

TRADE SECRET & NONCOMPETE LITIGATION



OVERVIEW

Our Foulston trade secrets and noncompete litigation team includes some of the most effective and experienced trial attorneys in Kansas and Missouri. They have litigated (and drafted) every kind of restrictive covenant – noncompetes, nondisclosures, nonsolicitation of customers, nonsolicitation of employees, non-disparagement, and more. They have helped employers protect a broad variety of intellectual property rights, including through the drafting or enforcement of NDAs and “Work for Hire” arrangements. And they know what it takes to prove or defend against claims under the state Uniform Trade Secrets Act, the federal Defend Trade Secrets Act, the Computer Fraud and Abuse Act; claims for breach of fiduciary duty or duty of loyalty; claims relating to trademark, trade dress, or unfair competition; and similar claims under the common law and the Lanham Act. Our Foulston team has represented Fortune 500 and other well-known national and regional companies in high-stakes trade secrets cases; helped employers of all sizes enforce noncompete agreements against wayward former employees; navigated the defense of a new employee being sued on a noncompete; crafted strategic plans for closely held and startup businesses who need to protect their information and customer relationships through the use of customizable agreements; and everything in between.

AREAS OF REPRESENTATION

Legal Representation

We represent businesses and employees, including doctors and other professionals throughout Kansas, in matters involving:

- Trade secret misappropriation
- Breach of noncompete, nonsolicitation, and/or nondisclosure/anti-piracy agreements

FOULSTON

ATTORNEYS AT LAW

- Unfair competition
- Social media
- Tortious interference with business relationships and contracts
- Breach of fiduciary duty
- Violations of the Computer Fraud and Abuse Act (CFAA)
- Violations of the Uniform Trade Secrets Act
- Violations of the Stored Communications Act

Business Representation

We are able to help your business prevent the loss of valuable intellectual assets by:

- Auditing your trade secrets and proprietary information
- Drafting and enforcing tailored noncompete agreements, covenants not to compete, nondisclosure agreements, nondisclosure/anti-piracy agreements, and other restrictive covenants
- Conducting employee training on safeguarding trade secrets and proprietary information
- Conducting audits of key employee personnel files to make sure they have appropriate restrictive covenant in place
- Determining whether a noncompete agreement is legally enforceable before hiring a competitor's former employee

Employee Representation

If you are a transitioning employee who needs assistance with a noncompete matter, we can review your non-compete contract and provide you with advice and counsel on your options. Our review includes a summary of Kansas noncompete laws, strategies for negotiation, potential resolutions, and if necessary, litigation in lawsuits seeking to enforce the noncompete agreement.

PUBLICATIONS

ARTICLES

2021

Plan #TheBigShift Carefully to Protect Yourself From #TheBigLawsuit

2014

Analyzing a Trade Secret Case in Kansas
-The Journal of the Kansas Bar Association

ATTORNEYS/OTHER PROFESSIONALS

PRIMARY CONTACTS



GARY L. AYERS

Partner

T: 316.291.9530
gayers@foulston.com



SCOTT C. NEHRBASS

Partner

T: 913.253.2144
snehrbass@foulston.com

ADDITIONAL SUPPORTING MEMBERS



BRIAN G. BOOS

Partner

FOULSTON

ATTORNEYS AT LAW

T: 913.253.2135
bboos@foulston.com



HOLLY A. DYER

Partner

T: 316.291.9773
hdyer@foulston.com



JEFF P. DEGRAFFENREID

Partner

T: 316.291.9788
jdegaffenreid@foulston.com



TARA EBERLINE

Partner

T: 913.253.2136
teberline@foulston.com



FOULSTON

ATTORNEYS AT LAW

JAY F. FOWLER

Partner

T: 316.291.9541
jfowler@foulston.com



JEFFERY A. JORDAN

Partner

T: 316.291.9513
jjordan@foulston.com



CLAYTON J. KAISER

Partner

T: 316.291.9539
ckaiser@foulston.com



MICHAEL J. NORTON

Partner

T: 316.291.9743
mnorton@foulston.com

FOULSTON

ATTORNEYS AT LAW



TONY F. RUPP

Partner

T: 913.253.2127
trupp@foulston.com



SHANNON D. WEAD

Partner

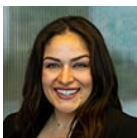
T: 316.291.9518
swead@foulston.com



MORGAN E. GEFFRE

Associate

T: 316.291.9577
mgeffre@foulston.com



SABRINA A. HERNANDEZ

FOULSTON

ATTORNEYS AT LAW

Associate

T: 316.291.9760
shernandez@foulston.com



JEREMY E. KOEHLER

Associate

T: 316.291.9728
jkoehler@foulston.com



SARAH C. OTTO

Associate

T: 913.253.2195
sotto@foulston.com



A. NICOLE ROSE

Associate

T: 316.291.9796
nrose@foulston.com

FOULSTON

ATTORNEYS AT LAW



SARAH E. STULA

Associate

T: 913.253.2149
sstula@foulston.com



NANCY E. MUSICK

Associate

T: 913.253.2140
nmusick@foulston.com