

Non-Compete & Trade Secret Litigation

Our trial lawyers prosecute and defend trade-secret, non-compete and other restrictive-covenant cases on behalf of large and small employers when management, sales and technical employees leave to work for the competition. We also defend highly-compensated individuals who have been sued in these types of cases.

When a non-compete or trade-secret case is initiated, the stakes are high: a court may impose an injunction preventing an employee from working for a competitor, order expedited discovery, order a complete forensic examination of electronic devices, and may award legal fees to the prevailing party.

No matter which side of a non-compete or trade secret case a company is on, it is crucial to have early, sophisticated and experienced advice to preserve evidence, find the right forensic and economic experts, manage settlement discussions and prepare for litigation. Our trial lawyers have the experience and skill to maneuver these complex cases that frequently are litigated on an accelerated timeline and that involve a variety of legal claims.

In addition to extensive litigation experience, our lawyers have authored articles and taught seminars for other attorneys about effectively litigating these matters, and we regularly advise clients on the creation of effective non-compete and confidentiality agreements, the handling and treatment of confidential and trade secret data, and the avoidance of interference with contracts that incoming employees may bring with them.

Experience

Representative courtroom experience of our trial lawyers includes:

- › Winning motions for temporary injunctions to enforce non-competes in Minnesota state court, obtaining orders prohibiting former employees from competing with their former employers and restraining trade secret and confidentiality violations.
- › Winning summary judgment for a client on claims of interference with another company's non-compete agreements.
- › Defeating a motion for preliminary injunction to enforce a non-compete in Minnesota Federal Court, which allowed the new employer to continue to employ its general manager.
- › Negotiating favorable settlements across the country, resulting in awards of stipulated injunctive relief and payment of monetary damages to our clients.
- › Member of a trial team at another firm that tried a non-compete / trade secret lawsuit in the Delaware Chancery Court, which resulted in a favorable settlement following a two-week bench trial in which the client sought damages in excess of \$20 million.

Related Practices

Employment Law

Litigation

Firm News/Articles

- › Legislators Consider Changes to Sexual Harassment Laws and Abolishing Non-Competes
- › Joel Schroeder Speaks at Upper Midwest Employment Law Institute

Related Professionals

- › Amy Conners, Attorney
- › Sarah Crippen, Attorney
- › Joel Schroeder, Attorney
- › John Sullivan, Attorney