

PRACTICE

Trade Secrets, Restrictive Covenants & Unfair Competition

Benesch's nationally recognized Trade Secrets, Restrictive Covenants & Unfair Competition Practice Group helps clients throughout the United States achieve and maintain a competitive advantage. The group preserves and protects confidential information and legitimate business interests through effective policies, practical identification and control measures, and, when necessary, trade secret and restrictive covenant enforcement.

What **We Do**

Our nationally recognized trade secrets attorneys are experienced in:

- Analyzing, developing and implementing trade secret measures and protection programs
- Evaluating trade secrets and trade secret protections in preparation for commercial transactions
- Expediting discovery
- Onboarding and offboarding employees in order to minimize trade secret and restrictive covenant risk
- Quickly obtaining temporary restraining orders (TROs) and preliminary injunctions in state and federal courts throughout the United States
- Prosecuting and defending trade secret and restrictive covenant rulings before appellate courts
- Securing permanent injunctions
- Winning substantial jury verdicts
- Working with state and federal authorities

Industry **Breadth**

- Brokerage
- Consumer goods
- E-commerce
- Financial services
- Healthcare
- Insurance
- Manufacturing
- Medical supplies and products
- Military contracting
- Pharmaceuticals
- Private equity
- Real estate
- Retail banking
- Technology/Fintech
- Transportation

Numbers & Recognition

25

Dedicated attorneys located across the country and in each Benesch office

100+

Years of combined experience handling trade secret, restrictive covenant and unfair competition matters

Decades

of experience successfully litigating trade secret and restrictive covenant cases nationwide in courts and major arbitration forums

Recognized

by **Lex Machina** as the 10th most active law firm in the U.S. for trade secret and restrictive covenant litigation in 2025 and over the past three years



Lex Machina

Recognized

in the **World Intellectual Property Review's** 2025 U.S. Trade Secrets Rankings



Named

a **Trade Secret Powerhouse**, one of only 14 firms to receive this distinction by the 2025 IAM Patent 1000



Representative Matters

- ▶ Represented a global energy company in defending against an over \$100 million trade secret misappropriation claim.
- ▶ Secured a unanimous jury verdict in favor of a plastics company in a case involving claims of trade secret misappropriation and other business torts related to the manufacture and sale of plastic television housings.
- ▶ Defended a client in a suit alleging breach of a non-disclosure agreement and misappropriation of trade secrets, where plaintiffs sought to recover over \$300 million and impose a constructive trust over patents and other intellectual property. The matter was successfully resolved in the client's favor.
- ▶ Prosecuted two separate trade secret and restrictive covenant actions against former insurance agents that resulted in jury verdicts and a subsequent attorneys' fees award in favor of our clients.
- ▶ 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.
- ▶ 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.
- ▶ Negotiated a 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.
- ▶ Successfully represented a fintech start-up whose econometric trade secrets, embedded in a software program, were misappropriated by a financial services client, resulting in a highly favorable settlement for our client just prior to the hearing.
- ▶ Successfully defended a power manufacturing company against a competitor's claims of trade secret misappropriation. After a two-week trial, the jury deliberated for 10 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.
- ▶ Successfully represented a military contractor in pursuing claims against two former employees who misappropriated over 1.4 million computer files before joining a direct competitor in the helicopter engineering industry. Obtained a stipulated TRO, navigated extensive discovery and a parallel criminal investigation, obtained a sanctions order against the defendant, and achieved a highly favorable settlement for our client.*
- ▶ Achieved a full defense verdict following a jury trial in the New York State Supreme Court Commercial Division for clients accused of taking trade secrets and poaching employees from a former employer in the financial services/fintech sector.*
- ▶ Negotiated a stipulated preliminary injunction and subsequent restrictive covenant restrictions on behalf of a lithium-ion battery manufacturer against a former lead project engineer who left for a foreign competitor.
- ▶ Replaced existing defense counsel and obtained summary judgment on behalf of a national mortgage lender and its employees in a long-pending action brought by their former employer alleging high seven-figure damages for trade secret misappropriation and restrictive covenant violations.
- ▶ Defended a financial services client in a suit alleging breach of restrictive covenants and trade secret misappropriation, for which the plaintiff sought eight-figure damages. Due to effective early motion practice and expedited discovery, the matter was successfully resolved in the client's favor within five months of initiation.

**Matter completed prior to attorney joining Benesch.*