

From: [REDACTED]
To: [REDACTED]
Subject: RE: Possible claim for Judicial Review of the transitional provisions for the repeal of section 52 of the CDPA [OFFICIAL - SENSITIVE]
Date: 11 August 2015 13:40:00

OFFICIAL - SENSITIVE

[REDACTED]

I marked up the files for you (green flags) so it shouldn't take too long. Basically it's just [REDACTED] reporting from meetings that the Commission didn't have a problem with the existing regime as it was minimal (and of course that was before various aspects of copyright were harmonised). As the files were spread between different boxes it's easier if you send them back to me so I can send the whole lot back together to NMP (there were another dozen boxes or so which I retrieved but haven't thought worth searching).

Thanks

From: [REDACTED]
Sent: 13 May 2015 11:35
To: [REDACTED]
Subject: RE: Possible claim for Judicial Review of the transitional provisions for the repeal of section 52 of the CDPA [OFFICIAL - SENSITIVE]

OFFICIAL - SENSITIVE

[REDACTED]

Thanks for the box of documents – will take some time to peruse them.

If it helps, I can send them back to Nine Mile Point myself.

From: [REDACTED]
Sent: 08 May 2015 18:01
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Possible claim for Judicial Review of the transitional provisions for the repeal of section 52 of the CDPA [OFFICIAL - SENSITIVE]

OFFICIAL - SENSITIVE

[REDACTED]

I'm looking through some files, but not entirely sure what I'm looking for. In 1996 there was an amended proposal for the Designs Directive which took on the same wording for Article 18 as was being considered in the Regulation and there was an EM which made clear that previous concerns about having to amend UK law were no longer applicable. I'll continue looking backwards through these files including for the reports Lionel Bently mentions. However the question of compatibility of S52 with the Designs Directive is a different one from the question of compatibility of s52 with any copyright acquis, and this second issue may not have been specifically in mind. Of course I don't

Ros Lynch; Rosa Wilkinson; Sean Dennehey; [REDACTED]

[REDACTED] Pippa Hall

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[REDACTED],

Please find attached submission for information.

Summary

Following an initial verbal update to your office, this submission provides further detail about a possible claim for a judicial review of Section 52 of the CDPA.

Urgency

Routine. This submission is for information.

Annexes

Annex A: Letter before claim [REDACTED]

Contacts

Relevant Official: [REDACTED]

Director Responsible: Ros Lynch [REDACTED]