

# It's Quitting Time: Do You Know Where Your IP Is?

Kelley Drye Breakfast Seminar

Firm Event

March 11, 2014 from 8:30 am to 10:00 am (EDT)

New York

New York, NY

Intellectual property – sales data, customized software, marketing plans, customer information – plays a key role in driving business success. Not only is the volume of this data increasing, but of more concern is its portability, and thus the potential for loss. The cost of propriety information loss is estimated at \$55 billion annually. Companies need to be strategic and think about how effectively to use their policies and restrictive covenants — both when they hire someone and at the critical moment when employees walk out the door.

Topics to be discussed included:

- Your confidentiality policies and agreements:
  - Are they current?
  - How are you enforcing them?
  - Other measures to protect your IP
- Considerations when hiring from a competitor
- Non-compete agreements:
  - When should you use them?
  - How enforceable are they?
  - Key drafting provisions (clawbacks, garden leave)
- Litigating non-compete disputes:
  - Setting expectations / analyzing risk and cost
  - Pitfalls when hiring from a competitor
  - Recognizing the pressure points
  - Presenting your best case

Featured Speakers:

**Barbara E. Hoey** is a partner in the firm's New York office and chair of the Labor and Employment practice group. Ms. Hoey has more than two decades of experience counseling her clients in all areas of employment law and employment litigation.

**Mark A. Konkel** is a partner in Kelley Drye's Labor and Employment group. Mr. Konkel has extensive experience in litigation and arbitration over restrictive covenant and trade secrets disputes and in advising clients on the protection of their intellectual property.

**Stephanie Sowell** is Assistant General Counsel with Johnson & Johnson located in New Brunswick, New Jersey. Ms. Sowell focuses on employment counseling and litigation for Johnson & Johnson's Consumer Companies, Cardiovascular Care and Global Surgery businesses.

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