

EIP

Intellectual Property after the Brexit Vote

The UK has today voted to leave the European Union. The process by which this happens will be lengthy, and **there are no imminent changes affecting intellectual property rights.**

Clearly as negotiations progress some changes will occur; we at EIP will be monitoring these and will advise you accordingly. At this time we wish to emphasize the following:

- **European Patents:** The European Patent Office is NOT an EU organisation and is independent of the EU. There are currently no plans for the UK to leave the European Patent Convention. Consequently, even after Brexit, it will be possible to obtain patent protection in the UK by obtaining a European patent and validating it in the UK, in the normal way. EIP will continue to be able to file and prosecute these applications.
- **European Trademarks and European Registered Designs:** These are EU-wide rights. Whilst it is not yet clear how these will be treated by the UK on Brexit, at present these rights continue to provide protection in the UK, and will likely do so for a period of years whilst the details of Brexit are resolved. For the time being, it will still be possible to file new EU applications for trademarks and designs which will cover the UK. We will advise you on the steps you may need to take to preserve these rights in the UK as and when any transitional arrangements are announced.

EIP's trademark and design attorneys remain able to file and prosecute European trademark and design applications for our clients, and this will still be the case Post-Brexit as EIP will continue to have a presence in the European Union through our German office. We will therefore continue to be able to advise and act on your European trademark and design strategies as we do today.

Please feel free to contact Paula Flutter, Andrew Sharples, Robert Lundie Smith, Darren Smyth or your usual EIP attorneys at any time if you have any questions or concerns whatsoever.