



Trade Secrets Law and Intellectual Property: Breach of Confidence, Misappropriation and Unfair Competition

By William Van Caenegem

Kluwer Law International. Hardcover. Book Condition: New. Hardcover. 272 pages. Dimensions: 9.7in. x 6.4in. x 0.8in. This superbly researched and innovative book approaches the protection of trade secrets in the civil law and common law traditions and examines doctrinal and policy issues from that comparative perspective. With detailed attention to the legal position in major countries in each tradition, it illustrates the approaches that figure prominently in the debate about appropriate trade secrets protection. Among the issues and topics covered are the following: ; contractual devices such as confidentiality clauses and non-compete agreements; firms preferences for patents versus trade secrets; vulnerability to legitimate intelligence gathering by competitors; misuse of a trade secret as a species of unfair competition against which the law grants remedies; misuse of a trade secret as breach of confidence based on principles of equity; pre-emption of trade secrets law by the existence of a contractual obligation or remedy; control over knowledge as between employees and employers; industrial espionage and third party liability; extent and precise parameters of criminal liability; and policy implications of excessive restrictions on the transfer of employee knowledge and know-how. No other work provides such a clear understanding of this multifaceted area of law...



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