# **Md. Commercial Law Code Ann. § 11-1203**

Current through all legislation from the 2023 Regular Session of the General Assembly.

***Michie’s™ Annotated Code of Maryland* > *Commercial Law (Titles 1 — 24)* > *Title 11. Trade Regulation. (Subts. 1 — 16)* > *Subtitle 12. Maryland Uniform Trade Secrets Act. (§§ 11-1201 — 11-1209)***

**§ 11-1203. Right to damages.**

**(a)** 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.

**(b)** Damages under this subtitle may include:

**(1)** The actual loss caused by misappropriation; and

**(2)** The unjust enrichment caused by misappropriation that is not taken into account in computing actual loss.

**(c)** 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.

**(d)** If willful and malicious misappropriation exists, the court may award exemplary damages in an amount not exceeding twice any award made under subsection (a) of this section.

**History**

1989, ch. 598.

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