



Trade Secret and Nondisclosure Counseling

Reinhart's Intellectual Property attorneys work closely with our clients' engineering and management teams to identify aspects of their intellectual property – including designs, know-how and manufacturing processes – which provide a greater advantage by not being disclosed than would be achieved through the patenting process.

Often, candidates for such trade secret protection include processes or other design information that could not easily be reverse engineered by competitors. Disclosure of such information, therefore, would only serve to aid such competitors. Other intellectual property for which trade secret protection may be best includes aspects that would be difficult to ascertain if a competitor were infringing. Manufacturing processes often fall into this category.

Reinhart attorneys utilize their depth of experience to advise when not to patent a new development. By providing our clients with a thorough understanding of the scope of protection provided by trade secret laws and the affirmative measures that must be taken to maintain this protection, our attorneys give our clients another option to protect their intellectual property.

In addition to identifying the best type of protection for their intellectual property, Reinhart attorneys work closely with clients to implement policies and procedures including employee agreements, non-compete agreements, document marking and retention policies to ensure that appropriate measures are taken throughout the organization to protect the confidentiality of key information. Along with the education of employees, these measures minimize the risk of inadvertent loss of trade secret protection.

As our clients work with and explore the possibility of working with other companies, our attorneys ensure that the governing confidentiality and nondisclosure agreements protect all of our client's information that is or may be exchanged. We also ensure that the ownership of information developed as a result of access to our client's information is considered in such relationships. Such agreements provide an extra measure of protection against the inadvertent release and use of our client's information, as well as the inadvertent forfeiture of other intellectual property rights that may be available, including patents.