



# What's New in the World of Non-Competes and Trade Secrets?

Insights

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As January draws to a close, we figured it seemed like a good time to take stock of where things stand in the world of non-competes and trade secrets. So we've paused to look around the blogosphere to see what's been happening and what's on the horizon.

- Much has been written about the ongoing battle between Aon Risk Services and Alliant Insurance Services stemming from an alleged raid, which has spawned lawsuits on both ends of the continent. [David Clark](#) provides a good summary on Epstein Becker's blog while [Kenneth Vanko](#) weighs in on the thorny venue issues that arise when parties file preemptive strike actions.
- [Maryland](#) is contemplating passage of a statute that would preclude enforcement of a "non-competition covenant" if an employee applies for and is deemed eligible for unemployment benefits. The problem is the statute, in its current form, does not define "non-competition covenant" and will motivate more employers to contest more unemployment claims. Some legislators need to think first, and legislate second.
- The suicide of Aaron Swartz, a well-known coder, entrepreneur, and political activist, has resulted in increased scrutiny of the federal Computer Fraud and Abuse Act, renewing debate over whether the law should be amended to narrow its scope. There is no greater resource of material on this subject than [John Marsh's Trade Secret Litigator Blog](#).
- Have you heard the clamor that confidentiality contracts may run afoul of the National Labor Relations Act? [Lauri Rasnick](#) tackles a recent decision from an NLRB administrative law judge and offers some practical and useful advice here.
- Ever wonder whether non-compete and trade secret litigation is on the rise? [Russell Beck](#) of Beck Reed Riden asked and answered the same question in his Trade Secret and Non-Compete Survey.
- Have you ever wondered what the difference is between a works-for-hire and inventions assignment clause in an employment agreement? Thought leader Janette Levey Frisch dissects this topic and offers helpful tips on her blog [The Emplawyerologist](#).

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