

Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community

PART THREE

SEPARATION PROVISIONS

TITLE IV

INTELLECTUAL PROPERTY

Article 58

Continued protection of databases

1 The holder of a right in relation to a database in respect of the United Kingdom in accordance with Article 7 of Directive 96/9/EC of the European Parliament and of the Council⁽¹⁾ which arose before the end of the transition period shall, in relation to that database, maintain an enforceable intellectual property right in the United Kingdom, under the law of the United Kingdom, that affords the same level of protection as that provided for in Directive 96/9/EC, provided that the holder of that right continues to comply with the requirements of Article 11 of that Directive. The term of protection of that right under the law of the United Kingdom shall be at least equal to the remaining period of protection under Article 10 of Directive 96/9/EC.

2 The following persons and undertakings shall be deemed to comply with the requirements of Article 11 of Directive 96/9/EC:

- a United Kingdom nationals;
- b natural persons with a habitual residence in the United Kingdom;
- c undertakings established in the United Kingdom, provided that where such an undertaking has only its registered office in the United Kingdom, its operations are genuinely linked on an ongoing basis with the economy of the United Kingdom or of a Member State.

- (1) Directive 96/9/EC of the European Parliament and of the Council of 11 March 1996 on the legal protection of databases ([OJ L 77, 27.3.1996, p. 20](#)).