

Horizon Scanner – Intellectual Property

New UK Labour government

A general election in July 2024 saw the election of a new UK government, led by Keir Starmer. Our Labour Policy Impact Hub tracks some of the major policy reforms and their likely implications for businesses.



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Unified Patent Court after one year

The Unified Patent Court began operation in June 2023. Now we are over one year into its operation, we review its successes and trends from its initial case load.



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Training generative AI tools

An upcoming court decision alongside recent political and legislative developments will begin to provide clarity on whether the training of generative AI tools is consistent with UK copyright law.

Bad faith under trade mark law

The UK Supreme Court will soon deliver a judgment which will clarify the test for determining bad faith under UK trade mark law. The case will have significant impacts on UK trade mark filing strategy and gives rise to the possibility of a post-Brexit divergence from EU trade mark law.

EU AI Act comes into effect

The main obligations under the EU AI Act will be applicable in mid-2026, including provisions relevant to copyright law and training generative AI models. These provisions have the potential for extra-territorial effect.



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Standard Essential Patents and FRAND rates

The European Commission has controversially proposed a new Regulation on Standard Essential Patents which seeks to increase transparency and introduce an alternative dispute resolution mechanism for setting FRAND terms and conditions.