



Trade Secrets

We have extensive experience successfully representing clients in trade secret-related trials and appeals. Clients turn to us for their highest-stakes trade secret disputes, often when billions of dollars are at issue. Our cross-practice team is made up of commercial and intellectual property litigators who draw on their state and federal courtroom experience to customize strategies for the unique complexities of each case.

PRACTICE AT A GLANCE

- **Courtroom experience:** Our deep familiarity with state and federal courts and creative approach to litigation enables us to successfully handle matters of any scope and complexity. We have successfully represented clients in preliminary injunction proceedings, in civil and criminal cases, at trial, and on appeal.
- **Proactive and dynamic:** Our lawyers have a track record of success in mobilizing quickly—often within a matter of hours—to address rapid response prelitigation matters (including around employee or executive exits or onboarding), temporary restraining orders, preliminary injunctions, and other requested relief in the lead up to or outset of litigation.
- **Cross-disciplinary capabilities:** Our 360° and interdisciplinary approach draws on the deep trial expertise and formidable depth of the commercial litigation, intellectual property, and appellate practices to create a tailored approach for each individual case. In employee-related matters, we further leverage the extensive experience of our labor and employment lawyers.

50+

trade secret litigation matters in the past five years

120+

attorneys with technical and scientific backgrounds

\$1B+

amount of damages at stake when clients turn to us



WilmerHale is “high quality top to bottom. They take on the hardest cases and get terrific results.”

— *Legal 500 United States*



WilmerHale is “outstanding at all levels, combining first-rate technical and legal acumen and great trial skills.”

— *Chambers USA*

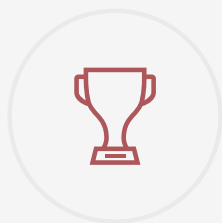
RECENT NINE- AND TEN-FIGURE VICTORIES

- Successfully defended **Apple** in a multi-billion-dollar trade secret trial, resulting in half of plaintiffs’ trade secrets being dismissed as a matter of law before the case even went to the jury.
- Secured major victory for **Reckitt Benckiser** following a five-week jury trial in the District of New Jersey when claims brought by Absorption Pharmaceuticals, which sought \$454 million in damages for alleged fraud and trade secret misappropriation, as well as punitive damages, were rejected.
- Achieved a highly favorable settlement for **Becton Dickinson**, ending litigation in which our client asserted trade secrets claims against Qiagen and NeuMoDx where the products at issue were valued at more than \$1B+ in annual revenue.
- Achieved a major victory for large aluminum company **Novelis** when the court dismissed all trade secret misappropriation claims brought by Arconic, formerly Alcoa. Arconic, which is Novelis’s chief competitor, initially alleged misappropriation of more than 500 trade secrets.
- Secured a highly favorable dismissal of all claims brought against **Yes Energy** and **Live Power Intelligence Company** by their competitor Genscape. Genscape, which had previously held 100% of the market share in the real-time power data market, levied trade secret misappropriation and computer fraud and abuse act allegations against Live Power and Yes Energy after these companies entered the market. Yes Energy and Live Power now continue to operate in this space.
- Won a complete victory for **Loxo Oncology** in a trade secret lawsuit related to the development of breakthrough cancer drugs when Array agreed to drop its claims against the company following extensive forensic information, placing no future restrictions on Loxo’s significant work to develop breakthrough cancer drugs.

We counsel clients on all aspects of trade secrets, including:



KNOWN FOR OUR TRADE SECRET AND TRIAL SUCCESSES



One of the top firms in the
World Intellectual Property Review (WIPR)
Global Trade Secrets rankings
—
2024

Law360
Trials Practice Group
of the Year
—
2024

Named Intellectual Property
Litigation firm of the year by
The American Lawyer,
Chambers, and
The National Law Journal.
—
2023 and 2024

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