

Trade Secrets

Overview

Regardless of size or location, former employees, vendors, contractors, and other entities with access to private and sensitive information are constant threats to the success of a business, which is why it is imperative to diligently protect and exploit this information. Munsch Hardt partners with clients to do exactly that across a myriad of industries, including technology, telecommunications, energy, health care, financial institutions, hospitality, retail and manufacturing.

Our team of attorneys regularly counsels clients on protecting their trade secrets and other proprietary information from misappropriation. However, should litigation become necessary, we are poised to aggressively prosecute or defend individuals and companies accused of violating covenants not to compete or stealing, using or disclosing confidential information. Our experience representing both companies and employees as plaintiffs and defendants gives us a balanced, practical approach to crafting effective solutions for our clients with as little disruption to its business as possible.

By taking an efficient and cost-effective approach to trade secret violations, our attorneys stand ready to defend, prosecute and enforce the following types of laws:

- Uniform Trade Secrets Act
- Unfair Competition Law
- U.S. Economic Espionage Act
- Unfair Trade Practice (Trade Regulation Law)
- Misuse of Intellectual Property
- Trade Secret Misappropriation
- Trade Secret Theft
- Confidentiality Violations
- Data Security Breach
- US Defend Trade Secrets Act

In any of these unfortunate situations, our attorneys can swiftly obtain restraining orders and injunctions to protect clients' rights and defend similar actions brought by opponents. Most importantly, our attorneys recognize the importance of guarding against the disclosure of proprietary information during the litigation process to ensure it does not fall into the public domain or competitors' hands.

Clients also turn to Munsch Hardt to help them identify whether valuable intellectual property assets are best protected as a trade secret, or whether patent or copyright protection is more appropriate. Our team is experienced in developing and executing a variety of preventive measures, including:

- Restrictive covenants, including non-compete and non-disclosure agreements
- Trade secret and intellectual property audits
- Unfair competition and breach of fiduciary duty
- Comprehensive trade secret protection programs
- Electronic information protection systems
- Trade secret protection policies
- Employee training practices

Experience

Health Care Representation

Represented a neurosurgeon prosecuting trade-secret and correction-of-inventorship claims against one of the largest privately held medical device companies in the United States (Eastern District of Texas).

NASD Arbitration

Defended brokerage firms and brokers in NASD arbitrations involving claims for breach of non-compete agreements, breach of confidentiality agreements, misappropriation of trade secrets and breach of fiduciary duty.

Construction Company Representation

Successfully defended an employer's request for a temporary injunction against a former employee that sought to prevent employee from contacting their former and current customers under the Texas Uniform Trade Secrets Act.

Energy Company Representation

Successfully represented an energy services company in enforcing a non-compete and non-solicitation agreement against a former employee.

Retail Representation

Represented one of the largest global retailers prosecuting misappropriation of trade secret claims (Travis County District Court).

Intellectual Property Litigation

Successfully prosecuted and defended cases as lead counsel involving requests for emergency injunction relief, including arguing and/or negotiating critical temporary injunctions to preserve valuable trade secrets, trademarks and other intellectual property rights.

Practice Leaders



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Related Practices

Labor & Employment
Covenants Not to Compete
Employment Litigation
FLSA
OSHA
Traditional Labor Law

Related Industries

Admiralty & Maritime
Financial Services
Construction
Energy
Health Care
Hospitality
Insurance
Manufacturing
Real Estate
Retail
Technology & Telecommunications
Transportation