

In subsection (b)(1)(i) of this section, the former word "restrain" is deleted as unnecessary in light of the word "enjoin".

Subsection (c)(1) of this section is revised to state expressly that which only was implied in former Art. 89, § 39(d) — i.e., a court may grant the relief sought.

In subsection (c)(2) of this section, the defined term "county" is substituted for the former, overly broad word "subdivision". See Md. Constitution, Art. IV, § 20.

Defined terms: "Commissioner" § 5-101

"County" § 1-101 "Employee" § 5-101

"Employer" § 5-101 "Place of employment" § 5-101

5-217. PROTECTION OF TRADE SECRETS.

(A) "TRADE SECRET" DEFINED.

IN THIS SECTION, "TRADE SECRET" MEANS A DEVICE, FORMULA, PATTERN OR COMPILATION OF INFORMATION THAT:

(1) IS USED IN THE BUSINESS OF AN EMPLOYER;

(2) GIVES THE EMPLOYER AN OPPORTUNITY TO OBTAIN AN ADVANTAGE OVER A COMPETITOR; AND

(3) IS KNOWN ONLY TO THE EMPLOYER AND ANY EMPLOYEE TO WHOM THE EMPLOYER NEEDS TO CONFIDE THE INFORMATION.

(B) CONFIDENTIALITY.

EXCEPT AS PROVIDED IN SUBSECTIONS (C) AND (D) OF THIS SECTION, INFORMATION THAT CONTAINS OR MIGHT REVEAL A TRADE SECRET AND IS OBTAINED BY THE COMMISSIONER OR AN AUTHORIZED REPRESENTATIVE OF THE COMMISSIONER IN CONNECTION WITH AN INSPECTION OR PROCEEDING UNDER THIS TITLE IS CONFIDENTIAL.

(C) DISCLOSURE TO STAFF.

THE COMMISSIONER MAY DISCLOSE INFORMATION THAT CONTAINS OR MIGHT REVEAL A TRADE SECRET TO STAFF WHO ARE ASSIGNED TO CARRY OUT THIS TITLE.

(D) DISCLOSURE IN PROCEEDING.

IN A PROCEEDING UNDER THIS TITLE, THE COMMISSIONER MAY DISCLOSE INFORMATION THAT CONTAINS OR MIGHT REVEAL A TRADE SECRET AND IS RELEVANT IF, BEFORE DISCLOSURE:

(1) THE COURT THAT IS CONDUCTING THE PROCEEDING PASSES AN ORDER THAT IS APPROPRIATE TO PROTECT THE CONFIDENTIALITY OF THE TRADE SECRET; OR