



Intellectual Property Law

What new UK Intellectual Property Rights will be created on 1 January 2021?

At the end of the transition period the pre-existing international and European rights will cease to have validity within the United Kingdom.

A result of that loss of protection is that the UK are automatically creating two new rights:

> **Comparable trade mark right**

> **New equivalent registered design right**

These two new rights will protect pre-existing European trademarks, registered Community designs and international trade mark and design rights.

What preparations should businesses make for 1 January 2021?

The commitment to no loss of protection means that everything is shifting automatically, so even if there is a dispute in 2021 the law should stay the same, however it will be important to have regard to the transfer process.

"Hopefully the law will transpose itself seamlessly."



It will be important for businesses to conduct an Intellectual Property audit in the new year.

What may change after 1 January 2021?

What is going to happen certainly within Intellectual Property, is that we've seen this commitment to no loss of protection. Essentially the majority of pre-existing European law has been transferred across and will become retained UK law.

We will be in two separate trading areas.

We will have a UK internal market and there will be a European internal market and the rules and regulations may be subject to different interpretations in the two jurisdictions.

