

**Uniform Trade Secrets Act**  
As amended 1985

**§ 1. Definitions.**

As used in this Act, unless the context requires otherwise:

- (1) “Improper means” includes theft, bribery, misrepresentation, breach or inducement of a breach of duty to maintain secrecy, or espionage through electronic or other means.
- (2) “Misappropriation” means:
  - (i) acquisition of a trade secret of another by a person who knows or has reason to know that the trade secret was acquired by improper means; or
  - (ii) disclosure or use of a trade secret of another without express or implied consent by a person who
    - (A) used improper means to acquire knowledge of the trade secret; or
    - (B) at the time of disclosure or use knew or had reason to know that his knowledge of the trade secret was
      - (I) derived from or through a person who has utilized improper means to acquire it;
      - (II) acquired under circumstances giving rise to a duty to maintain its secrecy or limit its use; or
      - (III) derived from or through a person who owed a duty to the person seeking relief to maintain its secrecy or limit its use; or
    - (C) before a material change of his position, knew or had reason to know that it was a trade secret and that knowledge of it had been acquired by accident or mistake.

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