

J. Scott Humphrey

Chair, Trade Secrets, Restrictive Covenants & Unfair Competition Practice Group

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Overview

Scott has extensive litigation, arbitration and counseling experience involving a wide range of complex commercial contract disputes and business torts, including matters arising from trade secret appropriation, breach of restrictive covenants, contract disputes, manufacturing and distribution issues, fraud and insurance disputes.

As a result, Scott currently serves as lead litigation and consulting counsel for a broad range of clients, including financial services companies; commercial and consumer product manufacturers; consulting firms; pharmaceutical, surgical and medical companies; processing companies; commercial real estate firms; commercial product distributors; health care organizations; media firms; commercial transportation companies; food and beverage companies; insurance companies and technology organizations. His clients range from small business owners and startups to Fortune 100 companies.

As a member and Chair of the Trade Secrets, Restrictive Covenants and Unfair Competition Group, Scott has worked with numerous companies, associations, individuals and organizations on the protection of trade secrets and enforcement of restrictive covenants. In doing so and using his Six Sigma Green Belt accreditation, Scott has worked with clients to develop, implement and monitor "best practices" for the protection of trade secrets and confidential information. When necessary, he has successfully obtained (and defeated), in courtrooms and before Arbitration Panels throughout the country, temporary restraining orders, preliminary injunctions and permanent injunctions for clients in the technology, securities, financial services, pharmaceuticals, cannabis, insurance, transportation, medical and surgical sales, electronics, health care, media talent, data processing, business consulting, food and beverage manufacture and distribution, and consumer products space. He has also successfully taken numerous restrictive covenant and trade secret cases to verdict, and argued restrictive covenant and trade secret matters before state and Federal Appellate courts. Scott also regularly speaks on these topics through client presentations, industry seminars and national presentations, and he regularly counsels companies about the potential impact of the National Defend Trade Secrets Act and other state law changes to restrictive covenant laws.

Scott's practice also focuses on commercial and business-related litigation involving complex commercial contract disputes and other business torts. In this capacity, Scott has litigated commercial litigation disputes in courtrooms and Appellate courts across the country. More recently, Scott has developed expertise in the area of litigation finance. In doing so, Scott has worked with clients to obtain litigation financing, worked with funders on evaluating potential cases to fund, and spoken at various trade organizations about the impact litigation finance has (and will continue to have) on the legal market.

Representative Matters

- Advised Currier Plastics in its investment partnership with Sheridan Capital Partners.
- Successfully defended a power manufacturing company against a competitor's claims of trade secret misappropriation. After a two-week trial, the jury deliberated for ten minutes before finding for our client. The jury also found that the competitor brought its trade secret claims in bad faith, thereby allowing our client to recover seven figures in attorneys' fees from the competitor.
- Represented the General Charles Young Foundation as Foundation Counsel to have General Young's birth home in Ohio listed on the National Registry of Historic places and portions of the interstate between Cincinnati, Ohio and Louisville, Kentucky dedicated the "General Charles Young Memorial Highway." Additionally, worked with the Foundation to have the U.S, Department of Defense rename its "Defense Security Cooperation Institute" to the "Brigadier General Young Institute for Security Cooperation Research and Lessons Learned."
- Worked with our client and federal authorities to obtain a search warrant for, and obtain client information from, a competitor who illegally hacked our client's computer systems.
- Successfully prosecuted a preliminary injunction on behalf of a healthcare company and against a former employee who violated his noncompetition agreement.

- Prosecuted two separate trade secret and restrictive covenant actions against former insurance agents that resulted in jury verdicts and a subsequent attorney's fees award in favor of our clients.
- Negotiated the turnover of confidential information and subsequent restrictive covenant restrictions on behalf of a food services client and against former employees who left the company to begin a competing business.
- Represented a Fortune 500 logistics company in litigation against the former owners of an acquired company for corporate espionage, improper acquisition of computer software, and breach of noncompetition agreements. The case resulted in a permanent injunction in favor of our client and a seven-figure settlement payment to our client.

Credentials

EDUCATION

- Northwestern University, Kellogg School of Management, MBA
- University of Illinois Chicago School of Law, J.D.
- Wittenberg University, B.A.
  - Order of Omega

BAR & COURT ADMISSIONS

- Illinois
- U.S. Supreme Court
- U.S. Court of Appeals for the First Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the Northern District of Illinois, including Trial Bar
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Southern District of Illinois
- U.S. District Court for the Eastern District of Wisconsin
- U.S. District Court for the District of Colorado

Memberships

- Lean Six Sigma Green Belt Certified
- Member, The Chicago Bar Association Business and Trial Techniques Committee
- Fellow, The Chicago Bar Association College of Trial Lawyers
- Member, American Intellectual Property Law Association Trade Secret Law Committee
- Member, The Sedona Conference Trade Secrets Group

Awards & Recognition

- Listed, Leading Lawyers in Illinois, Commercial Litigation and Trade Secrets/Unfair Competition Law, 2023, 2026
- Listed, Leading Lawyers in Illinois, Commercial Litigation, 2025-2026
- WIPR Rankings, Recognized as One of the Top Trade Secret Lawyers in the Country, 2025
- Named, Chicago Lawyer, Top Trade Secrets/Unfair Competition Lawyers, 2025
- Listed, Benchmark Litigation, Litigation Star, 2024-2027
- Listed, Lex Machina, Top 10 Most Active Trade Secret Litigation Lawyers, 2024
- Named, Chicago Lawyer, Top Corporate Lawyers, 2024
- Named, Chicago Lawyer, Top IP, Arts & Sports Lawyers, 2023-2026
- Listed, IAM Patent 1000, Top Trade Secret Lawyer, 2023
- Named, Chicago Lawyer, Top Commercial Litigation Lawyers, 2023
- Named, Crain's Chicago Business, Notable Gen X Leaders in Law, 2022
- Ranked, The Legal 500, Litigation, Intellectual Property, and Trade Secrets, 2017-2020

News & Insights

- Benesch Named 2027 Highly Recommended Firm by Benchmark Litigation; 14 Attorneys Recognized, Including 4 First-Time Honorees
  October 30, 2026 | Press Releases
- Major Shift in Federal Labor Board's Position on Restrictive Covenants
  July 22, 2026 | Client Alerts & Insights
- Versata v. Ford: Federal Circuit Reinstates $82M Award and Opens Door to Even Greater Damages
  June 11, 2026 | Client Alerts & Insights

- The Rapid Revolution of Restrictive Covenant and Trade Secret Law - What We Are Seeing (and Reading) in the First Five Months of 2026
  May 26, 2026 | Client Alerts & Insights
- $2B Trade Secrets Verdict Overturned by the Virginia Supreme Court
  May 1, 2026 | Client Alerts & Insights
- No More Early Gatekeeping: Ninth Circuit Clarifies Timing for Trade Secret Identification Under DTSA
  March 31, 2026 | Client Alerts & Insights
- Lex Machina Recognizes Benesch, Individual Attorneys Among Top 10 Most Active for Trade Secret Litigation in the U.S.
  February 6, 2026 | Press Releases
- A Quick Q&A on Restrictive Covenants as We Start the New Year
  January 5, 2026 | Client Alerts & Insights
- 2025 Trade Secret and Restrictive Covenant Year in Review
  December 29, 2025 | Client Alerts & Insights
- Benesch Named 2026 Highly Recommended Firm by Benchmark Litigation; 10 Attorneys Recognized, Including Three First-Time Honorees
  October 29, 2025 | Press Releases

Speaking & Events

PAST EVENTS

- The Ever-Changing World of Trade Secret and Restrictive Covenant Law | J. Scott Humphrey
  June 17, 2025 | Firm Events
- Trade Secret Outlook in 2025 | Manish Mehta, J. Scott Humphrey
  February 4, 2025 | Speaking Engagement
- The Impact of State and Federal Legislative and Regulatory Developments on the Protection of Trade Secrets | J. Scott Humphrey
  March 14, 2024 - March 15, 2024 | Speaking Engagement
- Trade Secret and Restrictive Covenants Year in Review - What happened in 2023 and what is likely to happen in 2024 | J. Scott Humphrey, Katie Burnett
  January 11, 2024 | Firm Events
- A Discussion: What Lawyers should Know About Commercial Legal Finance | J. Scott Humphrey
  October 11, 2023 | Speaking Engagement