

Miss. Code Ann. § 75-26-5

Current with 2024 1st and 2nd Extraordinary Sessions and Regular Session legislation signed by the Governor and effective upon passage through April 15, 2024, not including changes and corrections made by the Joint Legislative Committee on Compilation, Revision and Publication of Legislation.

Mississippi Code 1972 Annotated > Title 75. Regulation of Trade, Commerce and Investments (Chs. 1 — 97) > Chapter 26. Mississippi Uniform Trade Secrets Act (§§ 75-26-1 — 75-26-19)

§ 75-26-5. Injunctive relief; protective orders.

- (1) Actual or threatened misappropriation may be enjoined. Upon application to the court, an injunction shall be terminated when the trade secret has ceased to exist, but the injunction may be continued for an additional reasonable period of time in order to eliminate commercial advantage that otherwise would be derived from the misappropriation.
- (2) In exceptional circumstances, an injunction may condition future use upon payment of a reasonable royalty for no longer than the period of time for which use could have been prohibited. Exceptional circumstances include, but are not limited to, a material and prejudicial change of position prior to acquiring knowledge or reason to know of misappropriation that renders a prohibitive injunction inequitable.
- (3) In appropriate circumstances, affirmative acts to protect a trade secret may be compelled by court order.

History

Laws, 1990, ch. 442, § 3, eff from and after July 1, 1990.

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