

Trade Secrets



The Lathrop GPM Trade Secrets team takes a comprehensive and integrated approach to protecting and maintaining clients' trade secrets by creating individualized and sophisticated protection plans. The team works hand-in-hand with attorneys within the firm who specialize in copyright and patent protection, as well as dedicated employment law attorneys, to provide clients with the trade secrets team that works for them.

We offer clients the resources and experience necessary to assist with disputes involving noncompete agreements, restrictive covenants, unfair competition issues, protection of trade secrets and improper intellectual property disclosure.

We specialize in litigating unfair competition and trade secret cases that involve covenants not to compete, misappropriation of trade secrets and corporate property or opportunities, and violation of confidentiality agreements.

Areas in which we regularly help clients include:

- Protecting their proprietary assets by appropriately and effectively responding to trade secret theft, violation of restrictive covenants, confidential information disclosure, and customer and employee raiding.
- Conducting employment investigations, including evaluating options, quickly addressing any problem, and dealing with temporary restraining orders and preliminary injunctions.
- Drafting enforceable and specific confidentiality agreements and noncompete agreements.
- Hiring employees from competitors without violating existing agreements and setting off litigation.

We can also assist in making important decisions regarding: what is fair and unfair competition; what is protected as trade secret information, and general knowledge and skills that belong to the

employee; company goodwill and personal goodwill; and differentiating between valid contractual restrictions and those that stifle legitimate competition.

Representative Experience

- Settled a matter involving conspiracy to embezzle, fraud and trade secrets arising from previous litigation related to embezzlement by one of three owners of an insurance company.
- Handling a matter on behalf of a private insurance company involving conspiracy to embezzle, fraud, and trade secrets, arising from previous litigation related to embezzlement by one of three owners of the company. The matter is currently pending.
- Represented cookware manufacturer in a complex matter involving contract disputes about licensing technology, tort, trade secrets and patents.
- Representing a national bank, the defendant, in a dispute over violations of non-solicitation agreements entered into by five former employees of our client who now work for the plaintiff. Court has entered preliminary injunction in our favor. Currently on appeal in the 8th Circuit.