

Nev. Rev. Stat. Ann. § 600A.030

This document is current through the end of legislation from the 82nd Regular Session (2023). This document incorporates revisions received from the Legislative Counsel Bureau for NRS Chapters 1 to 220. This document is current through the end of legislation from the 34th and 35th Special Sessions (2023), subject to revision by the Legislative Counsel Bureau.

Nevada Revised Statutes Annotated > Title 52. Trade Regulations and Practices. (Chs. 597 — 604B) > Chapter 600A. Trade Secrets (Uniform Act). (§§ 600A.010 — 600A.100)

600A.030. Definitions.

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

1. “Improper means” includes, without limitation:
 - (a) Theft;
 - (b) Bribery;
 - (c) Misrepresentation;
 - (d) Willful breach or willful inducement of a breach of a duty to maintain secrecy;
 - (e) Willful breach or willful inducement of a breach of a duty imposed by common law, statute, contract, license, protective order or other court or administrative order; and
 - (f) Espionage through electronic or other means.
2. “Misappropriation” means:
 - (a) Acquisition of the trade secret of another by a person by improper means;
 - (b) 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
 - (c) Disclosure or use of a trade secret of another without express or implied consent by a person who:
 - (1) Used improper means to acquire knowledge of the trade secret;
 - (2) At the time of disclosure or use, knew or had reason to know that his or her knowledge of the trade secret was:
 - (I) Derived from or through a person who had used improper means to acquire it;
 - (II) Acquired under circumstances giving rise to a duty to maintain its secrecy or limit its use; or
 - (III) Derived from or through a person who owed a duty to the person seeking relief to maintain its secrecy or limit its use; or

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- (3) Before a material change of his or her 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. “Owner” means the person who holds legal or equitable title to a trade secret.
4. “Person” means a natural person, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.
5. “Trade secret”:
- (a) Means information, including, without limitation, a formula, pattern, compilation, program, device, method, technique, product, system, process, design, prototype, procedure, computer programming instruction or code that:
 - (1) Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by the public or any other persons who can obtain commercial or economic value from its disclosure or use; and
 - (2) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.
 - (b) Does not include any information that a manufacturer is required to report pursuant to NRS 439B.635 or 439B.640, information that a pharmaceutical sales representative is required to report pursuant to NRS 439B.660, information that a pharmacy benefit manager is required to report pursuant to NRS 439B.645 or information that a wholesaler is required to report pursuant to NRS 439B.642 to the extent that such information is required to be disclosed by those sections.

History

1987, ch. 15, § 4, p. 20; 1993, ch. 649, § 58, p. 2802; 1999, ch. 449, § 2, p. 2101; 2017, ch. 592, § 9, p. 4306, effective October 1, 2017; 2021, ch. 547, § 19, p. 3730, effective October 1, 2021.

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