures must be shown clearly, and contact details for the person responsible for the notice must be included.

Notices will be returned unpublished if not submitted in accordance with these requirements.

The *Official Gazette* reserves the right to apply its in-house style, and to reject notices which do not meet its requirements.

Kindly address notices and other correspondence to:

**The Virgin Islands Official Gazette**  
**Passport Office**  
**33 Administration Drive**  
**Road Town, Tortola VG1110**  
**Virgin Islands**  
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**Website: [www.bvigazette.org](http://www.bvigazette.org)**

<b>GOVERNMENT</b>
<b>Land Notices</b>

**NOTICE OF APPLICATION FOR REGISTRATION BY PRESCRIPTION  
SECTION 135 OF THE REGISTERED LAND ORDINANCE  
CAP 229 OF THE 1991 EDITION OF THE REVISED LAWS OF THE VIRGIN ISLANDS**

**REGISTRATION SECTION:** Road Town

**BLOCK:** 2836B

**PARCEL:** 125

**3319** The Chief Registrar of Lands hereby gives **NOTICE** that **JAMES ANTHONY** by his legal practitioners, Forbes Hare, has applied to be registered as proprietor by Prescription of Parcel 125 and has filed Affidavits in support of his application.

At present the parcel is registered to the following proprietor:

**Duff's Valley Corporation Ltd.**

The relevant documents may be inspected at the Land Registry upon request. Copies will be provided by the Applicant's legal practitioners.

Anyone who has just cause to object to **JAMES ANTHONY** being registered as proprietor by Prescription of the aforementioned **Parcel 125** should do so in writing to the Chief Registrar of Lands no later than one (1) month from 21<sup>st</sup> December 2011.

Dated 20<sup>th</sup> December 2011.

**Chief Registrar of Lands**

**NOTICE OF APPLICATION FOR REGISTRATION BY PRESCRIPTION  
SECTION 135 OF THE REGISTERED LAND ORDINANCE  
CAP 229 OF THE 1991 EDITION OF THE REVISED LAWS OF THE VIRGIN ISLANDS**

REGISTRATION SECTION	BLOCK	PARCEL
ROAD TOWN	2836B	7 & 48 }1/5th
SEA COWS BAY	2736B	37 & 54}Share

**3320** The Chief Registrar of Lands hereby gives notice that **Rubena Forbes, Cecil Allen Nibbs, Sr, Eugene Austin Nibbs, Lecia Elizabeth Rubaine and Janice Venecia Blyden** by their agent, Samuels Lawrence Business Services, have applied to be registered as Proprietors by Prescription of the 1/5th interest of Golda Thomas, Paul Forbes and Wade Forbes, and have filed Affidavits in support of their application.

At present all 4 parcels are registered to the following proprietors in common each with a 1/5th share:

- Paul Forbes
- Wade Forbes
- Rubina Forbes
- Golda Thomas

- Cecil Allen Nibbs, Eugene Austin Nibbs, Lecia Elizabeth Rubaine and Janice Venecia Blyden as Personal Representatives of Mabel Selesteen Nibbs, deceased

The relevant documents may be inspected at the Land Registry upon request. Copies will be provided by the Applicants or their agent.

Anyone who has just cause to object to **Rubena Forbes, Cecil Allen Nibbs, Sr, Eugene Austin Nibbs, Lecia Elizabeth Rubaine and Janice Venecia Blyden** being registered as proprietor by Prescription of the aforementioned 1/5th interests of Golda Thomas, Paul Forbes and Wade Forbes, should do so in writing to the Chief Registrar of Lands no later than one (1) month from 3rd March 2012.

Dated 29<sup>th</sup>February, 2012

**Chief Registrar of Lands**

**NOTICE OF APPLICATION FOR REMOVAL OF CAUTION**

**CLAIM NO. BVILR/RC/1/12**

**IN THE MATTER OF SECTION 129(2) OF THE REGISTERED LAND ORDINANCE  
(CAP 229 OF THE 1991 REVISED EDITION OF THE LAWS OF THE VIRGIN ISLANDS)**

**AND**

**IN THE MATTER OF AN APPLICATION FOR THE REMOVAL OF CAUTION  
FILED BY ISHMAEL BRATHWAITE AND SHEILA BRATHWAITE  
ON BEHALF OF DUFFS VALLEY CORPORATION LTD**

**REGISTRATION SECTION: Road Town**  
**BLOCK: 2836B**  
**PARCEL: 129 & 132**

**3321** Notice is hereby given that an Application to remove the Cautions (registered as Instrument #1690/2004 against Parcel 129 and Instrument #1655A/2005 registered against Parcel 132) from the above-mentioned parcels of land was filed by Ishmael Brathwaite and Sheila Brathwaite on behalf of Duffs Valley Corporation LTD.

You are therefore required within fourteen (14) days of the date of this Notice to file at the office of the Chief Registrar of Lands, any objection you may have why the said Cautions should not be removed pursuant to Section 129 of the Registered Land Ordinance.

Dated this 23rd day of February 2012.

**(for) Chief Registrar of Lands**

## Departmental Notices

### NATIONAL ACCOUNTS SURVEY

**3322** The Government of the Virgin Islands announces the commencement of its fourth National Accounts Survey which will be conducted by the Development Planning Unit (DPU) beginning March 20, 2012. The purpose of the survey is to collect information on income, expenditure, fixed assets, and other related information from selected business establishments throughout the Territory. It will focus on accounting information from 2010 and 2011. The data collected will be used to update the national accounting statistics database, which measures the economic performance of various sectors of the Territory's economy. The DPU will hold all information received in strict confidence.

Business owners selected will be contacted from March – June, 2012 and are required to complete a questionnaire. The Government is seeking the full cooperation of all selected business owners. Please complete and return the questionnaire to the DPU's offices by Friday, 15<sup>th</sup> June, 2012. For further details and questions please contact:

**The Development Planning Unit  
2<sup>nd</sup> Floor, East Atrium  
Central Administration Building  
Road Town, Tortola  
Telephone: 468-3701 ext. 2175  
Fax: 494-3947**

## Corrections

**3323** TAKE NOTICE that there was an error in Notice No. 3212 in Gazette 13 of 2012, dated 15<sup>th</sup> March, 2012. The corrected notice follows.

**Whitebox Hedged High Yield Fund, Ltd  
(In Voluntary Liquidation)  
(BBC NO. 473584)**

**NOTICE** is hereby given pursuant to Section 204, subsection (1)(b) of the BVI Business Companies Act, 2004 that the Company is in voluntary liquidation. The voluntary liquidation commenced. 27<sup>th</sup> February, 2012. The Liquidator is **Stuart Mackellar of Zolfo Cooper (BVI) Limited, 2<sup>nd</sup> Floor, Palm Grove House, P.O. Box 4571, Road Town, Tortola VG1110, Virgin Islands**

**Stuart Mackellar  
Liquidator**

**STATUTORY****Trademark Notices****ADVERTISEMENT OF APPLICATION FOR REGISTRATION OF  
TRADEMARK PURSUANT TO SECTION 9 OF THE TRADE MARKS  
ACT (CAP.158)**

**App. No. 3810**

**3324** **NOVARTIS AG of 4002 Basel, Switzerland** has applied for Registration of **(1) Trade Mark** consisting of the following: - **DAILIES TOTAL1**

Class 11 **in respect of** Optical apparatus and instruments; contact lenses.

The Applicants claim that this Trade Mark has been used by the proprietor in respect of the goods mentioned for 3 years before the date of this statement.

In accordance with section 10(1) of the Trade Marks Act (Cap 158) any person may within one month, or such further time, not exceeding three months, as the Registrar may allow, of the advertisement of the application give notice in duplicate at the Trade Marks Office of opposition to registration of the trade mark, and the Registrar shall send one copy of such notice to the applicant.

Dated 15<sup>th</sup> February, 2012

**Registrar of Trade Marks  
Trade Marks Office  
Tortola, Virgin Islands**

**ADVERTISEMENT OF APPLICATION FOR REGISTRATION OF  
TRADE MARK PURSUANT TO SECTION 9 OF THE TRADE MARKS  
ACT (CAP.158)**

**App. No. 3961**

**3325** **Cartier International AG of Hinterbergstrasse 22, Postfach 61, 6312 Steinhausen, Switzerland** have applied for Registration of **(1) Trade Mark** consisting of the following: - **CALIBRE DE CARTIER**

Class 10 **in respect of** Watches, chronometers, clocks.

Class 14 **in respect of** Cuff-links, tie clips, rings, bracelets, earrings, necklaces, brooches (jewelry), key rings.

The Applicants claim that the said Trade Mark has not been used by the Company in respect of the goods mentioned.

In accordance with section 10(1) of the Trade Marks Act (Cap 158) any person may within one month, or such further time, not exceeding three months, as the Registrar may allow, of the advertisement of the application give notice in duplicate at the Trade Marks Office of opposition to registration of the trade mark, and the Registrar shall send one copy of such notice to the applicant.

Dated 15<sup>th</sup> February, 2012

**Registrar of Trade Marks  
Trade Marks Office, Tortola, Virgin Islands**

**ADVERTISEMENT OF APPLICATION FOR REGISTRATION OF  
TRADEMARK PURSUANT TO SECTION 9 OF THE TRADE MARKS  
ACT (CAP.158)**

**App. No. 4284**

**3326 DP BEVERAGES LIMITED** of P.O. Box 309GT, Ugland House, South Church Street George Town, Grand Cayman, Cayman Islands has applied for Registration of **(1) Trade Mark** consisting of the following:- **FUZE TEA (Word Only)**

Class 42 **in respect of** Coffee; tea; cocoa; sugar; rice; tapioca; sago; artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery; ices; honey; treacle; yeast; baking-powder; salt; mustard; vinegar; sauces (condiments); spices; ice; fruit drinks and fruit juices; syrups and other preparations for making beverages.

Class 43 **in respect of** Beers.

Class 44 **in respect of** Mineral and aerated waters and other non-alcoholic drinks.

The Applicants claim that this Trade Mark has not hitherto been used by the Company in respect of the goods mentioned but it is the Company's intention to use it.

In accordance with section 10(1) of the Trade Marks Act (Cap 158) any person may within one month, or such further time, not exceeding three months, as the Registrar may allow, of the advertisement of the application give notice in duplicate at the Trade Marks Office of opposition to registration of the trade mark, and the Registrar shall send one copy of such notice to the applicant.

Dated 15<sup>th</sup> February, 2012

**Registrar of Trade Marks  
Trade Marks Office  
Tortola, Virgin Islands**

**ADVERTISEMENT OF APPLICATION FOR REGISTRATION OF  
TRADEMARK PURSUANT TO SECTION 9 OF THE TRADE MARKS  
ACT (CAP.158)**

**App. No. 4286**

**3327 Maples International Holdings Limited** of PO Box 309, Ugland House, Grand Cayman KY1-1104, Cayman Islands has applied for Registration of **(1) Trade Mark** consisting of the following:- **MAPLES**

Class 39 **in respect of** Paper (except paper hangings), stationery, bookbinding.

The Applicants claim that this Trade Mark has been used by the Company in respect of the goods mentioned since on or about September 2004.

In accordance with section 10(1) of the Trade Marks Act (Cap 158) any person may within one month, or such further time, not exceeding three months, as the Registrar may allow, of the advertisement of the application give notice in duplicate at the Trade Marks Office of opposition to registration of the trade mark, and the Registrar shall send one copy of such notice to the applicant.

Dated 15<sup>th</sup> February, 2012

**Registrar of Trade Marks  
Trade Marks Office  
Tortola, Virgin Islands**

**ADVERTISEMENT OF APPLICATION FOR REGISTRATION OF  
TRADE MARK PURSUANT TO SECTION 9 OF THE TRADE MARKS  
ACT (CAP.158)**

**App. No. 4277**

**3328 Philip Morris Brands Sàrl of Quai Jeanrenaud 3, 2000 Neuchâtel, Switzerland** has applied for Registration of **(1) Trade Mark** consisting of the following: - **Ice Ball Device (Lens)**



Class 13 **in respect of** Cigarette tubes, tobacco tins, cigarette cases, ashtrays and pocket apparatus for rolling cigarettes made from metal.

Class 37 **in respect of** Cigarette tubes, tobacco tins, cigarette cases, ashtrays and pocket apparatus for rolling cigarettes made from leather or wrought skins.

Class 45 **in respect of** Tobacco, raw and manufactured, tobacco products including cigars, cigarettes, cigarillos, tobacco for roll your own cigarettes, pipe tobacco, chewing tobacco, snuff tobacco

Class 47 **in respect of** Matches

Class 50(1) **in respect of** Cigarette tubes, tobacco tins, cigarette cases, ashtrays, pocket apparatus for rolling cigarettes made from ivory bone or wood.

Class 50(4) **in respect of** Tobacco pipes.

Class 50(10) **in respect of** Tobacco substitutes (not for medical purposes), Kretek, snus, lighters, smokers' articles made of paper, cigarette paper and tubes, cigarette filters

The Applicants claim that this Trade Mark has not been used.

In accordance with section 10(1) of the Trade Marks Act (Cap 158) any person may within one month, or such further time, not exceeding three months, as the Registrar may allow, of the advertisement of the application give notice in duplicate at the Trade Marks Office of opposition to registration of the trade mark, and the Registrar shall send one copy of such notice to the applicant.

Dated 15<sup>th</sup> February, 2012

**Registrar of Trade Marks  
Trade Marks Office  
Tortola, Virgin Islands**

**ADVERTISEMENT OF APPLICATION FOR REGISTRATION OF  
TRADE MARK PURSUANT TO SECTION 9 OF THE TRADE MARKS  
ACT (CAP.158)**

App. No. 4283

**3329 DP BEVERAGES LIMITED** of P.O. Box 309GT, Ugland House, South Church Street George Town, Grand Cayman, Cayman Islands has applied for Registration of (1) Trade Mark consisting of the following:-  
**Four Radiant Leaves Design**



Class 42 **in respect of** Coffee; tea; cocoa; sugar; rice; tapioca; sago; artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery; ices; honey; treacle; yeast; baking-powder; salt; mustard; vinegar; sauces (condiments); spices; ice; fruit drinks and fruit juices; syrups and other preparations for making beverages.

Class 43 **in respect of** Beers.

Class 44 **in respect of** Mineral and aerated waters and other non-alcoholic drinks.

The Applicants claim that this Trade Mark has not hitherto been used by the Company in respect of the goods mentioned but it is the Company's intention to use it.

In accordance with section 10(1) of the Trade Marks Act (Cap 158) any person may within one month, or such further time, not exceeding three months, as the Registrar may allow, of the advertisement of the application give notice in duplicate at the Trade Marks Office of opposition to registration of the trade mark, and the Registrar shall send one copy of such notice to the applicant.

Dated 15<sup>th</sup> February, 2012

**Registrar of Trade Marks  
Trade Marks Office  
Tortola, Virgin Islands**

**ADVERTISEMENT OF APPLICATION FOR REGISTRATION OF  
TRADEMARK PURSUANT TO SECTION 9 OF THE TRADE MARKS  
ACT (CAP.158)**

App. No. 4288

**3330 Philip Morris Brands Sàrl** of Quai Jeanrenaud 3, 2000 Neuchâtel, Switzerland has applied for Registration of (1) Trade Mark consisting of the following: - **TWIST FILTER Label**





Class 13 **in respect of** Cigarette tubes, tobacco tins, cigarette cases, ashtrays and pocket apparatus for rolling cigarettes made from metal.

Class 37 **in respect of** Cigarette tubes, tobacco tins, cigarette cases, ashtrays and pocket apparatus for rolling cigarettes made from leather or wrought skins.

Class 45 **in respect of** Tobacco, raw and manufactured, tobacco products including cigars, cigarettes, cigarillos, tobacco for roll your own cigarettes, pipe tobacco, chewing tobacco, snuff tobacco

Class 47 **in respect of** Matches

Class 50(1) **in respect of** Cigarette tubes, tobacco tins, cigarette cases, ashtrays, pocket apparatus for rolling cigarettes made from ivory bone or wood.

Class 50(4) **in respect of** Tobacco pipes.

Class 50(10) **in respect of** Tobacco substitutes (not for medical purposes), Kretek, snus, lighters, smokers' articles made of paper, cigarette paper and tubes, cigarette filters

The Applicants claim that this Trade Mark has not been used.

In accordance with section 10(1) of the Trade Marks Act (Cap 158) any person may within one month, or such further time, not exceeding three months, as the Registrar may allow, of the advertisement of the application give notice in duplicate at the Trade Marks Office of opposition to registration of the trade mark, and the Registrar shall send one copy of such notice to the applicant.

Dated 15<sup>th</sup> February, 2012

**Registrar of Trade Marks, Trade Marks Office, Tortola, Virgin Islands**

## Patent Notices

### ADVERTISEMENT OF APPLICATION FOR REGISTRATION OF UNITED KINGDOM PATENT PURSUANT TO SECTION 5(1) OF THE REGISTRATION OF UNITED KINGDOM PATENTS ACT (CAP.156)

**APP. NO. 794**

**3331 NOTICE IS HEREBY** given that **SmithKline Beecham Corporation of One Franklin Plaza, P.O. Box 7929, Philadelphia, PA 19101, United States of America**, has applied in the Territory of the Virgin Islands for the Registration of United Kingdom Patent No. **EP 1 534 390 B1** dated the **21st** day of **May, 2003** and granted on the **23rd** day of **December, 2009** and have filed in the office of the Registrar at Road Town, Tortola a complete copy giving full particulars of the patent and the certificate issued by the Comptroller General of the United Kingdom Patent Office. The Patent will be open for the public inspection at the said office between the hours of 9:00 a.m. and 3:00 p.m.

In accordance with section 5(1) of the Registration of United Kingdom Patents Act (Cap 156) any person may at anytime within two months from the date of this advertisement give notice to the Registrar of opposition to the issue of a certificate of registration upon any of the grounds prescribed by section 10 of the Patents Act, for opposition to the grant of Letters Patent.

Dated 15<sup>th</sup> February, 2012

**Registrar of Trade Marks and Patents  
Trade Marks Office, Tortola, Virgin Islands**

**ADVERTISEMENT OF APPLICATION FOR REGISTRATION OF  
UNITED KINGDOM PATENT PURSUANT TO SECTION 5(1) OF THE  
REGISTRATION OF UNITED KINGDOM  
PATENTS ACT (CAP.156)**

APP. NO. 795

**3332** NOTICE IS HEREBY given that **Biogen Idec MA Inc.** of **14 Cambridge Center, Cambridge, Massachusetts 02142, United States of America** and **Topotarget Switzerland SA** of **Avenue de Sévelin 18-20, 1004 Lausanne, Switzerland** have applied in the Territory of the Virgin Islands for the Registration of United Kingdom Patent No. **EP 1 415 659 B9** dated the **25th** day of **January, 2000** and granted on the **6th** day of **July, 2011** and have filed in the office of the Registrar at Road Town, Tortola a complete copy giving full particulars of the patent and the certificate issued by the Comptroller General of the United Kingdom Patent Office. The Patent will be open for the public inspection at the said office between the hours of 9:00 a.m. and 3:00 p.m.

In accordance with section 5(1) of the Registration of United Kingdom Patents Act (Cap 156) any person may at anytime within two months from the date of this advertisement give notice to the Registrar of opposition to the issue of a certificate of registration upon any of the grounds prescribed by section 10 of the Patents Act, for opposition to the grant of Letters Patent.

Dated 15<sup>th</sup> February, 2012

**Registrar of Trade Marks and Patents  
Trade Marks Office  
Tortola, Virgin Islands**