

HR's Role In Protecting Trade Secrets

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- I. Introduction
- II. Identifying Trade Secrets and Other Confidential Information
 - A. Definition of Trade Secret
 - B. Factors That Determine Whether Something Constitutes a Trade Secret
 - C. Examples of Trade Secrets
 - D. Other Confidential Information That May Not Constitute a Trade Secret
- III. Steps To Help Protect Trade Secrets and Other Confidential Information
 - A. Hiring Process
 1. Defensive Measures to Prevent Misappropriation and Other Violations
 2. Background Checks
 - B. Onset of Employment
 1. Employment Agreements
 - a. E.g., non-compete, non-solicitation, non-disclosure agreements
 2. Review Trade Secret Protection Program
 - C. During Employment
 1. Identify and Label Confidential Information
 2. Limit Access to Those Who "Need to Know"
 3. Enforce Program
 4. Surveillance of Employees
 - D. Social Media Issues
 1. Customer List Issues
 2. Solicitation Issues
 3. Who Owns Social Media Accounts/Content?
 - E. Termination of Employment
 1. Exit Interview
 2. Collect All Company Property

3. Terminate Access
4. Secure Hard Drive

F. Post Termination

1. Steps to Take in the Event of a Violation/Breach

G. Application to Others Who Are Not Employees

IV. Conclusion