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Navigating the Bramble Bush in Idea Submission Cases

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Today's law of idea submissions is a proverbial bramble bush for a variety of reasons. Both the legal theories of recovery and the viability of such claims differ widely from state to state. In addition, notwithstanding the vast body of idea-submission law, there are still many open issues. These complex, fact-specific cases still manage to ensnare plaintiffs and defendants alike in years of litigation. As such, finding one's way through the bramble bush to defend against idea submission claims is a daunting task. This article provides a map designed to help the litigator navigate the thicket. Following the trail is made simple with the aid of proactive and resourceful litigation techniques that focus on how to prevent these thorny cases from ever reaching a jury.

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