

Due to the new Trade Secrets Act (GeschGehG) companies are currently unprotected!

We bring this situation to an end!

Why is there an urgent need for action?

From the point of view of risk management, it can only be described as a huge system change! No other description has been more accurate since the entry into force of the Trade Secrets Act. With the aim to improve the protection of business secrets and the know-how of companies, the existing law was turned upside down. Because before the better protection can be effective, the EU-wide directive unprotects all companies overnight!

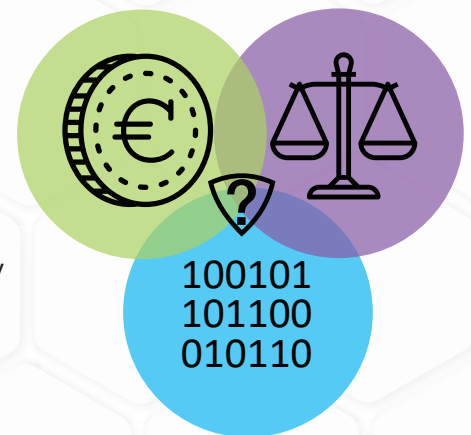


Since its entry into force, companies can only effectively defend their trade secrets in court if they have actually been protected under the measures enshrined in the law. Previous judgments show that this new law is actually lived and generously applied by courts. Criminals arrive without being prosecuted, because companies can not provide the burden of proof required by law!



What are the challenges for German companies?

The implementation of protection measures and the creation of protection concepts poses a very difficult challenge for companies. No other law requires such economic, technical and legal interface knowledge! But that's definitely the key to success!



Only companies that dedicate themselves to the core of their recipe for success will be able to live up to their future in compliance with the rules and without harm. It is even more difficult for internationally active companies with often very complex business structures. In most cases, these companies have not grown organically and have steadily expanded their portfolio through acquisitions! This fact requires special attention and a high level of professional experience.



In these cases, business secrets and know-how differ from location to location also in the linguistic sense. Business secrets of German companies can of course also be betrayed and stolen in other languages. Please think here about subsidiaries in the EU area!

Is it advisable to take minimum precautionary measures?

No! Under no circumstance! It is clear from the content of the law that all-in agreements with employees and partners are completely unsuitable as a measure of a protection concept!

Assume that you will lose with such minimal measures in high security trials.



In addition to the correct application of the law by the court, the opposing defense will dare to make your protective measures unworthy of the law!

Once you are accused of negligence in dealing with trade secrets, you have lost the trial. The system change means a high burden of proof for the trade secret holder, which must not miss your purpose. Leading experts therefore advise urgent and irrefutable evidence in the context of the Trade Secrets Act implementation.

In this regard, the insider knowledge of internal perpetrators is to pay particular attention! After all, more than 80% of injuries are committed by current and former employees!

How important is a motive of the whistleblower?

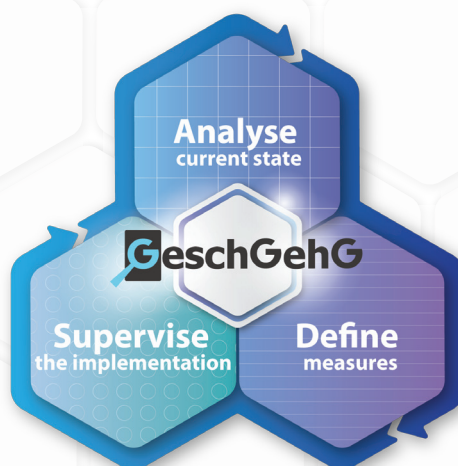
The addition at the last moment before entry into force supplement under § 2, the definitions, contains a lot of fuel for conflict in relation to Whistleblower! Companies are committed to ensuring the responsible use of whistleblowers and correspondingly protect neighboring laws. This can not and will not be questioned as long as they act with the intention of protecting the public and EU law. However, if the motive is revenge, competitiveness, reputational damage or any other abusive motive, a company must be able to react.



The intent as well as the motive behind it should complement companies with the essential factor of a whistleblower action! Companies would therefore be helped to know how long a whistleblower knew about the violation before it made it public. Only in this way a company can distinguish between justified and abusive motives and take appropriate measures!

How can we help you?

To ensure that all aspects of the law are taken into account, our audit process includes a very high degree of automation. Our approach provides companies with industry-independent, rapid and cost-effective protection of trade secrets. The evidence thus created is the best possible condition to legally enforce injunctive relief claims and claims to enforce.



The ultimate goal is to create a high economic and legal value for companies with the help of technology! A specially developed software solution helps classify trade secrets and identify the business secret carriers behind them. Subsequently, necessary protective measures are created and their correct implementation checked! All services can be provided cross-border and there is no need to purchase our technology!

The result we provide includes the following 9-point package:

1. A description of the project scope for the legally compliant implementation
2. A classification of trade secrets according to the definitions
3. Action catalogs for implementation as a protection concept
4. Test reports on the actual implementation of the protective measures
5. At least one TB volume of forensic data on insider knowledge
6. Protocols on all contract adjustments with internal and external business secret holders
7. Material for employee training
8. Whistleblower time-difference check for the case of need
9. Other purpose-based evidence as a submission in court



If you want to end the vulnerable state of your company, please contact us!
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