

## **IP Federation Brexit Policy Position (Updated 20 January 2017)**

The Federation represents IP intensive companies in the United Kingdom - a list of members is attached. Our member companies are extensively involved with IP in Europe and internationally. Not only do our companies own considerable numbers of IP rights, both in Europe and elsewhere, but they are affected by the activities and IP rights of competitors. They may be either plaintiffs or defendants in IP related court actions, here and elsewhere.

The IP Federation policy position on Brexit is as follows\*:

1. Certainty is paramount to industry.
2. All accrued and pending intellectual property rights must be preserved in the UK post-Brexit. **This is a top priority issue.**
3. The UK must provide for the ability to obtain equivalent UK rights in the UK post-Brexit. **This is a top priority issue.**
4. We recognise the benefits for industry that can come from the Unitary Patent and Unified Patent Court and call on the UK and other Contracting States to work together urgently to enable the UK to stay in the system after Brexit, and to give consideration to transitional arrangements in case the UK or any other Contracting State is unable or unwilling to remain in the system.
5. Once the UPC is established, the involvement of non-EU, European Patent Convention Contracting States (e.g. Switzerland, Norway) in the UPC could be an advantage to industry, and should be explored.
6. We encourage the use of the Patent Box and R&D tax credits to support the UK as an innovation-friendly economy.
7. Exhaustion of IP rights needs to be dealt with actively upon Brexit. We do not support full International Exhaustion as this would be highly detrimental to the UK's IP-intensive industries.

IP Federation  
20 January 2017

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\* Numbering of paragraphs is for ease of reference only, and does not denote order of importance.



### **IP Federation members 2017**

The IP Federation represents the views of UK industry in both IPR policy and practice matters within the EU, the UK and internationally. Its membership comprises the innovative and influential companies listed below. The CBI, although not a member, is represented on the Federation Council, and the Council is supported by a number of leading law firms which attend its meetings as observers. It is listed on the joint Transparency Register of the European Parliament and the Commission with identity No. 83549331760-12.

AGCO Ltd  
Airbus  
ARM Ltd  
AstraZeneca plc  
Babcock International Ltd  
BAE Systems plc  
BP p.l.c.  
British Telecommunications plc  
British-American Tobacco Co Ltd  
BTG plc  
Caterpillar U.K. Ltd  
Dyson Technology Ltd  
Eli Lilly & Co Ltd  
Ericsson Limited  
ExxonMobil Chemical Europe Inc.  
Ford of Europe  
GE Healthcare  
GKN plc  
GlaxoSmithKline plc  
Glory Global Solutions Ltd  
HP Inc UK Limited  
IBM UK Ltd  
Infineum UK Ltd  
Johnson Matthey PLC  
Merck Sharp & Dohme Ltd  
Nokia Technologies (UK) Ltd  
Pfizer Ltd  
Philips Electronics UK Ltd  
Pilkington Group Ltd  
Procter & Gamble Ltd  
Renishaw plc  
Rolls-Royce plc  
Shell International Ltd  
Smith & Nephew  
Syngenta Ltd  
The Linde Group  
UCB Pharma plc  
Unilever plc  
Vectura Limited