

Article 5
Exceptions

Member States shall ensure that an application for the measures, procedures and remedies provided for in this Directive *is dismissed* where the alleged acquisition, use or disclosure of the trade secret was carried out in any of the following cases:

- (a) for *exercising* the right to freedom of expression and information *as set out in the Charter , including respect for the freedom and pluralism of the media*;
- (b) for revealing misconduct, wrongdoing or illegal activity, provided that the respondent acted *for the purpose of protecting the general* public interest;
- (c) disclosure by workers to their representatives as part of the legitimate exercise by those representatives of their functions *in accordance with Union or national law, provided that such disclosure was necessary for that exercise*;
- (d) for the purpose of protecting a legitimate interest *recognised by Union or national law*.