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# AUDIT. PROTECT. SAFEGUARD.

Today, intellectual property is one of your company's most valuable assets.

However, while many businesses employ increasingly sophisticated strategies to protect their patents, trade marks, and designs, recent studies show that, despite their value, many companies still do not afford their trade secrets the same degree of protection.

Sometimes this is because a business hasn't taken the time to identify the trade secrets they have. Sometimes it's because they feel they don't have any. Sometimes they feel trade secrets are limited to recipes or algorithms (think Coca-Cola and Google). This is certainly not the case.

**All businesses have trade secrets. And all businesses can generate increased value by protecting their trade secrets. In these uncertain times, the need to protect trade secrets actively and effectively has never been greater.**

Trade secret laws are changing, opening new strategies for protecting these assets. The scale of this ever-increasing threat is illustrated perfectly by the corresponding increase in trade secret litigation every year.

# THE REGULATORY ENVIRONMENT IS CHANGING TOO.

Legal reforms are challenging the efficacy of other forms of IP, and all over the world tax authorities are taking a greater interest in companies' intangible assets.

At the same time, the global trading environment is changing, with greater emphasis being placed on innovation and outsourcing. Indeed, certain businesses are starting to display a worrying determination to disrupt the market, or even start trade wars in certain sectors.

If this wasn't enough, there is also higher staff churn, an increase in data security risks, and the change in working environments to contend with.

All these factors only add to the level of risk to your trade secrets.

We have created **SafeGuard** to make tackling and minimising this risk as straightforward as possible by helping you:



## 01. IDENTIFY

And audit your trade secrets.



## 02. ASSESS

The current level of protection around your trade secrets.



## 03. UNDERSTAND

The legal, compliance, and management environment you'll need to keep your trade secrets, secret.

# WHY SHOULD YOU PROTECT YOUR TRADE SECRETS?

While many businesses still think they don't have any trade secrets, the truth is that if your business is built on information that is:

! kept secret and has commercial value, now or in the future, then you have trade secrets.

However, the first step towards preserving their value is to identify and protect these important assets.

As we've said, trade secrets are not limited to recipes or algorithms. A trade secret can be a formula, practice, process, design, instrument, pattern, a commercial method, or even a compilation of information.

Or, they could be part of a business plan, raw or processed data, code, marketing information, client or supplier details, test results, competitor or market analysis, or product roadmaps.

They can also be your non-patented inventions, leaving you the option of seeking patent protection at a later stage. Unfortunately however, trade secrets are all too often the forgotten IP right.

They are rarely mentioned in IP training, conferences, and seminars. Many advisors neglect to consider their value and in-house IP practitioners are often kept too busy dealing with the other registrable IP rights to find the time to address their trade secrets in a meaningful way.

Over time this could cause extremely costly cracks in a business' IP portfolio.

Trade secrets have the potential to be the most valuable IP your organisation possesses but they will only ever retain their commercial value if you know which secrets you have and understand exactly what you need to do to protect them.

**This is where SafeGuard will help.**

# HOW DOES **SAFEGUARD** WORK?

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**SafeGuard** is a straightforward and accessible audit service, which we will deliver at a pre-agreed fixed price.

We take a deep dive into your business. We identify the trade secrets you have. We assess your team's understanding of trade secrets and the need to protect them in compliance with the relevant legal provisions.



## THIS **AUDIT** INCLUDES:



**A review of your business' current trade secrets to give you a real-time view of your company's trade secret portfolio.**



**A review of your team's knowledge of regulations and possible compliance issues.**



**At least one interview with a key stakeholder in the business to determine your immediate objectives.**



**Delivery of educational material to your team, including a detailed presentation to senior management.**



**Preparation of a report outlining the key issues and an proposed action plan.**

## BY THE END OF THE AUDIT, **YOU WILL KNOW:**

- » Exactly what assets you have, how they are being managed, and which of your trade secrets are of most value to your business.
- » Whether your existing trade secrets remain aligned with your commercial objectives.
- » What you need to do to minimise the likelihood of your trade secrets being misappropriated by your (ex)employees, directors, investors, suppliers, customers, partners, and competitors.
- » How to avoid becoming a victim of the continuing increase in trade secret disputes.
- » How setting up a framework to maintain regular reviews and maintenance of processes will maximise the commercial value of your trade secrets.

Once you have reviewed the report and considered what action you would like to take to improve the protection and management of your business' trade secrets, we will be ready to help you with the implementation of your plan and the ongoing management of your trade secrets.

**We are also ready to assist if your trade secrets are lost or stolen.**



CREATING VALUE FROM INNOVATION

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PATENTS

TRADE MARKS

DESIGNS

LITIGATION & LICENSING

CONSULTANCY

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