

## BREXIT AND IP – UPDATE 16 JAN 2019

### Draft EU Trade Mark and Design Legislation Published To Cover No Deal Scenario

- Following on from our December notifications as to what will happen to your existing EU trade mark and design registrations whether there is a deal or not (see links below), the UK Government has published draft legislation, the Trade Marks (Amendment etc)(EU Exit) Regulations 2018.
- The new draft legislation will in due course give the previous content of its Technical Notice on intellectual property legal effect in the event of no deal.
- This confirms that cloned UK registrations will be issued for existing EU trade mark and design protection, without cost, with greater detail on the process. It further confirms that standard UK fees for renewal or other actions will be applicable going forward.
- While currently draft, generally statutory instruments such as this cannot be amended or adapted, and its publication provides greater reassurance and certainty to holders of EU trade mark and design registrations as to what will happen in the event of no deal.

See Murgitroyd's December updates by visiting [the Legal Updates page here.](#)

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