

### **Trade Secret Presentation Sources:**

“Preventing the misappropriation of trade secrets through proactive policies and procedures”

Peter A. Steinmeyer

ISBA Labor & Employment Law Newsletter

May 2009, Vol. 46, No. 4

Available with subscription to ISBA Labor and Employment Law Section

Misappropriation Of Trade Secrets Overview by the “Internet Law Treatise”

Hosted by the Electronic Frontier Foundation

[http://ilt.eff.org/index.php/Misappropriation\\_Of\\_Trade\\_Secrets](http://ilt.eff.org/index.php/Misappropriation_Of_Trade_Secrets)

“Saving Trade Secret Disclosures on the Internet Through Sequential Preservation”

Elizabeth A. Rowe, Wake Forest Law Review, Vol. 42, Rev. 1, 2007

A law review overview of how and why trade secrets are lost online, and a theoretical test that may help save trade secret status under particular conditions.

Available online by the Social Science Research Network

[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=990568](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=990568)

### **Trade Secrets: Public Acts**

#### **State Law:**

##### **Uniform Trade Secrets Act**

Drafted by the National Conference of Commissioners on Uniform State Laws

<http://www.law.upenn.edu/bll/archives/ulc/fnact99/1980s/utsa85.htm>

(link goes to the Archives of Biddle Law Library, University of Pennsylvania Law School)

##### **Illinois Trade Secrets Act, 765 ILCS §1065**

<http://tinyurl.com/q8bca9>

(link goes to Illinois General Assembly website)

#### **Federal Law:**

##### **Economic Espionage Act, 18 U.S.C. §1831**

<http://uscode.house.gov/download/pls/18C90.txt>

(link goes to Published U.S. Code at the Office of Law Revision Counsel)

<http://www.law.cornell.edu/uscode/18/1831.html>

(link goes to Legal Information Institute U.S. Code collection at Cornell )

##### **Computer Fraud and Abuse Act, 18 U.S.C. §1030**

<http://uscode.house.gov/download/pls/18C47.txt>

(link goes to Published U.S. Code at the Office of Law Revision Counsel)

<http://www.law.cornell.edu/uscode/18/1030.html>

(link goes to Legal Information Institute U.S. Code collection at Cornell )

### **Electronic Communications Privacy Act, 18 U.S.C. §2510-2522**

<http://uscode.house.gov/download/pls/18C119.txt>

(link goes to Published U.S. Code at the Office of Law Revision Counsel)

<http://tinyurl.com/2p249h>

(link goes to Legal Information Institute U.S. Code collection at Cornell )

### **Stored Communications Act, 18 U.S.C. §2701**

<http://uscode.house.gov/download/pls/18C121.txt>

(link goes to Published U.S. Code at the Office of Law Revision Counsel)

<http://www.law.cornell.edu/uscode/18/2701.html>

(link goes to Legal Information Institute U.S. Code collection at Cornell )

### **Trade Secrets: Other Media**

Forbes.com (Forbes Magazine) news story detailing the “Streisand Effect,” in which trade secrets and other confidential information on the internet can become more popular following a cease and desist letter.

[http://www.forbes.com/2007/05/10/streisand-digg-web-tech-cx\\_ag\\_0511streisand.html](http://www.forbes.com/2007/05/10/streisand-digg-web-tech-cx_ag_0511streisand.html)

### **Encryption**

FYI: Playing it Safe With Encryption

A fairly recent ABA online resource explaining file and email encryption and providing information about several commercial encryption providers.

[http://www.abanet.org/tech/ltrc/fyidocs/FYI\\_Playing\\_it\\_safe.html](http://www.abanet.org/tech/ltrc/fyidocs/FYI_Playing_it_safe.html)

Encrypting E-mail with Microsoft Outlook 2007

<http://office.microsoft.com/en-us/outlook/HP012305361033.aspx>

### **State Laws**

Nevada: NRS 597.970 “Restrictions on transfer of personal information through electronic transmission”

<http://www.leg.state.nv.us/Nrs/NRS-597.html>

(link goes to Illinois General Assembly website, NRS 597.970 is at the bottom of the page)

Massachusetts: 201 CMR 17.00 “Standards for The Protection of Personal Information of Residents of the Commonwealth

<http://tinyurl.com/2aowyo>

(link goes to Massachusetts Consumer Affairs and Business Regulation website)

Massachusetts Checklist for small businesses to assist in complying with 201 CMR 17.00

[http://www.mass.gov/Eoca/docs/idtheft/compliance\\_checklist.pdf](http://www.mass.gov/Eoca/docs/idtheft/compliance_checklist.pdf)

(Link is a PDF document to the government issued document)