
By: **Chairman, Economic Matters Committee (Departmental - Business and Economic Development)**

Introduced and read first time: January 16, 2002

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Uniform Trade Secrets Act - Identification of a Trade Secret**
3 **During Litigation**

4 FOR the purpose of amending the Maryland Uniform Trade Secrets Act to require
5 that a party alleging a misappropriation of a trade secret in legal action taken
6 under the Act must identify, at a specified time during the action, the trade
7 secret alleged to have been misappropriated; and generally relating to legal
8 action taken under the Maryland Uniform Trade Secrets Act.

9 BY repealing and reenacting, with amendments,
10 Article - Commercial Law
11 Section 11-1205
12 Annotated Code of Maryland
13 (2000 Replacement Volume and 2001 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Commercial Law**

17 11-1205.

18 (A) In an action under this subtitle, a court shall preserve the secrecy of an
19 alleged trade secret by reasonable means, which may include granting protective
20 orders in connection with discovery proceedings, holding in-camera hearings, sealing
21 the records of the action, and ordering any person involved in the litigation not to
22 disclose an alleged trade secret without prior court approval.

23 (B) IN AN ACTION UNDER THIS SUBTITLE, THE PARTY ALLEGING THE
24 MISAPPROPRIATION OF A TRADE SECRET SHALL IDENTIFY, AT THE TIME THE PARTY
25 FILES ITS FIRST PLEADING OR PAPER IN THE ACTION, THE TRADE SECRET WITH
26 REASONABLE PARTICULARITY, SUBJECT TO ANY ORDERS THAT MAY BE
27 APPROPRIATE UNDER SUBSECTION (A) OF THIS SECTION.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2002.