

D.C. Code § 36-402

The Official Code is current through March 22, 2024

District of Columbia Official Code > Division V. Local Business Affairs. (Titles 25 — 37) > Title 36. Trade Practices. (Chs. 1 — 6) > Chapter 4. Trade Secrets. (§§ 36-401 — 36-410)

§ 36-402. Injunctive relief.

- (a) Actual or threatened misappropriation may be enjoined. Upon application to the court, an injunction shall be terminated when the trade secret has ceased to exist, but the injunction may be continued for a reasonable period of time to eliminate commercial advantage that otherwise would be derived from the misappropriation.
- (b) In exceptional circumstances, an injunction may condition future use upon payment of a reasonable royalty for no longer than the period of time for which use could have been prohibited. Exceptional circumstances include, but are not limited to, a material and prejudicial change of position prior to acquiring knowledge or reason to know of a misappropriation that renders a prohibitive injunction inequitable.
- (c) In appropriate circumstances, an affirmative act to protect a trade secret may be compelled by court order.

History

(Mar. 16, 1989, D.C. Law 7-216, § 3, 36 DCR 519.)

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