We understand that unfair competition challenges the very core of a company’s business by putting at risk a company’s customer relationships and competitively sensitive information. Given current trends of high employee turnover and mobility, it is important for companies to have well-drafted, enforceable restrictive covenants, and counsel who can aggressively and effectively enforce them through litigation. Our attorneys advise clients, across industries, on how to avoid unfair competition lawsuits in the first place and, when necessary, litigate in federal and state court to protect their interests and their business. Our extensive experience in this area of the law allows us to add value and insights that help our clients maximize the protection available to them.

Our attorneys have broad experience in all aspects of unfair competition counseling and litigation, including:

- Drafting restrictive covenants - non-competes, non-solicitation clauses, and non-disclosure clauses - tailored to our clients’ particular needs and industries, to give employers the best chance of enforcing the agreements should they be litigated.
- Filing emergency injunction litigation when there is a need to take quick and effective action to shut down ongoing or threatened customer solicitation, information disclosures, or other conduct that could seriously harm our clients’ interests.
- Counseling clients who are considering hiring an employee who is subject to a restrictive covenant with a current or former employer, so as to minimize the risk that they could be sued for inducing a breach of the restrictive covenant or unwittingly being party to disclosures of protected information.
- Helping employers protect their interests when they do not have restrictive covenants in place, by using trade secret doctrines, common law legal duties, consumer fraud statutes, and other creative theories.
- Counseling clients as to how they can manage and administer their businesses and information so as to increase the likelihood that their confidential and trade secret information will be protected.
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- Advising multi-state employers as to the law of different states that applies to restrictive covenant and unfair competition issues.
- Providing counseling regarding complex restrictive covenant issues such as rolling out restrictive covenants for an existing workforce, or determining whether and how to compensate employees for restrictive covenants where consideration is required.
- Advising clients regarding unfair competition in non-employee settings such as the sale or purchase of a business.
- Working with members of our intellectual property team to incorporate the appropriate protections for patents, trademarks, and copyrights and litigating other intellectual property theories which can arise in unfair competition cases.