

The Defend Trade Secrets Act Signed into Law

May 13, 2016

On May 11, 2016, President Obama signed into law the Defend Trade Secrets Act (DTSA), which overwhelmingly passed the U.S. Congress last month. The DTSA provides, for the first time, a federal civil private right of action for trade secret misappropriation, placing trade secrets on par with patents, copyrights, and trademarks, which are already protected under federal civil law.

As we previously reported, the DTSA amends the Economic Espionage Act of 1996, which previously allowed for only criminal cases filed by the Department of Justice, to create a federal private right of action for trade secret misappropriation. Specifically, the DTSA authorizes a trade secret owner to file a civil action in a United States district court seeking relief for trade secret misappropriation related to a product or service in interstate or foreign commerce. The private right of action under the DTSA is in addition to the protections afforded by state law, meaning that employers will be able to pursue claims for trade secret misappropriation under both federal and state law.

Read the complete advisory [here](#).