

Miss. Code Ann. § 75-26-7

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)*

§ 75-26-7. Damages for misappropriation; liability for royalty.

(1) Except to the extent that a material and prejudicial change of position prior to acquiring knowledge or reason to know of misappropriation renders a monetary recovery inequitable, a complainant is entitled to recover damages for misappropriation. Damages can include both the actual loss caused by misappropriation and the unjust enrichment caused by misappropriation that is not taken into account in computing actual loss. In lieu of damages measured by any other methods, the damages caused by misappropriation may be measured by imposition of liability for a reasonable royalty for a misappropriator's unauthorized disclosure or use of a trade secret.

(2) If willful and malicious misappropriation exists, the court may award exemplary damages.

History

Laws, 1990, ch. 442, § 4, eff from and after July 1, 1990.

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