

## MCLS § 445.1904

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*Michigan Compiled Laws Service > Chapter 445 Trade And Commerce (§§ 445.1 — 445.2586) > Act 448 of 1998 (§§ 445.1901 — 445.1910)*

### **§ 445.1904. Misappropriation; recovery of damages.**

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Sec. 4.

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. Damages can 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. 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.

### **History**

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Pub Acts 1998, No. 448, § 4, imd eff December 30, 1998 (see 1998 note below).

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