



London 2019

**Panel Session IV:
Protecting trade secrets in the EU – new and improved?**

In 2016, important new civil trade secret laws were promulgated both in the US and the EU with the aim to introduce a uniform approach and a stronger protection of trade secrets. The US enacted the Defend Trade Secrets Act (“USTSA”) and the EU formally adopted the Directive on the Protection of Undisclosed Know-How and Business Information (“EUTSD”) which Member States were obliged to implement before June 9, 2018.

This panel session will examine the main provisions of the new Directive, assess its impact in the EU Member States, as well as compare trade secret protection in Europe with the most recent developments in the United States. In light of the new legal landscape on both sides of the Atlantic, the panel will also discuss how multinational companies could reshape their trade secret strategies to safeguard trade secrets from misappropriation.

Some of the issues intended to be covered during the session include:

1. Objectives and key provisions of the EUTSD;
2. Current Implementation status and impact of the Directive in the EU Member States;
3. Different interpretation of national law by national courts in view of the Directive’s objectives and wording;
4. Comparison between the EUTSD and the USTSA: similarities and differences: exceptions from protection; and
5. The two regimes’ combined (and potential) impact in view of cross-border transactions.