Tucker Ellis LLP

Trade Secret Litigation

Overview

At Tucker Ellis, we know that trade secrets are among a company's most important and valuable assets. Our IP trial lawyers represent clients in state and federal courts around the United States in trade secret cases ranging from lawsuits between competitors over their cutting-edge technologies to injunction actions against former employees who have taken the company's crown jewels with them. We have extensive experience in litigating non-compete/non-solicit agreements, non-disclosure agreements, and unfair competition claims, as well.

We stand ready to protect your company's interests in filing or responding to a request for a temporary restraining order or preliminary injunction under state trade secret law or in seeking an ex parte seizure under the new federal Defend Trade Secrets Act. When time is of the essence following a threat to a client's interests, we counsel our clients on the enforceability of their agreements and act swiftly to obtain injunctive relief. Similarly, when our clients are concerned about employing new hires and facing potential trade secret misappropriation or related tortious interference claims, we counsel them to avoid the pitfalls and other litigation risks in their hiring decisions.

With a wide range of technical backgrounds and industry experience, our IP trial lawyers are well equipped to represent your company when you need quick action to protect your trade secrets or to respond to a claim of misappropriation from a competitor. Working closely with the Tucker Ellis Privacy & Data Security Group, we also help ensure that any data preservation or security breach issues are addressed immediately.

Experience

- Defended long-term care facilities in trade secret misappropriation and copyright infringement cases brought by a competitor resulting in settlement on the eve of trial for less than the costs of defense
- Defended a major pharmaceutical manufacturer in the trial of a theft of trade secret case in San Jose, California
- Prosecuted theft of trade secrets for a local colorant manufacturer where theft occurred in Brazil
- Defended a multinational financial services corporation in an extended trade secret misappropriation dispute involving multiple lawsuits in three jurisdictions, two jury trials, and claims seeking hundreds of millions of dollars that concluded with a highly favorable settlement for client for a fraction of original claims

- Within the course of four months, obtained temporary restraining orders in two different cases involving allegations of trade secret theft by former employees and contractors
- Defeated a request for emergency injunctive relief to leverage a Fortune 50 e-commerce company's early dismissal in a trade secret and copyright infringement lawsuit
- Obtained a favorable settlement for a manufacturer of aerospace components in an action concerning misappropriation of trade secrets and unfair competition
- Successfully represented a corporation and two of its officers accused of trade secret misappropriation, computer fraud, and breach of the duty of loyalty