

TRADE SECRETS & CONFIDENTIAL INFORMATION

WHAT IS A TRADE SECRET ?

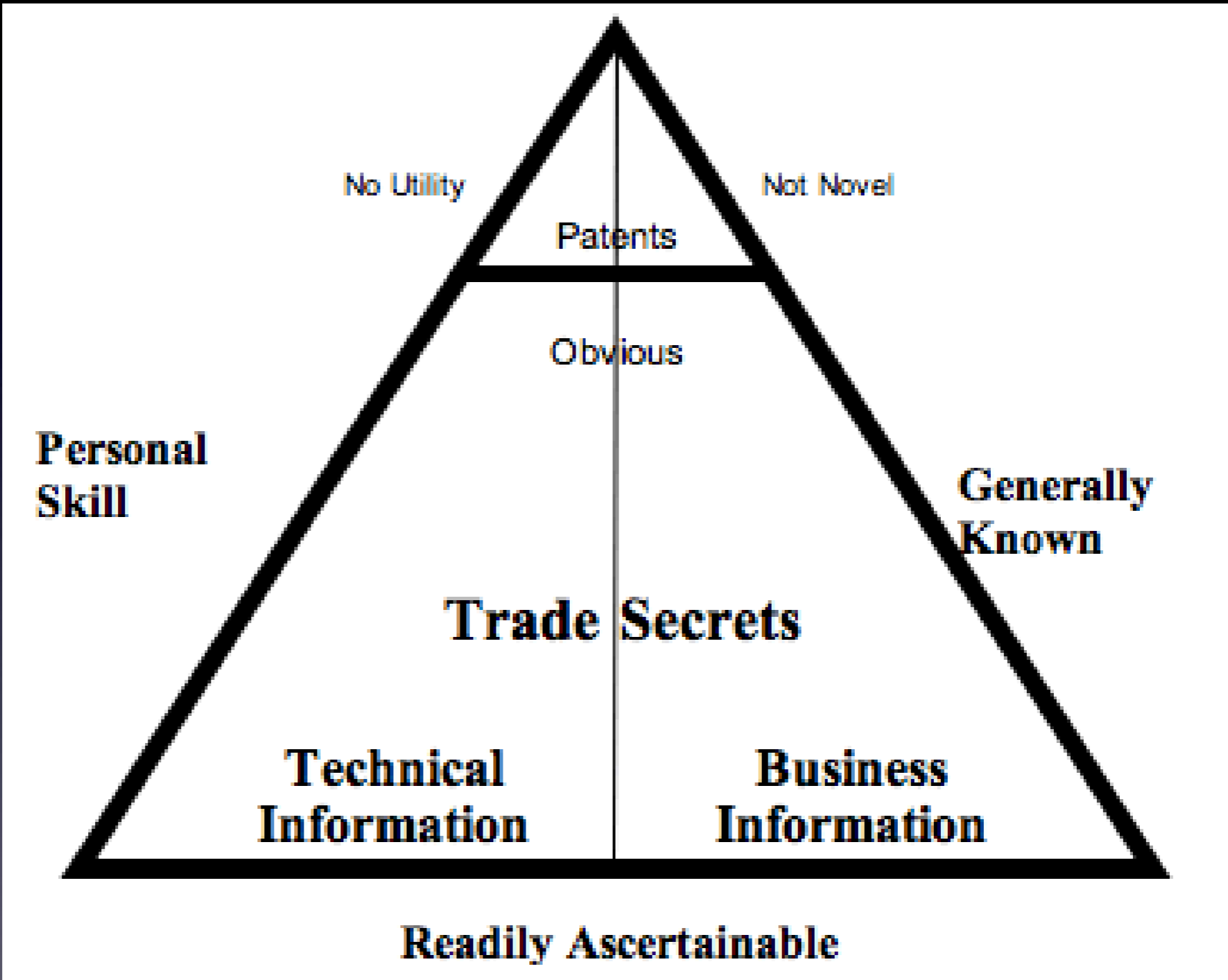
- any formula, pattern, device or compilation of information which is used in one's business, and which gives him an opportunity to obtain an advantage over competitors who do not know it or use it.

ANOTHER DEFINITION

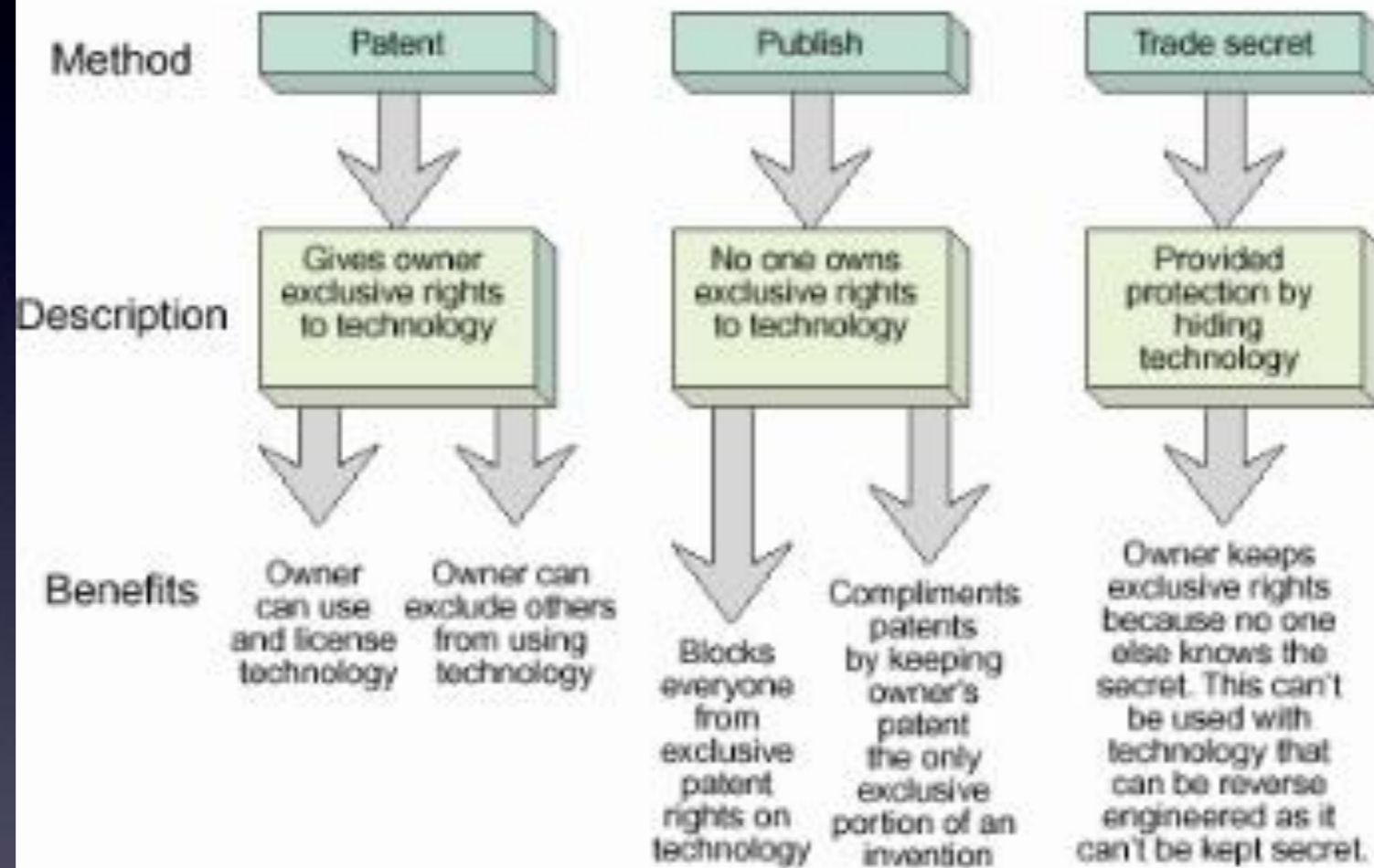
- information, including a formula, pattern, compilation, program, device, method, technique or process that: (i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by other persons who can obtain economic value from its disclosure or use, and (ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

the extent to which the information is known outside ~~CRITERIA~~ Employer's business;

- 1 the extent to which the information is known by employees and others involved in the business;
- 2 the extent of the measures taken to guard the secrecy of the information;
- 3 the value of the information to the business and its competitors;
- 4 the amount of effort exerted in developing the information; and
- 5 the ease or difficulty with which the information could be properly acquired or duplicated by others.



IP decision tree



**THE IDEAL BRAIN TONIC,
DELIGHTFUL SUMMER AND WINTER BEVERAGE!**



**J. HALL BOBBITT,
PHARMACIST.**

Nashville, N. C., March 15, 1895.
Coca-Cola has had a big run at my store
and is selling in quantities all the time.
I give it to my children to keep them
strong and healthy.
J. HALL BOBBITT.

**SIMPSON & SON,
DRUGGISTS
ANDERSON, S. C.**

We have had some very nice
in the sale of Coca-Cola. We
would like very much to have you
try it, and we would like to
have you try it in the winter of the
year. It will be a good thing to
keep the price.
Simpson & Son.



**SAM B. WATERS,
CONFECTIONER.**

New Haven, N. C., Jan. 25, 1895.
It is wonderful to see how well
of Coca-Cola. It is a good thing to
have it in the winter of the year.
I would like to have you try it in
the winter of the year. It will be
a good thing to keep the price.
S. B. Waters.

Coca-Cola
TRADE MARK



**A. S. DAVENPORT,
Druggist.**

SPRINGFIELD, VA., March 15, 1895.
We are very much interested in
Coca-Cola. It is a good thing to
have it in the winter of the year.
I would like to have you try it in
the winter of the year. It will be
a good thing to keep the price.
A. S. DAVENPORT.

**DAVID W. CURRY,
WHOLESALE
DRUGGIST
ANDERSON, S. C.**

We will give you a large
quantity of Coca-Cola. It is a
good thing to have it in the
winter of the year. It will be
a good thing to keep the price.
D. W. Curry.



J. P. BALLARD, Druggist.

SPRINGFIELD, VA., Feb. 7, 1895.
It is wonderful to see how well
of Coca-Cola. It is a good thing to
have it in the winter of the year.
I would like to have you try it in
the winter of the year. It will be
a good thing to keep the price.
J. P. Ballard.

**For Headache & Exhaustion
AT SODA FOUNTAINS.**

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so good™

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— Celebrating 60 Years of —

THE COLONEL'S SECRET RECIPE

Bienvenue!

欢迎!

Selamat Datang!

Welcome!

Benvenuto!



KFC SO GOOD.

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Veterans Affairs
Canada

Anciens Combattants
Canada

HEALTH IDENTIFICATION CARD

Name:

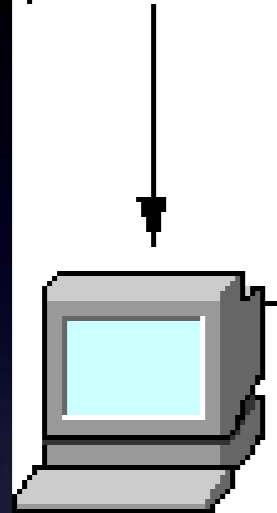
Client Number:

Program	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Group														
VIP	Client Info.: 1-866-522-2122													



Canada 

1 User enters private-key password.

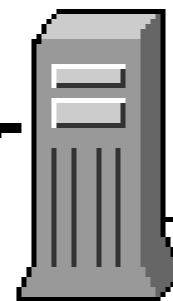


2 Client retrieves private key and uses it to create "evidence" (digital signature).

SSL connection

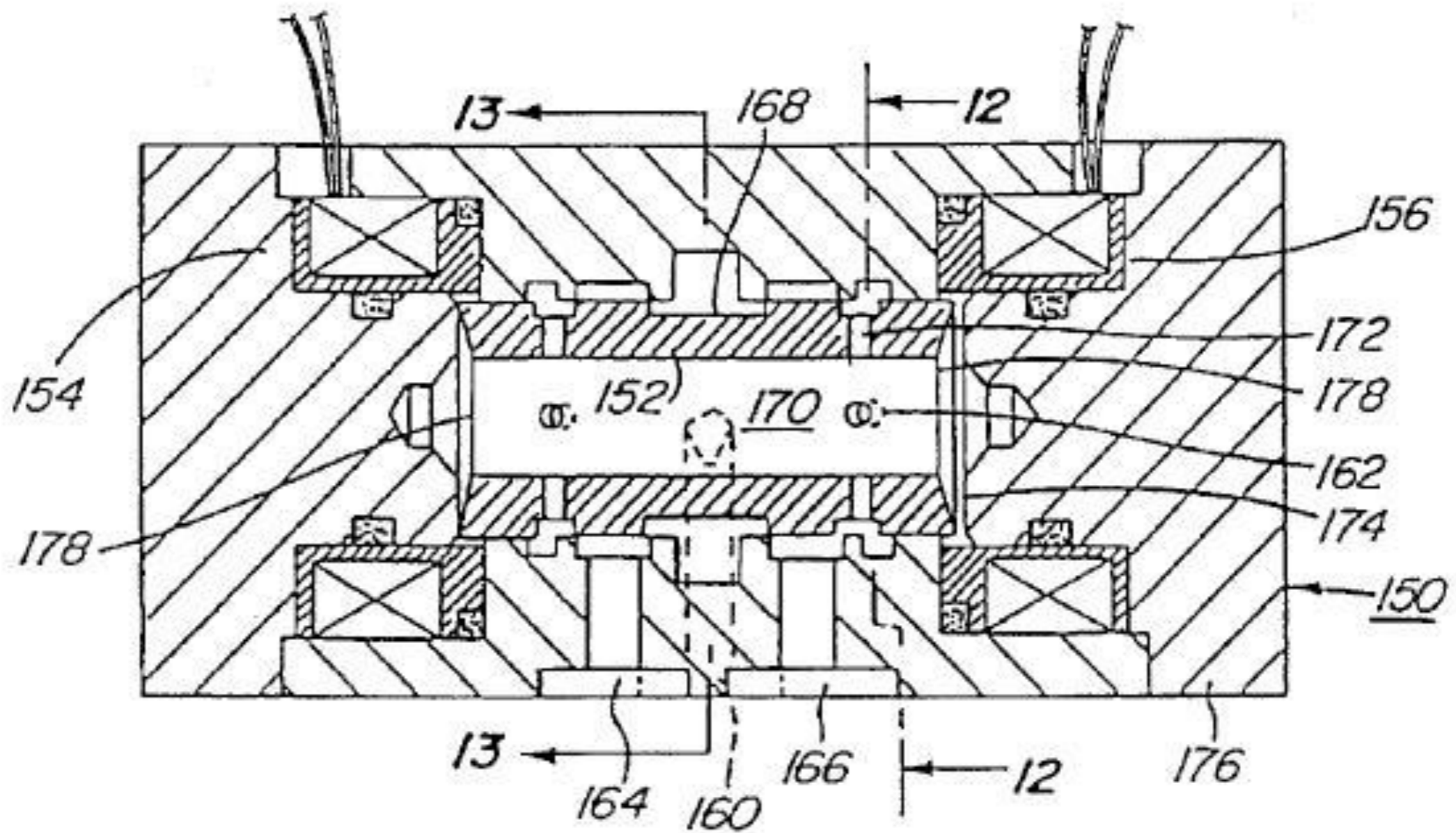
3 Client sends **certificate** and **evidence** across network.

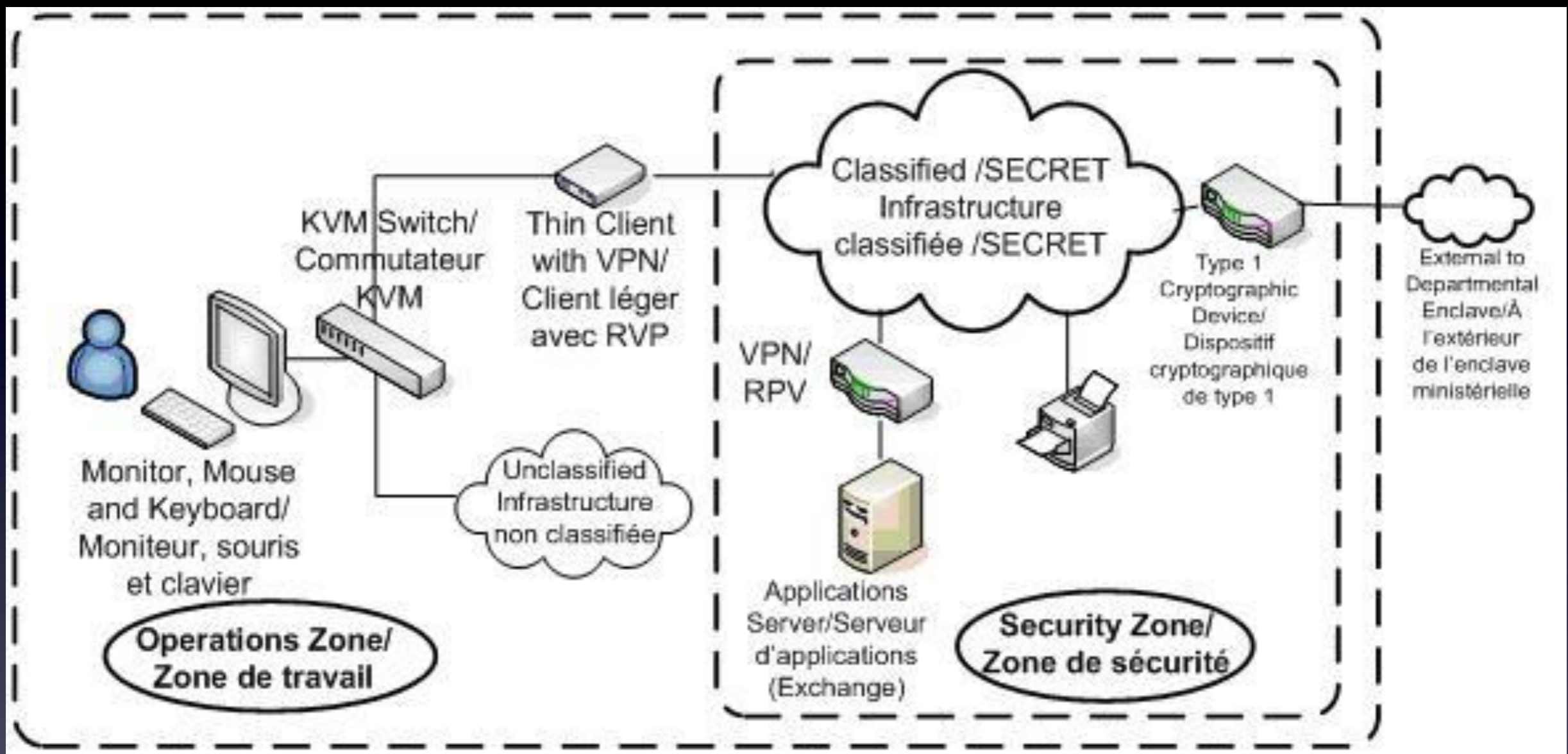
Web server



4 Server uses certificate and evidence to **authenticate** the user's identity.

5 Server **authorizes** access for authenticated identity.





Trade secrets are formulas, practices, and designs that are central to a firm's business and that remain unknown to competitors. Everyone loves a good mystery, so it is no surprise that legends have arisen around some trade secrets. Some examples and key issues surrounding trade secrets are illustrated below.



Low-end fast food chain Long John Silver's considers its "crumblied" (small bits of fried batter) to be a trade secret, but would anyone really want to solve the mystery?



In 2006, Pepsi was offered a chance to buy a stolen copy of Coca-Cola's secret recipe. An FBI sting was created and the thieves were arrested.



WD-40 was developed to repel water and prevent corrosion, but it was later found to have over two thousand uses. Creating WD-40 took a lot of work: the product's unusual name stands for "Water Displacement, 40th attempt." Despite being created in 1953, the formula for making WD-40 remains unknown outside the company that sells it.



FarmVille creator Zynga alleged in a lawsuit that Disney had lured away Zynga employees to work for Disney and then urged the employees to turn over a secret "playbook" that described Zynga's strategy. The case was settled out of court in late 2010.



In a 1995 episode of the hit comedy *Seinfeld*, a very successful but mean-spirited restaurateur nicknamed the "Soup Nazi" saw his business collapse when his secret recipes were revealed to customers. Individuals could now make delicious soups at home rather than endure the Soup Nazi's verbal abuse when buying soup.

- MISAPPROPRIATION OF TRADE SECRETS :
- the existence of a trade secret;
- the trade secret was acquired through through improper means;
- the trade secret was used or disclosed without the owner's authorization; and
- damages resulted from the misappropriation.



Software Engineering Institute
Carnegie Mellon

Asset Attacked

