



BREXIT AND AFRICA INTELLECTUAL PROPERTY

The United Kingdom has finally voted out of the Europe Union. As ABC Attorneys we have taken the initiative to look at the impact this will have on our clients businesses and money.

Up to this date its safe to say that the European Union Intellectual Property Office (EUIPO) is the most used registration office in the world with members from 28 countries most of whom have the most industries in the world.

For our clients producing in Africa and particular in Tanzania then exports to the EU, we want to assure you that for now your marks are protected. We say this because the British are not out of the EU yet and that's going to take a long time due to the exit process procedures. The process is tedious since now its just a referendum, then the government will have to act by notifying he EU Council who will then start a 2 year long discussion and negotiation process.

For prospective clients wanting to register in the UK due to the surrounding uncertainty of what might happen we would not advise to use just EUTM but rather to file individually in the UK as well. A point to note however is that after the Exit, the UK courts will no longer be EUTMS courts to grant injunctions.

The exit however, another point to note, will not affect Patent registrations since patents are registered directly at UK Intellectual Property Office (UKIPO), or a client has the option of going through the European Patent Office (EPO) which is not part of the EU union. Hence the patents are and will still be protected.

We can't fully comprehend the impact of the brexit until when it actually happens. The trademarks might even still remain protected if filled prior the brexit upon the agreement between the EU council and the UK. Only time will tell.