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INTELLECTUAL PROPERTY

‘Deal’ or ‘No Deal’ – brexit and trade marks

31 January 2019 *2 min read*

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Depending on the circumstances, the following considerations and time frames concerning trade marks in the UK are expected to apply to European Trade Marks (“EUTM’s”)*.

- **The UK and EU reach a ‘deal’ before 29 March 2019**: All EUTM trade mark registrations will be considered in force and effect in the UK until 21 January 2021 whereafter UK trade marks will automatically be created, replicating the EUTM.
- **The UK and EU reach ‘no deal’ and the UK exits the EU on 29 March 2019**: Registered EUTMs will automatically be created into replica UK registrations on 29 March 2019. A transitional nine month period will follow allowing holders of pending EUTM’s to opt for UK replication.

Should the exit date be extended EUTM’s will continue to cover the UK as they currently do. Our recommendation remains that a separate UK application be filed simultaneously on filing EUTM’s to avoid any uncertainty.

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*A EUTM covers all 27 member countries of the EU, namely Austria, Belgium, Bulgaria, Cyprus, The Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the UK.



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