

# Non-Compete & Non-Disclosure Litigation

Employers often require employees to agree to certain contractual terms, including those of non-competition, confidentiality, and/or non-disclosure of trade secrets and other proprietary information. The lawyers at Wooden McLaughlin serve as counsel for both employers and employees seeking to determine and enforce their respective rights under these agreements.

Non-competition and non-disclosure agreements (“NDAs”) are essential to preserving the employer’s legitimate business interests. However, each business is unique. There is no one-size-fits-all agreement, nor is there a one-size-fits-all approach to the types of business considerations involved with disputes arising under these agreements. Therefore, each business’s own goals must be carefully considered when determining the type of agreement to use, its enforceability, and the effects such agreements have on the employer-employee relationship.

Non-compete agreements prohibit employees from working in the same or similar business in a certain area for a specified period of time.

NDAs assure employers that their information will not be shared beyond key personnel. Formulas, data, inventions, customer lists, customer preferences, marketing strategies, specialized operating procedures, and other sensitive information the business has developed are all examples of protectable information.

Employers may need of one or both agreements. Either agreement must be carefully drafted to ensure that courts in all jurisdictions in which the business operates will actually enforce the parties’ agreement and construe its provisions according to the original intent.

Wooden McLaughlin employment and litigation attorneys regularly handle disputes involving non-compete and non-disclosure agreements. We are adept at navigating this continually evolving area of the law. From employers inquiring as to whether a potential new hire’s current agreement is enforceable, to employers forced to pursue an employee in

violation of a non-compete or non-disclosure agreement, we can assess, advise, and solve all your non-compete and non-disclosure inquiries.

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