

NON-COMPETE, TRADE SECRET & EMPLOYEE UNFAIR COMPETITION

OVERVIEW

Bryan Cave Leighton Paisner's Non-Compete, Trade Secret and Employee Unfair Competition team provides a tremendous depth and geographic breadth of experience in disputes involving covenants not to compete, misappropriation of trade secrets, breach of confidentiality agreements, employee raiding, computer misconduct and other employee unfair competition issues. Our trial lawyers are very experienced in providing advice relating to and handling the issues that frequently arise in noncompete, trade secret and similar disputes, including with respect to TROs, preliminary injunctions, expedited discovery, and computer-related discovery. Our team has extensive research and resource materials on these and related topics, allowing our lawyers to advise clients on the proper drafting and scope of noncompetition covenants, identify and focus quickly on the key issues involved in analyzing noncompete, employee raiding, trade secret and similar disputes, and respond promptly when these disputes arise.

MEET THE TEAM



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RELATED PRACTICE AREAS

- Employment & Labor
- Business & Commercial Disputes
- Intellectual Property and Technology

EXPERIENCE

Our team has represented:

- A global manufacturer and provider of industrial automation, process controls, electronics and telecommunication products and services in a wide range of disputes, including relating to:
 - Employee raiding;
 - Misappropriation of trade secrets; and
 - Noncompetition covenants.
- A leading, national department store retailer in several noncompete disputes against former high-level executives, including cases in which nationwide injunctive relief was granted.
- A national collections receivables company in litigation asserting trade secret and breach of the duty of loyalty claims against a former high-level executive.
- A global technology and manufacturing company engaged in the engineering, design and manufacture of customized thermal process systems in a noncompete dispute against its former Managing Director, Asia.
- A company specializing in providing placement services in a number of noncompete and related matters.
- An investment advisor business in two restrictive covenant cases filed against a total of five former employees.
- Obtaining an injunction in the High Court in London to enforce a garden leave claim to prevent an employee joining a competitor (now a leading precedent decision).

- Insurance brokerage firms in trade secret, noncompete and related disputes against former employees/brokers.
- An international sales motivation company in noncompete litigation against a former top salesman/producer.
- A multi-national packager in an arbitration proceeding in which the company was pursuing breach of contract claims and defending against unfair competition and trade secret claims. Following a 17 day arbitration hearing, our client prevailed on its contract claim and all of the defendants' counterclaims, and recovered compensatory damages as well as attorneys' fees.
- A global consumer products company in providing strategic advice on the inclusion of confidentiality, non-compete and non-solicitation agreements and clauses at hire and at termination for employees in Asia and Latin America.
- Clients in providing strategic advice on the enforceability of restrictive covenants in connection with mass terminations affecting employees in major economies in Asia and Latin America.

RELATED INSIGHTS

Awards

Oct 04, 2023

The Legal 500 UK ranks BCLP in 54 practice areas and recognizes 74 lawyers as “leading individuals”

Insights

Sep 14, 2021

Washington, DC Ban on Non-Competes Delayed to April 2022 – September 2021 Update

As we discussed in our March 2021 update, the District of Columbia's Ban on Non-Compete Agreements Amendment Act of 2020 (the “Act”) was expected to become enforceable this fall with the passage of the District's Fiscal Year 2022 budget. Not so fast. While the new law became “effective,” i.e., on the books, on March 16, 2021, its applicability – and thus, its enforceability – is tied to the budget. As enacted, the Act will not apply and become enforceable until its costs are included in a budget and financial plan, which is at the Mayor's discretion. On June 30, 2021, the Committee on Labor and Workforce Development (the “Committee”), which is responsible for oversight of public and private sector employment issues, recommended “a delay in the applicability (i.e. practical application/effectiveness of the law) while it considers changes to respond to business community concerns raised after final pa...

