KILPATRICK TOWNSEND

4 TOP TAKEAWAYS

Considerations for a Trade Secret Plaint

Kilpatrick Townsend partner Audra Dial recently gave a presentation addressing importa
secret plaintiffs.

Top takeaways from the presentation, include:

1

As a plaintiff asserting trade secret claims, it is important to k
has been misused as quickly as possible. Speed must be ba
investigation of the facts to ensure that the information that w
level of a trade secret so that the complaint can withstand a M

Trade secret plaintiffs must identify their trade secrets with specificity early in a cas
in order for the case to proceed into discovery of the defendant's actions.

3

Ideally, a potential plaintiff has identified its trade secrets
involving key stakeholders before a lawsuit arises to ensu
information has been protected appropriately as required

3

involving key stakeholders before a lawsuit arises to ensu
information has been protected appropriately as required

During trial, it is nearly impossible to have a court seal the courtroom even when the trade secrets are being discussed. Developing strategies to present trade secrets, bu protect from public view, is important. For example, courts have allowed trade secret to be shown only to a jury but not viewable by the public courtroom so that the allege trade secrets do not lose their trade secret status through disclosure at trial.

For more information, please contact Audra Dial at adial@kilpatricktownsen

www.kilpatricktownsend.com