

THE IN-HOUSE TRAINING COMPANY

Trade secrets – the business perspective

Overview

Trade barriers are going up across the globe. And cybercrime is on the increase. The link between the two? The value of trade secrets.

As countries become increasingly protectionist as regards international trade, so their IP law has been changing, with the result that companies that previously would have sought protection through patents are opting to go down the trade secret route instead. But is this a high-risk strategy? Technology is changing and this is having an impact on forms of commercial co-operation. Collaborative or open forms of innovation by their very nature involve the sharing of intellectual property (IP), and in many instances this IP is in the form of valuable confidential business information (ie, trade secrets). Little surprise, then, that trade secrets disputes have increased accordingly.

At the same time, the changes in technology make trade secrets more vulnerable to attack, misappropriation, theft.

So just how effective are the legal protections for trade secrets? How can organisations safeguard the value in their IP (increasingly, the single biggest line in their balance sheets)? This programme is designed to help you address these issues.

Learning objectives

This session is designed to give you a deeper understanding of:

- Emerging trends in trade secrets protection and exploitation
- The current situation in key jurisdictions
- Recent case law
- How leading companies are responding
- The importance of trade secret metadata
- Different external stakeholders and their interests
- Key steps for effective protection of trade secrets

Who should attend?

The programme is intended for corporate teams needing to develop their skills and competencies, knowledge and expertise with respect to trade secrets. It is designed for all those involved in the creation, commercialisation and use of IP, including in-house legal teams, those working in R&D and

product development, engineers, project managers, commercial managers and others directly or indirectly involved in any and all forms of innovation and creativity.

Course format

This is an intensive one-day programme. Ideally, it is delivered on a face-to-face basis, although if required it can be delivered virtually instead.

Special features

Extensive materials on trade secrets are provided to support the session, which can be tailored to your precise requirements.

Expert trainer

Donal is a specialist in the areas of innovation and intellectual property management. As a consultant, he helps organisations to recognise and appreciate the value of their intellectual capital, assets and property, and to ensure that they then manage these intangibles in an efficient and effective manner. His clients include multi-nationals, SMEs, legal and IP firms, financial services companies and universities. As a trainer, Donal has a passion for innovation and creativity and for making people aware of the nature and value of their intellectual property. And for getting the message across in an engaging way, using online bite-sized videos and quizzes as well as virtual and classroom-based sessions.

Rising from software engineer to Vice President of R&D and a Director of Intellectual Property at Nokia, Donal spent 21 years with the company, gaining wide and varied experience in the wireless telecoms industry, including periods in The Netherlands, the USA, Finland and Hong Kong, as well as the UK. He left Nokia in 2009 to found his own very successful IP consultancy. In the top 300 of the world's IP strategists (the IAM 300) since 2013, Donal is also a Visiting Researcher at Imperial College Business School (London), where he teaches on intellectual property management. He also coaches and mentors a number of start-up companies on innovation and entrepreneurship. His first book was *Inside the Patent Factory* (Wiley, 2008) and his second *Harvesting External Innovation* (Gower, 2011). Donal has also written around 150 papers on various aspects of innovation and IP which have been published in a range of magazines, websites and blogs around the world.

Workshop outline

Note: this is an indicative agenda, to be used as a starting point for a conversation between client and consultant, depending on the organisation's specific situation and requirements.

1 What are trade secrets?

- Definitions
- Examples
- Comparison with other forms of IP (patents, confidential information, know-how, copyright)

2 Current trends

- The various changes taking place affecting trade secrets – legal changes, trade wars, cybercrime, technology, commercial practice
- The current position in the UK, Europe, USA, China, Japan, Russia
- Corporate best practice

3 Trade secret disputes – how to avoid them

- Trade secret policies, processes and systems
- Administrative, legal and technical protection mechanisms
- The role of employees
- The sharing of trade secrets with others

4 Trade secret disputes – how to manage them

- Causes
- Anatomy of a trade secret court case
- ‘Reasonable particularity’

5 Related issues

- Insurance
- Tax authorities and investigations
- Investor relations

6 Trade secret asset management roadmap

- Maturity ladder
- First steps
- Pilot projects

Any questions?

**Please just give us a call on [01582 463463](tel:01582463463) – we’re here to help!
Or visit www.theinhousetrainingcompany.com**