



Daniel Zaheer and Julian Pymonto Unpack the Globalization of U.S. Trade Secrets Law in *The Daily Journal*

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No international legal regime protecting trade secrets exists, but non-U.S. companies may be surprised to learn that U.S. courts and agencies have filled this void, applying U.S. law to cross-border disputes. This trend could devastate overseas companies that are unprepared to have their practices scrutinized under US rules. For would-be trade secret plaintiffs, the trend creates a major opportunity. Kobre & Kim's Daniel Zaheer and Julian Pymonto, who both focus on high-stakes cross-border intellectual property litigation, explain in an article for *The Daily Journal*.

Not long ago, trade secrets law in the U.S. was a local affair, but both federal courts and the U.S. International Trade Commission (ITC) have recently interpreted their own reach broadly. In both forums, jurisdiction can be premised on nothing more than the importation of a relevant product—even if the trade secret was stolen overseas by a foreign company, from a foreign company. And in these cases, it is US law, and not local law, that applies.

Foreign clients selling products in the U.S. should therefore be aware of U.S. trade secrets law, adopt practices designed to mitigate risk and, if a litigation proceeds, understand key legal strategies. Clients with potential claims should understand that the U.S. system may offer them their day in court, even if the law and courts of their home country foreclose a remedy.

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