

## Trade Secrets

### Type of Protection:

Trade secret protection varies at least to some extent depending on which state's law applies. Trade secret protection may be available for information, know-how, equipment, drawings, materials, etc. that are maintained as confidential. Protection may not be available if the information is or becomes public knowledge.

### Advantages of Trade Secrets:

- No application or registration process.
- Protected indefinitely (unless it becomes public knowledge).

### Common Pitfalls:

- Failing to take reasonable measures to protect the confidential nature of trade secret materials, such as:
  - Failing to use non-disclosure agreements (NDA).
  - Failing to require employees to sign confidentiality agreements.
  - Failing to properly mark trade secrets as confidential.
  - Failing to limit access to only those reasonably requiring access to the trade secret material.

### Services:

Trenner Law Firm can help identify trade secrets and establish a trade secret program to protect your trade secrets. Trenner Law Firm can also help you take measures to avoid infringing on someone else's trade secret rights.

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