

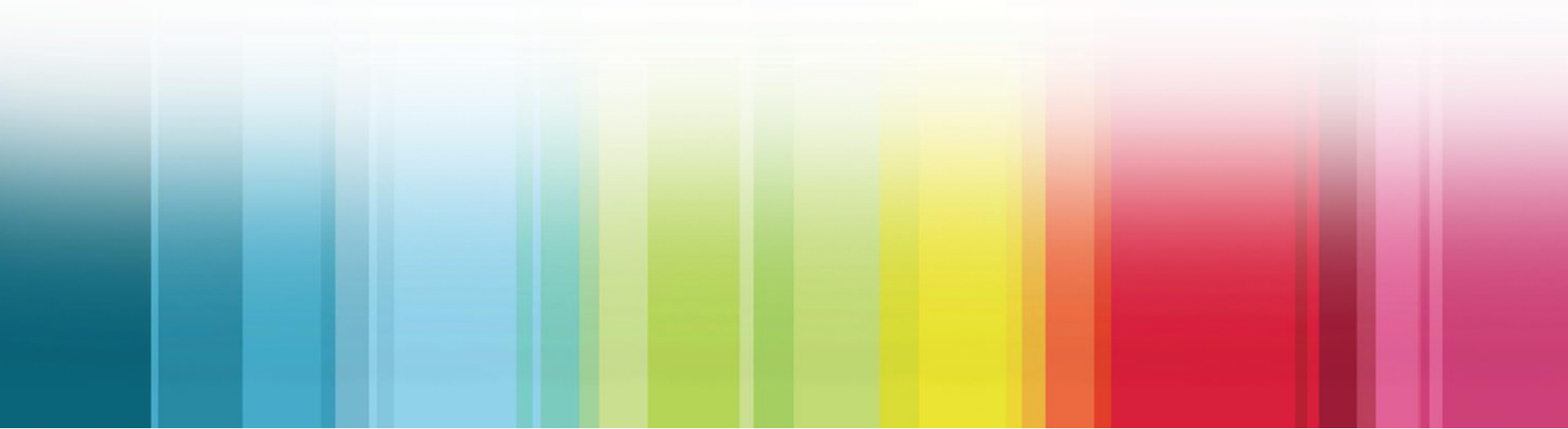


IP, Data and Tech post Brexit

Presented by

Alex Craig

16 October 2019



Current Data Protection Position



Q. Will the GDPR still apply in the event of a no-deal Brexit?



**NO DEAL
BREXIT**

Adequacy decisions



In the meantime...



Four of the possible scenarios...

UK businesses and organisations who have no contacts or customers in Europe



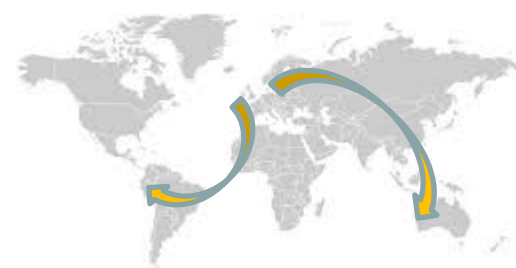
UK businesses and organisations who send or receive data to or from Europe



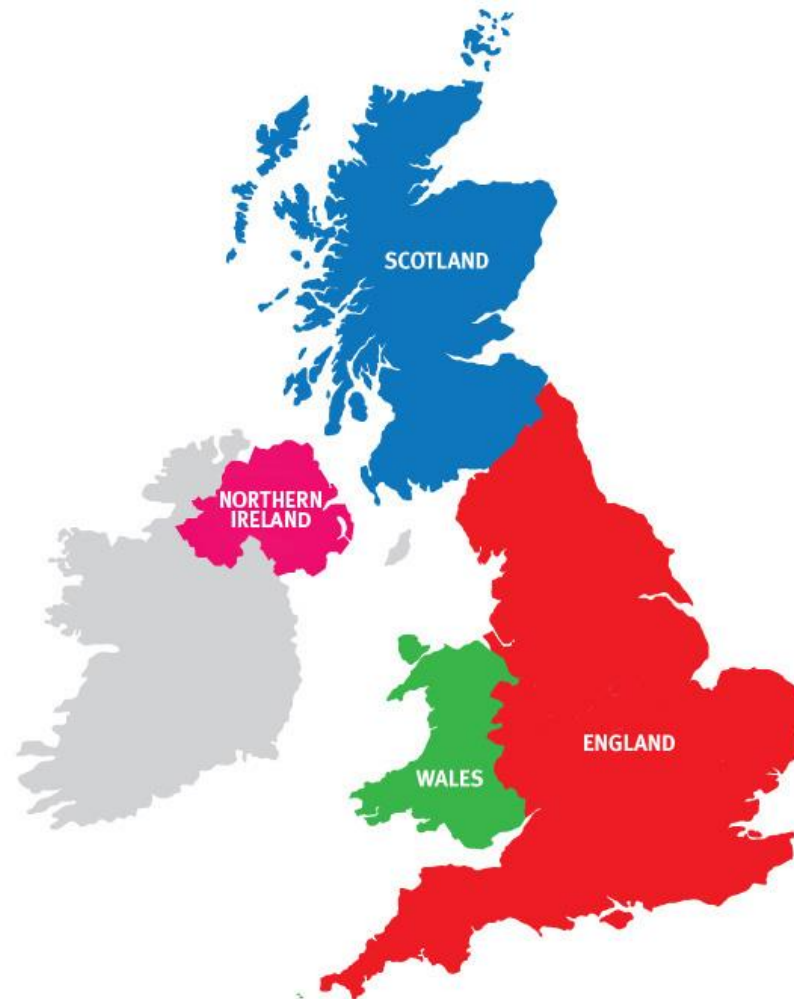
UK businesses and organisations with a European presence or European customers



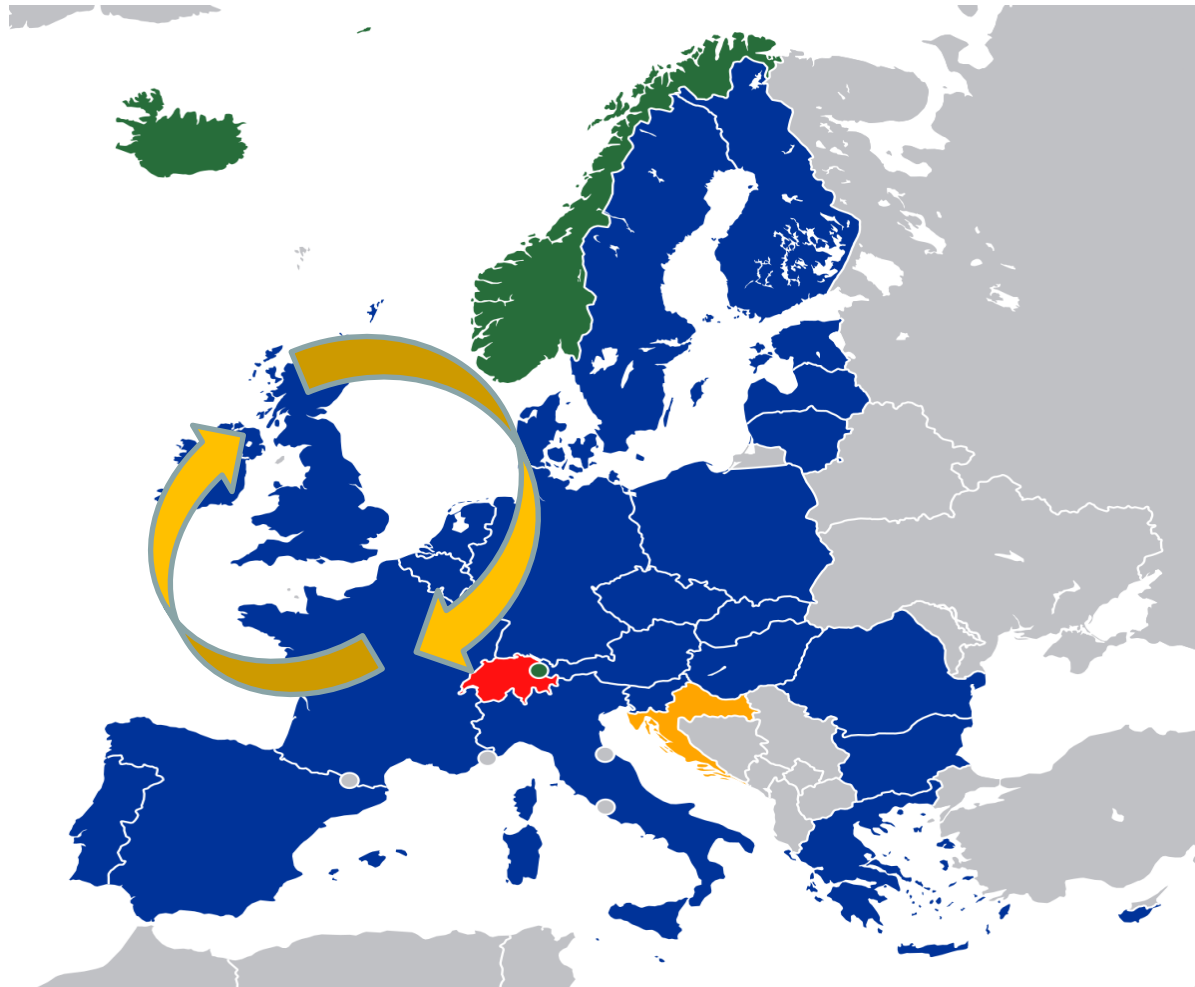
UK businesses and organisations who send or receive data to or from countries outside Europe



UK businesses and organisations who have no contacts or customers in Europe



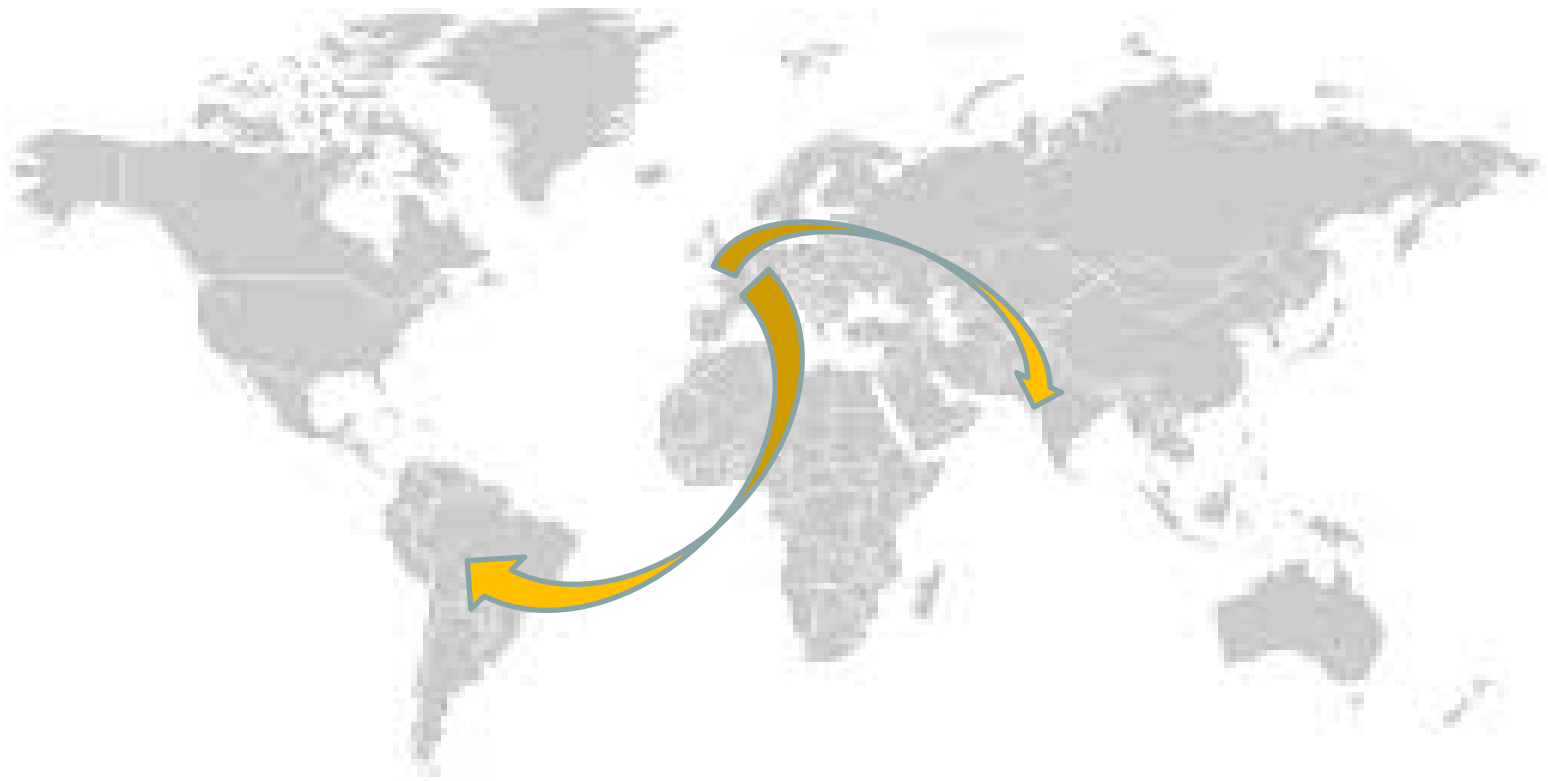
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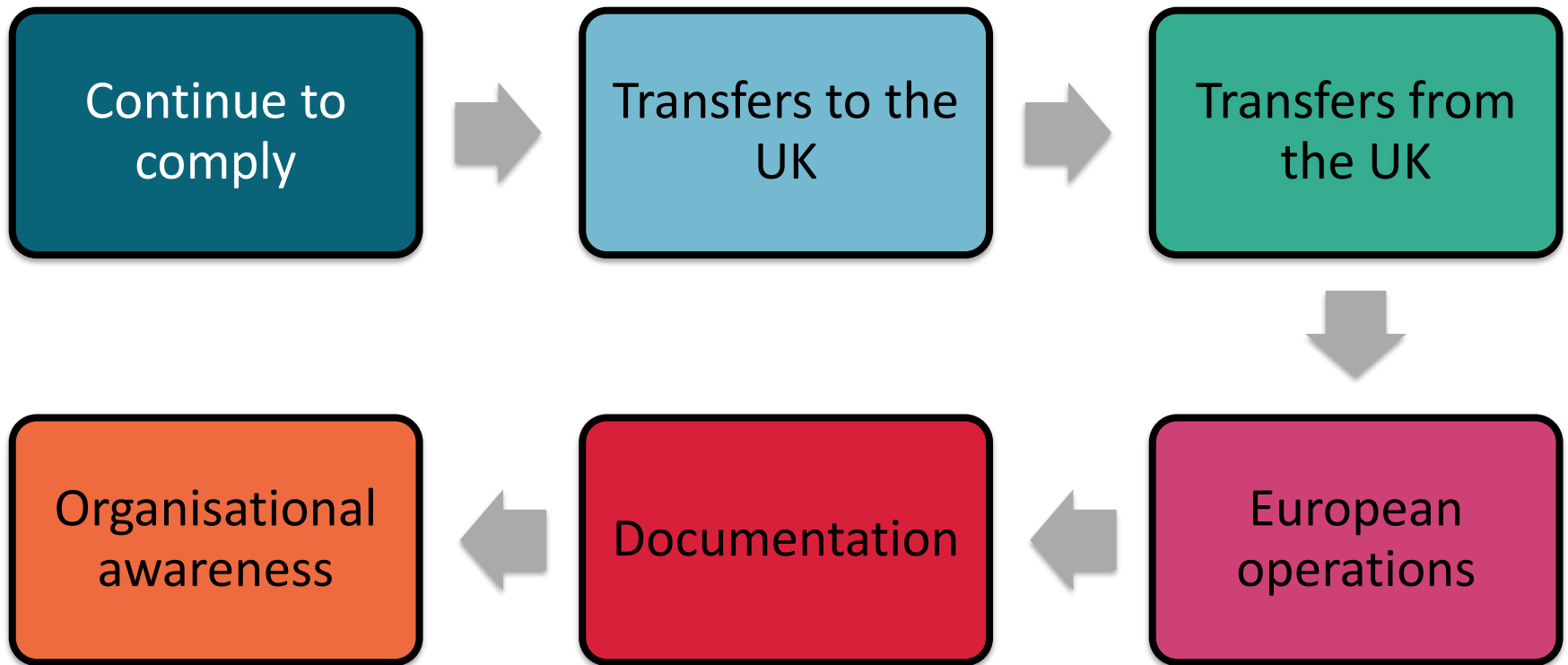
UK businesses and organisations with a European presence or European customers




UK businesses and organisations who send or receive data to or from countries outside Europe



Before Brexit happens – practical advice!



Data Protection – key points

- Remain/ensure your business is GDPR compliant
 - Be aware of changes that may need to be made in the way you control or process data to comply
- 

muckie^{LLP}



Intellectual Property – types of protection

Protection you have to apply for

Trade marks

- Product names, logos, jingles

Registered designs

- Appearance of a product including, shape, packaging, patterns, colours, decoration

Patents

- Inventions and products, e.g. machines and machine parts, tools, medicines

Automatic Protection

Copyright

- Writing and literary works
- Art
- Photography
- Films
- TV
- Music
- Web content
- Sound recordings

Design right / Unregistered community designs

- Shape and configuration of objects

TM

Trademarks



UK



Registering a trade mark in the UK only protects your brand in the UK

EU



For all European Union Trade Marks (EUTM), the IPO will create comparable UK trade marks, which will be recorded on the UK register

TM

Trademarks – Madrid System



Trademark Application

A. General Questions

Proposed Insured's Name:

(Please use capital letters)

Birth Date: Gender:

Address: Email Address:

Phone Number: Social Security Number:

ID Number:

Status: ☐ Single ☐ Married ☐ Divorced ☐ Others

Occupation: Are you a retiree? ☐ Yes ☐ No

Allows users to file one application, in one language, and pay one set of fees to protect trademarks in up to 113 territories including the EU

Geographic Indications



Registered Community Designs (RCD)

UK



RCD will cover the remaining EU member states

EU



Right holders with an existing RCD will have a new UK equivalent right granted that will come into force at the point of the UK's exit from the EU. The design will then be treated as if it had been applied for and registered under UK law.

RCD and the Hague Agreement



Patents

Inventions and products

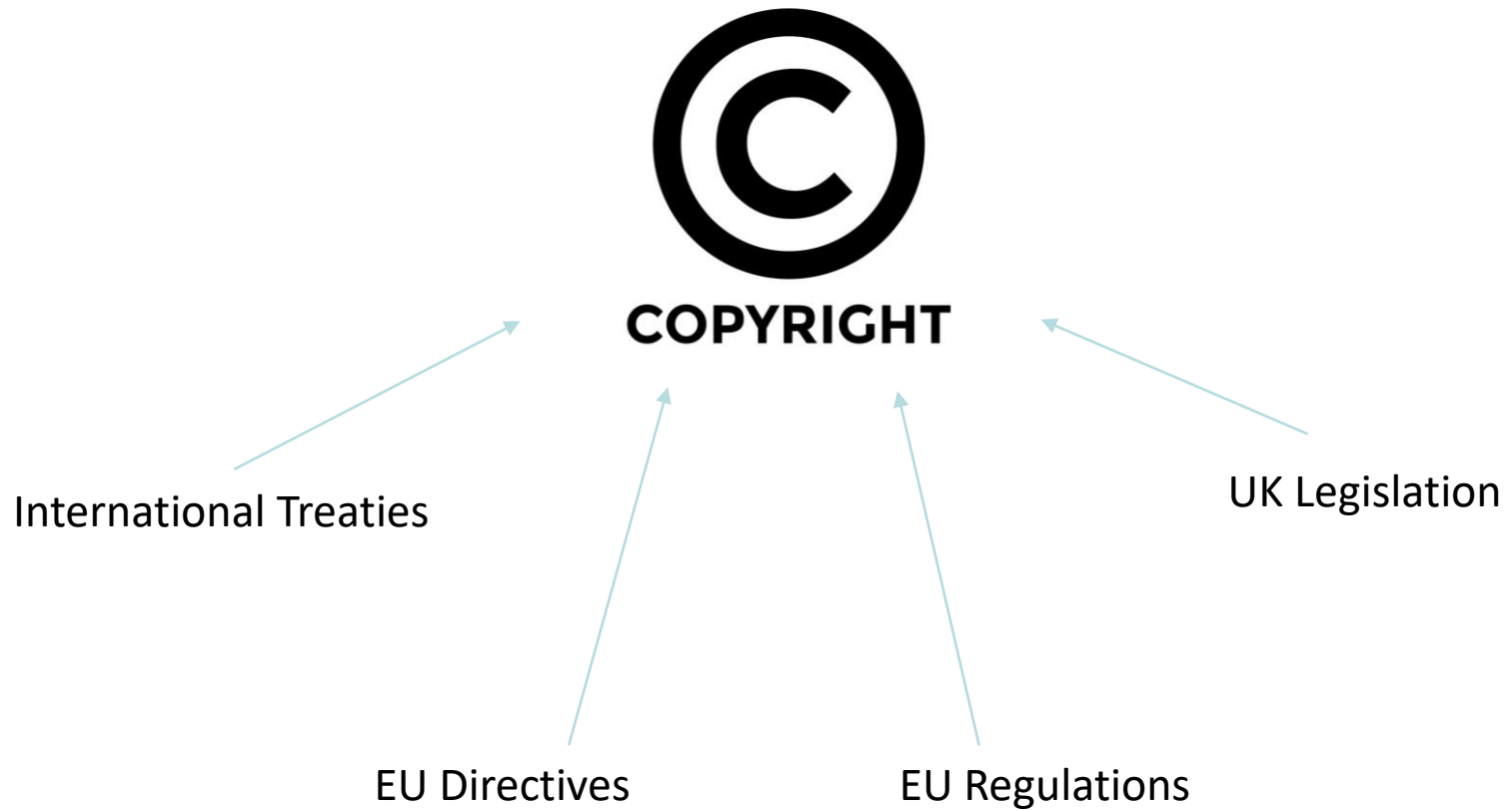


Unregistered Community Design

Unregistered protection for designs will continue to exist through the UK unregistered design right

UNREGISTERED

Copyright



Sui Generis database rights





Exhaustion of rights

the extent to which, after the first sale of a genuine product in which the IP right vests, the IP owner can control the further resale of the genuine product



Parallel trade and IP in the EU



Parallel trade and IP in the EU





Other things to note...

The e-Commerce Directive



Domain names





Any questions?

Contact me

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