



BREXIT and your IP

The people of the UK have voted to leave the EU. The headline points to note in respect of IP rights are that:

- UK national IP Rights will not be affected by UK exit from EU
- Patents obtained via the EPO, which is not an EU institution, will not be affected by UK exit from the EU
- EU registered trade marks and registered designs, which currently cover the UK, will remain in place and enforceable in the UK until new provisions are put in place to give them continuing, or corresponding, effect in the UK

HGF will continue to advise and to act for our clients in all aspects of patents, trade marks and designs across Europe and will put in place strategies to enable our clients to address the changing landscape in Europe.

Brexit

It will be business as usual for some time as it is likely to be several years before the UK exits from the EU. In the coming months and years, there will be changes to address the UK's departure; new processes will be put in place to continue your rights as before. We shall be keeping you informed on these steps as developments unfold.

The UK

UK national IP Rights will be unaffected by UK exit from the EU. All UK patents, UK registered trade marks and UK registered designs obtained by application to the UKIPO will continue to have full effect in the UK.

The European Patent Convention and the European Patent Office (EPO), are not EU institutions and there is no change to representation before the EPO in all respects. We will continue to attend to validation of a European patent in all designated countries including the UK. We will handle designation of a European patent as a Unitary Patent for the EU when the Unitary Patent provisions come into force. However, these provisions may be delayed as a consequence of Brexit.

The EU

When the UK exits the EU, there will be new processes available to protect or maintain IP rights in the UK. New provisions will be put in place and we shall keep you informed. We shall continue to act for clients before the EUIPO in respect of European registered trade marks and registered designs. No action is required by you at this point. We shall ensure you are informed when action is required.

If you have any questions or concerns about IP Rights in the UK outside the EU, or would like further advice on this matter, please contact Estelle Senior, our professional support manager based in our Sheffield office, or your usual HGF attorney.