

## 765 ILCS 1065/3

Statutes current with legislation through P.A. 103-585 of the 2024 Regular Session of the 103rd General Assembly.

*Illinois Compiled Statutes Annotated* > *Chapter 765 PROPERTY (§§ 5/0.01 — 1085/35)* > *Illinois Trade Secrets Act (§§ 1065/1 — 1065/9)*

### **765 ILCS 1065/3 [Injunction; termination; continuation; conditions on future use]**

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- (a) Actual or threatened misappropriation may be enjoined. Upon application to the court, an injunction may be terminated when the trade secret has ceased to exist, provided that the injunction may be continued for an additional reasonable period of time in appropriate circumstances for reasons including, but not limited to an elimination of the commercial advantage that otherwise would be derived from the misappropriation, deterrence of willful and malicious misappropriation, or where the trade secret ceases to exist due to the fault of the enjoined party or others by improper means.
- (b) If the court determines that it would be unreasonable to prohibit future use due to an overriding public interest, an injunction may condition future use upon payment of a reasonable royalty for no longer than the period of time the use could have been prohibited.
- (c) In appropriate circumstances, affirmative acts to protect a trade secret may be compelled by a court order.

### **History**

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P.A. 85-366.

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