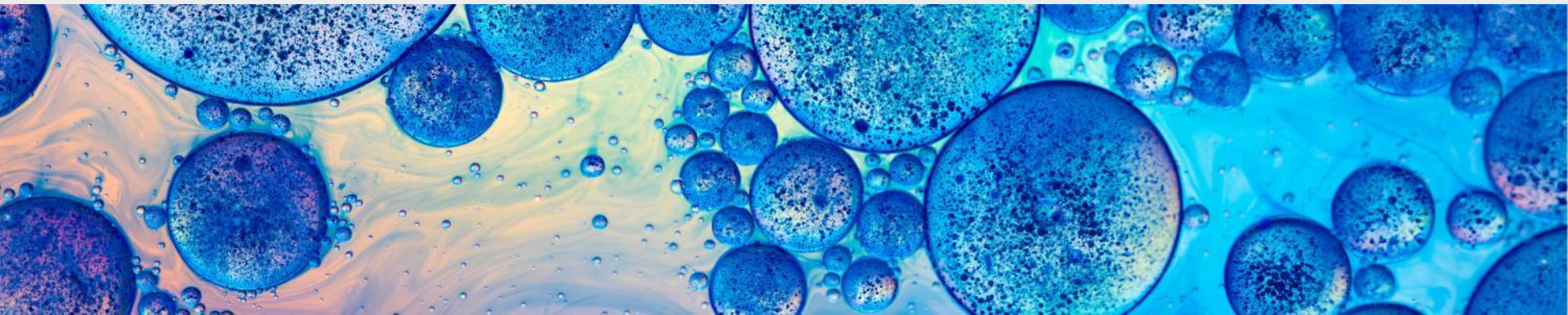




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Brexit and comparable UK rights: how comparable is comparable?



Scope of presentation

- UKTM v EUTM
- Oppositions
- CRD v UKRD
- Opting out
- AFS/representation
- “Priority”

Jargon and statistics

- **“Comparable” = “cloned”**
- **Comparable in a broader sense?**
- **Number of trade marks and designs cloned onto the UK registers: over 2 million**
- **Those tricky registration numbers**

Comparison between EUTM and UKTM

- **Examination**
- **Series marks**
- **Ex parte hearings (telephone)**
- **Publication**
- **Term**
- **Renewal term calculation**
- **Scope**
- **Extent of electronic communication/online data**
- **Infringement rights (starting date)**
- **Non-use term calculation (starting date)**

Comparison between EUIPO and UKIPO oppositions

- **Dates**
- **Extension**
- **Forms**
- **Grounds**
- **Chronology, including cooling off period**
- **Evidence, including proof of use**
- **Submissions**
- **Hearings (video/in person)**
- **Costs**
- **Appeals**
- **UK oppositions based on EUTMs**

Comparison between CRD and UK registered design

- **Maximum number of designs and views per application**
- **Ability to combine designs with different Locarno classification in the same multiple application**
- **Term**
- **Renewal term calculation**
- **Scope**
- **Extent of electronic communication/data**
- **Infringement rights (starting date)**
- **Post-registration invalidation**

What if your client does not want its clone(s)?

- Opt out now (form)
- Or do not renew
- Contractual reasons?
- Worth maintaining due to defence to claim of infringement?

Address for service/representation at the UKIPO

- 3-year grace period
- New matters (definition)
- Circumventions

EUTM applications pending at 1 January 2021

- **“Priority” term**
- **Simple exercise**
- **No additional official fees**
- **Designs**



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Dank u wel!

Vragen?

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