

To Departing Employee

Dear Mr. Smith,

Since you have recently terminated your employment, we wish to remind you of your obligations to the company that continue after your employment ends. As you know the company possesses a great deal of highly sensitive and confidential business information. This includes customer lists, marketing plans, engineering data, product plans, and the like. During your employment you have been provided, or had access to, such information.

Both the law and the contract you signed when you came to work for the company prohibit any use or disclosure of such information after you leave. For your convenience, we enclose a copy of the agreement you signed. Because you have taken employment with a competitor of the company, it is especially important that you take care not to violate your obligations to keep this information confidential. While we have no reason at this time to believe that you have violated your obligations, it would be helpful to understand from you the steps that you intend to take in your new position to ensure that the confidentiality of our information is respected.

We look forward to your early response to this request.

Very truly yours,

To New Employer

Dear Mr. Jones:

We understand that Mr. John Smith, who until recently was employed by us, has decided to join your company. We draw your attention to the fact that Mr. Smith worked in our Advanced Widgets Department as a Senior Research Engineer. In that capacity, he became quite familiar with all aspects of our de-flanging process, which we consider and treat as confidential.

While he was with us, Mr. Smith signed an Employee Confidentiality and Invention Assignment Agreement, a copy of which we enclose for your reference. As things now stand, we have no reason to believe that any of our trade secrets in this area have been misused, and we expect that Mr. Smith will continue to comply with his obligations. We also trust that your company will not assign Mr. Smith to a position that might risk disclosure or use of this sensitive information.

If you have any questions regarding any of these matters, we will be happy to discuss them with you. For the moment, we ask that you describe what steps you are taking to protect against inadvertent misuse of our trade secrets.

We look forward to your early reply.

Very truly yours,