

# Katten

Katten Muchin Rosenman LLP

## TRADE SECRET PROTECTION AND LITIGATION

### Our Clients

Katten attorneys provide thoughtful and effective representation to businesses that require protection of trade secrets and other confidential and proprietary information. We advise some of the largest companies in the world as well as privately held businesses, including members of the mobile communications, manufacturing, medical, entertainment and insurance industries.

### Our Services

Our Trade Secret Protection and Litigation team works closely with clients to identify, evaluate and maximize the protection of their trade secrets, and to defend against unscrupulous practices by employees, business partners and/or competitors. Katten attorneys were instrumental in pioneering some of the early state legislation related to trade secrets. We frequently lecture on the best means to protect trade secrets and have been called upon by state legislatures to comment on state trade secret legislation.

Our attorneys defend against claims for misappropriation of trade secrets or claimed ideas and prosecute and defend claims involving breach of confidentiality agreements. We counsel clients on ways to prevent threats to their trade secrets; for example, by establishing or auditing systems for limiting disclosure and access, and by creating non-compete and confidentiality agreements, employee handbooks and guidelines, and privacy policies.

### RECOGNIZED BY

- *BTI Litigation Outlook 2018*
  - IP Litigation Honor Roll
- *Chambers USA*
  - Intellectual Property (Illinois) 2019, 2018
- *U.S. News – Best Lawyers® “Best Law Firms”*
  - Litigation – Intellectual Property (National, Chicago) 2019, 2018



We have prevented others from using our clients' valuable trade secrets, and have likewise defended trade secret misappropriation claims against clients and key employees for disloyalty, breaches of fiduciary duty, covenants not to compete, breach of employment agreements and theft of processes, formulas, software, designs, instruments, patterns and compilations, customer lists, technical information, and know-how. Our multifaceted team brings a wide range of experience to enable the best solutions, whether through litigation, counseling, mediation or other means.

Katten attorneys understand how critical the safekeeping of trade secrets can be to an organization and how important it is to protect these valuable assets. Whether you are interested in protecting your company's most valuable technologies, software code, formulas, marketing strategies, or proprietary customer or pricing information, our insight enables us to apply the most

**"A well-oiled machine. They are experts in what they do and the best thing about them is that they efficiently bring you consistent results."**

*Chambers USA 2015 (Intellectual Property)*

comprehensive strategies to protect your interests—today and well into the future.

### **Our Experience**

- Defense of a media company against a plaintiff who alleged that client had stolen the ideas for two of its popular cable network interior design TV shows. While Katten's motion for summary judgment as to all idea theft, misappropriation of trade secrets and fraud was pending, the case was resolved amicably by settlement to the complete satisfaction of client.
  - Representation of a provider of real-time information and analytics for the Internet, telecommunications and entertainment industries in a complex trade secret litigation filed in Virginia against one of the client's direct competitors and against client's former employees. We obtained a preliminary injunction in the case which involved allegations of unauthorized remote entry to the client's computer systems and customer databases, and the misappropriation of certain trade secrets as the competitor launched competing domain name services.
  - Representation of an ingredient company in a trade secrets misappropriation case, after the company's chief chemist went to a direct competitor and was accused of bringing with her proprietary and highly secretive formulas. Ultimately, we obtained an injunction and consent decree on behalf of, and very favorable to, our client.
  - Representation of Planet Hollywood in a trade secrets case filed against our client by Hard Rock Cafe, owned by Morton Group, in which our client's owners were accused of stealing intellectual property and trade secrets from the Hard Rock Cafe.
- We successfully defended against motions for preliminary injunctions and, ultimately, the litigation was resolved on terms that were favorable to our client.
- Representation of Motorola in a trade secrets case filed against it by a software provider, who, after we filed a motion to dismiss, agreed to settle the litigation.
  - Representation of the bakery whose cookies were a target of industrial espionage in the famous "cookie caper" litigation which involved the allegedly highly secretive process for making soft-chewy cookies.
  - Representation of Allstate in connection with the development of a trade secret protection protocol for the protection of trade secret and intellectual property content in employee manuals.
  - Representation of one of the world's largest manufacturers of diamond grinding wheels in a trade secret case involving the process surrounding the development of optical lenses.
  - Defense of Universal Studios in a trade secret litigation brought by Reel EFX, Inc, involving the weather/tornado technology used in the *Twister* attraction at Universal Studios Orlando.
  - Prosecution of claims for a medical group involving patient lists before a jury in Kalispell, Montana. A favorable jury verdict was upheld by the Montana Supreme Court.
  - Representation of a leading manufacturer of traffic safety equipment against a former employee and the company that employed him for theft of trade secrets and unfair competition. Obtained favorable settlement that compelled transfer of improperly obtained patent rights and redesign of competing product.
  - Representation of an innovative start-up company against a multinational corporation for theft of trade secrets and breach of nondisclosure agreement related to beverage container manufacturing technology. Obtained favorable settlement that compelled withdrawal of improperly filed patent applications.