

Insights



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Defend Trade Secrets Act (DTSA) and Other Legal Claims and Recourse to Protect Employers' Confidential Information and Trade Secrets

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This practice note provides guidance on legal claims and recourse available to employers to protect their confidential information and trade secrets in the face of potential misappropriation by employees or others. Specifically, this practice note addresses the following issues:

- Recourse for Trade Secret Misappropriation under the Federal Defend Trade Secrets Act (DTSA)
- State and Common Law Claims for Misappropriation of Trade Secrets or Theft of Confidential Information
- The Economic Espionage Act of 1996 (EEA)
- The Computer Fraud and Abuse Act (CFAA)
- Common Law Tort Claims
- Common Law Contract Claims

- Employee Raiding

For information on the use of restrictive covenants to protect trade Secrets and confidential information generally, see the Restrictive Covenants practice notes. For additional practice notes concerning trade trade Secrets, see the Protecting Trade Secrets practice note page. For information on state laws on protecting trade Secrets and confidential information, see Non-competes and Trade Secret Protection State Practice Notes Chart. For more information on protecting confidential information at hiring, see Trade Secrets and Confidential Information Protection upon Hiring Checklist. For more information on dealing with trade Secrets and confidential information protection upon termination, see Trade Secrets and Confidential Information Protection upon Termination Checklist. For more information on cybersecurity measures to protect confidential information and trade Secrets, see Cybersecurity Measures to Protect Employers' Confidential Information and Trade Secrets.

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