



EUROPEAN PATENT AND TRADE MARK ATTORNEYS

Brexit & Your IP: Certainty in Uncertain Times?

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Trade Marks & Designs



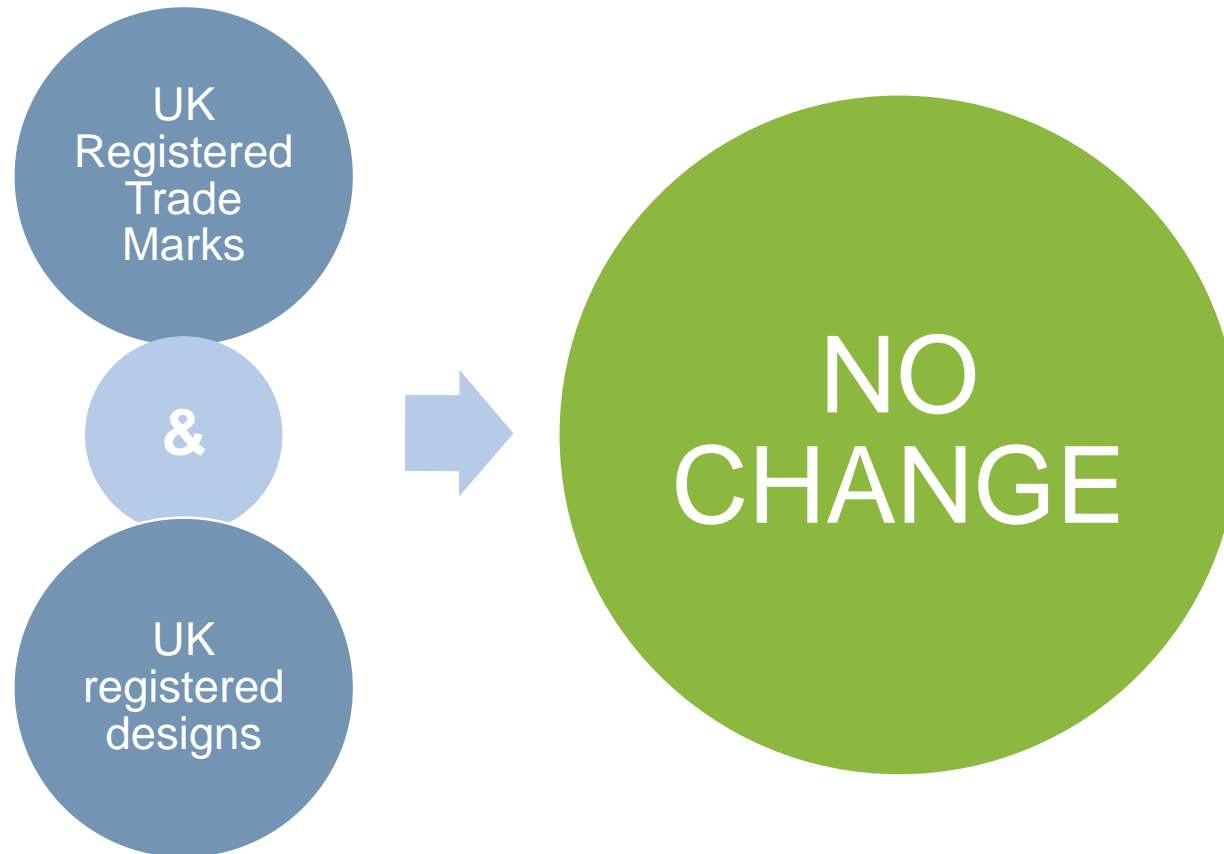
- Statutory instruments became legislation before 31 March 2019



UK Registrations



- UK Registered Trade Marks and UK Registered Designs will not change.



EU Registrations



- **EU Trade Mark Registrations and EU Registered Designs will only cover the 27 member European Union states after Brexit.**

Comparable UK Registrations



- Automatic and free UK comparable trade mark or design registrations for all existing registered EU trade mark and designs.
- No loss of rights
- For **pending applications** – you will need to request a comparable right and pay the fees.

Renewals

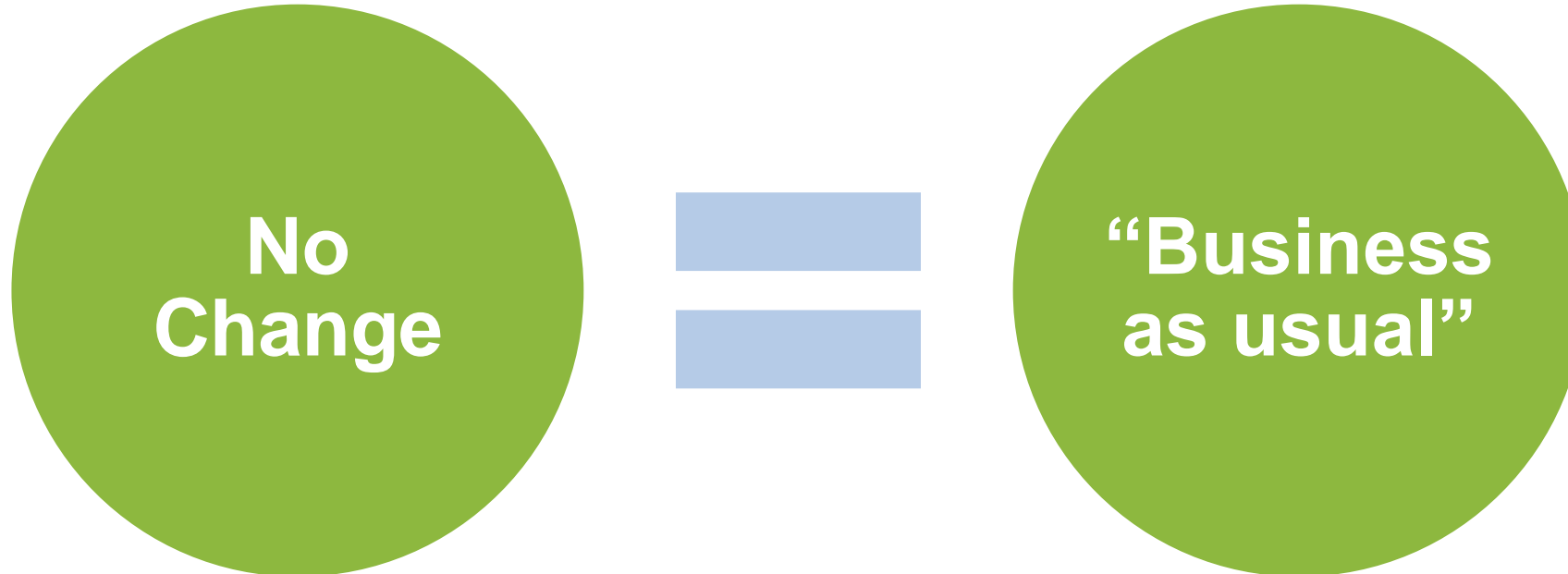


- Renewal of your UK comparable trade mark or design right is required.
- Beware of EU rights already renewed.

Patents



- No change to the patent process



Trade Marks & Designs



- UK representative firms will not be able to represent in front of the EUIPO



Co-existence agreements

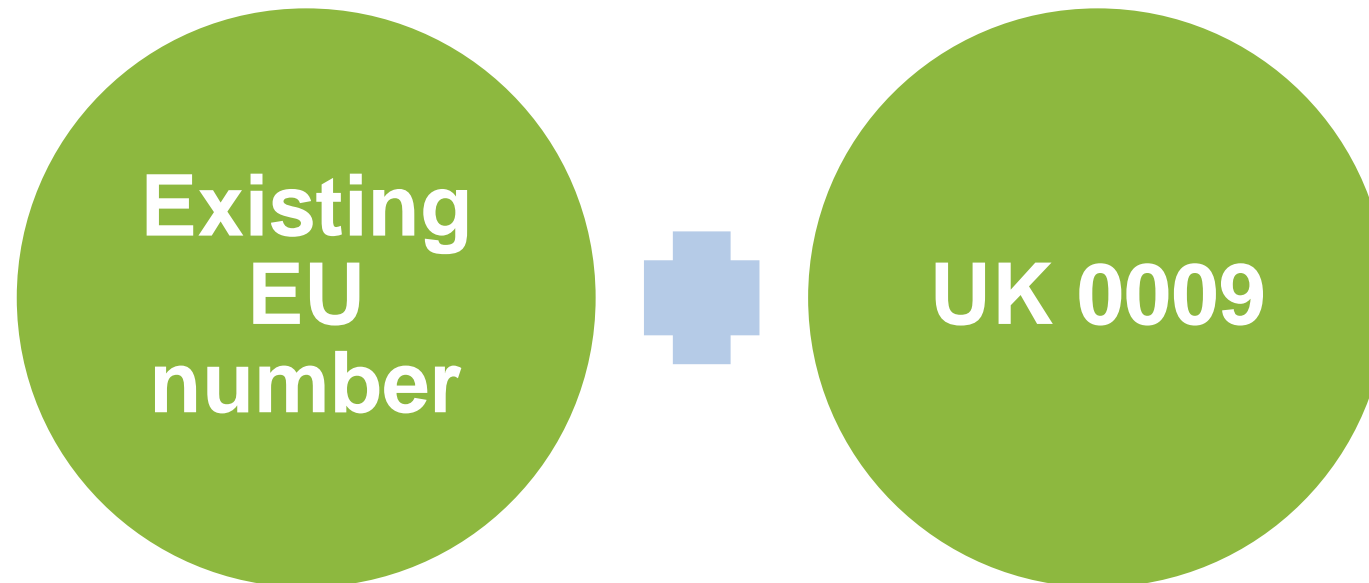


- Go back and check wording!

Numbering



- New numbering system for the UK:
 - Existing EU number + UK 0009



EU Customs



- EU customs application for action.
- Filed through the UK customs authorities.
- UK only.

Geographical Indications



- Protected geographical indications of origin and protected description of origin.
- No comparable right set-up as yet.
- Potential 'loss of rights' if sudden exit.
- UK Government committed to have system in place in time.

Patents



- UK Patent Attorneys will continue to have Rights of Representation at the European Patent Office.



Unregistered Design Rights



- UK Government will guarantee Unregistered Design Rights which exist at the point of exit will continue to be protected and enforceable in the UK.
- Applicable for the remaining period of that protection.

Unregistered Design Rights



- UK Government will create a new Unregistered Design Right in UK law.
- Will mirror characteristics of EU Community Unregistered Design Rights.
- Supplementary Unregistered Design Rights.

ANY QUESTIONS?

CONTACT US TO DISCUSS YOUR IP:



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