



Trade Secret Protection

Trade secrets are valuable assets and include information, processes or devices that have monetary or commercial value and should be considered confidential. In addition to business plans, trade secrets can also include contracts, formulas and clients lists. At Masuda Funai, we know, from decades of identifying, advising on and defending trade secrets, that new and emerging technologies, expanding employee mobility and globalization have created an atmosphere of accelerated risk regarding trade secrets.

Our firm understands the critical nature of trade secrets and the sensitivities involved in claims against employees. Our attorneys provide both the skill and experience needed to represent businesses in proactive counseling measures, dispute resolution and litigation involving the protection of proprietary information against unauthorized commercial use by others. Unlike patents, copyrights and trademarks, businesses cannot register and therefore safeguard trade secrets with the government. Because a trade secret is only considered proprietary information if it is protected from disclosure, our lawyers work diligently with businesses to keep such information private and confidential — and away from competitors and the public eye.

We represent businesses from across the nation and around the world in asserting and defending claims of trade secret misappropriation, unfair competition and employee theft before federal and state courts and public agencies. We assist our clients in creating, implementing and managing trade secret policies and procedures under the federal Defend Trade Secrets Act (DTSA), Uniform Trade Secrets Act (UTSA) and other state laws. We work with our clients to evaluate and identify options for implementing a comprehensive trade secrets strategy that reaches beyond state and country lines and into e-commerce and online media. In addition, we advise on internal actions that mitigate the potential for trade secret theft and litigation.