

## Burns Ind. Code Ann. § 24-2-3-4

Current through P.L. 4-2024 of the Second Regular Session of the 123rd General Assembly.

*Burns' Indiana Statutes Annotated* > *Title 24 Trade Regulations; Consumer Sales and Credit (Arts. 1 — 15)* > *Article 2 Trademarks (Chs. 1 — 3)* > *Chapter 3 Trade Secrets (§§ 24-2-3-1 — 24-2-3-8)*

### **24-2-3-4. Misappropriation — Damages — Payment of royalties.**

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- (a) In addition to or in lieu of injunctive relief, a complainant may recover damages for the actual loss caused by misappropriation. A complainant also may recover for the unjust enrichment caused by misappropriation that is not taken into account in computing damages for actual loss.
- (b) When neither damages nor unjust enrichment are provable, the court may order payment of a reasonable royalty for no longer than the period during which the use could have been prohibited.
- (c) If willful and malicious misappropriation exists, the court may award exemplary damages in an amount not exceeding twice any award made under subsection (a).

### **History**

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IC 24-2-3-4, as added by Acts 1982, P.L. 148, § 1; P.L.50-1984, § 4.

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