

2019 Trade Secrets Roundup and 2020 Trends

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2019 marked another exciting year for trade secret litigation. Approximately 1,400 new cases were filed in federal courts, holding fairly steady with the number filed in 2018. Successful federal plaintiffs were awarded more than \$45 million total for their trade secret claims, with an average award of about \$1.1 million. 2020 is expected to be equally eventful for trade secret litigation.

Similarly, 2019 was eventful for legislation and enforcement related to trade secrets. Seven states amended or enacted statutes restricting noncompete agreements—an important tool in protecting an employer’s trade secrets—and California federal courts restricted nonsolicitation agreements. The Trump administration heightened efforts to combat intellectual property theft and espionage from China. The Department of Justice also argued that indictments for conspiracy or attempt to steal trade secrets need not identify those secrets. Looking ahead, legislative and agency focus on limiting noncompete—and potentially nonsolicit—agreements is likely to continue in 2020.

Jason Schwartz, Greta Williams, Christine Demana, Megan Hulce and Joseph Barakat highlight these and other notable trade secrets developments from 2019 and trends for 2020 in their two-part article, recently published by Bloomberg Law.

[Part 1](#): *Trade Secrets 2019 Litigation Roundup and 2020 Trends*

[Part 2](#): *Trade Secrets 2019 Legislative, Executive Roundup and 2020 Trends*

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