



AREAS OF FOCUS

Patent Litigation
Trade Secret Litigation
Trademark & Copyright Litigation

Trade Secret Litigation

Morris Nichols has successfully represented clients and obtained injunctions in high-profile trade secret disputes in many areas of technology since the 1960s. Our cases have involved technologies such as chemical processes, computer logic, chicken pox vaccine, and, more recently, high-performance liquid chromatography (HPLC) and polymers.

The Delaware courts have significant experience in complex technology disputes and are renowned for their ability to adjudicate them in an effective and expeditious manner. The Delaware Court of Chancery, in particular, with its exclusive equity jurisdiction for the Delaware state courts and national corporate reputation, has been at the forefront of trade secret litigation. Companies with valuable technology have also long regarded the Chancery Court, with its efficient adjudication procedures, as a receptive forum for license agreement disputes requiring prompt equitable relief.

Since 2003, the jurisdiction of the Court of Chancery has expanded to allow businesses incorporated or doing business in Delaware can take advantage of increased access to the court for certain technology disputes where money damages are sought, and for mediation of business disputes, generally. For a technology dispute to be heard in the Court of Chancery, the parties must consent to jurisdiction by stipulation or agreement, at least one party must be a business entity formed under Delaware law or having its principal place of business in Delaware, and if damages are sought, the amount in controversy must exceed \$1 million. 10 *Del. C.* § 346. Under a parallel provision, 10 *Del. C.* § 347, businesses have access to the court's well-honed knowledge of complex business disputes for meditations.

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1201 North Market Street, 16th Floor
P.O. Box 1347
Wilmington, DE 19899-1347