

## **N.J. Stat. § 56:15-6**

Current through New Jersey 220th Second Annual Session, L. 2023, c. 280 and J.R. 18

*LexisNexis® New Jersey Annotated Statutes > Title 56. Trade Names, Trade-Marks and Unfair Trade Practices (Chs. 1 — 18) > Chapter 15. New Jersey Trade Secrets Act (§§ 56:15-1 — 56:15-9)*

### **§ 56:15-6. Award to prevailing party**

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The court may award to the prevailing party reasonable attorney's fees and costs, including a reasonable sum to cover the service of expert witnesses, if:

- a.** willful and malicious misappropriation exists;
- b.** a claim of misappropriation is made in bad faith; or
- c.** a motion to terminate an injunction is made or resisted in bad faith.

For purposes of this section, "bad faith" is that which is undertaken or continued solely to harass or maliciously injure another, or to delay or prolong the resolution of the litigation, or that which is without any reasonable basis in fact or law and not capable of support by a good faith argument for an extension, modification or reversal of existing law.

### **History**

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L. 2011, c. 161, § 6, eff. Jan. 5, 2012.

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