

Copyright after Brexit

The European Commission (EC) has issued a notice to stakeholders setting out the consequences of Brexit on copyright. A copy of the Notice can be found [here](#).

The document is a notice from the EC to stakeholders to allow preparation for Brexit.

If the UK and the EU finalise and sign the Draft Withdrawal Agreement then there will be a transitional period ending on 31 December 2020 during which European Union Law will apply to the UK.

Once EU law no longer applies to the UK then:

- UK-based broadcasters will no longer benefit from the country of origin principle and will have to clear rights in all member states that the signal reaches;
- EU collective management organisations will no longer be obliged to represent UK based collective management organisations in multi-territorial licensing;
- the mechanism for mutual recognition of orphan work status will no longer apply;
- UK based blind or visually impaired persons will no longer be able to obtain an accessible format copy of a work from an EU authorised entity and vice versa. The EU will become a contracting party to the Marrakesh Treaty (to facilitate access to published works for visually impaired persons) with effect from 12 October 2018 and if the UK were also to become a contracting party to the Marrakesh Treaty there would be mutual recognition of authorised entities;
- UK persons will no longer be able to benefit from their digital content subscriptions when travelling in the EU and digital content providers wishing to provide services in the EU will have to clear all relevant rights with any member state in which they wish to provide services;
- UK nationals, unless resident in the EU, or UK companies will no longer be entitled to maintain or obtain a sui generis database right in respect of databases in the EU. It is to be noted that the withdrawal agreement aims to protect any database rights arising before the end of the transition agreement.

If you have any questions please speak to your usual attorney.