



## Legal Analytics® for Trade Secret Litigation

Lex Machina's award-winning *Legal Analytics* platform allows outside counsel and in-house attorneys to predict the behavior of courts, judges, lawyers, law firms, and parties.

Over three quarters of Am Law 100 firms and some of the largest global corporations use *Legal Analytics* to supplement traditional legal research and reasoning with previously unavailable strategic insights that gives them a winning edge.

Now, *Legal Analytics* is available for Trade Secret Litigation in federal courts.

## The Winning Edge

Legal Analytics provides data-driven insights and trends in trade secret case timing, resolutions, damages, remedies, and findings. Our case set includes cases alleging misappropriation of trade secret under state law and / or the federal Defend Trade Secrets Act.

### Top 5 Courts by Case Filings 2014-2018

| Trade Secret |
|--------------|
| C.D.Cal. 231 |
| N.D.Ill.     |
| S.D.N.Y.     |
| D.N.J.       |
| N.D.Cal.     |

→ All District Court Case Filings by

### Top 5 Law Firms by Case Filings 2014-2018

| Trade Secret                             |
|--|
| Ogletree Deakins Nash Smoak & Stewart 78 |
| Jackson Lewis 77                         |
| Littler Mendelson 65                     |
| Seyfarth Shaw 59                         |
| Greenberg Traurig 58                     |

→ Top 300 Law Firms by Case Filings

Lex Machina helps you answer questions such as:

- How many cases over the past year have damages awarded for trade secret misappropriation? What were the specific amounts?
- How long has it taken to receive a permanent injunction in a particular district for trade secret cases? How does this compare to another district court?
- Which law firms have the most experience representing plaintiffs in trade secret cases in federal court?
- What findings have been made for claims brought under the Defend Trade Secrets Act and how often?
- How many trade secret cases have gone to trial and what is the win/loss rate?

## Unique Litigation Data

**Case Tags** – Defend Trade Secrets Act

**Damages** – Actual Damages / Lost Profits, Reasonable Royalty, Punitive / Willfulness Damages,

**Findings** – State Law Trade Secret Misappropriation, DTSA Trade Secret Misappropriation.

Other Findings: Ownership / Validity, Failure to Identify Trade Secret, Failure to Maintain Secrecy, Generally Known / Readily Ascertainable, Willfulness / Malicious Behavior

Defenses: Independent Development Defense, Equitable or Time Barred Defense

**Remedies** – Granted and Denied Permanent Injunction, Preliminary Injunction, and Temporary Restraining Order

Cases  
District Court Cases

Filter

| TRADE SECRET FINDINGS                        | Summary                        | Timing | Law Firms       | Case Resolutions | Damages | Remedies | Findings |
|--|--------------------------------|--------|-----------------|------------------|---------|----------|----------|
| State Law Trade Secret Misappropriation 57   | DAMAGE TYPE                    | CASES  | AMOUNT          |                  | \$1.2B  |          |          |
| Willfulness / Malicious Behavior 30          | Trade Secret Damages           | 57     | \$1,431,525,906 |                  | \$1.1B  |          |          |
| Ownership / Validity 17                      | Actual Damages / Lost Profits  | 54     | \$1,141,173,236 |                  | \$900M  |          |          |
| No State Law Trade Secret Misappropriation 6 | Punitive / Willfulness Damages | 28     | \$200,056,910   |                  | \$800M  |          |          |
| No Willfulness / Malicious Behavior 5        | Reasonable Royalty             | 3      | \$90,295,760    |                  | \$700M  |          |          |
| Failure to Maintain Secrecy 3                | General Damages                | 41     | \$174,156,896   |                  | \$600M  |          |          |
| No Equitable or Time-Barred Defense 2        | Grand Total: \$1,605,682,802   |        |                 |                  | \$500M  |          |          |
| No Independent Development Defense 1         |                                |        |                 |                  | \$400M  |          |          |
| DTSA Trade Secret Misappropriation 1         |                                |        |                 |                  | \$300M  |          |          |
|  |                                |        |                 |                  | \$200M  |          |          |
|  |                                |        |                 |                  | \$100M  |          |          |
|  |                                |        |                 |                  | \$0     |          |          |

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*"We were an early adopter of Lex Machina because it provides data driven insight never before available about judges, lawyers, parties, and the subject matter of cases themselves, all in a matter of minutes."*

– Crowell & Moring