



Analysis of public sources indicates that under the Obama administration, the U.S. government has made substantial efforts to combat trade secret theft through an increase by the U.S. Department of Justice in the number of criminal trade secret prosecutions.

In this update, we review statistics relating to criminal trade secret cases brought by the Obama administration, analyze statements by President-elect Donald Trump and Jeff Sessions, the nominee for U.S. Attorney General, and consider what companies may expect from the DOJ in the area of trade secret theft. Their comments suggest that the Trump administration may be equally, if not more, likely to encourage prosecution of suspected trade secret theft, particularly when foreign nationals and national security are involved.

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