



MarkIt to Market™ -- Special Brexit Edition

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Brexit - What You Need to Know Today

1. **No immediate change:** The UK's vote last night to leave the EU after 43 years marks the *beginning* of a legal procedure whereby the UK may start the formal process of withdrawing from the EU. Notably, the Brexit referendum is advisory, and did not dictate the form of departure. The process involves a negotiation and agreement that will take place over at least two years.

In short, the UK is currently still a Member State of the EU, and European Union Trademarks and Registered Community Designs (RCDs) will still be given protection in the UK until at least June 2018, and likely longer.

2. **Trademarks and Registered Designs will be affected:** However, the UK's exit from the EU will impact trademarks and designs registered through EUIPO (formally WIPO), but it is not yet clear what these ramifications will be, or when they will come into effect.
3. **What should I do now?**
 - Consider current trademark portfolio coverage -- If the trademarks covered by your EU trademark registrations are only used in the UK, or are used in the UK in addition to other European jurisdictions, you may want to consider filing separate UK trademark applications sooner rather than later.
 - Strategy for future filings -- Consider filing UK trademark and design applications in addition to those filed with the EUIPO for new and/or important products and marks.
 - Consider the effect on commercial agreements, particularly with respect to EU IP rights, EU laws, and dispute resolution.

We will continue to provide our readers with updates as the developments resulting from the Brexit referendum unfold.

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