

EIP



Benefits for UK businesses as the Intellectual Property Act receives Royal Assent in the UK

UK Intellectual Property law was enhanced last week when the Intellectual Property Act 2014 (IP Act) was given Royal Assent. It is expected that the IP Act's provisions will start to come into force from 1 October 2014, with all measures implemented by late 2015.

According to the UK Intellectual Property Office, the IP Act has the objective of "modernising" Intellectual Property law to help UK businesses better protect their IP rights in the UK and abroad. The IP Act is part of the government's aim to support business in driving economic growth and encouraging innovation.

The main changes to the law are anticipated as follows:

Designs:

- The IP Act will make the intentional copying of registered designs in the course of business a criminal offence. This brings design rights into line with trademark and copyright protection.
- The default owner of a design will be the designer, and not the third-party commissioner. This will bring the UK into line with EU law and copyright law. Designers will own the rights to their design, unless a contractual agreement has been set up between the designer and commissioner.
- The law on unregistered design rights will be simplified.

Patents:

- The IP Act will help the UK to establish the Unified Patent Court, which will be part-based in London. This is key to the introduction of a single patent across almost the entire European Union (currently, 25 Member States are involved).
- The IP Act will allow the UK IPO to share information on unpublished patent applications with other national patent offices to help clear existing backlogs and speed up the patent-granting process.
- Patent holders will be able to mark their patented products with a relevant internet link instead of patent numbers.

If you have any questions about how the new law will affect you and your business, contact your EIP attorney.

By Sharon Daboul