

Md. Commercial Law Code Ann. § 11-1203

Current through all legislation from the 2023 Regular Session of the General Assembly.

*Michie's™ Annotated Code of Maryland > Commercial Law (Titles 1 — 24) > Title 11. Trade Regulation.
(Subts. 1 — 16) > Subtitle 12. Maryland Uniform Trade Secrets Act. (§§ 11-1201 — 11-1209)*

§ 11-1203. Right to damages.

- (a) 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.
- (b) Damages under this subtitle may include:
 - (1) The actual loss caused by misappropriation; and
 - (2) The unjust enrichment caused by misappropriation that is not taken into account in computing actual loss.
- (c) 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.
- (d) If willful and malicious misappropriation exists, the court may award exemplary damages in an amount not exceeding twice any award made under subsection (a) of this section.

History

1989, ch. 598.

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