

Trade secrets: EP/Council deal backed by Legal Affairs Committee

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A provisional deal on new rules to help firms win legal redress against theft or misuse of their trade secrets was endorsed by the Legal Affairs Committee on Thursday. The deal, struck by Parliament and Council negotiators in December, now needs to be endorsed by Parliament as a whole as well as the Council of Ministers.

“The text voted in the Legal Affairs Committee today will make it possible to protect companies’ professional knowhow and confidential commercial information, whilst safeguarding the fundamental freedoms of expression information and of the press”, said rapporteur Constance Le Grip (EPP, FR).

The draft directive introduces an EU-wide definition of “trade secret”, meaning information which is secret, has commercial value because it is secret, and has been subject to reasonable steps to keep it secret.

It would oblige EU member states to ensure that victims of misuse of trade secrets are able to defend their rights in court and to seek compensation. The agreed text also lays down rules to protect confidential information during legal proceedings.

Throughout the negotiations, MEPs stressed the need to ensure that the legislation does not curb media freedom and pluralism or restrict the work of journalists, in particular with regard to their investigations and the protection of their sources.

The committee approved the provisionally agreed text by 20 votes to 2, with 3 abstentions. Read the full press release on the deal reached in December [here](#).

Next steps

The draft directive is to be put to a vote by Parliament as a whole in April (TBC). It also needs to be endorsed by the Council of the European Union.

Procedure: Co-decision (Ordinary Legislative Procedure), first reading

Further information

- Committee on Legal Affairs: <http://www.europarl.europa.eu/committees/en/juri/home.html>
- Procedure file: [http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2013/0402\(COD\)&l=en](http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2013/0402(COD)&l=en)
- Profile of rapporteur: Constance Le Grip (EPP, FR): http://www.europarl.europa.eu/meps/en/101580/CONSTANCE_LE+GRIP_home.html
- Meeting documents : http://www.emeeeting.europarl.europa.eu/committees/agenda/201601/JURI/JURI%282016%290128_1/sitt-1457625
- Commission website: Trade Secrets: http://ec.europa.eu/growth/industry/intellectual-property/trade-secrets/index_en.htm

Press release

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