

# IMPORTS AND EXPORTS FROM TRINIDAD AND TOBAGO TO REPUBLIC OF PANAMA



## Business Entities

There are two main types of commercial entities established for business in the Republic of Panama:

Legal Framework: Law No. 32 of February 26, 1927, of *Sociedades Anónimas*, Law No. 4 of January 9, 2009, which regulates *sociedades de responsabilidad limitada*, Article 60-A of the Commercial code.

SOCIEDADES ANÓNIMAS	SOCIEDADES DE RESPONSABILIDAD LIMITADA
Partners or shareholders: Panamanian law indicates that it is possible to register a corporation with only one partner, who can be a natural or juridical person and of any nationality.	Partners or shareholders: Panamanian law requires a minimum of two partners for the registration of a Limited Liability Company, which may be natural or juridical persons of any nationality.
Capital: The capital is represented in shares, which may be nominal or bearer shares. An exact amount is not required for the incorporation of the company.	Capital: The capital of the company is made up of participation quotas, these quotas can be represented in money, goods, etc. The certificates of participation are issued in a nominal form to be transferred with the approval of the partners. No exact amount is required for the incorporation of the company.
Directors and administrators: They must have a minimum of three directors who must be natural persons, they can be of any nationality, and they do not have to be partners of the corporation, the identities of the directors of the corporation will be public since they will be registered in the corporate charter.	Directors and Administrators: The company's business is managed by one or more administrators, who may be legal or natural persons, of any nationality, and may or may not be partners.



### Requirements to obtain sanitary permit

Name and general information of the applicant
Name of the product
Name and complete address
Name and address of the workstation
Country of origin of the food or product, as well as the country of origin, when the final prepackaged food is imported from third countries.
Description of the product
Certificate of Free Sale (CLV)
Quail-quantitative formula of the product.
Description of the method of manufacture of the product.
Information concerning the conservation and stability of the product.
Digital or scanned copy of the original label or artwork identical to the original of the food.
Description of the lotting system.

# Food Regulation

**Legal Framework:** Law 206 of March 30, 2021, which creates the Panamanian Food Agency and repeals Decree Law 11 of 2006, which creates the Panamanian Food Safety Authority, By means of Executive Decree No. 125 of September 29, 2021. Regulating Law 206 of 2021, which creates the Panamanian Food Agency and repeals Decree Law 11 of 2006, which creates the Panamanian Food Safety Authority, Resolution No. 053-AG-2021 of September 13, 2021. Whereby it establishes the requirements and sanitary dispositions for the importation of industrialized or processed foods, destined for human or animal consumption, Resolution No. 055-AG-2021 of September 27, 2021. Whereby the requirements and sanitary provisions for the importation of raw materials, ingredients and additives used by the food industry and intended for human or animal consumption are established, Resolution No. 024-AG-2020 of August 27, 2020. Instructions for the registration of Prepackaged Foods for all countries.



# Trademark

**Legal Framework:** Law 35 of May 10, 1996, Whereby provisions on Industrial Property are issued.

### Requirements to file for trademark registration at DIGERPI

In order to obtain the registration of a trademark, an application shall be submitted by means of an attorney on a form provided for such purpose by DIGERPI, which shall include the following:

- Name, domicile and nationality of the applicant.
- Name and domicile of the legal representative and, when applicable, the reference of registration in the Powers of Attorney Registry.
- The designation of a domicile in the Republic of Panama for applicants domiciled abroad, for the purposes of administrative or judicial notifications related to the trademark.
- Denomination and/or design of the trademark, as it will be used in the market.
- The products or services for which it is desired to register the trademark, according to the Nice Agreement, with indication of the number of the class or classes.
- The claim of a right of priority when it proceeds according to international agreements ratified by the Republic of Panama.



To this form or application, the following must be attached:

- Power of attorney when applicable;
- A reproduction of the mark in two copies when it has a special graphic shape or color, or is a figurative, mixed or three-dimensional mark with or without color, one of which must be adhered and/or digitalized in the application form.
- A translation of the mark or of certain parts of the mark when applicable.
- A transliteration of the mark or certain parts of the mark where applicable.
- When a right of priority has been claimed, the supporting documents indicated in the Regulations, in accordance with the international conventions ratified by Panama.
  
- Declaration of use or intention to use the mark;
  - For trademarks that are already in use, it must indicate that the "trademark is used".
  - If the mark is not yet in use, it must indicate that the "mark will be used".
  
- Statement claiming the color or colors as distinctive features of the mark and/or the three-dimensional shape when applicable.
- Proof of payment of the fees and rights corresponding to publication, registration and inscription.
  
- The applicant must pay one hundred and forty balboas and fifty cents (B/. 140.50), which are equivalent to the protection rights for the first ten years (B/.100.00, plus B/.4.50 for registration and B/.36.00 as fee and surcharge for the registration process). In case you request the registration of the trademark in more than one class, you must pay one hundred and twelve balboas (B/.112.00) for each additional class.
  
- Maintenance of the Industrial Property rights: A trademark registered in one class must pay, in concept of renewal the sum of B/. 134.00.



## CONTACT US

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