



## Trade Secrets

We understand the value of trade secrets. Innovation is a differentiator, a competitive advantage and an incredible asset. We help clients protect their uniqueness.

We help clients identify what is protectable, strategize how to safeguard those assets, and both defend against and prosecute claims of misappropriation. The Defend Trade Secrets Act of 2016 (DTSA) elevated trade secrets to a form of federally-protected IP, similar to copyrights, trademarks and patents. We handled one of the first cases that was decided upon that involved claims under the newly enacted DTSA (*Progressive Solutions Inc. v. City of Oakland*).

We are experienced in drafting agreements that provide additional levels of protection for a company's trade secrets such as non-disclosure, confidentiality, and proprietary information and inventions agreements. We are also experienced in drafting enforceable restrictive covenants to ensure as much protection as possible. In addition, we provide advice regarding the potential risks of hiring employees who are subject to confidentiality agreements or restrictive covenants, and strategize with clients on the best way to minimize or avoid these risks in a way that is consistent with achieving their business goals.

We have experience helping clients protect their sensitive business information, practices and processes. We help clients:

- identify trade secrets
- assess appropriate protection methods
- enact protections to prevent misappropriation
- monetize IP assets, including trade secrets
- defend trade secrets in litigation

If court action is necessary to protect trade secrets, our litigators are experienced in both federal and state court. We are prepared to initiate court action seeking emergency relief on behalf of businesses whose trade secrets are being misappropriated. We also are prepared to respond to such actions, and to litigate

disputes regarding the protection of trade secrets to successful resolution.

Trade secrets are interwoven into multiple aspects of a company's IP portfolio. Clients trust us to help them develop comprehensive IP strategies to make the most of what makes them unique.