

C.R.S. 18-4-408

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 18. Criminal Code (Arts. 1 — 26) > Article 4. Offenses Against Property (Pts. 1 — 8) > Part 4. Theft (§§ 18-4-401 — 18-4-420)

18-4-408. Theft of trade secrets - penalty.

(1) Any person who, with intent to deprive or withhold from the owner thereof the control of a trade secret, or with an intent to appropriate a trade secret to his own use or to the use of another, steals or discloses to an unauthorized person a trade secret, or, without authority, makes or causes to be made a copy of an article representing a trade secret, commits theft of a trade secret.

(2) As used in this section:

(a) “Article” means any object, material, device, or substance, or copy thereof, including any writing, record, recording, drawing, sample, specimen, prototype, model, photograph, microorganism, blueprint, or map.

(b) “Copy” means any facsimile, replica, photograph, or other reproduction of an article, and any note, drawing, or sketch made of or from an article.

(c) “Representing” means describing, depicting, containing, constituting, reflecting, or recording.

(d) “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.

(3)

(a) Theft of a trade secret is a class 2 misdemeanor.

(b) Notwithstanding section 16-5-401 (1)(a), C.R.S., any prosecution for violation of this section shall be commenced within three years after discovery of the offense.

History

Source: **L. 71:**R&RE, p. 430, § 1.**C.R.S. 1963:**§ 40-4-408. **L. 89:**(3) amended, p. 833, § 46, effective July 1. **L. 98:**(3) amended, p. 156, § 1, effective July 1. **L. 2021:**(3)(a) amended,(SB 21-271), ch. 462, p. 3177, § 206, effective March 1, 2022. **L. 2023:**(3)(a) amended,(HB 23-1293), ch. 298, p. 1785, § 12, effective October 1.

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