



Non-Compete / Trade Secret Law

Confidential, proprietary, and trade secret information can make up a Company's most important assets – assets difficult to protect in an employment setting. Trade secret, non-compete, and non-solicitation litigation is unavoidable in a competitive industry. Your Company can face both sides of these issues.

Zashin & Rich understands how these cases can be expensive, but unavoidable. We take the time up front to develop a strategy to avoid expensive missteps and anticipate pitfalls – saving your Company time and money in the long run.

Z&R's Non-Compete/Trade Secret Group does not treat your matter as a garden variety case with a one-size-fits-all strategy. Our processes and strategies are creative, efficient, and thoughtfully designed based on your business and unique needs. We are far from traditional and take the time to learn the ins and outs of your business so that we can carefully craft our strategy to protect your interests.

Many non-compete and trade secret cases revolve around mountains of electronic data. We understand the movement of data and how employees access and use it. We also partner with forensic experts who understand our model and thought processes – all so that we can quickly and take the best course of action.

Even after a case is resolved, issues may arise. In such cases, we aggressively enforce settlement agreements. Your Company paid for and agreed to a resolution; you have every right to enforce it.

Z&R's Non-Compete/Trade Secret Group has extensive experience representing businesses of all sizes, as well as individual managers, non-profit organizations, and public-sector entities all over the country. Z&R combines its broad experience with restrictive covenants, and specialized knowledge of the employer-employee relationship and client industries and businesses to provide individualized advice and counsel.

Z&R's Non-Compete/Trade Secret Group's expertise extends into many areas including:

- **General Non-Compete/Trade Secret Counseling:** Z&R counsels employers on the ever-changing landscape of restrictive covenants and implementing practices aimed at avoiding litigation. For instance, there are ways to avoid messy and expensive litigation when hiring from a competitor – we assist in developing preventative strategies and steps to implement when hiring.
- **Enforcement:** When confidential or proprietary information is misused, or when litigation is necessary, Z&R will seek to uphold the terms of the Company's agreement and the law. We assist in protecting your competitive edge and information as an employer, particularly when an employee leaves. We also assist in review and drafting of enforceable agreements, development of a secure work environment, and administration of policies surrounding the protection of your business and information. When an employee does leave, we work toward learning what occurred and developing a strategy to best protect your Company's interests and information.
- **Trade Secrets Litigation:** Z&R is well-versed in state and federal trade secrets law to vigorously protect your interests and trade secrets from misappropriation, use, or disclosure. Z&R has tried these cases to verdict.



For more information about Zashin & Rich's Non-Compete/Trade Secret Group, please contact **Ami Patel** (ajp@zrlaw.com) at 216.696.4441.

A Note from Ami Patel, Non-Compete/Trade Secret Practice Group Leader

Since very early in my career, I have litigated complicated and often contentious litigation. At the City of Cleveland, I developed the skills and experience needed to handle matters that spanned from demand letters, position statements, grievance arbitrations, labor negotiations, administrative hearings and disciplinary hearings, all the way up to complex and demanding litigation involving preliminary injunctions, and potentially millions of dollars. Beyond that, I was involved in making policies to address issues that often came to light during litigation.

This backdrop uniquely positioned me to move to Zashin & Rich over 12 years ago to handle some of the firm's most complicated litigation, which often includes complex legal issues, multiple forums, and intricate and often hidden fact patterns.

This is why – over the last 8 years – my practice has focused on handling Z&R's non-compete/trade secret practice. Beyond handling dozens of matters across the country (both pre-suit and active litigation), I have assisted in the review and strategy surrounding nearly all of the firm's trade secret and non-compete cases.

Ami's Bio

Ami J. Patel is the practice leader of Zashin & Rich's Non-Compete/Trade Secret Practice. She works in nearly all the firm's trade secrets and non-compete cases. Ami also counsels and defends public and private employers and managers in employment issues and labor relationships. Ami's practice particularly focuses on the issues surrounding employee departures and transitions to new employers.

Prior to joining Zashin & Rich in 2011, Ami worked as an Assistant Law Director at the City of Cleveland, where she defended the City's management at arbitrations, civil service hearings, the Ohio State Employment Relations Board, the Ohio Civil Rights Commission, the Equal Employment Opportunity Commission, and in federal and state courts.

Since joining Zashin & Rich, in addition to representing the City of Cleveland, Ami has represented both private and public sector employers in matters that have confronted a variety of issues, including but not limited to: union-related issues; public-sector concerns, such as due process, immunity, First Amendment, and Section 1983 claims; Family and Medical Leave Act; the Fair Labor Standards Act; the Uniformed Service Employment and Reemployment Rights Act; discrimination; harassment; retaliation; breach of contract; non-compete agreements; trade secrets; and wage and hour disputes.

In addition to her litigation practice, Ami also assists the firm in advising clients on employee handbooks, manuals and policy updates, agreements, protocols regarding employee transitions and departures, and disciplinary processes.

Ami has been named to the Super Lawyers Rising Star list from 2013–2019, and the 2023 Super Lawyers list in Business Litigation.

Sample of Reported Cases Handled By Z&R's Trade Secret Practice Group:

- *Charter Communications, Inc. v. Bartee*, No. 5:22-cv-01297 (N.D. Ohio)
- *Leader Promotions, Inc. v. Amen et al.*, No. 2:22-cv-01107 (N.D. Ohio)
- *Leader Promotions, Inc. v. Polgar et al.*, No. 2:18-cv-01328 (S.D. Ohio)
- *Seaman Corp. v. Flaherty and Siplast*, No. 5:20-cv-00443 (N.D. Ohio) involving related case in California
- *Lux Global Label Company, LLC v. Shacklett et al.*, No. 2:18-cv-05061 (E.D. Pa.)
- *James B. Oswald Co. v. Teague et al.*, No. 1:18-cv-02114 (N.D. Ohio)



- *Bar Processing Corp. v. Perrino et al.*, No. 2:18-cv-12691 (E.D. Mich.)
- *Integrity Energy LTD v. Hunter et al.*, No. 1:18-cv-00978 (N.D. Ohio)
- *More Than Gourmet, Inc. v. Finnegan*, No. 5:18-cv-02509 (N.D. Ohio)
- *Gold Star Energy v. Dennison et al.*, No. 2:18-cv-00253 (S.D. Ohio)
- *State Industrial Products Corporation v. Trattner*, No. 1:17-cv-02025 (N.D. Ohio)
- *State Industrial Products Corporation v. Ladrillono et al.*, No. 1:14-cv-02346 (N.D. Ohio)
- *Mazzella Lifting Technologies, Inc. v. Phrasayavong*, No. 1:19-cv-02590 (N.D. Ohio)
- *Mazzella Lifting Technologies, Inc. v. LeBrun*, No. 1:19-cv-02100 (N.D. Ohio)
- *Mazzella Lifting Technologies, Inc. v. Farmer*, No. 1:16-cv-00395 (N.D. Ohio)
- *CBIZ Insurance v. Michael Zimmerman*, Cuyahoga County No. CV-16-860813
- *Altimate Care LLC v. Renatta Cloud, et al.*, Cuyahoga County No. CV-21-948634
- *Arthur J. Gallagher & Co. v. Anthony*, No. 1:16-cv-00284 (N.D. Ohio)