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STATUTORY INSTRUMENTS

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**2018 No. 597**

**The Trade Secrets (Enforcement, etc.) Regulations 2018**

**Revocation of order under regulation 11(1)**

**13.—**(1) Where a court makes an order under regulation 11(1), the court may, on the application of the alleged infringer, revoke the order—

- (a) if the trade secret holder does not bring proceedings leading to a decision on the merits of the case before a court within the period set under regulation 11(3) or in regulation 11(4), or
- (b) if the information in question is no longer a trade secret for reasons that cannot be attributed to the alleged infringer.

(2) A court may, on the application of the alleged infringer or an injured third party, order the trade secret holder to provide the alleged infringer, or the injured third party, appropriate compensation for any injury caused by a measure ordered under regulation 11(1)—

- (a) where a court revokes an order under paragraph (1)(a),
- (b) where the measure lapses due to any act or omission by the trade secret holder, or
- (c) where it is subsequently found that there has been no unlawful acquisition, use or disclosure of a trade secret or threat of such conduct.