

My only point on the consultation is that if possible it might be useful if the guidance could deal with UK/EU27 IP exhaustion of rights and UK/Rest of World exhaustion of rights on a no deal Brexit. Perhaps this could be an addition at the end of 4.20:-

**The draft Intellectual Property (Exhaustion of Rights) (EU Exit) Regulations 2018 will have the effect that the usual exhaustion of intellectual property rights rules will apply after Brexit between the UK and the EU/EEA. As regards exports from the UK to non EEA countries and vice versa**

**[ either] the UK will operate international exhaustion of rights principles [ my preference]**

**[or] the UK will apply UK/EEA exhaustion principles only and imports and exports can be prevented as now by asserting UK or for exports foreign trade marks"**

The reason that would be useful to add is because when considering the vertical block exemption and export bans in contracts and otherwise the exhaustion principles should usually be considered as well and it seems a shame if the guidance leaves that out.

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