

Trade secrets checklist

This checklist gives you insight into the ten most important focus areas to adequately protect your trade secrets. Have you gone through the points below? Then contact your patent attorney for advice on the next steps to protect your trade secrets.



1. Categorize how your intellectual property is protected (confidentiality, patents, trademarks/models/designs).
(patents, contracts, etc.); administrative measures (instructions, labeling, logging, clean desk policy, etc.); behavioral measures (training, incentives, etc.).
2. Make an overview of any currently registered intellectual property rights (such as patent, design, and trademark applications).
3. Make an inventory of the type of information that is exchanged and the (confidentiality) agreements you have with external parties (such as: suppliers, advisers, and customers.)
4. Classify the value of your trade secrets. Make a distinction between different types of information (technical, financial, operational, strategic, etc.) within the different departments (R&D, marketing, sales, board, etc.) and in different formats or media (written, verbal, visual, testing, etc.).
5. Give a score (1 to 5) to the possible impact; what happens if the protection of your trade secrets fails.
6. Make an inventory of how your trade secrets are protected. This includes: physical measures (locks, privacy screens, encryption, etc.); legal measures
7. Identify the individuals in your company who are involved in trade secrets and their level of involvement; Is involved in (general) policy / Knows current policy / Knows the value of information, Handles sensitive information regularly).
8. Make an overview of your employees' contractual obligations with regard to confidentiality (for example through an employment contract).
9. Indicate how the effectiveness of the strategy and policy is monitored and how often this strategy and policy is revised and updated.
10. Make an inventory of incidents, near misses or disputes and their impact on the risks and policy. And make an estimate of the likelihood that incidents, near-incidents or disputes could occur again today and indicate why.

If you have any questions or would like Intellectual Property advice?

Please contact V.O. Patents & Trademarks

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