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INTELLECTUAL PROPERTY ALERT

Puerto Rico Trade Secrets Act

On June 3, 2011, Senate Bill No. 1850 became Act. No. 80 – the new Trade Secrets Act of Puerto Rico (the “Act”), which went into effect immediately.

The Act is based on the Uniform Trade Secrets Act adopted by 45 states of the United States. Among the salient aspects of the Act are the following:

- A trade secret is any confidential information that has economic value or that provides commercial advantage and that is under reasonable security measures.
- A person that misappropriates a trade secret is liable to the owner thereof.
- The owner of the trade secret may file a complaint and request an *ex parte* temporary restraining order.
- The owner may also seek injunctive relief and damages, including treble damages and attorney fees if the appropriation was intentional or with bad faith.
- The statute of limitation is 3 years from the date that the owner learns or should have known about the misappropriation.

If you have any questions or comments, or wish additional information regarding this matter, please contact any of the following attorneys:

Dora M. Peñagaricano	787-250-5657	dmp@mcvpr.com
Roberto C. Quiñones	787-250-2631	rcq@mcvpr.com
Antonio Escudero-Viera	787-250-5625	aev@mcvpr.com
Iván G. Marrero	787-250-2606	igm@mcvpr.com

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