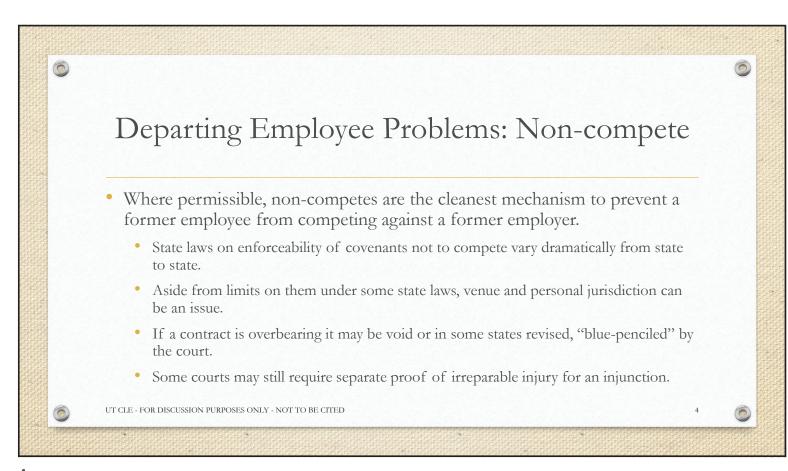


2



## "Blue Pencil" States Allow Revision to Preserve Validity of Non-Competes Texas is a "blue pencil" state. Texas Business and Commerce Code § 15.51(c), if the duration or geography are unreasonable, "the court shall reform the covenant to the extent necessary to cause the limitations contained in the covenant as to time, geographical area, and scope of activity to be restrained to be reasonable and to impose a restraint that is not greater than necessary to protect the goodwill or other business interest of the promisee and enforce the covenant as reformed . . . ." Other blue pencil states include Arizona, Delaware, Kentucky, North Carolina, etc.





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