# Disclosure: some practical thoughts

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# Regimes

- Intellectual Property Enterprise Court
- High Court
- Shorter trials scheme
- Flexible trials scheme

# Intellectual Property Enterprise Court

- rules 63.23 & 63.24
- paragraph 29.1 of Practice Direction 63
- IPEC Guide (paragraph 4.6(c))

# High Court

- Practice Direction 57AD
- disclosure review document (‘DRD’)
- initial disclosure
- extended disclosure

# Shorter trials scheme

- Practice Direction 57AB
- paragraphs 2.39 to 2.43

# Flexible trials scheme

- Practice Direction 57AB
- paragraph 3.9(a) & (b)

# Quiz

## Is it an issue; if so for whom; and what model?

- Existence of trade mark registration
- Has trade mark X been put to genuine use?
- Is there a likelihood of confusion?
- Have there been any instances of confusion?
- Did C intend to use the trade mark across the full breadth of its specification?

# Questions?