

AN ACT concerning

Maryland Uniform Trade Secrets Act

FOR the purpose of enacting the Maryland Uniform Trade Secrets Act; specifying rights regarding injunctive relief for actual or threatened misappropriation of trade secrets; specifying damages for misappropriation of trade secrets, including willful and malicious misappropriation; authorizing the court to award attorney fees in certain circumstances; requiring the court to preserve the secrecy of alleged trade secrets; establishing a statute of limitations; specifying that this Act displaces conflicting laws; providing for the construction and application of this Act; defining certain terms; and making this Act inapplicable to certain misappropriations before the Act's effective date; and generally relating to misappropriation of trade secrets.

BY adding to

Article - Commercial Law

Section 11-1201 through 11-1209 to be under the new subtitle "Subtitle 12. Maryland Uniform Trade Secrets Act"

Annotated Code of Maryland

(1983 Replacement Volume and 1988 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Commercial Law

SUBTITLE 12. MARYLAND UNIFORM TRADE SECRETS ACT

11-1201.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "IMPROPER MEANS" INCLUDES THEFT, BRIBERY, MISREPRESENTATION, BREACH OR INDUCEMENT OF A BREACH OF A DUTY TO MAINTAIN SECURITY, OR ESPIONAGE THROUGH ELECTRONIC OR OTHER MEANS.

(C) "MISAPPROPRIATION" MEANS THE:

(1) ACQUISITION OF A TRADE SECRET OF ANOTHER BY A PERSON WHO KNOWS OR HAS REASON TO KNOW THAT THE TRADE SECRET WAS ACQUIRED BY IMPROPER MEANS; OR