

## Trade Secret & Non-Compete E-news

December 22, 2008

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### Tough Economic Times Demand Re-Dedication to Protecting Your Business

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As businesses, both local and national, endure the most trying economic times in over eighty years, it is imperative to protect your business' most valuable assets - your proprietary information and client and customer relationships. Now, more than ever, competition for market share is fierce, and some businesses are resorting to simply taking their competitors' market share by luring away their competitors' key employees, and in turn, obtaining their competitors' confidential and proprietary business information and most valued customer relationships.

What can you do to prevent this? Make sure that your business is adequately protected with updated and legally enforceable restrictive covenants prohibiting wrongful competition, customer solicitation, and disclosure and use of your most sensitive business data. Along with this, putting the physical and technical safeguards in place to prevent the wrongful dissemination of your business data, such as password protecting particular information, encrypting certain electronic data, and limiting access to those who truly need to know.

Also, it is imperative to move swiftly to enforce your restrictive covenants and legal rights when business information has been compromised or you become aware that an employee has taken actions in violation of their continuing post-employment obligations, such as non-competition, customer non-solicitation, etc.

Butzel Long's Trade Secret/Non-Compete Practice Group has extensive local and national experience in auditing your business and ensuring that you have the pro-active measures necessary to protect against information and customer theft, as well as the litigation team ready to move at a moment's notice when a violation occurs. Over the past ten years, Butzel Long's Trade Secret/Non-Compete Group has counseled and successfully litigated these issues and matters in over 33 states.

Take the time now to make sure your most valuable business assets are secure.

If you have question regarding restrictive covenants or other trade secret/non-compete matters, please contact your Butzel Long attorney, a member of the Trade Secret/Non-Compete Practice Group, or the author of this E-News.

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