

## ORS § 646.465

Current through amendments effective on March 27, 2024

*LexisNexis® Oregon Annotated Statutes > Title 50 Trade Regulations and Practices (Chs. 645 — 650) > Chapter 646- Trade Practices and Antitrust Regulation (§§ 646.010 — 646.992) > Trade Secrets (§§ 646.461 — 646.510)*

### **646.465 Damages for misappropriation.**

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- (1) A complainant is entitled to recover damages adequate to compensate for misappropriation, unless a material and prejudicial change of position by a defendant prior to acquiring knowledge or reason to know of the misappropriation renders a monetary recovery inequitable.
- (2) Damages may include both the actual loss caused by misappropriation, and the unjust enrichment caused by misappropriation that is not taken into account in computing actual loss, but shall not be less than a reasonable royalty for the unauthorized disclosure or use of a trade secret.
- (3) Upon a finding of willful or malicious misappropriation, punitive damages may be awarded in an amount not exceeding twice any award made under subsections (1) and (2) of this section.

### **History**

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1987 c.537 § 4.

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