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Angelique Kaounis and Joseph Gorman Author “Clean Rooms in Trade Secret Litigation: Promises and Pitfalls” for IAM

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Partner Angelique Kaounis and of counsel Joseph Gorman authored “Clean Rooms in Trade Secret Litigation: Promises and Pitfalls” for IAM (subscription required). The article discusses litigation involving “clean rooms,” which are controlled development environments “in which personnel who might otherwise have access to a competitor’s confidential information are deliberately isolated from it, so that any resulting work can be shown to have been developed independently.”

“For companies whose personnel have been exposed to a competitor’s trade secrets —through due diligence, lateral hiring or a joint venture — it can be a useful tool both as a risk management measure and as a litigation defense,” they write.

Angelique and Joe identify emerging themes in U.S. court cases involving clean rooms, including the importance of an active monitor, the dangers of tainted starting points, the implications of clean room assertions in the face of actual development timelines, and the risk of inadvertently waiving attorney-client privilege.

Related People

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Related Capabilities

Litigation

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