



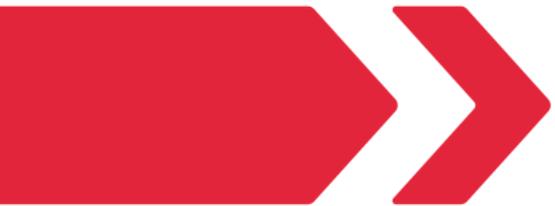
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Get **ready** for Brexit



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Welcome

Georgie Lake

Deputy Director EU Exit Business Intelligence and Readiness
Directorate

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‘Get Ready for Brexit’ Business Events

- The Brexit Roadshows are continuing, with upcoming events in:
 - 4th Oct – Leeds
 - 7th Oct – Derry/Londonderry & Cambridge
 - 8th Oct – Belfast & Ipswich
 - 9th Oct – Newcastle upon Tyne
 - 11th Oct – Carlisle
- They will give businesses help, advice and support on the actions they need to take to prepare for Brexit.
- Find your nearest location and register at www.registration.livgroup.co.uk/getreadyforbrexit



'Get Ready for Brexit' Business Webinars

- We are working with the British Library to host Get Ready Webinars, which are free and open to all businesses. Upcoming topics include:
 - Tuesday 8th October – Managing Personal Data in a no-deal Brexit
 - Wednesday 9th October – Carbon Pricing Regulations
 - Thursday 10th October - Employing EU Citizens and Providing Services to the EU
 - Friday 11th October – Importing and Exporting Services

All the webinars can be found at <https://www.bl.uk/events/?eventsubtype=Webinar>



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DExEU Update

Verity Algar, DExEU

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Exhaustion of IP Rights

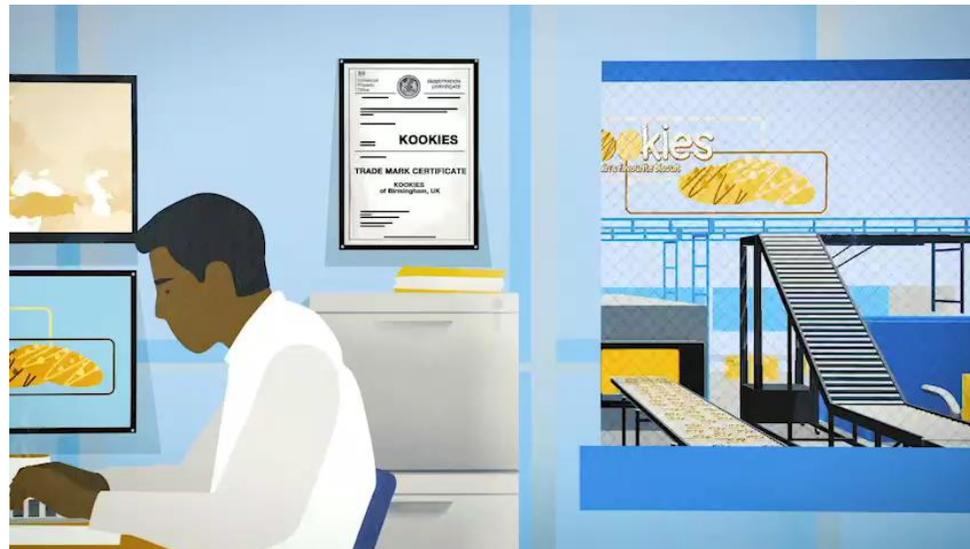
Taffy Yiu, IPO

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What you need to know about exhaustion of IP rights and parallel trade in the event of a Brexit without a withdrawal agreement?



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Exhaustion and parallel trade: How things work today

- At present, parallel trade in the UK/EEA occurs when an IP-protected good has been placed on the market anywhere in the EEA, by or with the permission of the rights holder, and is then subject to onward sale across EEA borders.
- The IP is considered exhausted across the EEA in that area for the good or batch of goods.
- Parallel trade is the import and export of genuine IP-protected goods within the EEA after they have been placed on the market and sold for the first time by or with the permission of the right holder.
- This means that these goods can continue to circulate within the EEA without permission being sought from the rights holder (such as the owner of a brand).
- These goods include everything from toothpaste to spare car parts to real Louis Vuitton handbags.



Businesses may need additional right holder approval to export goods from the UK to the EEA

- Legislation* is in place so that, on Brexit day, a temporary fix will maintain the status quo as far as is possible. This means that exhaustion rules relating to parallel imports will remain the same.
- There may however be restrictions on what can be exported from the UK to the EEA.
- Businesses that parallel export from the UK to the EEA might need the right holder's consent to do so.

*The Intellectual Property (Exhaustion of Rights) (EU Exit) Regulations 2019



What businesses need to do in the event of a Brexit without a withdrawal agreement if they trade in the EEA?

- Businesses first need to identify whether they currently export IP-protected goods to the EEA (for example, goods branded with a trade mark) that have already been placed on the UK market, where they currently do not need to obtain the right holder's permission (i.e. parallel trading).
- Business that want to continue to export these IP-protected goods to the EEA may need to contact the IP right holder to obtain permission to do so. The IP right holder may choose to withhold permission if they do not wish for these goods to be exported to the EEA.
- Exporters of the IP-protected goods may need to review their business arrangements/business model/supply chain based on the outcome of the discussion with the IP right holder.



What you need to do in the event of a Brexit without a withdrawal agreement if you own IP rights

- Businesses that own IP rights (for example, a trade mark) may wish to seek legal advice if their IP-protected goods are parallel exported from the UK to the EEA and consider if they wish such arrangements to continue in the event of a Brexit without a withdrawal agreement.



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Carbon Pricing & Emissions Trading in event of No Deal

David Casey, BEIS

Businesses Preparedness if the UK leaves the EU without a Withdrawal Agreement ('no deal' Brexit)

Monitoring, Reporting and Verification

- In all Brexit scenarios, the requirement to submit 2019 MRV data in February 2020 remains
- In a no deal Brexit, operators must additionally undertake usual checks for the beginning of a new emissions reporting period, and establish a baseline on the 4th November, so that emissions could be accurately reported.
- For the Carbon Emissions Tax (CET), a single verified emissions report by 31 March 2021 which would include two emission statements covering will be required:
 - (i) 4 November 2019 to 31 December 2019; and
 - (ii) 1 January 2020 to 31 December 2020.

Registry Access

- All registry account holders will lose access to their account and any allowances held there on 1 November.
- Operators wishing to retain access to their allowances after the withdrawal date should consider transferring allowances to an account in another member state's registry, and should consider the amount of time this is likely to take

Carbon Emissions Tax (CET)

- The tax rate for Nov-Dec 2019 will be £16. Further information will be released at Budget 2019
- Initial period will cover 4 November 2019 – 31 December 2020 with first Bill in April 2021
- All stationary installations will receive the same level of Tax Emissions Allowance (TEA) as they do Free Allocation allowances
- There will be no requirement to registry for the CET and permits will be amended automatically



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UK Internal Market

Charlotte Stimpson, BEIS

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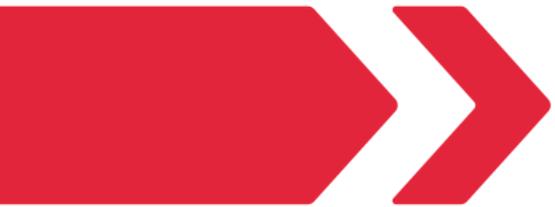
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