



## Patents & Trade Secrets

Patents provide a limited monopoly for a period of twenty years from the date of filing of utility applications or fourteen years from the date of issue of patents for an ornamental design. A patent is granted in exchange for public disclosure of a new, useful and nonobvious invention and gives the patent holder a right to exclude others from making, using, selling and importing goods and services that infringe the claims. It is very important to consult with a registered patent attorney or agent early in the process of developing and commercializing an invention. Otherwise, foreign and U.S. patent rights might be lost forever, if timely action is not taken to file an application. Our patent professionals include attorneys with advanced technical degrees and expertise in areas of semiconductors, materials science, nanotechnology, bioscience, medical devices, computer science and many other technologies. We assist clients to protect their inventions and know-how in the U.S. and worldwide, to develop portfolios that bring value to the client, to license and enforce their patent rights, and to defend against infringement of third party patent rights.

Proprietary information may be protected by agreement or by state law. The Uniform Trade Secrets Act, which has been adopted by all but 5 states in some version, is codified in Title 39, Chapter 688 of the Florida Statutes. In Florida, a trade secret is defined by a two-part definition as information that "(a) derives independent economic value... from not being generally known to, and not being readily ascertainable by proper means...; and (b) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy." The attorneys of the Intellectual Property Group counsel clients on how to protect proprietary information, draft confidentiality agreements and litigate disputes relating to trade secrets and proprietary information. Clients must take reasonable efforts to protect their proprietary information in order to qualify for protection as a trade secret. Our attorneys recommend reasonable efforts for protection of information from inadvertent public disclosure and intentional misappropriation.



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