

## 9 V.S.A. § 4602

Current through Act Nos. 104 and M-21 of the 2023 Adjourned Session of the 2023-2024 Vermont General Assembly

*Vermont Statutes Annotated* > *Title 9 Commerce and Trade (Pts. 1 — 8)* > *Part 8. Discrimination (Chs. 139 — 152)* > *Chapter 143. Trade Secrets (§§ 4601 — 4609)*

### § 4602. Injunctive relief

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- (a) A court may enjoin actual or threatened misappropriation of a trade secret. 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.
- (b) 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 a material and prejudicial change of position prior to acquiring knowledge or reason to know of misappropriation that renders a prohibitive injunction inequitable.
- (c) In appropriate circumstances, affirmative acts to protect a trade secret may be compelled by court order.

### History

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Added 1995, No. 90 (Adj. Sess.), § 1; amended 2013, No. 199 (Adj. Sess.), § 17.

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