



NEWS RELEASE

Lex Machina Releases 2024 Trade Secret Litigation Report

2024-09-12

Analytics reveal a bump in trade secret cases filed in federal district court in 2023, along with the continued steady trend of trade secret cases that involved DTSA claims

MENLO PARK, Calif., Sept. 12, 2024 /PRNewswire/ -- Lex Machina, a LexisNexis company, today releases its 2024 Trade Secret Litigation Report. The report examines trade secret litigation trends in federal district and appellate courts. Focusing on the three-year period from 2021 to 2023, it surveys emerging trends in case filings, venues, judges, law firms, attorneys, parties, timing metrics, case resolutions, findings, and damages. The report often focuses on different sets of data, e.g., filtering cases in order to provide analytics on general trade secret cases, trade secret cases excluding Defend Trade Secret Act ("DTSA") cases, and DTSA cases filed in the federal district courts, as well as trade secret cases docketed in the federal appellate courts.

"The ability to use Lex Machina to track changing litigation patterns and trends is exemplified in a practice area like trade secret litigation," said Elaine Chow, Lex Machina's trade secret legal data expert and editor of the report. "We can use Lex Machina's multitude of filters to slice the data and analytics to see, for example, that trade secret case filings swung back up in 2023, and that the proportion of trade secret cases involving DTSA claims continued to rise. Legal practitioners can employ this information to derive the valuable data-driven insights most relevant to their own practice."

Findings from the report include:

- In 2023, 1,203 trade secret cases were filed in federal district courts.
- In the three-year period from 2021 to 2023, the highest number of trade secret cases was filed in the Central District of California, while Judge Yeakel from the Western District of Texas was the most active judge for trade secret cases.
- Financial institutions and insurance companies were predominant on the list of the most active plaintiffs over the three years from 2021 to 2023.
- In the three-year period from 2021 to 2023, Gordon Rees Scully Mansukhani was the most active law firm representing plaintiffs in trade secret cases.
- Littler Mendelson defended clients in the highest number of trade secret cases during the three-period from 2021 to 2023.
- For trade secret cases that were appealed to a federal appellate court and terminated from 2021 to 2023 with a decision on the merits of the appeal, 45% were ultimately reversed.
- \$511 million in Punitive / Willfulness Damages was awarded from 2021 to 2023.

Lex Machina's reports and software enable practitioners to devise data-driven litigation strategies. The metrics in this report can help readers decide who to pursue as clients, whether to file a particular motion, or when to settle (and for how much). This research supplements traditional legal research and anecdotal data for a competitive edge in court.

Trade Secret Litigation Report Webcast

Lex Machina is hosting a webcast to discuss the report on September 12, 2024 at noon ET/9am PT with Ilissa Samplin (Partner at Gibson Dunn), Elaine Chow (Lex Machina's Legal Data Expert in Trade Secret Litigation), and Teddy Hook (Lex Machina's Practice Area Specialist). Register for the event or view a recording:

https://lexmachina.zoom.us/webinar/register/WN_ESbzokIHQCSjtNjwCPFU2g

About LexisNexis Legal & Professional

LexisNexis Legal & Professional® provides legal, regulatory, and business information and analytics that help customers increase their productivity, improve decision-making, achieve better outcomes, and advance the rule of law around the world. As a digital pioneer, the company was the first to bring legal and business information online with its Lexis® and Nexis® services. LexisNexis Legal & Professional, which serves customers in more than 150 countries with 11,800 employees worldwide, is part of RELX, a global provider of information-based analytics and decision tools for professional and business customers.

About Lex Machina

Lex Machina fundamentally changes how companies and law firms compete in the business and practice of law. The company provides strategic insights on judges, lawyers, law firms, parties, and other critical information across 22 federal practice areas and a rapidly growing number of state courts. Lex Machina allows law firms and

companies to anticipate the behaviors and outcomes that different legal strategies will produce, enabling them to win cases and close business.

Lex Machina was named one of Forbes' Best Workplaces in the Bay Area in 2024, Winner of the "Media Excellence Award" for Analytics/Big Data 2024, "Great Places to Work 2023-2024", one of "Legal Tech's Most Promising Solution Providers" (CIO Review Awards 2022), "Greater Bay Area Top Workplaces 2022" (The San Francisco Chronicle Top Workplaces in the Bay Area 2022), "Legal Tech Company of the Year 2021" (CIO Review, 2021), "2021 Legal Technology Trailblazer" (National Law Journal Trailblazer Awards, 2021), and Winner of the "Media Excellence" Award for Analytics/Big Data (13th Annual Media Excellence Award, 2021). Based in Silicon Valley, Lex Machina is part of LexisNexis, a leading global provider of legal, regulatory, and business information and analytics. For more information, please visit www.lexmachina.com.

View original content to download multimedia:<https://www.prnewswire.com/news-releases/lex-machina-releases-2024-trade-secret-litigation-report-302244716.html>

SOURCE LEX MACHINA