
STATUTORY INSTRUMENTS

2018 No. 597

The Trade Secrets (Enforcement, etc.) Regulations 2018

Interpretation

2. For the purposes of these Regulations—

“court” means—

- (a) in England and Wales, a County Court hearing centre where there is also a Chancery District Registry or the High Court (as provided for in rule 63.13 of the Civil Procedure Rules 1998⁽¹⁾),
- (b) in Scotland, the sheriff or the Court of Session, and
- (c) in Northern Ireland, a county court or the High Court;

“infringer” means a person who has unlawfully acquired, used or disclosed a trade secret;

“infringing goods” means goods, the design, functioning, production process, marketing or a characteristic of which significantly benefits from a trade secret unlawfully acquired, used or disclosed;

“trade secret” means information which—

- (a) is secret in the sense that it is not, as a body or in the precise configuration and assembly of its components, generally known among, or readily accessible to, persons within the circles that normally deal with the kind of information in question,
- (b) has commercial value because it is secret, and
- (c) has been subject to reasonable steps under the circumstances, by the person lawfully in control of the information, to keep it secret;

“trade secret holder” means any person lawfully controlling a trade secret.

⁽¹⁾ [S.I. 1998/3132](#); relevant amending instruments are [S.I. 2009/2092](#), Schedule 1, [S.I. 2009/3390](#), rule 38(a), [S.I. 2013/1974](#), rule 26(g), and [S.I. 2014/407](#), rule 27(a).