



ARE Trademark Law Alert: Brexit Will Have a Long-Term but Not an Immediate Impact on EU and UK Trademark Rights

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On Thursday, June 23, 2016, United Kingdom citizens voted by a 52% to 48% margin to leave the European Union. This referendum on the UK's continued participation in the EU, which was promised by Prime Minister David Cameron during his 2015 election campaign, is not legally binding on the UK government. Nevertheless, Cameron, who thought the UK should remain in the EU, has now resigned and it is expected that the next government will honor the results of the referendum, though there are possible certain scenarios that may keep the UK in the EU.

Under EU rules, once the British government formally applies to leave the EU, there will be a two-year transition period during which the terms of the UK's exit from the EU will be negotiated. Until the end of that period, European Union Trademark Registrations will still be in force in the UK and national United Kingdom Trademark Registrations should not be affected.

In time, new provisions will be put in place to allow owners of European Union Trademark Registrations to keep their trademark rights in the UK by obtaining national UK Trademark Registrations. Lobbying to make this a simple and inexpensive "conversion" process is underway.

In summary, European Union Trademark Registration owners with business in the UK and national UK Trademark Registration owners should "keep calm and carry on" until the contours of the conversion process are made clear.

We will continue to monitor Brexit and will issue further ARE Trademark Law Alerts as developments occur. In the meantime, please contact us to learn how Brexit may affect your trademark rights.

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