

C.R.S. 7-74-102

Statutes current through Chapter 52 of the 2024 Regular Session, effective as of April 4, 2024. The 2024 legislative changes are not final until compared and reconciled to the 2024 work product of the Colorado Office of Legislative Services later in 2024.

Colorado Revised Statutes Annotated > Title 7. Corporations and Associations > Trade Secrets (Art. 74) > Article 74. Uniform Trade Secrets Act (§§ 7-74-101 — 7-74-110)

7-74-102. Definitions.

As used in this article, unless the context otherwise requires:

- (1)** “Improper means” includes theft, bribery, misrepresentation, breach or inducement of a breach of a duty to maintain secrecy, or espionage through electronic or other means.
- (2)** “Misappropriation” means:
 - (a)** Acquisition of a trade secret of another by a person who knows or has reason to know that the trade secret was acquired by improper means; or
 - (b)** Disclosure or use of a trade secret of another without express or implied consent by a person who:
 - (I)** Used improper means to acquire knowledge of the trade secret; or
 - (II)** At the time of disclosure or use, knew or had reason to know that such person’s knowledge of the trade secret was:
 - (A)** Derived from or through a person who had utilized improper means to acquire it;
 - (B)** Acquired under circumstances giving rise to a duty to maintain its secrecy or limit its use; or
 - (C)** Derived from or through a person who owed a duty to the person seeking relief to maintain its secrecy or limit its use; or
 - (III)** Before a material change of such person’s position, knew or had reason to know that it was a trade secret and that knowledge of it had been acquired by accident or mistake.
- (3)** Repealed.
- (4)** “Trade secret” means the whole or any portion or phase of any scientific or technical information, design, process, procedure, formula, improvement, confidential business or financial information, listing of names, addresses, or telephone numbers, or other information relating to any business or profession which is secret and of value. To be a “trade secret” the

owner thereof must have taken measures to prevent the secret from becoming available to persons other than those selected by the owner to have access thereto for limited purposes.

History

Source:**L. 86:**Entire article added, p. 460, § 1, effective July 1.**L. 2003:**(3)(b) added by revision, pp. 2356, 2357, §§ 347, 348.**L. 2004:**IP(2)(b)(II) and (2)(b)(III) amended, p. 1459, § 180, effective July 1.

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